

## **Minutes of the Children and Families**

### **Overview and Scrutiny Panel**

#### **County Hall, Worcester**

**Wednesday, 23 February 2022, 2.00 pm**

---

#### **Present:**

Cllr Kyle Daisley (Chairman), Cllr Tracey Onslow (Vice Chairman),  
Cllr Dan Boatright, Cllr David Chambers, Mr M Hughes, Cllr Matt Jenkins,  
Cllr Steve Mackay, Cllr Jo Monk, Cllr Tony Muir, Mr T Reid and Cllr David Ross

#### **Also attended:**

Cllr Andy Roberts, Cabinet Member with Responsibility for Children and Families  
Cllr Marcus Hart, Cabinet Member with Responsibility for Education  
Cllr Lynn Denham, Observing Councillor  
Mari Gay, NHS Herefordshire and Worcestershire Clinical Commissioning Group  
Jane Stanley, Healthwatch Worcestershire

Tina Russell, Director of Children's Services / Chief Executive, Worcestershire Children First  
Phil Rook, Director of Resources, Worcestershire Children First  
Sarah Wilkins, Director of Education, Early Years and Children with Disabilities, Worcestershire Children First  
Maria White, Assistant Director, Permanency, Care Proceedings, Fostering and Adoption, Worcestershire Children First  
Sharon Hurley, Registered Manager - Interim, Worcestershire Children First Independent Fostering Agency  
Susan Fletcher, Kinship Team Manager, Worcestershire Children First Independent Fostering Agency  
Carol Barker, Mainstream Team Manager, Worcestershire Children First Independent Fostering Agency  
Alison Williams, Fostering Recruitment and Retention Lead, Worcestershire Children First Independent Fostering Agency  
Samantha Morris, Overview and Scrutiny Manager  
Alison Spall, 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 11 January 2022 (previously circulated).

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

## **513 Apologies and Welcome**

There were no apologies for absence received.

## **514 Declaration of Interest and of any Party Whip**

None.

## **515 Public Participation**

A summary of the key points made by the public participants at the meeting were as follows:

### **Debra Lamont**

- Ms Lamont advised that she had a 14-year-old child with additional needs and outlined the long struggle to get an Education Health and Care Plan (EHCP) in place, including the lack of support and guidance received during the process. There was frustration that emails were not responded to and that her child did not have a named caseworker, a situation which was suggested to be common amongst other families.
- There was poor staff retention in the Special Educational Needs and/or Disabilities (SEND) Team, which had such an adverse impact on parents and carers. Ms Lamont questioned what action was being taken to ensure that staff retention was substantially increased, indicating that she had thought this was an integral part of the Action Plan in place.

### **Dr Karen Nokes**

- Dr Nokes asked whether in light of the findings by Ofsted in their recent inspection report, an independent body would be appointed to assist Worcestershire County Council (the Council) and Worcestershire Children First (WCF) to ensure that they acted lawfully as public bodies and worked constructively with parents in so doing.
- She outlined her experiences over the last 4 years in which she had been forced to go to mediation twice to secure an EHCP for her son. When the named school couldn't meet her son's needs (which the school had advised) further legal action had been instigated. Dr Nokes believed that WCF had misled her family, their lawyer and the tribunal over a period of many weeks. Ultimately WCF had conceded that the allocated school could not meet their son's needs. This long process

had resulted in their son missing out on 6 months of schooling, which she felt was shameful.

### **Asher MacKenzie-Wilson**

- Asher (aged 13) told the Panel about the trauma she had experienced at primary school because of the lack of teachers' understanding of autism and suggested that some teachers hadn't been kind to her or sensible.
- Asher highlighted that she hadn't been in school since last July because of anxiety and questioned how long was it acceptable for children to wait?

