

**Minutes of the Children's Services Scrutiny Committee  
Monday, 29th June, 2020 at 6.00 pm  
Microsoft Teams Meeting**

**Present:**

Councillor A Millward (Chair)  
Councillor P Sahota (Vice-Chair)  
Councillors M Aston, J Baines, I Bevan, P Bradley, S Craigie, K Lewis, C Perks and S Ridney.

**Officers:**

C Knowles (Interim Director of Children's Services), H Ellis (Interim Assistant Director - Early Help, Schools and SEND, S Lawrence (Interim Assistant Director - Childrens Social Care), D Nicklin (Complaints Manager) and S Griffiths – Democratic Services Manager.

**Observer:**

Councillor J Foster

**Invitees**

Representative of Dudley Youth Council.

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1. **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct in respect of any matter to be considered at the meeting.

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2. **Minutes**

**Resolved**

- (1) That the minutes of the meeting held on 5th March, 2020, be approved as a correct record and signed.
- (2) That the Interim Head of Children in Care and Placement Resources provide the information to Members as referred to in Minute No. 48 (Fostering Service Annual Report) relating to details of the number of children that are placed with Agency Foster Carers within the Borough.



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### 3. Children's Services COVID-19 Update

A report of the Interim Director of Children's Services was submitted on Children's Services COVID-19 update.

In presenting the report submitted, the Interim Director of Children's Services referred to the critical areas of Children's Services and how those had and were being managed during the pandemic.

It was stated that the Improvement Board had continued to hold virtual meetings and the schools update was referred to, including the expansion of Year 6 and Years 10 and 12 generally, the update on Special Needs and Disabilities (SEND) and that critical services had been maintained in the best possible methods under the circumstances.

Children's Services had immediately developed a Red, Amber, Green (RAG) rating for vulnerable children. These were the children with Child Need Plans and Looked After Children including those accessing early help services. Monitored visits had also been undertaken in order to determine which children needed to be in a school.

Social Workers continued home visits. Five Family Centres had been closed, however they still continued to function. Multi Agency meetings had continued, with the introduction of a new system entitled 'Director's Need to Know' which was a new notification system for the Interim Director of Children's Services, in order that critical issues could be responded to appropriately.

First Response Teams had amalgamated with the Council's Multi Agency Services Hubs, in order to conduct assessments in a more streamlined and effective manner, in order that children received a more timely response within that First Response Service, which strengthened processes around children.

The Domestic Abuse Response Team, (DART) were responsible for those children who had witnessed domestic abuse situations or suffered domestic abuse.

The Service continued to meet their statutory functions. There had been a reduction in contacts and the Service had not seen the spike in domestic abuse that followed the picture across the Black Country and the West Midlands. The main reason could be incidents of domestic abuse were only reported when a child was involved or present.

There had been positive work in the Youth Offending Services (YOS) that had strengthened some of the statistics which had been a credit to the team. First time entrants had reduced, with the Dudley Borough performing above their statistical neighbouring authorities. It was noted that the YOS were subject to an improvement plan, however this had resulted in the services being only a few points away from a good rating when inspected last year.

The Interim Director of Children's Services suggested, and the Chair agreed, that the Committee should receive a further report on the YOS in order to conduct detailed scrutiny of the service.



All of the schools within the Borough were praised by the Interim Director, who stated that all Head Teachers had met the needs of vulnerable and critical needs children. Daily telephone calls had been undertaken with the Borough's schools, and Head Teachers had helped consolidate and co-produce and work together when a steer on direction, in order to make informed decisions. This included a Local Authority steer. There had also been a good interface with Department for Education (DfE) colleagues, with some of the schools' concerns being shared with them. A much more settled state had now been moved into with schools.

The SEND agenda had achieved positive outcomes in Tribunals, with more parents willing to work with the service in order to achieve the right outcomes for their children.

The Virtual School had a good oversight and control, and were focusing on looked after children with a pragmatic view on foster children remaining in school. The Virtual School had also provided additional support bringing more looked after children into the school environment during the lockdown.

