

Children and Families Overview and Scrutiny Panel

Thursday, 23 January 2020, County Hall, Worcester - 2.00 pm

Present:

Minutes

Mrs F M Oborski (Chairman), Mrs J A Potter (Vice Chairman), Mr T Baker-Price, Ms R L Dent, Mr P M McDonald, Mr S J Mackay and Ms T L Onslow

Also attended:

Mr M J Hart, Cabinet Member with responsibility for Education and Skills
Mr A C Roberts, Cabinet Member with Responsibility for Children and Families

Dr Catherine Driscoll (Chief Executive of Worcestershire Children First & Director of Children's Services)
Michael Hudson (Chief Financial Officer)
Phil Rook (Director of Resources (WCF))
Sarah Wilkins (Director, Education and Early Help, WCF)
Liz Holt (Regional Manager, Babcock Prime)
Samantha Morris (Scrutiny Co-ordinator) and
Alyson Grice (Overview and Scrutiny Officer)

Available Papers

The Members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the Meeting held on 13 November 2019 (previously circulated).

(A copy of document A will be attached to the signed Minutes).

413 Apologies and Welcome

Apologies were received from Mrs P Agar and Mr B Clayton.

414 Declaration of Interest and of any Party Whip

None.

415 Public Participation

None.

416 Confirmation of the Minutes of

The Minutes of the Meeting held on 13 November 2019 were agreed as a correct record and signed by the Chairman.

the Previous Meeting

417 Budget Scrutiny: In-Year Performance and Draft 2020/21 Budget and Medium Term Financial Plan Update 2020-22 for Children And Families

The Cabinet Members with Responsibility for Children and Families, and Education and Skills had been invited to the meeting to present the Council's draft budget for 2020/21. The Director of Children's Services & Chief Executive of Worcestershire Children First (WCF), the County Council's Chief Financial Officer and WCF's Director of Resources were also in attendance.

The Panel's views would contribute to Overview and Scrutiny's overall response to the budget which was being coordinated by the Overview and Scrutiny Performance Board (OSPB).

By way of introduction, the Chief Financial Officer made the following points:

- As part of the Agenda for the meeting, Members had been given budget figures published for December Cabinet. Updated figures had now been published ahead of January Cabinet.
- Comments from this meeting would be considered by the Overview and Scrutiny Performance Board on 29 January 2020.
- Although there had been a significant increase in Government funding, this was still seen as one-off funding (although some had been in place for 3 or 4 years) and therefore had not been included in the base budget.
- The provisional settlement had been slightly better than forecast.
- The High Needs Block of the Dedicated Schools Grant was still not at the level of in-year spend and the additional funding from Government (£8.7m) had not been included in the base budget.
- Reserves included an allocation for unforeseen events.
- It was proposed to increase council tax by 3.99%. Even with this increase, council tax would be one of the lowest in comparable authorities.
- The County Council would continue to face financial pressures in the coming years.

Members were given an opportunity to ask questions and the following main points were raised:

- It was confirmed that the budget for positive activities was now held by public health as part of

the Public Health Ring-Fenced Grant (PHRFG). The Director of Children's Services confirmed that £400k per year had been spent on positive activities for the last few years and this would still be the case for 2020/21. The Director of Public Health was now embarking on the re-commissioning of contracts with the aim of bringing positive activities into the 0-19 arrangements. The Director of Children's Services was currently in discussion with the Director of Public Health to look at the potential to put more money into the service. However, there was no agreement to date.