### **Rowan Winchester**

- Rowan (aged 10) informed the Panel that his difficulties had started at nursery school and continued in the first few years of mainstream school. In Year 1, after a short while, he found that he couldn't cope and as a result ended up spending 19 months out of school. He then attended a new school but had found it difficult to trust and learn again. During his first term, there were a lot of changes within the school, and he ended up leaving and being out of school for a further year. He was then placed in Sunfield School, where he currently attends and which he likes. He was currently also getting help from the NHS Trauma Team.
- Rowan said that he had been through so much and what had happened to him was still happening to many other children. He asked how WCF would prevent more children from going through what he had been through?

### **Tracy Winchester**

- Ms Winchester advised that she was part of SEND National Crisis Worcestershire who had sent a letter to the Chief Executive, WCF that morning (also been circulated to the Panel). The letter set out why the Accelerated Progress Plan was not fit for purpose. If EHCP's were to be improved, meaningful assessment needed to become the norm.
- Ms Winchester set out specific questions concerning the lack of specificity in an EHCP which compromises the legal enforceability of the provision, and questioned whether this was a strategy deliberately employed by the Council or WCF? She asked whether professionally registered education, health and social care professionals commissioned by WCF were restricted in what they could recommend in terms of SEND provision, even if it meant that the child's needs would not be met? She suggested in doing so, they would be in breach of their professional code of ethics and were putting their registration at risk. Finally, Ms Winchester asked whether WCF thought it was morally acceptable for parents/carers to be forced to pay thousands of pounds to obtain needs-led, specific, and quantified professional reports

because the WCF commissioned reports were unlawful, unreliable, and inadequate?

### **Hazel Shaw**

- Ms Shaw referred to Councillors and Council employees being required to comply with the 10 principles of public life (the Nolan principles) which were included in the Council's 'Members Code of Conduct'. She highlighted in particular the guidance relating to two of the principles whereby Councillors were required to use personal judgement in reaching conclusions about issues and show leadership which secures or preserves public confidence.
- Ms Shaw asked whether Councillors believed that they were reaching their own conclusions on the SEND issues that were repeatedly being brought before them by parents of disabled children living in Worcestershire and then acting in accordance with those conclusions? She also questioned whether Councillors believed that the leaders of WCF were acting in a way that preserved public confidence?

### **Robert Barrowman**

- Mr Barrowman spoke about his son's spinal condition, and how he wasn't eligible for an EHCP or for support from the NHS. He was also unable to get any support from his son's school as his son was deemed to be 'functioning'. Due to the lack of support and access to treatment, Mr Barrowman had built a hydro pool in his garden to help his son. This treatment was supported by Great Ormond Street Hospital and Birmingham Children's Hospital. He asked what happened when a child's health needs couldn't be met by not receiving an EHCP or NHS support because of a lack of funding?

### **Russell Winchester**

- Mr Winchester indicated that he was a parent to Rowan and another child, both of whom had complex needs. It was unacceptable that together they had lost 43 months of education in recent years. The Council had been disinterested in finding suitable education for his children and therefore he had fought and secured specialist placements for them. This had included taking complaints to the Local Government Ombudsman (LGO) and in both cases, the actions of WCF were found to be unlawful and financial compensation was awarded. A further complaint had also been referred to the LGO regarding social care.
- Based on experience, Mr Winchester asked why the Council's complaints procedure did not work and why there was no learning demonstrated to prevent reoccurrence of the same issues? The service was doing the same thing and expecting a different outcome. He wanted WCF to demonstrate that they were learning from their mistakes and not have to have an external body point this out to them.

### **Andrew Round**

- Mr Round explained that he and his family had moved from Staffordshire to Worcestershire, and his son had an EHCP in place at the time of the move. When WCF failed to follow the EHCP and then took away some of his son's therapies and support, this had a major negative impact on his son who was frightened and refused to go to school. It also had a severe impact on Mr Round personally and following a breakdown he had resigned from his job.
- The failings of the Council and WCF Officers to improve the SEND service after the Ofsted inspections in 2018 and 2021 were highlighted and the lack of effective elected member oversight and scrutiny which allowed this to happen. It was queried what measures Members were going to put in place to address this situation and hold Officers to account, or otherwise it was questioned whether it would be better for an independent inquiry be set up to take action, which would have the confidence of service users. Finally, Mr Round asked when WCF would stop saying sorry and do something to protect vulnerable lives.

