

**Minutes of the Children's Services Scrutiny Committee
Wednesday, 20th January 2021 at 6.00 pm
Microsoft Teams Meeting**

Present:

Councillor A Millward (Chair)
Councillor P Sahota (Vice-Chair)
Councillors M Aston, J Baines, I Bevan, J Cooper, S Craigie, K Lewis, P Lee, C Perks, S Ridney and T Reid (Diocese of Worcester Board of Education representative).

Officers:

S Carter (Finance Manager), R Cooper (Head of Financial Services), H Ellis (Acting Director of Children's Services), H Henderson (Head of Children in Care), J Keeble, (Head of Education Outcomes and Inclusion), D Nicklin (Complaints Manager) and K Buckle (Democratic Services Officer) together with 11 Members of the Public.

20 **Apology for Absence**

An apology for absence from the meeting was received on behalf of Councillor P Bradley.

21 **Appointment of Substitute Member**

It was noted that Councillor P Lee had been appointed as a substitute Member on behalf of Councillor P Bradley for this meeting of the Committee only.

22. **Declarations of Interest**

Councillor S Ridney declared a non-pecuniary interest as the Chair of the Management Board of the Virtual School.

23. **Minutes**

Resolved

That the minutes of the meeting held on 11th November 2020, be approved as a correct record and signed.



24. Children's Services Update

The Acting Director of Children's Services referred to the appointment of Catherine Driscoll, who would join the Authority on 22nd February 2021 as the new Director of Children's Services.

It was reported that the COVID lockdown had produced a number of challenges surrounding supporting schools and managing Personal Protective Equipment (PPE) Guidance.

The Corbyn Road facility and a further Family Centre had now re-opened, with staff continuing to visit families in order to provide support.

A number of front-line staff had now been vaccinated and schools were being supported in relation to providing Lateral Flow Testing.

The Improvement Plan in relation to Children's Social Care continued and the nine priorities were outlined including Leadership, the Multi Agency Safeguarding Hub, achieving permanency, providing education to Key Stage 4 children and capturing the voice of the child. The detailed Improvement Plan would be submitted to the next meeting of the Committee.

Some initial problems had occurred in relation to the Successor Programme regarding data reporting, however those problems were being resolved, with phase 2 of the implementation programme commencing, which would include developing a Children's Portal.

Arising from the verbal presentation Members asked questions and the Acting Director of Children's Services responded as follows: -

- The majority of the Borough's schools were now providing Vouchers as opposed to food hampers for those eligible for free school meals. However, it was accepted that some schools still had no alternative but to provide food hampers.
- In relation to the £3.00 deficit between the £15 hamper and the £12 voucher, schools could now claim this from the Department for Education (DfE).
- Although there were challenges with supporting staff during the pandemic, the Authority had a strong programme of emotional health and wellbeing, all had PPE, were being supported by Managers and front-line workers were receiving vaccinations, which had resulted in a boost in morale. Centres were now open for staff who would receive peer support whilst working in COVID restricted buildings.

There were a whole series of support tools for staff, however it was accepted that it remained a challenge to manage COVID-19, provide support and improve services at the same time.

- The new Director of Children’s Services had a wealth of Director experience.
- The Vouchers could only be used for food with a clear message in relation to this being conveyed to all of the Borough’s supermarkets.
- The programme of Lateral Flow Testing was continuing, however due to a change in Government Guidance should a pupil in a bubble with other children test positive, the whole bubble would be told to self-isolate.

The Chair echoed the concerns of a Member in relation to the continuing changes in Government Guidance and the short space of time in which to implement the guidance following announcements during weekends which would need to be implemented on Monday mornings.

The Chair congratulated all Head Teachers for their continued work and support during difficult and challenging times.

Resolved

That the information on the Children’s Services update and as reported on at the meeting, be noted.

25. **Medium Term Financial Strategy**

A joint report of the Chief Executive, the Director of Finance and Legal and the Acting Director of Children’s Services was submitted on the Medium-Term Financial Strategy (MTFS) to 2023/24, with emphasis on proposals relevant to the Committee’s Terms of Reference, specifically Children’s Services.

The Head of Financial Services reported that the budget had been developed around unprecedented uncertainty caused by COVID-19. The financial position continued to change, and those changes would be reflected in the final version of the report that would be considered by the Cabinet in February and Council in March 2021.

