

**Minutes of the Children's Services Scrutiny Committee
Wednesday, 17th March 2021 at 6.00 pm
Microsoft Teams Meeting**

Present:

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

Officers:

S Anderson (Joint Safeguarding Business Manager), C Driscoll (Director of Children's Services), H Ellis – (Service Director - Early Help/Schools and SEND), W Grizzle (Service Manager - Children's Services Children's Social Care), N Hale – (Head of Safeguarding Practice and Quality Assurance), S Jones (Head of Family Solutions) and K Buckle (Democratic Services Officer) together with 4 Members of the Public.

Also in attendance:

P Kingston – Independent Scrutineer (Dudley Safeguarding Children Partnership Group) and
S Johnson – Department for Education (DfE) Advisor.

28. **Apology for Absence**

An apology for absence from the meeting was received on behalf of Mr T Reid – (Diocese of Worcester Board of Education Representative).

29. **Declaration of Interest**

Councillor I Bevan declared a pecuniary interest, as an employee of Dudley Group of Hospitals (NHS) Foundation Trust.

30. **Minutes**

Resolved

That the minutes of the meeting held on 20th January 2021, be approved as a correct record and signed.



31. **Opening Remarks of the Chair**

The Chair advised that the Cabinet Member for Children and Young People was unable to attend the meeting, as she along with the Children in Care Council were attending a regional Care Leavers Group, which was focusing upon the impact of Covid-19 on children in care.

32. **Dudley Safeguarding Children Partnership Group (DSCPG) Annual Report 2019/20**

Members considered the Dudley Childrens Safeguarding Partnership (DSCPG) Annual Report for 2019 to 2020.

The Independent Scrutineer of Dudley Safeguarding Children Partnership Group presented the report submitted advising that the report covered the period 29th September 2019 to 31st March 2020.

There were three main priorities for the DSCPG and although the first priority, preventing children from violence across the life course was relevant when the report was written, that term had subsequently changed to harm which was a slightly more encompassing term for the range of behaviours that the partnership tried to protect children from.

It was reported that the imminent review of the structure of the Partnership would commence the following morning in order to ascertain whether it was fit for purpose moving forward for the following 12 months, to deal with the work to be completed to safeguard children in Dudley. It was noted that to date the structure had resulted in good partnership working.

It was reported that the review was required in order to examine whether the structure could become more effective and efficient.

The data presented for the reporting period was referred to, from which it had been evidenced that schools were communicating with the Partnership when there were concerns that children were at risk of serious harm.

It was noted that referrals into the Partnership continued to increase from 535 per 10,000 in 2018 to 749 in 2019 and it was envisaged that for the next reporting period that increase would continue to rise. During the pandemic there had been a higher level of referrals via the Multi Agency Safeguarding Hub (MASH), in terms of children's safeguarding.

Partnership Working was solid with a good response from all of the agencies that the Partnership connected with.

During early February to March 2020 it had been determined that Partnership meetings should take place on a weekly basis, with the above frequency of meetings continuing.

The training offer of the Partnership had grown over the previous 18 months and the Dudley Safeguarding website contained an enormous range of training materials that were available for all Practitioners who worked in the area of children's safeguarding, with that training offer continuing to expand almost on a monthly basis.

Work continued in order to capture 'the voice of the child' to ensure that the offer provided to children in terms of safeguarding was fit for purpose and was effective in helping them to feel safe.

It was noted that the Improvement Board continued to function in parallel with the Statutory Safeguarding Arrangements through the multi-agency arrangements in Dudley during the present time.

Arising from the presentation of the report submitted Members asked questions and made comments and Officers responded as follows –

- A log of all meetings was maintained in order to monitor those partners/agencies who were not attending Partnership meetings with the Independent Scrutineer Dudley Safeguarding Children Partnership Group dealing with any representation that was ineffective. However, to date there had been no problems with attendance, although processes for failure to attend were in place should they be required.
- In relation to child poverty, deprivation and health inequalities concerns, it had become evident that during the previous 12 months, domestic violence had increased together with unemployment, and all those metrics were of great concern to the Dudley Borough. It was anticipated that as schools re-opened higher referral rates were expected in terms of concerns in relation to children and it was likely that employment rates would increase as in other areas of the country. Although the severity of the impact of the pandemic was currently unknown, the MASH had been reconfigured in order to accommodate the higher levels of referrals. It was envisaged that the situation in relation to child poverty, deprivation, health inequalities and resulting unemployment would have to be reviewed on a weekly basis in order to address those issues as and when they evolved.
- Should Members wish to report safeguarding issues they should contact the MASH telephone helpline.
- In relation to funding arrangements it was anticipated that there would not be a greater increase in funding, however Police funding had increased. Dudley's budget was not insubstantial compared with other areas of the Country, and it was agreed the greater the funding the more work could be undertaken to protect children.
- Partners would continue to be encouraged to provide further funding in order to safeguard children.
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The Chair confirmed that safeguarding training was mandatory, and there were online courses that could be attended. Training could also be accessed from the Safeguarding website.