### **Elena Round**

- Mrs Round highlighted that after the 2018 Ofsted inspection report, an urgent action plan had been drawn up and was approved by this Panel (on the advice of Officers). Amongst the promises given when WCF came into being, was that WCF would not fail another Ofsted inspection and would be 'not for profit'. Nothing had changed and WCF was continuing to fail. Mrs Round questioned who gave approval for WCF to be allowed to make a profit and pay corporation tax with taxpayers' money?
- Having arrived in Worcestershire with an EHCP in place for her son (previously gained after a tribunal in 2015), Mrs Round explained that her son was then failed in many ways, including the unlawful failure to follow the EHCP and the failure of the Council's statutory duty in respect of the choice of school allocated. Her family had been forced to enlist Solicitors to fight their case. She suggested that the Cabinet Member should resign if he felt that WCF was a success.

### **Jo Rae**

- Ms Rae's question read out by Cllr Onslow (Vice-Chairman of the Panel) questioned why Councillors had rejected a plea to invest in SEND children and yet put £500k into building roads instead. She had felt that they were playing politics with children's needs and queried how many Councillors had read the SEND Ofsted report prior to making the above decision?

### **Katrina Kear-Wood**

- Ms Kear-Wood raised issues concerning the Ofsted inspection and the inclusivity issues in some mainstream schools. She felt that many children with SEND were missing out on education and being traumatised by their experiences. She questioned what WCF were doing to mitigate these risks? She highlighted that there were currently very few special schools, and that unlawful practices were being carried out and a lack of support was available to challenge the system.
- Ms Kear-Wood commented that not all schools understood how to differentiate effectively and thereby they weren't providing an accessible curriculum for children with SEND. She questioned how WCF monitored schools' provision of SEND and how frequently this took place, and whether they held schools to account when they failed to deliver an accessible curriculum and safe environment to learn?
- The Panel was reminded that 13 years ago Worcestershire was a flagship for SEND and yet the current situation had been allowed to unfold. Ms Kear-Wood set out further questions including why support had been removed and not replaced, why poor practices had been allowed to continue, what additional SEND provision was planned, and what was planned to bridge the gap between applying for an EHCP and receiving support?

#### **Tim Joesbury-Clarke**

- Mr Clarke provided a brief overview of his family situation, in that his daughter was left without education or support for over 2 years, until a 60-hour package of education, therapy and respite was finally secured as a result of a EHCP tribunal hearing. He highlighted that although this package was awarded in September 2021, much was still to be implemented by the local authority. The Tribunal Panel had been very critical of the many failures in his daughter's case, including the protracted absence of provision, unevidenced statements and poor co-ordination with social care.
- Given his family's experience and the serious failures identified, as well as the fact that 9 out of 10 families had had their appeal cases upheld, he wanted the local authority to explain and evidence how the outcomes of tribunal hearings had been used to learn lessons and improve practices, where failures had been identified?

#### **Amanda Coppin**

- Ms Coppin's submission was read out by Cllr Onslow (Vice-Chairman of the Panel). Ms Coppin was a parent of two SEND boys, and she had a BA (Hons) Special Educational Needs, Disability and Inclusion and a MA in Education (Special and Inclusive). She had written two dissertations seeking parents' perspectives, one focusing on home education for SEND learners, and the second focusing on SEND provision within Worcestershire. Data from the MA dissertation which sought parents' perspectives of SEND provision within Worcestershire

(written in November 2021) mirrored findings in the recent Ofsted report. Ms Coppin raised questions on two main areas.