The improvement agenda for SEND and YOS had continued with the YOS Board continuing to meet.

The Interim Assistant Director Early Help, Schools and SEND, stated that she was extremely proud of the Borough's schools in that they had managed to get 650 to 1,000 children back into school, and they continued to work hard to return more children to their educational settings. Children continued to be supported on-line, with DfE guidance for education during the summer months and September currently being awaited. School staff had continued to work hard whilst reacting to COVID-19.

In responding to questions from the Chair, the Interim Director of Children's Services reported that a spreadsheet had been designed to capture information on the amount of children in a school setting, with schools completing data via the DfE and although at present no data on numbers had been received, there were indications that Dudley was performing well as compared with neighbouring authorities.

The Interim Assistant Director Early Help, Schools and SEND advised that the provision of devices to children had been a challenge, and there continued to be ongoing conversations with schools surrounding children who may be struggling, with a number of schools purchasing devices for children where concerns were evident.

In responding to a question from a Member in relation to the Regional Adoption Agency, the Interim Director for Children's Services advised that the Interim Head of Children in Care and Resources had a good grip on this, however the Courts were posing a problem in relation to progressing Orders, as they were currently prioritising safeguarding, however matching and introductions continued in relation to possible adoptions.

The Interim Assistant Director Children's Social Care advised that an additional six children had been placed in their forever homes, and four had been matched with their adopters and a report on family finding was expected to arrive the following day.



The Chair welcomed the work being undertaken in this area, in readiness for the Courts to re-open.

In responding to a question from the Vice-Chair, the Interim Director of Children's Services advised that abuse strategies were in place in relation to vulnerable children, in order to ensure that they returned to school and remained safe and well. Work was also being conducted with families.

The Interim Assistant Director Early Help, Schools and SEND stated that by the end of that week all laptops would either be with schools or the children who required them. Online work continued to be a priority for the Borough's schools and online monitoring continued. There were challenges, however schools were conducting school improvement work with those children who may be falling behind, and that work would continue during the summer.

Summer Schools were currently conducting mapping exercises to ascertain which schools were providing activities. The Local Authority was examining possibilities of providing activities in relation to mental health and wellbeing, to ensure that particularly Year 11 children had an intense programme of activity, as those children had been out of school for the longest period, and there was a need to ensure that those children had a destination pathway in September, 2020.

The DfE had not placed any onus on schools to provide work and monitoring during the summer months, stating that school staff required a break over those months, especially as September would provide further challenges, with DfE guidance awaited in relation to September.

The Vice Chair raised a question in relation to the SEND delivery date for actions, and it was noted that there was a robust improvement plan with tight deadlines. However, in view of COVID-19 some assessments that required face to face contact were not undertaken, and some deadlines had been reviewed, this reviewing process had been fully supported by the DfE advisor allocated to the Council.

The position in relation to the Court managing the volume of work and prioritising Emergency Protection Orders was expanded upon, and it was stated that there would be no detriment to children awaiting Special Guardianship Orders.



There were now seven permanent Case Officers recruited to the SEND Service, whereas prior to December there were six agency staff. Intense training and inductions had now been undertaken.

Councillor Ridney expressed her appreciation for the ICT Services briefing and updates and continuing work during the pandemic.

The Interim Assistant Director Early Help, Schools and SEND responded to a Member's question, stating that risk assessments were carried out in relation to SEND children, with all Special Schools remaining open during the pandemic, with families had been supported through Commissioning Teams and the Dudley Clinical Commissioning Group.

Special Schools had carried out welfare visits and where they had felt that families required support, risk assessments had been carried out and children were returned to school. In relation to play schemes during the summer there was the need to address replacing those, with alternative schemes due to health needs and shielding.