The Independent Scrutineer Dudley Safeguarding Children Partnership Group confirmed that he would liaise with the Black Country Foundation Partnership Trust in relation to the future provision of safeguarding funding.

Resolved

1. That the information contained in the report submitted on the Dudley Childrens Safeguarding Partnership Annual Report 2019/202, be noted
2. That the Director of Children's Services be requested to forward details of the process in reporting safeguarding issues in relation to children to Members.
3. That the Director of Children's Services be requested to arrange training for Elected Members in relation to safeguarding children and adults.

33. Children's Services Update

The Director of Children's Services paid tribute to and thanked the Service Director - Early Help/Schools and SEND for fulfilling her own role within Children's Services and that of the Acting Director of Children's Services, and referred to further appointments in order to strengthen and provide good quality leadership to ensure that Services were improving.

It was reported that the Department for Education (DfE) continued to supervise children's social care and safeguarding, keeping those services under close review, with the next formal review taking place in May 2021.

The set of targets set by the DfE which were to be achieved within a three-month timescale in relation to refreshing the Improvement Board and revising the Improvement Plan were referred to. It was noted that the Improvement Board had been refreshed and refocused on Children's Social Care and that S Johnson, the newly appointed DfE Improvement Advisor now Chaired the Board.

In relation to the second priority, work would be conducted with a partner in practice, another Authority and in the case of Dudley, South Tyneside in order to provide additional support for Dudley's Fostering Service, ensuring sufficient grip, focus and pace for children needing fostering services.

The third priority area was a single model approach, being clear in the way work with children and families would be conducted with Dudley's approach being restorative practice, which fundamentally was building relationships with children, young people and their families to work with them.

The fourth area of priority was business intelligence, understanding data, knowing what services were being provided and examining how Dudley compared with other Authorities.

The fifth priority was streamlining decision making for Practitioners, building on the services infrastructure that would enable Social Workers, Family Support Workers and partners to make good quality timely decisions to support and protect children and young people.

It was confirmed that the outcome of the DfE review in May 2021 would be reported to a future Meeting.

The Service Director - Early Help/Schools and SEND reported that schools had been open for the children of key workers and vulnerable children throughout the most recent lockdown period, with attendance remaining strong.

From 8th March 2021 Dudley had welcomed back all primary school children, with secondary schools being re-opened on a staggered basis, during the preceding two weeks, with secondary schools working hard to ensure that all the relevant testing processes were in place.

Dudley continued to work hard in order to ensure that secondary schools were supported and were able to deliver the lateral flow testing, with the majority of children returning to schools, including special schools.

As from week commencing 15th March 2021 all secondary schools had re-opened, however some issues had been experienced in relation to Covid outbreaks, mainly within a small minority of primary schools. However, the Education Team and Public Health were proactively supporting those schools to re-open if they had to close. Meetings had continued with Public Health and work was continuing to ensure that any closures were short term.

The Chair raised concerns that the children of the Dudley Borough had suffered greatly during the pandemic, due to disruptions with their education, and referred to the DfE guidance in relation to the closure of schools to facilitate elections, with the timings of elections coinciding with the May Bank Holiday and possible inset days. The decision of the Returning Officer to utilise schools, community centres or portacabins for elections was also referred to.

The Director of Children's Services referred to the guidance published by the DfE which although referred to the real wish to keep schools open, outlined the statutory responsibility in law to deliver a safe election, placing the onus onto local areas as to whether to utilise schools for elections.

It was reported that Dudley's approach was to use alternatives to schools wherever possible and acceptable to Group Leaders. However should that not be possible, the Returning Officer reserved the right to instruct Maintained Schools to provide polling

stations for the elections, with the Local Authority paying for overnight cleansing and cleaning in order to avoid losing a second school day, for that purpose.

The Director of Children's Services advised that it was unknown how many schools may be affected at the present time, with the Service Director Early Help/Schools and SEND continuing to liaise with the Elections Team.

Members echoed the reservations in relation to schools being closed for the Elections, especially in relation to the Borough's most vulnerable children.