- Firstly, with the limited SEND settings and spaces, and acknowledging plans to provide specialist units in Kidderminster and Worcester, what plans there were for specialist primary SEND provision in the south of the County to meet the clear demand for autism/language/communication need. She also queried whether there were plans to expand the numbers able to be accommodated within the current planned provision, as numbers of spaces were relatively low.
- Secondly, in relation to co-creation and joint commissioning, Ms Coppin asked how WCF planned to increase and implement these as outlined in the SEND Code of Practice and in particular by working more efficiently with SEND parents and carers and those with SEND?

The Chairman thanked all of the speakers and advised them that they would receive a written response to the points they had raised.

## **516 Confirmation of the Minutes of the Previous Meeting**

The Minutes of the Meeting held on 11 January 2022 were agreed as a correct record and signed by the Chairman.

## **517 Ofsted and Care Quality Commission (CQC) Joint Area Special Educational Needs and/or Disabilities Revisit in Worcestershire**

In attendance for this item were:

- Marcus Hart, Cabinet Member with Responsibility (CMR) for Education
- Tina Russell, Chief Executive, Worcestershire Children First (WCF) and Director of Children's Services
- Sarah Wilkins, Director for Education, Early Years and Children with Disabilities, WCF
- Mari Gay, NHS Herefordshire and Worcestershire Clinical Commissioning Group (CCG)
- Phil Rook, Director of Resources, WCF

The Panel was asked to consider an update on the outcome of the Ofsted and Care Quality Commission (CQC) Special Education Needs revisit in Worcestershire which took place between 1 and 3 November 2021. The visit took place to decide whether sufficient progress had been made in addressing each of the twelve areas of significant weakness detailed in the inspection report letter published on 16 May 2018.

Sufficient progress had been made in addressing eight of the significant weaknesses identified at the initial inspection and four significant weaknesses remained. As an outcome of the revisit inspection, the DfE (Department for Education) and NHSE (NHS England) required an Accelerated Progress Plan

(APP) to demonstrate how remaining areas of weaknesses would be addressed.

At the Chairman's invitation, the CMR Education addressed the Panel and in doing so welcomed the public speakers who had spoken so passionately about their concerns regarding the Special Educational Needs and/or Disabilities (SEND) Service. The CMR gave the assurance that he was listening and that there was a relentless drive to get things right. He acknowledged that substantial progress had been made across eight of the areas of weakness following the last Ofsted/CQC visit. However, he also acknowledged the importance of the considerable work still required across the other four key areas of significant weakness, where insufficient progress had been made. There was an acceptance that greater inclusion in mainstream schools was needed across the County; although some schools were demonstrating very good practice, others had work to do. In 2021, the CMR advised that nearly 100% of EHCP's had been achieved within target, although they needed to be of sufficient and robust quality and the actions identified needed to be being carried out. The CMR was committed to ensuring that this took place.

The CMR provided reassurance that he was committed to 'getting it right' and undertook to ensure that cultural issues were addressed. He believed that the number of cases going to tribunals should be the exception and acknowledged the fragile relationships with parents/carers and was in no doubt that there was much work to be done.

In terms of funding, the overall level of resources provided for SEND provision in next year's budget had increased by £200k. Previously in 2019, an additional £600k had been allocated to SEND which had enabled an additional 17 posts to be created. The funding for those posts had been continued in the base budget since 2019. With regard to the staffing situation within the SEND Team, the CMR accepted that there had been some recent movement of staff, but he stressed that he had every confidence in the professionals who continued within the Team to put the situation right and ensure matters were moved forward.

The Chief Executive, WCF wished to assure parents and carers that she was listening; had read their letters; heard their challenges, frustration, anger, and disappointment; seen their fear and fight for their children and heard their requests for help and calls for change. She stressed that she was very committed to continue listening and engaging with parents and carers and leading the change that was needed.