The COVID response funding that was received from Government continued to rise. A further £5m of Contained Outbreak Management Funding was expected over and above the amount that was reflected in Appendix A. Since the report was prepared, the Local Government Finance Settlement had been received, which was better than expected. It was forecast for next year that resources would be £263m rather than the predicted £259m. However, upon re-assessment, further pressures were expected in Adults and Social Care and those would also be updated in the future report.

In summary the Authority faced a very mixed position. In the short-term significant funding had been received to support the responses to COVID-19 and reserves were better than expected although they remained relatively low to the average.



In the longer-term Dudley remained a low taxing, low spending Council and there would be a deficit in the following three financial years that would need to be addressed in order that Dudley could be a fully financially sustainable Authority.

Arising from the presentation of the report and Appendices to the report submitted, Members asked questions and Officers responded as follows: -

- In relation to the Regional Adoption Agency (RAA) reduced contribution, the RAA was established approximately two years ago and all four Local Authorities, Sandwell, Walsall, Wolverhampton and Dudley made fixed contributions to the Agency. However, it had been established that Dudley's share would not need to be as high. Although the services received would not change, the contribution would be decreased and the position in relation to the service that the RAA provided could be reviewed in future years.
- Dudley had a high number of children who were placed with family members and many foster carers had provided children with permanent homes under Special Guardianship Orders (SGO'S). Therefore the Authority's reliance on the RAA had not been as high as expected due to connected families work and the focus on retaining children with their own families where possible.
- In relation to Home to School Transport pressures, N Kletz, the Commercial and Procurement Consultant had established a Working Group whereby Commissioning and SEND professionals within the SEND Transport Team were investigating the issue of home to school transport for SEND children, to attempt to resolve issues, rather than conducting constant reviews. However, re-assurances were provided that following the work of the Working Group details of those savings would be presented to a future meeting of the Committee.
- In relation to SGO's the 'No Detriment Policy' was referred to. That Policy ensured that a child's carer would not suffer financially as a result of entering into SGO's. However once an SGO was granted, the Authority would not have the burden of the additional costs of a child being in care, including Social Worker visits, Independent Reviews and Virtual School provision.

There would be a drive to recruit foster carers to avoid utilising Agency Foster Carers and that would reduce costs.

Work was being conducted with partner Authorities across the Black Country on a fostering sharing arrangement, in order to support fostering placements that would also result in projected savings, as regional funding was available to support that provision.

Re-assurances were provided that permanency for children in care remained a main priority for Children's Social Care, and the savings outlined within the report and Appendices to the report submitted would not compromise the service.

- Placement costs for children in care would be reviewed, as it was envisaged that the costs paid to providers would reduce, or there were internal residential placements for children and young people that would be more cost-effective.
- Services would not be re-designed, however in order to achieve savings and become more efficient, work would continue to prevent children accessing external placements when they initially entered the care system.
- A Permanency Strategy had been produced which had entered the consultation stage, and it was hoped that the Strategy would be rolled out the following week when work would commence with Social Workers in order for them to understand the Strategy and to focus on early permanency for children in care, as it was essential that permanency was a priority. There was the desire to keep children close to their homes in familiar settings.

Several different models were being investigated to support children to return to their homes. 'No Wrong Door' was a working model and there was the aspiration to set up a model in order to work with various parts of the Authority and services in education, as there was a rise in those entering care between the ages of 11 to 15 who had difficult and adverse childhood experiences, and who could not be contained any further within their home settings. It was accepted that some children and young people struggled to make care work for them, ending up in high cost residential placements across the Country. Services were being developed in order to focus on reunification and strengthen immediate and extended family members to care for children, in order to resolve the issues referred to above.

There was further work being conducted in order to prevent children entering care, and that work should reduce the pressures on placements.

The Chair thanked the Head of Children in Care for the detailed explanation in relation to reducing savings, with explanations satisfying some of her concerns.

Councillor P Lee raised concerns in relation to the outcomes for children who left care at the age of 18 with a request that the age be increased.

The Head of Children in Care agreed to discuss further issues with Councillor P Lee following the meeting.

It was noted that regular meetings were taking place with the Home to School Transport Team, who were becoming more rigorous in implementing the protocols and only agreeing to costs for transport should they genuinely meet all of the criteria.

The Head of Education Outcomes and Inclusion reported that the vast majority of funding was paid to transport providers direct.

The Acting Director of Children's Services confirmed that should parents or carers have disability vehicles in order to transport children to and from school, and separate applications for transport payments were being made, those applications would be investigated further.

