

Minutes of the Children and Families Overview and Scrutiny

Panel

County Hall, Worcester

Wednesday, 10 January 2024, 2.00 pm

Present:

Cllr David Chambers (Chairman), Cllr David Ross (Vice Chairman),
Cllr Mel Allcott, Cllr Kyle Daisley, Cllr Nathan Desmond and Cllr Matt Jenkins

Also attended:

Cllr Steve Mackay, Cabinet Member with responsibility for Children and Families

Cllr Tracey Onslow, Cabinet Member with responsibility for Education

Cllr Karen May, Cabinet Member with responsibility for Health and Wellbeing

Cllr Emma Stokes, Chairman of the Corporate and Communities Overview and Scrutiny Panel

Lee Gray, Chief Executive/Principal of the Shires Multi-Academy Trust

Julie Wills, Headteacher, Upton upon Severn Primary CE School and pre-school

Debbie Lamont, Healthwatch, Worcestershire

Nicola Longworth-Cook, Healthwatch Worcestershire

Sarah Wilkins, Director of Education, Early Years, Inclusion and Place Planning, Worcestershire Children First

Lisa McNally, Director of Public Health

Phil Rook, Chief Financial Officer

Chris Bird, Interim Director of Resources, Worcestershire Children First

Michelle Fowler, Education Engagement Manager, Worcestershire Children First

Clare Charlton, Advanced Public Health Practitioner

Samantha Morris, Interim Democratic Governance 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 6 December 2023 (previously circulated).

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

613 Apologies and Welcome

The Chairman welcomed everyone to the meeting.

Apologies were received from Councillors Jo Monk and Tony Muir, Church Representative Tim Reid and Tina Russell, Director of Children's Services/Chief Executive Worcestershire Children First (WCF).

614 Declaration of Interest and of any Party Whip

None.

615 Public Participation

None.

616 Confirmation of the Minutes of the Previous Meeting

The Minutes of the Meeting held on 6 December 2023 were agreed as a correct record and signed by the Chairman.

617 Vaping in Worcestershire

Attending for this item were:

- The Cabinet Member with Responsibility (CMR) for Health and Wellbeing
- Director of Public Health (DPH)
- Head of Regulatory Services (HORS)
- Advanced Public Health Practitioner (APHP)

It was noted that the CMR for Health and Wellbeing was attending the discussion from a public health perspective (rather than in the capacity as CMR for Health and Wellbeing).

The DPH introduced the report and in doing so highlighted that as vaping was cross cutting, members of the Corporate and Communities Overview and Scrutiny Panel had also been invited to attend and contribute to this discussion. During the introduction, the DPH made the following points:

- There was contradictory evidence about the health position of vaping. The DPH's advice was, that if people did not smoke, they should not start to vape. Although vaping was a safer alternative to smoking, it was still not a safe option and it was important to discourage young people from starting to vape.

- Vaping had proved to be an important part of the Smoking Cessation Strategy nationally, so the DPH would encourage smokers to switch to vaping, as vapes contained less tar and fewer carcinogens.
- Public Health's approach to vaping had been to understand the extent of vaping in the community, the reasons why people vaped and to seek to reduce demand and disrupt supply.
- The quality of the data held on vaping for the County was excellent, for example, the sample size used for surveys being larger than that used nationally.

The Panel was invited to ask questions and the following main points were raised:

- In response to a question as to whether vapes should be available on a prescription only basis, so that the demand was removed, the DPH advised that it would be a national policy decision, however it would be costly to the taxpayer, and pharmaceutical companies would be less inclined to invest resources in a product where demand was being actively reduced. The illegal market would also be boosted if they were removed from sale.
- The HORS explained that vapes were part of the Government's consultation on the approach to smoking.
- The DPH advised that through Public Health's work with children and young people (CYP) it had been identified that CYP generally over-estimated the prevalence of vaping amongst their peers, with usage being much lower than the perceived norm. Social norms encouraged others to take up an activity, and this was therefore harmful where the behaviour had damaging consequences. The APHP provided details of the social norms pilot at Baxter College to correct this understanding and combat the use of vapes amongst CYP. If the outcomes of this Pilot were positive, they would be shared with other schools across the County, tailored to the needs of individual schools. In addition, the good practice and resources would be shared with other colleagues across the region.
- In response to a question as to whether CYP were using vaping as a means to stop smoking, the DPH advised that specific data on this wasn't available as so few CYP smoked cigarettes now.
- A Member queried what evidence there was that vaping helped people to stop smoking. The DPH advised that the Royal College of Physicians had completed randomised control trials, details of which could be shared with the Panel, along with some further evidence which had recently been published.
- It was confirmed that the Health Related Behaviours Survey carried out in middle and high schools in 2021 was anonymous and CYP were not required to answer every question.
- The Panel was advised that sanctions for vaping in schools were not standardised and were dealt with on a case-by-case basis. The Director of Education confirmed that schools worked proactively in this area, sharing their experiences and knowledge at regular phase meetings.