The Chief Executive and Director for Education, Early Years and Children with Disabilities (The Director) had reflected on the situation and had worked with colleagues to identify the barriers to improvement and used these in shaping and developing a new APP. It was acknowledged that there had been lots of discussion and good intentions but a lack of action and decision-making. The legislation around the assessment process was very complex and prescriptive and the volume of demand had led to the service being lost in 'process driven practice'. With an emphasis on evidence and speed, the focus had been on letters and emails being issued to ensure communication was quick. The



importance of human relationships and communicating verbally had therefore been lost at times, which had led to a catch 22 situation with relationships, trust and confidence being damaged. This then led back to a further emphasis on process driven practice to ensure that legislative requirements were met, and the volume of cases dealt with.

The Chief Executive provided assurance that the experiences of parents and carers using the complaints system and tribunal route had been reviewed on a case-by-case basis and had provided valuable learning. There had previously been insufficient overview and action in response to this feedback. There was now a new quality assurance process in place and a new dedicated Complaints Manager had been appointed.

In terms of why insufficient progress had been made, the Chief Executive explained that there had been a loss of focus on the measurable outcomes of the Improvement Plan and experience of the child. It was important to highlight that many of the barriers and challenges to progress with SEND services, such as lack of specialist provision, were also experienced by local authorities across the country. The Panel was informed that there were nearly 3,000 children with SEND supported in over 220 schools in the county and WCF worked with all these schools in a supportive and challenging way, showing them best practice, and ensuring that inclusivity was actively pursued. The Chief Executive accepted that the service could be better and understood that parents and carers might be anxious and mistrusting. It was felt that the APP had the right partnership and one which involved parents in each aspect of the process. The Chief Executive provided reassurance that she had confidence in her committed team to ensure that the APP would be implemented effectively and that it would lead to positive improvements in outcomes for children.

The Director thanked the public participants for the views they had shared and stressed that the APP was intended to instil trust within the parent community. An overview of the Report and its appendices was provided. The APP (Appendix 2 of the Report) was required to be submitted to the DfE at the beginning of March and formal review visits would be carried out every 6 months. Reference was made to the APP Governance Model (Appendix 3) and the Panel was advised that the 0-25 SEND and All Age Disability Partnership Board would oversee the APP progress as well as other key strategies on SEND, Carers, All-Age Autism and Learning Disability. There was also an important role for the Parent Carer Forum which sat within the SEND Improvement Board and would be able to facilitate other groups going forward. The Panel was provided with a brief outline of the 4 areas for improvement included in the APP and the key actions and activity identified to be achieved to ensure the desired outcomes.

The Managing Director for Quality Performance at NHS Herefordshire and Worcestershire CCG (the Managing Director) advised that the CCG had worked as a health partner with the Council for the past 4 years. Following the strong message received today, some key areas of work had been identified including the quality of EHCP's, how the voice of the child could be heard and

how direct feedback could be obtained from parents and carers of children with SEND.

During the opportunity for Members questions, the following main points were noted:

- The Director explained that the next steps would be that if the DfE approved the APP then it would be implemented by WCF. There would then be meetings with the DfE bi-monthly and two formal reviews within a 12-month period, the latter involving stakeholders.
- Comparing the findings of the 2018 and 2021 Inspections, a member highlighted that there was some similarity in negative statements made regarding a lack of strategic planning and quality assurance. It was suggested that the relationship with parents and carers was broken, and an independent person was needed to bridge the gap. The Chief Executive confirmed that there were no plans for independent support of the Service and that whilst relations with some families were strained, WCF had also received some positive feedback in recent weeks showing evidence that the relationship could be re-built. There would be a culture change and more opportunities for parental feedback which would enable staff to build relationships. The member who had raised this issue wished it to be known that he did not agree with the Chief Executive's view.
- Following on from public participation earlier in the meeting, a member questioned whether it was deliberate that EHCP's did not always meet the needs of the child as there was not sufficient provision available to then support that child. The Chief Executive strongly refuted that suggestion assuring the Panel that professionals only included their professional opinion. The complaints received on this matter suggested that the culture of practice had led to a type of provision being referred to in the EHCP as opposed to a named school which was an approach that WCF were considering reverting back to. The Director added that professionals were not under pressure on how to write EHCP's, but specialist support was challenged. The provision needed to be in the right place at the right time.
- Concerns were raised regarding a lack of specialist provision for autistic children and it was suggested that long term planning was needed. The Director advised that parents/carers of children with SEND had contributed to the SEND provision plan, which would be published and implemented as part of the APP. It was noted that there had been an increase in mainstream autism provision across the county.
- Recognising that this was not the case in all schools, a member was pleased to report that at a local mainstream school, there was some excellent work with SEND children. The Director commented that some improvements had been seen and the number of children with EHCP's who remained in mainstream schools was an indicator of inclusivity. It was confirmed that WCF continued to offer extensive training for maintained schools as well as School Improvement Advisor evaluation visits. Locality SEND Hubs were available for all schools to access for advice and support as well as termly peer support meetings. Some