The Acting Director of Children's Services also advised that in relation to Contact Centres, those savings had been rolled over from 2019/2020, however the Service was not in a position to make any savings in relation to family time and that saving would not be made in the future.

The Vice-Chair raised the issue of the Equality Impact section within reports not being completed in the appropriate way.

The Head of Financial Services made reference to the fact that the report was forwarded to the relevant Officer in order that the paragraph was completed in accordance with the contents of the report.

The Cabinet would consider the budget proposals on 8th February, prior to Full Council on 1st March 2021. The Committee requested that further information be provided to Members on the proposed savings in relation to the review of the home to school transport for SEND children, the managed step down from external residential placements and the movement of external placements into internal residential placements.

Resolved

- (1) That the proposals for the Medium-Term Financial Strategy to 2023/24, set out in the report and Appendices to the report submitted, be received and noted.
- (2) That the Acting Director of Children's Services be requested to provide further information to Members relating to the home to school transport pressures and how the budget savings referred to above are to be achieved.

26. **Children's Services Complaints: Response Times Action Plan.**

The Committee considered a report that provided an update with regard to the response times performance in respect of complaints received by Children's Services.

The Acting Director of Children's Services advised that a new permanent Head of Service of Intelligence Performance and Policy within Children's Services had been recruited who would prioritise training and improve the quality of responses to complaints.

It was also noted that Care Management were a pressurised team and work would continue in order to investigate methods to support the team.

The Complaints Manager referred to the background to the report submitted, advising that the annual report had evidenced that only 41% of complaints were being responded to within 20 working days to which Members raised concerns. Members

had previously requested that updates be submitted to a future meeting regarding response times.

It was noted that the revised process intended to improve performance was introduced on the 18th August 2020, and the current response times performance evidenced that response times provided within the 20 working days timescale had increased to 65%.

However, it was accepted that work should continue to improve figures with regular performance updates continued to be provided to Senior Managers.

The reasons for those response times exceeding timescales as outlined in the report submitted were noted.

Senior Managers continued to examine the additional support that could be provided to support the service.

Work was also being conducted in conjunction with the Centre for Professional Practice who were developing an audit tool to ensure that a sample of complaints were analysed on a regular basis.

Benchmarking data from other Councils who were part of the West Midlands Complaints Officer Group had been obtained and it appeared that response times ranged from 50% to 73% with regards to Children's Services complaints being responded to within 20 working days.

It was noted that Sandwell Metropolitan Borough Council had introduced changes to their processes in line with those introduced by Dudley and it had been identified that improvements in response times were not immediate.

Resolved

- (1) That the information contained in the report submitted on Children's Services Complaints: Response Times Action Plan, be noted.
- (2) That further updates on the 20 working days response times be submitted to future meetings of the Committee.

27. **Education Report**

Members considered a report on the Education Strategy, Interim Ofsted Visits, Special Educational Needs and Disability (SEND), the Alternative Provision Strategy, illegal off-rolling and the Dudley Virtual School.

The Head of Education Outcomes and Inclusion presented the report submitted and referred to the Education Strategy for Dudley 2020-21 that had been launched with all internal stakeholders, Elected Members, Schools, Academies and Chairs of Governors during the first half of the Autumn Term. This provided an essential framework to all of the Borough's education and inclusion work, and a coherent content for all of the other workstreams and initiatives.



The six key principles of the Education Strategy as contained in the report submitted were referred to.

It was reported that schools were being made more inclusive and more able and willing to take children who had special educational needs, and challenges continued to be made to schools in order to ensure that the culture remained to be inclusive.

It was reported that there remained a deficit in services within school settings in order to deal with social emotional mental health.

In relation to reducing exclusions there was a large amount of work being conducted.

In order to roll out an Alternative Provision Strategy work was also being conducted in order to ensure the Education Teams were more co-ordinated.

It was reported that there were 15 Education Teams who met weekly each Monday to discuss the work being undertaken individually and collectively in schools in order to improve and challenge schools.

In order to improve the level of communication with schools the Head of Education Outcomes and Inclusion provided a monthly power point presentation to all Headship Groups.

The Various Officers involved with the Education Strategy Group were referred to and it was noted that the Group had been established in order to ensure that their work was fully co-ordinated. The meeting structure as set out in the report submitted was also outlined.

It had been agreed that another Local Authority would be invited to conduct an evaluation of the Strategy, and it was envisaged that there would continue to be an improvement plan in place.

It was acknowledged that school readiness continued to be a problem and there was also the need to work with post 16 students, with 32 schools, including Academies and Multi Agency Trusts agreeing to work with the Authority in both regards.