- The accessibility to public health messages on vaping for CYP attending the Virtual School was raised. The DPH agreed to follow this up and advise the Panel accordingly.
- The HORS explained the proactive work happening relating to non-compliant vapes and underage sales. In response to a question, it was confirmed that there was currently no licensing regime in place for the sale of any form of tobacco.
- In respect of sanctions against shopkeepers who sold vapes to under 18 year-olds, the Panel was informed that prosecution was the only option that the Regulatory Services could take. A warning or formal caution was likely be the first sanction, after that it would involve court proceedings.
- The risks to health from illegal vapes was highlighted, with the unknown substances that they might contain. The DPH advised that there wasn't yet data available on the health implications of using illegal vapes, however, there was clinical case study evidence of the harm that was caused.

The Chairman thanked the attendees for the important work they carried out in this area and for attending this meeting.

618 Budget Scrutiny 2024-25

The Panel received the Council's draft Budget for 2024-25 for services relating to Children and Families. The Chief Financial Officer advised that Cabinet had considered the budget situation earlier in the day. The key points made were:

- There was currently a £22.2m overspend on a £401m net budget after using one off monies from business rates and reserves, with demand pressures and inflationary costs being the main causes of the overspend. It was highlighted that there was currently a £35m structural deficit, due to ongoing expenditure being greater than income.
- The main demand pressures were adult and children's social care and Home to School Transport (HTST), a situation that was similarly faced by many local authorities across the country.
- The Council was on track to make £20m of savings in the financial year, although this would not be sufficient, with a £20.4m gap still to close.
- The Government's one-year settlement, received on 18 December, was as expected with no extra funding being provided in recognition of the current pressures on Council budgets. There had also been a net £1.6m reduction in the services grant, compared to the expected funding built into Council's Medium Term Financial Plan. The Government's settlement included a statement about Council's use of reserves, but it was highlighted that this was not sustainable in the longer term.
- The Council was proposing a Council Tax increase of 2.99% plus a 2% increase in the Adult Social Care Levy, totalling 4.99%.
- During January, the draft budget would be scrutinised by Scrutiny Panels and the Overview and Scrutiny Performance Board, following which Cabinet would consider the Budget and make its recommendation to Council on 15 February.

- The WCF Interim Director of Resources advised that at this stage in the process, the Panel would usually have received details of the WCF indicative contract price for the following year, but due to the late government settlement and the gap in the draft budget, this had not been possible at this stage. The Panel was assured that there was close transparent working with Council colleagues, and that further information would be available over the next 2 weeks and that a contract price could then be fixed.
- The WCF draft budget included a total investment of £45.3m (£26.9m for Childrens social care and £15.7m for Home to School Transport). This was £28.6m for the structural deficit and £16.7m for new growth. It was highlighted that £9.7m growth had been included for these areas in the 2023/4 budget. WCF were continuing to seek to negotiate costs downward, but going forward there would be ongoing inflationary pressures from the structural deficit.
- The Panel was informed that the draft WCF budget included £10.2m savings for children and families budget areas agreed corporately. Assurance was given that Safeguarding and SEND services priority areas had been protected from savings.
- Members were informed of plans to reduce the number of Looked after children, by promoting permanency out of care and independence, which would deliver cost avoidance and reduce further growth. It was stressed that all plans were designed to be delivered in the best interests of children.
- The Interim Director of Resources provided an overview of the Dedicated Schools Grant (DSG) for 2024-25, which would represent an overall increase of 8.7%. It was highlighted that the early years indicative allocation had been increased by 63.6% due to the DfE estimates of childcare places that would be required in the expansion of funded childcare places from April 2024. The high needs block deficit was subject to a statutory override. This was due to end in March 2026 and was currently being rolled forward, as an unusable reserve. It was confirmed that there was regular contact with the Department for Education (DfE) regarding the deficit management plan.