schools had adopted a quality improvement mark for inclusion and were keen for self-evaluation.

- In response to a member question about how many schools had been identified as not being inclusive and/or actively discouraging children with SEND and the role of the DfE in this matter, the Chief Executive stressed that the relationship with schools was one of support. Individual Ofsted inspections focussed on special needs and identified which schools to target on this matter. There were no schools who were not willing to co-operate with WCF and if this were the case, the DfE would be advised. When providing support to schools, the conversations focussed on self-recognition, sharing examples of peers, and highlighting the value that inclusivity brought to a school. A monthly Inclusion forum was held, with 8 schools having been discussed at the last meeting.
- A Member asked what the reason for the lack of response to parents was when there had been 17 additional posts created in 2019. The Chief Executive explained that it was a combination of workload and culture of approach which focussed staff on deadlines and timescales rather than responding to specific queries. Managers and staff were now committed to a change of culture.
- A question was raised about reasons for rejecting an EHCP if a child with autism was high achieving. The Director explained that the intention of a EHCP was to establish what was working well or was not working and what were the child's needs etc. Schools had the skills and knowledge to meet needs and it was only when a school had exhausted all of its available options, that it would be appropriate to assess for an EHCP. The request for an assessment for an EHCP could be made by the school or the parent, but ideally as a partnership. In response to a follow up question, the Director explained that if needed other professionals could be involved in this process ensuring that the school was meeting a child's needs.
- A Member queried who the 'relevant key stakeholders' were that were consulted during the development of the APP. The Director advised that via the SEND Strategic Board, the Worcestershire Association of Carers (WAC) and the Parent/Carer Forum (Families in Partnership) had been consulted and that changes were made to the plan as a result.
- It was clarified that Families in Partnership (FIP) were funded by the DfE, supported by WAC and also received investment from the CCG. WCF were establishing structured involvement with FIP as they were a key organisation to facilitate wider engagement with other parent and carer groups. The Panel was also informed that there were professional participation officers employed by the CCG and WCF, encouraging parent/carers involvement.
- The Managing Director, CCG highlighted that discussions needed to take place with FIP to ensure that the feedback received from parents/carers included direct input of messages in the way that parents had conveyed today.
- The CCG worked closely with WCF with regard to health input to EHCPs and to commission the relevant services. It was important that there was a continued focus on the 8 areas that had been judged to have made sufficient progress as well as the 4 areas of weakness

addressed in the APP. The Chief Executive highlighted that the 0-25 SEND and All Age Disability Strategic Partnership Board would take strategic oversight of monitoring and reinforcing the focus of progress of the APP at bi-monthly meetings, with the wider SEND strategy being focussed on at the alternative meetings.