A bulletin was distributed twice each week in order to provide information to support schools and those bulletins also included any updated Government Guidance for Schools.

In relation to Ofsted visits, Ofsted had developed a new model which was currently evolving whereby virtual conversations were taking place which included general conversations, conversations around safeguarding, the response to COVID and behaviour and attendance.

Towards Christmas 2020 those conversations had been more focused on the curriculum in the main in relation to the subjects of English and maths, with a further three subjects being examined on a random basis.

Ofsted had also focused on remote learning, what that work involved and how it was being monitored on a daily basis. It was noted that data was now being provided in relation to home working including details of assessing and monitoring that work.

SEND and the Written Statement of Action was referred to and it was reported that there was also a self-evaluation of the SEND provision in place.

There had been the launch of the Alternative Provision Strategy, which had been required due to the data provided that evidenced that Dudley were high within the League Tables for exclusions and it was clear that a process was required to reduce exclusions.

The principals of the Alternative Provision Strategy were referred to and the need to continue to work on ensuring that children were not excluded in the first instance.

An inclusive pathway had been put into place with a number of packages of support which could include mentoring specialist support and introductions to Connexions, and there was currently an opportunity being advertised for the secondment of an employee internally in order to help with those support services.

Work was being conducted with both Multi Academy Trusts and maintained schools in order to provide alternative provision.

It was stated that although illegal off-rolling was not an issue in Dudley, the position would continue to be monitored.

In relation to those pupils passing exams, numbers were significantly impressive with 48% of those pupils with special educational needs achieving higher results.

Elective Home Education (EHE) remained an issue nationally, with a spike identified in Dudley during September 2020. The position was immediately communicated to the DfE who were aware of the national spike which had been masked largely by parents being anxious for their children to be in school, which presented the Authority with the need to separate those who were anxious and those who were generally home educating.

All parents had to be assessed in order to determine whether they were in a position to home educate, with the current caseload involving 425 assessments. Approximately 100 were in the assessment process, and since September, 32 of those children had returned to school.

was stated that of those children being home educated, 50% were from primary education and 50% were from secondary education with no reception children being home educated.

In terms of capacity to deal with the EHE assessments there was the intention to recruit an additional post.

Work was being conducted closely with Children Missing Education Teams.

Arising from the presentation of the report submitted Members asked questions and the Head of Education Outcomes and Inclusion responded as follows: -

- The data in relation to the number of children in school with SEND would be circulated to Members.
- In relation to making schools more inclusive, schools were encouraged to provide a base for respite care in order to provide structured activities for children, for example during break times. The example of the provision of a sensory garden was referred to.
- By making schools more inclusive that would result in financial savings especially in relation to costly out of Borough placements.
- Should it become apparent that a school could not meet a child's needs a further assessment would be carried out.
- It was noted that the Chair had written to the Secretary of State in relation to the EHE guidance not being robust enough and requesting further robust guidance.
- In order to determine whether parents/carers were in a position to home educate, the financial implications of providing a tutor would also be considered.
- In relation to off-rolling, census data would continue to be examined and monitored.
- Work had been completed on the Place Planning Strategy for the Borough and all schools had been consulted. Due to the expected reduction in birth rates, four schools had agreed to reduce pupil admission numbers, as the numbers being admitted were substantially below their published admission number, and the Authority were under a duty to re-examine pupil numbers. In terms of the Halesowen area of the Borough there were problems with secondary school capacity, with Earls, Leasowes and Windsor High Schools agreeing to work together to provide a solution, for example to extend their capacity for more pupils. There would be cost implications as that may result in erecting additional buildings or extending current buildings.
- In relation to additional capacity within the North of the Borough, work was being conducted with Mark Grundy the Chief Executive Officer of the Shireland Collegiate Academy Trust with regards to investigating the extra capacity that may be available.

The Chair thanked the Head of Education Outcomes and Inclusion for his extremely comprehensive report.

The Vice Chair again referred to the incomplete Equality Impact Assessment Clause within reports and the Acting Director of Children's Services undertook to raise the issue with Officers.

Resolved

- (1) That the report submitted on Education, be noted.



- (2) That the Head of Education Outcomes and Inclusion be requested to provide Members with the data in relation to the number of children attending mainstream school with SEND.
- (3) That the Acting Director of Children's Services be requested to raise the issue of completing the Equality Impact Assessments within reports accurately in the future.

The meeting ended at 8.00pm

CHAIR