- The Panel considered savings applied to the 2020/21 budget for WCF. In response to a question about savings from the Post-16 Home to School Transport budget, Members were informed that the price of the Severn card was being reviewed with the potential for charges to be increased. This review would include benchmarking with the aim of bringing charges up to the level of other local authorities after three years of no change.
- It was confirmed that savings from Housing Support Contracts would be as a result of re-commissioning.
- It was confirmed that a review of eligibility for Home to School Transport would be undertaken and the service would also be looking for further efficiencies from providers. Service users who were covered by statutory duties would not be affected.
- Members were reminded that WCF did not hold its own reserves. Any overspend would need to be covered by an amendment through the contract if necessary. This would follow conversations between WCF's Director of Resources and WCC's Chief Financial Officer.
- In response to a question about the breakdown of costs for WCF Management and Board, Members were reminded that for two years (until 1 October 2021) the Chairman and three independent Non-Executive Directors were funded by a DfE grant. The three Council-appointed Non-Executive Directors were not paid. After two years the Council would have to make a decision about future funding.
- It was confirmed that the Independent Non-Executive Directors were paid £500 per day for a limited number of days per year. This was paid on an hourly basis rather than a fixed daily rate. It

was suggested that, although this may seem like a large amount, it was not huge when compared to rates of pay for similar posts in other organisations.

- Given the overspend in the Home to School Transport budget in 2019/20, a question was asked about what was being done to reduce spend in this area. Members were informed that a corporate working group (Chaired by the Head of Finance) was looking at this including opportunities to maximise income, levels of demand and better ways of commissioning. Members were reminded that for the majority of children using the service, the Council had a statutory duty to provide transport and, without a change in primary legislation, this was unlikely to change. The Director of Children's Services concluded that this was a very tough area which was unlikely to yield big savings.
- The Chief Financial Officer agreed that without national policy changes, the Council would not see a change in demand for Home to School Transport. However, he acknowledged that the Council's demand projections had not always been accurate and there was a need to model and forecast better, sharing data earlier in order to better inform commissioning decisions.
- A Member reminded the Panel that the Council had not had a choice in whether to set up the Company (WCF) and that none of the options were cost free.
- It was confirmed that if a parent chose to send their child to a school that was not their catchment school, transport would not be funded by the County Council. Members were reminded that there was a specific policy on Home to School Transport in relation to faith schools. The Cabinet Member with Responsibility for Education and Skills confirmed that, in line with most local authorities, the Council used straight line measurements to assess distance from home to school.
- The Director of Resources for WCF informed Members that the High Needs Block of the Dedicated Schools Grant (DSG) included an additional £8.7m which was Worcestershire's share of the national £780m announced in October 2019. However, this was a one-off payment and the Council would continue to lobby for additional future funding.
- The Director of Resources confirmed that

consideration had been given to 'top slicing' the DSG in order to balance the budget, something that had been done in other local authorities. However, this was rejected as it may have meant that it would not have been possible to implement the national funding formula. The Council was currently awaiting the outcome of a CIPFA consultation on the DSG.

- The Director of Children's Services confirmed that she was not aware of any private nursery providers which were planning to close provision as a result of the level of funding (which now included an additional £0.08 on the 2, 3 and 4-year-old hourly rates announced in November 2019) but would check and report back to the Panel.
- In response to a request for an update on the 14 January meeting of the Worcestershire Schools Forum, the Panel was informed that the forum had been content with the 2020/21 budget proposals.
- It was confirmed that the Duke of Edinburgh Awards Scheme was now funded by schools and the voluntary sector, rather than the Local Authority.
- The Chief Financial Officer confirmed that the 2020/21 budget had taken account of recurring overspends and these were now built into base budgets where appropriate.
- The WCF budget was forecasting a small underspend for 2019/20. A Member noted that the Social Care Directorate was forecast to be within 0.2% of budget overall, something which Officers should be congratulated on.
- It was confirmed that the overspend on Home to School Transport would remain in WCC cost centres, and the WCF budget would be shown as balanced. The Chief Financial Officer informed Members that the overspend was viewed as a budget setting error and, as such, it would stay with the Council.
- The WCF Board's budget paper had been included in the agenda papers in the spirit of transparency. It was confirmed that the WCF Board was meeting to approve the budget in the following week.
- It was confirmed that, in line with WCC, WCF staff were allowed to carry forward a maximum of 5 days annual leave.
- In response to a question from a Member of the Panel, the Chief Financial Officer confirmed that, although the budget included 2% for pay inflation,

this figure was not yet agreed and may be higher. The Director of Children's Services confirmed that teachers had agreed a 2.75% pay rise.