During the discussion, the following main points were noted:

- In response to a question, the Director of Education provided an update on the new initiatives for recruiting foster carers, with Members being mindful of the significant implications that could have on the children's placements budget. The Interim Director of Resources advised that the initiatives were showing some promising early results, with £200k having already been saved from small numbers of CYP having been moved to receive this support.
- The CMR (C&F) highlighted that budget pressures caused by placement fees in the private sector which continued to be a huge problem for the Council and were being tackled in a number of ways, including seeking to reduce the number of placements and the average cost of those placements, as well as trying to reduce placement breakdown with a focus on respite care. Assurance was provided that

with all this activity, the best interests of the CYP were always given the highest priority.

- The Panel was informed of an initiative to recruit current foster carers to a new specialist Foster Carer role, where they were able to offer a higher level of specialist support. The Interim Director of Resources explained that the initiative was showing promising early signs of success.
- A Member expressed frustration at the lack of detailed financial information on savings available to the Panel. It was suggested that a further Panel meeting should be convened when the detail was available to enable effective scrutiny to take place.
- Concerns were expressed about the pressures on HTST and the lack of information available to Scrutiny to be able to scrutinise the detail of this pressure. The CMR (Education) highlighted that the most significant area of impact of the pressure related to those CYP who had an Education, Health and Care Plan (ECHP) rather than mainstream HTST. The Chief Financial Officer drew the Panel's attention to the proposed savings detailed in Appendix 2 of the 10 January Cabinet report.
- A Member questioned the impact of using external providers for children's social care placements on the market. The Chief Financial Officer advised that whilst there were regional frameworks in place for placements, it was an issue of supply and demand and the Council were competing with many other local authorities. The CMR suggested that collaborative working and lobbying of MPs could have an impact on the situation.
- The Chief Financial Officer advised that there was currently no revenue provision for the DSG debt. The Council was one of 55 local authorities facing a similar predicament in a DfE programme.
- The Chief Financial Officer advised that the number of staff accepted on the Council's Voluntary Redundancy Scheme had not yet been confirmed.

619 Children and Young People's School Attendance

In attendance for this item:

Cabinet Member with Responsibility for Education
Director of Education, Early Years, Inclusion and Pupil Place Planning, WCF
Education Engagement Manager, WCF (EEM)
Chief Executive/Principal, The Shires Multi Academy Trust (the Principal)
Headteacher, Upton upon Severn C of E Primary and Pre-school (the Headteacher)

The Chairman welcomed everyone to the meeting. The CMR for Education and the Director of Education had been invited to the meeting to provide an update on school attendance. The Director of Education introduced the report and made the following main points:

- The Department for Education (DfE) published guidance in 2022 on 'working together to improve attendance'. There was currently a

concerted effort by schools, the local authority and regulatory bodies to understand the experience of attending school from a child's perspective and how attendance could be improved. The Panel had been provided with two case studies from Worcestershire to give an understanding of the activity in this area.

- Attendance was recorded for both morning and afternoon sessions within schools. The Director explained that there was a focus on CYP who were missing for more than 10% of school and this was known as 'persistent absence'. Meanwhile, where a CYP missed 50% or more of school this was classified as 'severe absence'. Current figures showed that 18,000 CYP had persistent absence, this being an improvement on previous years, however it was noted that there were an additional 12,000 CYP who were near to the 90% level. The numbers of those having severe absence had risen by 200 to a figure for last year of 1,809.
- In general, overall attendance had improved compared to last year, although it was still at a lower level than pre-pandemic levels. The Panel were assured that significant efforts were being made to improve the attendance performance levels, including schools working directly with families to understand specific issues and support them.
- The Principal provided feedback on the 6 schools within the Trust. It was explained that it had been a difficult shift to get students back into school following the pandemic. Attendance was viewed as a priority for the whole school leadership team, thereby ensuring it's focus across the whole of school life. Each school worked within a framework, which included focussing on CYP with attendance around the 90% rate, building relationships with individual families and making use of praise and reward initiatives. The Panel was advised that through this approach the Trust had seen some success and currently had low levels of persistent absence. Attendance of disadvantaged pupils and those with SEND were their most challenging areas, with anxiety and mental health being significant issues. Additional resources and support were being directed to improve this situation. The Principal advised that the NHS would support the school where appropriate and that two schools in the Trust were currently part of a pilot programme providing support with health issues, which was going well. Some parents were cautious around the health and wellbeing of their children and building relationships was the key to going forward.
- The Headteacher provided feedback from her own school as well as from colleagues from the Primary Partnership, of which she was Chair. Since the pandemic those parents of young children who had changed the way they worked, were now sometimes less keen to send their children to pre-school which then had an impact on the primary school going forward. Similarly, if a young child was unwell, there was now less inclination to send them to school, as a parent may well be working from home. The Panel was informed that the school's attendance rates were 96.2% for 2023/24 which was higher than the Worcestershire average. There were a small number of CYP at the 80% level, which represented 38 days lost in a year, the equivalent of a half term of school. The Headteacher and her staff continued to work on improving attendance in a variety of proactive ways.