- The Chief Executive was asked how the general themes raised during public participation would be taken forward. The Panel was informed that a Complaints Officer for SEND would be taking up post in April which would provide a direct point of contact for the parents/carers. There was also a new post of Head of Quality Assurance Programme which would oversee the Quality Assurance Framework to include SEND/All Age disability. The latter would provide opportunities for proactive input from parents and carers through the quarterly feedback mechanisms enabling areas of concern to be picked up at an early stage.
- A Member raised concerns about parents' experience of obtaining an EHCP and how this often ended at a tribunal, a step that some parents were not able to pursue. The Chief Executive explained that parents were encouraged to talk to WCF staff throughout the process, so that was not so daunting. All children with an EHCP would have a review to provide an opportunity for parents and the school to come together to ensure a quality plan was in place. There were 1,000 children currently waiting to have an EHCP completed, but all would be completed by the end of August 2022. Parents would be encouraged to communicate concerns and challenges to WCF, and stakeholder groups would be used to offer support and ensure the message reached parents.
- In respect of the SEND APP - Workstream 4 regarding EHCP's (Action 4), at the suggestion of a member, the Chief Executive agreed to add in the words '**and to an expected quality**'.
- Whilst the long-term strategic plan was developed, a member asked what would be offered to children not currently able to access education because of a lack of specialist provision. The Director advised that 'education otherwise' provision would be offered, but the main priority was working towards getting children and young people back into an education setting. It was noted that the pandemic had created additional anxiety issues for some children and that they needed support with this.

It was agreed that:

- A proposal to set up a Scrutiny Task Group to review Education, Health and Care Plans would be submitted to the next meeting of the Overview and Scrutiny Performance Board.
- The Panel would be provided with regular updates on the Accelerated Progress Plan and that the actions would include a Red, Amber, Green (RAG) rating to aid members' understanding of progress being achieved.
- The words '*and to an expected quality*' should be added to Action 4 of Workstream 4 of the Accelerated Progress Plan (The use of agency support to complete the backlog of EHCPs).

## **Worcestershire Children First Independent Fostering Service Ofsted Inspection**

In attendance for this item were:

Andy Roberts, Cabinet Member with Responsibility (CMR) for Children and Families

Tina Russell, Chief Executive, Worcestershire Children First (WCF) and Director of Children's Services

Maria White, Assistant Director Permanency, Care Proceedings, Fostering and Adoption, WCF

Sharon Hurley, Registered Manager – Interim, Worcestershire Children First Independent Fostering Agency (WCFF)

Susan Fletcher, Kinship Team Manager, WCFF

Carol Barker, Mainstream Team Manager, WCFF

Alison Williams, Recruitment and Retention Lead, WCFF

The Panel received a report on the WCF first independent Fostering Inspection Report, for the Inspection carried out in September 2021. The CMR reminded the Panel that Fostering Services were previously part of the Council, but when WCF was formed, the fostering services were required to form as an independent Fostering Agency, and therefore were subject to a separate Ofsted inspection.

The Assistant Director introduced the Team and provided background to the establishment of the WCF independent fostering agency (WCFF), registered on 1 October 2019. In December 2020, Ofsted had carried out an assurance visit and had found no serious or widespread concerns. Following this, in September 2021 a full inspection had taken place, and the outcome was an overall inspection judgement of 'Requires improvement to be Good'. The inspection report had included 9 requirements and 4 recommendations that needed to be addressed for WCFF to improve.

The Assistant Director explained that a Fostering Service Improvement Plan had been developed to address the requirements and recommendations of the inspection report. The level 1 plan set out a 'plan on a page' and featured 7 different workstreams and included links to the relevant fostering regulations and national standards, whilst the level 2 plan included more detail and milestone activity and measures to be achieved in each area. Each of the workstreams would be progressed by a working group, led by a Fostering Team Manager, and the Panel was updated on the actions that had already been completed in the plan. The Panel was assured that those people directly involved in the fostering process such as children, young people, carers, and staff were included in the workstream activity.