- Members were informed that the change from 37 to 35-hour contracts would not apply to WCF staff. Savings had not been built into the budget as the Council awaited the results of a Trade Union ballot.

The Panel agreed that the following comments should to be forwarded to OSPB:

- The Panel was content with the budget proposals for 2020/21.
- The Panel expressed concern about the budget for Home to School Transport. Given the budget overspend in 2019/20, Members urged careful monitoring of the 2020/21 budget and welcomed the setting up of a Corporate Working Group to look at levels of demand, transport routes and better ways of commissioning.
- In relation to the High Needs Block of the Dedicated Schools Grant, the Panel recognised that the budget deficit reflected pressures being experienced by all Local Authorities and encouraged further lobbying of Central Government on the level of future funding.
- Members noted that the Social Care Directorate was forecast to be within 0.2% of budget overall for 2019/20 and wished to congratulate the Directorate on this.
- The Panel wished to express its thanks to Worcestershire Children First, and in particular the Director of Resources, on continuing to provide a good level of information to the Panel in relation to budget and performance. Members had been concerned that the move to WCF would disrupt the flow of information to the Scrutiny Panel but were reassured that this had not proved to be the case.

**418 Review of
Delivery Model
for Medical
Education
Provision**

The Cabinet Member with Responsibility for Education and Skills and the Director of Education and Early Help had been invited to the meeting to update the Panel on the review of the delivery model for medical education provision ahead of the discussion at Cabinet on 30 January 2020. The Regional Manager (Babcock Prime) was also in attendance.

By way of introduction, the Cabinet Member referred the Panel to the recommendations included in the Cabinet

report and highlighted that this was the start of a more formal process of service redesign. Over the three years that he had been Cabinet Member there had been ongoing discussions on the need for a review of medical education provision and this work was now ready to be taken forward.

The Director of Education and Early Help acknowledged that this report had been due to come to an earlier Cabinet meeting but had been delayed. She thanked Members for their patience and informed the Panel that the service was now in a good position to take this forward. The service was part of a continuum of provision for vulnerable learners, in this case those experiencing health difficulties (both physical and mental). The past 18 months had seen a period of review and officers were now in a position to formalise the approach to redesign.

Members were given an opportunity to ask questions and the following main points were raised:

- It was noted that pupils would be provided with support as soon as it was clear that they would be away from school for 15 days or more, whether consecutive or cumulative. The period over which the 15 days would be measured would depend on the individual student and the nature of their illness. Some schools may choose to make their own arrangements and the service aimed to offer a flexible model.
- A question was asked about how students in Years 10 and 11 were able to access the appropriate exam board to ensure continuity with their school experience. Members were informed that the service aimed to work with teachers and schools to ensure continuity, with the aim of not losing sight of a student's host school. Improvements in this area were currently being looked at.
- In response to a Member's question, it was confirmed that students accessing medical education provision as a result of mental health issues were not given priority for CAMHS. Members were reminded that schools had seen growing levels of anxiety and self-harm amongst pupils, and it could be difficult for them to provide sufficient support. The Director of Education and Early Help informed the Panel that she aimed to set up a CAMHS steering group to include the Clinical Commissioning Groups (as

commissioners) and the Worcestershire Health and Care NHS Trust (as provider). The Chairman also reminded Members that a Scrutiny Task Group was being set up to look at CAMHS. Reference was also made to the recently published Care Quality Commission report into CAMHS which had judged CAMHS in Worcestershire to be outstanding. Members noted that school was not all about education - the social side was also important.