A Member raised issues in relation to the shortage of spaces at special schools and the Interim Assistance Director Early Help, Schools and SEND responded, stating that special schools continued to be a real challenge, as part of the improvement journey related to those children who were placed into special schools and should be in mainstream provision. Work continued with schools to ensure that support could be offered to children with disabilities, as currently special schools were not being managed as they should be, and the current system was not sustainable. In reality children should commence school in a mainstream setting before special school provision was explored.

It was noted that on occasions Tribunals directed the Local Authority to place children into special school settings and that pressure required focus on at the moment. This work was all linked to the Inclusion Strategy. It was noted that the Inclusion Strategy had not been working as some children had been placed into special schools whilst they could have been in mainstream education with support packages. Work was continuing on support packages and plans and pods in order to provide wrap around services in mainstream schools.

Should it be in the best interests of a child to be placed or remain in a special school setting this would continue, however if some children could be placed in mainstream schools with support and packages this would free up places in special schools. Developing Hub modelling would create extra places in special schools. The early intervention work that was being conducted, in order to develop skills and working with families would produce more timely responses for children, in order to ensure that they were ready for primary school rather than being assessed once entering education.

Following conducting work and the quality of Education Health Care Plans, four children were now happy to attend mainstream school, however further work was required.

The Chair, on behalf of the Committee expressed her appreciation for all of the work conducted by the staff in Children's Services, during these extremely challenging times.



## Resolved

- (1) That the contents of the report submitted on Children's Services COVID-19 update and as reported on at the meeting, be noted.
- (2) That Members approve the continuing focus of work across the Directorate to improve the quality of practice.
- (3) That the continued work of all staff within the Directorate to ensure that children were supported through the Pandemic, subsequent lockdown restrictions and emerging recovery plan be noted.
- (4) That the ongoing challenges facing the service to achieve the continuous improvement to ensure good and outstanding services for all children be acknowledged.
- (5) That a report on the Youth Offending Services be submitted to a future meeting of the Committee.

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#### 4. **Children's Services Complaints, Comments and Compliments Annual Report – 1<sup>st</sup> April, 2019 to 31<sup>st</sup> March, 2020**

The Committee considered the report submitted, and the Children's Services Complaints Manager presented the report making particular reference to statutory and corporate complaints, advising that the data now included SEND complaints.

It was noted that compliments had increased to 108 as compared to 82 for the same similar period, and across the board those had been positive. Learning from complaints needed to be addressed further, however the development of new reports that identified learning from upheld and partially upheld complaints was now examined by the Centre for Good Practice in order that processes could be strengthened.

Identifying and implementing learning continued with a reporting process in place as far as complaints were concerned. In overall numbers there had been a slight decrease in complaints from 205 to 202 during the reporting period. There had been more corporate complaints and focus was taking place upon whether complaints were being dealt with in the correct area. The Ombudsman would be publishing a report later on in the year that may provide more assistance when identifying complaints, and ensuring they followed the correct route. Out of 10,850 contacts in Children's Services there were 205 complaints and that equated to less than 2% of contacts, with less than 0.6% being upheld. 32% of Statutory complaints were upheld and that equated to 9 cases which was a decrease on the previous year. 33% were partially upheld a slight reduction from the previous year, which provided a positive result.

The Team had worked hard to reach local resolutions, as stage 2 investigations were time consuming, costly and stressful for the complainant. One complainant for the first time in several years had proceeded to stage 3 following an independent investigation that had not reached a resolution. A stage 3 independent panel review meeting would need to be arranged, however this had not been possible due to social distancing.

One area that the service struggled in was complaint response time with 41% of complaints receiving a response within 20 working days, however there were complaint trackers in place and Managers were requested to feedback information on reasons for late responses. Some of the reasons were lack of co-operation from complainants and multi teams becoming involved with responses.

It was noted the 15% of Managers had provided details for late responses, and the Chair raised grave concerns in relation to this percentage and other Members echoed those concerns.

Councillor Ridney expressed the need for further information in order that elected members could inform their constituents the reasons for the length of time that responses were taking, advising that it was totally unacceptable that reasons were not forthcoming from more Managers.