- The Headteacher raised another key issue impacting attendance since the pandemic, in that families were more inclined to take their children out of school during term time for a holiday, and sometimes there was also an expectation for some home education to be provided for their children whilst they are away. The School was currently working on how to have an impact on this issue and achieve a change of attitude. The Chairman asked the CMR for Education whether school term dates could be reviewed and whether there was any scope for implementing change to help address this problem. It was noted that the implications for those schools which were close to the county borders would also need to be taken into account. The CMR for Education agreed that holidays during term time was an issue of real concern with the numbers of school sessions being missed each year. The CMR confirmed that she would be happy to review this area and report back to the Panel later in the year.
- With reference to table 2 in the report, a Member noted a declining attendance problem in high schools compared to pre-pandemic. The Director of Education advised that secondary non-attendance figures were always slightly higher than primary schools, and these were just figures for one term, so the figures for the whole year would be more important. The key issue was the complexity of the issues facing families, which had changed with a rise in mental health and wellbeing factors impacting attendance figures. As background, the EEM advised that pre-covid Local Government Association guidance gave attendance targets as 92% for secondary and 95% for primary.
- In response to a question about the potential abuse by CYP of the registration system, the Panel was informed that schools were legally required to have two separate registration sessions in the morning and afternoon. Schools were aware that some CYP might seek to abuse the system, but interventions took place to combat this potential activity.
- A query was raised as to where CYP with mental health and anxiety issues fitted with the attendance figures, for instance if CYP were waiting for a CAMHS referral? The Panel was informed that the data in the report showed 'non authorised absence', but there were different codings used for other types of non-attendance, for instance 'authorised medical absence'. Some CYP were also on a flexible timetable because of their health issues but this would not impact their attendance negatively. The Director of Education explained that where a CYP's emotional wellbeing was affecting their ability to attend school, initially school would use their internal resources and would work with their partners to access appropriate support. However, a point would be reached whereupon a decision had to be made as to the future education provision for the CYP, as the local authority had a legal duty to provide a suitable education so, for instance, this might mean home tuition was arranged. Since September, schools had been asked to notify the authority of any CYP they had in the above situation and a weekly Panel then reviewed the cases. It was highlighted that the Panel included a Mental Health Lead from the Herefordshire and Worcestershire Health and Care NHS Trust, which had led to improved co-ordinated working on cases. The Principal was supportive of the new collaborative approach to helping these CYP and advised that the

majority of vulnerable pupils had to be helped in school, for instance mentoring and resilience activities, whilst they waited to gain access to CAMHS. The Panel was informed that about 60% of schools had taken up the free trauma informed training which was offered through the virtual school to help them with this role.

- The Director of Education advised that the Council’s legal duty was to provide ‘access to education’ for all CYP. In response to a Member’s question about police involvement with persistent non-attenders, the EEM explained that there were enforcement measures which were used only as a last resort to secure a good outcome for the CYP, with this year there having been 9 cases where no progress had otherwise been able to be achieved with the family. In terms of police involvement, it was stressed that this was only introduced where there were safeguarding issues involved.
- The Healthwatch representative sought clarification on a couple of points. The Director of Education confirmed that the data in table 3 related to the CYP on the school roll, therefore Children missing Education were not included in those figures. With regards to Children in Need with severe absence record, at the end of last term this number was 92 compared to 107 last year.

620 Work Programme

The Panel reviewed its work programme.

Members discussed the fact that they had not been able to scrutinise the draft budget effectively at today’s meeting, owing to the fact that at this stage they did not have full details available to them to be able to do so. They highlighted that the WCF final contract price and a full list of all the savings plans for WCF, including an indication of how they would be achieved, were required for them to be able to carry out their role.

The Panel agreed that the Interim Democratic Governance and Scrutiny Manager be asked to liaise with the Council’s Chief Finance Officer and the WCF Interim Director of Resources setting out the Panel’s request for the outstanding information and that a further meeting of the Panel be arranged in advance of OSPB for the that information to be considered.

The meeting ended at 5.20 pm

Chairman