- A Member commented that the curriculum for Years 10 and 11 (English, mathematics, science, PHSE and business studies) appeared to be narrow for this age group. The Panel was reminded that the Medical Education Team was a service as opposed to a school and aimed to ensure that students could transition back to school, where they would be able to access more subjects.
- It was confirmed that the service considered new referrals on a weekly basis. Although the referral criteria clearly stated that medical evidence was required at consultant level, sometimes referrals were received from GPs. The service review offered an opportunity to consider whether consultant level was the correct referral level or whether evidence from GPs could be accepted. Also, the review might look at whether provision needed to be on site or whether it could be delivered via outreach.
- It was anticipated that a more joined-up service would ensure that the right children were being referred.
- Concern was expressed about the co-location of some medical education provision on the same site as pupil referral units (PRUs). It was suggested that some of the behaviour of pupils at PRUs could be intimidating and it was not appropriate for vulnerable pupils to be educated on the same site.
- A Member expressed concern at the time taken to get a plan in place to review the service, following the external peer review in the summer of 2018. In response, the Director of Education and Early Help recognised that the plan had taken a long time to be brought forward but she was confident that all colleagues were now working more closely together. There had also been system issues in relation to Special Educational Needs and Disabilities (SEND) that had reduced capacity to move this forward. In terms of a timeline for the

work, officers were looking for every quick win. Children would be placed at the heart of the redesign with careful thought being given to implementation to ensure minimum disruption for children accessing the service.

- The Cabinet Member with Responsibility for Education and Skills reminded the Panel that the Cabinet report included an indicative timeline for future work. Further proposals would be reported to Cabinet in June.
- It was confirmed that the educational provision for children who were inpatients at Birmingham Children's Hospital was provided by James Brindley Hospital School and the County's Medical Education Team liaised with the school in relation to Worcestershire children.
- Concern was expressed about the suggestion in the Peer Review Report that some pupils' placements were too long, particularly pupils with autism. Members were reminded that the SEND Written Statement of Action recognised that provision for children with autism was in need of improvement. It was suggested that a barrier to improvement was the lack of capacity and/or capability of schools to support children. The service was looking to build capacity allow more opportunity for 'step down' to mainstream school from the MET.
- A Panel Member welcomed the fact that any proposals would include an analysis of travel times and the impact on users of the service. The Director recognised that current service users and their families were key to this work and would be included as part of the co-production of the new delivery model.
- Concern was expressed that, although proposals would be considered by Cabinet in June 2020, larger scale proposals may not be implemented until September 2021.
- It was acknowledged that it was not ideal for medical education provision to be co-located with PRUs. However, it was important to note that it was not a quick process to find an alternative location.
- A question was asked about the destinations of pupils post-16 and whether they were able to attain sufficient qualifications to gain access to college courses. In response, Members were told that this would come down to the individual. Students would also be helped to access careers advice and guidance in schools.

419 aWork Programme 2019/20

- It was suggested that schools also needed to be sympathetic to the experiences of pupils accessing medical education provision. It was confirmed that schools would be included in the membership of the redesign steering group. This would be a good tool to engage with schools, looking at where things were working well and where they could be improved.

In conclusion, it was agreed that the redesign proposals and recommendations would be considered by the Panel before they were presented to Cabinet in June 2020.

The Panel reviewed its work programme for 2019/20 and the following points were noted:

- The Cabinet Member with Responsibility for Children and Families suggested that the scrutiny task group looking at CAMHS may wish to consider access to CAMHS for children in care. The Panel Chairman confirmed that the task group would aim to take evidence from around the county with the Children in Care Council and the Youth Council keen to give evidence.
- Consideration of Worcestershire children who have been placed out-of-county in unregistered children's homes would be part of the discussion on placements and sufficiency work.
- Optimising the use of Children's Centres would be considered as part of the re-commissioning of the 0-19 Prevention and Early Intervention Service.

The meeting ended at 3.45 pm

Chairman