The Interim Director of Children's Services undertook to work with the Intelligence, Performance and Policy Team, in order to put in place tracking in relation to response times for complaints and the reasons for delays and provided assurances that this would be addressed.

The Complaints Manager assured Members that his Team did everything in their power to prevent complaints escalating to Members.

The Vice-Chair fully endorsed the concerns raised in terms of performance management expressing the need for improved Officer accountability.

The Interim Director of Children's Services confirmed that work would be undertaken with the Complaints Manager, the Interim Assistant Director Early Help, Schools and SEND and the Interim Assistant Director Childrens Social Care, in order to compile an action plan to address the work required, confirming that this would be shared with Members.

The Vice Chair requested that areas where there were genuine staffing concerns should be highlighted, in order to address issues such as pressure points and training.

Councillor Ridney commented positively on the numbers of complaints that had been received in comparison to those contacting the service.

Councillor Perks welcomed the compliments and thanked staff in the Team for their work.



The Complaints Manager outlined the reasons for some of the complaints, advising that very few were upheld in relation to staff behaviour as the majority were due to difficult conversations with parents around child protection issues.

## **Resolved**

- (1) That the Children's Services Complaints, Comments and Compliments Annual Report 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020, be noted and approved for publication in line with statutory requirements.
- (2) That the Interim Director of Children's Services be requested to devise an Action Plan regarding the concerns raised by Members in relation to the report submitted.
- (3) That the Action Plan be shared with Members and reported at the next meeting of the Committee.

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## **5. Annual Scrutiny Programme 2020/21**

A report of the Lead for Law and Governance was submitted on the Scrutiny Committee's Annual Report for 2019/20, and items to be included in the Annual Scrutiny Programme for detailed consideration during 2020/21.

A proposed calendar of meetings for the 2020/21 municipal year together with the Scrutiny Committee's Annual Report, would be considered by Council on 23<sup>rd</sup> July, 2020. Consultation would then be undertaken with the Chair, Vice-Chair and Officers to confirm the programme of scrutiny business for the remainder of the municipal year.

The Democratic Services Manager referred to the forthcoming scrutiny review of the response of the Council and partners to the COVID-19 pandemic. This would be co-ordinated by the Health and Adult Social Care Scrutiny Committee and involve the Chairs and Vice-Chairs of all Scrutiny Committees.

Following concerns raised by the Chair in relation to the timing of the full scrutiny review, it was noted that this could be further discussed at a meeting of the Scrutiny Chairs and Vice Chairs.

Councillor Ridney referred to the possibility of an interim review, particularly in relation to issues around mental health and behaviour, including the work conducted with other agencies and the support provided for staff and pupils on that particular issue.

The Chair referred to the manifestation of further issues arising from the pandemic and the possibility of examining the emerging picture within the next 12 months.



The Interim Director of Children's Services envisaged a spike in relation to those children who had witnessed domestic abuse and potentially further children entering the care system, with a higher number of referrals. It was suggested that the support families had and were receiving within schools could be scrutinised.

Mention was made of whether there would be an increase in young people not in education, employment or training due to Year 11 pupils being left out of all sports and social activities. It was further envisaged that children isolating would also result in problems with the emerging picture of how they would adapt to changes, such as those within school setting in the future.

### **Resolved**

- (1) That, subject to any necessary amendments, the Annual Report, as set out in Appendix A to the report, be submitted to the Full Council on 23<sup>rd</sup> July, 2020.
- (2) That, following consultation with the Chair, Vice-Chair and Officers, the Lead for Law and Governance be authorised to confirm the programme of scrutiny business for this Committee following the meeting of the Full Council on 23<sup>rd</sup> July, 2020.
- (3) That the arrangements for the scrutiny review of Dudley MBC and partner response to the Coronavirus Pandemic, as set out in paragraphs 9 to 13 in the report submitted, be noted.

The meeting ended at 7.30pm

CHAIR