Members were then invited to ask questions and the following is a summary of the questions and responses provided:

- In response to a Member query about how the situation had arisen that Managers were not ensuring that sufficient attention was given to the matching of children to foster carers, the Assistant Director advised that

the matching process was being refreshed to ensure that both the specific needs of children and the evidence providing assurance that foster carers could meet their needs, were being carefully reviewed and recorded. Although, much of this work was already being done, a weakness had been identified in capturing and demonstrating this on the matching report. In response to a follow-up question, the Chief Executive highlighted the importance in regulated settings for evidence to be recorded. A system was being developed whereby social workers and other professionals could record activities without it being too burdensome.

- A Member noted that the effectiveness of leaders and managers was inadequate and suggested that this was normally the first area to improve, but in this case it seemed to be the other way around and sought assurance that the progress made would not be undone when the effectiveness of leaders and managers was addressed. The Chief Executive explained that when fostering services were moved from Children's Services and became an independent company, the focus was on the new company demonstrating its independence from WCF. Also, at that time, the Fostering service had lost its Registered Manager so was unable to showcase the management of the service. Ofsted had made it clear that they wanted to hear the voice of WWCF, so there was a focus on ensuring that the company has its own statement of purpose, complaints policy etc.
- In response to a question regarding the monitoring of the improvement plan, the Chief Executive explained that the leadership team would be monitoring performance on a monthly basis and that progress reports on each workstream would be presented to the WCF Executive Board and to WCF Board meeting on a quarterly basis.
- In response to a member question about when the last Ofsted inspection of the fostering service had taken place, the Panel was advised that the exact date would be confirmed after the meeting.
- A Member queried what support had been offered to staff when the service was transferred to an independent company status. The Chief Executive confirmed that ways of working had not changed for front line staff, the focus had been on managing the service effectively. On reflection, more planning and preparation in advance would have been helpful.
- It was confirmed that the Director of Children's Services and the CMR were responsible for safeguarding children in the County Council and WCF was responsible for fostering. Whilst local authorities did not need to register a fostering service as an independent company, WCF (as an independent company of the Council) needed to. The Cabinet Member acknowledged that it had been a difficult transition process, but he was confident in the ability of the Assistant Director to lead the service going forward.
- A Member asked whether the actions set out by Ofsted for completion by 28 November 2021 were complete and in response was advised by the Assistant Director that the Ofsted Inspector was happy with the progress made by WCF and had acknowledged that some would not be completed by November.

- The Recruitment and Retention Lead gave an overview of the work taking place around the workforce development workstream including the rebuilding of the brand, networking and building community awareness, the development of a new website (by April), effective use of marketing opportunities and developing workshops for children. The Chairman commented that Councillors as Community Champions should be engaged to support the recruitment process in their locality and asked that the views of children and young people were considered during this process.
- The Recruitment and Retention Lead provided a summary of the recruitment process from initial expression of interest through to Panel stage for those who were successful in the assessment process. This process was expected to take 16 weeks, although there could be some delays caused by the statutory checking procedure. The Chairman asked whether as part of that process, applicants met children in foster care, which he felt was very important. The Panel was informed that applicants were encouraged to meet established foster carers and the children in their care wherever possible. There was also an annual Foster Care fortnight each year to provide opportunities to informally meet families.
- A Member asked about the use of other independent foster agencies. The Chief Executive explained that despite extensive recruitment, all of the local need could not be met by WCFF at this time. If a match couldn't be made with the foster carers available, an independent fostering agency would be used, and also to ensure diversity needs were met; this was not limited to those based in Worcestershire.
- The Council's role as corporate parent was raised and how this fitted with the work of this Panel. It was agreed that this would be clarified after the meeting.

It was agreed that the Panel would be provided with regular updates on the progress of the Service Improvement Plan noting that a re-inspection would take place within 12 months' time.

## 519 Work Programme

The following additions to the work programme were agreed:

- Regular progress updates on the SEND Accelerated progress plan (*including RAG ratings*)
- An update on the WCFF Fostering service following the Ofsted re-inspection later this year.

The meeting ended at 5.42 pm

Chairman .....