Resolved

- (1) That the information on the Children's Services update and as reported on at the meeting, be noted.
- (2) That the Director of Children's Services be requested to submit details of the Department for Education review in May 2021 to a future meeting of the Committee.

34. **Children and Young People's Plan: January 2021 to January 2022.**

A report of the Director of Children's Services was submitted on the Improvement Plan and to update the Committee on the progress of the delivery of improvements, in response to Ofsted's priority areas for improvement.

The report also updated the Committee on the activity which was underway and/or was planned by Dudley Council, through the Children's Services Directorate and their partners to help safeguard and promote the welfare of children and young people across the Dudley Borough.

The report highlighted the critical areas within the service where further work was required and provided Members with the opportunity to raise and be assured that Children's Social Care had taken swift and decisive action to provide a responsive service to children in need, in care and those in need of protection.

The Director of Children's Services referred to the comprehensive Improvement Plan that covered nine areas of improvement, designed to respond to Ofsted's areas of concern, that they had reported following their two focused visits to the Authority.

Those nine priority areas for improvement as contained in the report submitted were outlined, with the report containing the comments by Ofsted and the progress being made.

It was noted that each priority had a single Leadership Lead within the Directorate who would work with a whole range of colleagues within the Council and external partners.

In relation to the Leadership priority, it was reported that there had been drift in making senior appointments and that had impacted on all staff within differing levels in the Directorate.

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Ofsted had examined the impact leadership had on front line practice. It was the Leadership's responsibility to ensure that partnerships and processes worked and that staff working directly with children and families had the conditions in place to deliver the best possible outcomes for children and families.

The permanent rate of Social Workers in post, as referred to in the report submitted were referred to, and it was noted that children's social workers were difficult to recruit, in view of the fact that Dudley were competing with a number of neighbouring authorities.

It was accepted that agency staff would continue to be relied upon. There also remained posts that could not be covered by either permanent or agency staff, with 7% of those posts remaining vacant.

Urgent work continued to cover that capacity in order to respond to children and young people on a timely basis.

In relation to the MASH, concerns had been raised regarding the timeliness of decision making, and permanent recruitment had taken place within the MASH and Family Solutions Teams, with decision making timeliness improving.

However, the MASH remained the area with the highest level of vacancies and work continued to recruit additional capacity.

In terms of the volume of work, there had been a 31% increase in contacts between January and February 2021, resulting in 321 additional contacts.

It was reported that regarding the quality of assessments and plans, the ambition and priority was to ensure that a Social Worker was allocated to every child who required protection, in order to ensure that assessments were conducted and plans provided for each of those children.

It was stated that Children and Young People have been involved in developing a 'Plan on a Page' and staff were being trained on how to prepare Smart Plans.

In relation to the timely application of the Pre-Proceedings stage of the Public Law outline, Ofsted had advised that the Authority were not acting in a timely manner in order to take legal action to address future arrangements for children, when children on child protection plans do not improve. Plans were remaining open for long periods of time and on occasions there were repeat plans. Assurances were required that children were not living for long periods of time at extended risk ensuring that the legal framework was being used appropriately in such circumstances.

Work had been conducted within the above area including the provision of additional staff, the recruitment of a Court Progression Officer and the introduction of Family Group Conferencing, which facilitated discussions led by family members in relation to the most appropriate methods to safeguard children.

Public Law Outline processes (PLO) were now a part of Liquidlogic, the Successor Case Management System in order to track progress.

In relation to Permanency, Ofsted had advised that delays had occurred in relation to family finding and long-term fostering arrangements for children at risk of remaining within their birth family, with focus being on clarity and appropriate certainty for children. There was a new Permanency Strategy in place with a target of achieving 90% of children in care receiving permanency planning by the time of their second looked after child review.

The 'No Detriment Policy' was referred to for Special Guardianship Orders which would help support children in broader family areas.

Educational Outcomes for Children in Care were also referred to, particularly at Key Stage 4, with evidence nationally stating that children who live in the care of the Local Authority do not have as positive educational outcomes as other children.

It was noted that there was a Connexions Personal Advisor working with the Care Leavers Team and there was an Education Attainment Strategy. Linking with the Virtual School into Youth Offending was also taking place.

In relation to the case transition points across all service areas in order to prioritise the needs of children and reduce unnecessary changes of workers, it was accepted that staff may leave the authority or receive promotions. However, there was the need to retain the child at the heart of the structure. Should it become necessary to change a child's Social Worker there was the need to conduct this in a timely manner and ensure appropriate discussions and hand over procedures were in place.

It was reported that the Transfer Protocol had been reviewed and launched and would monitor the timely transfer of children's cases in order to reduce drift and delays in children's plans.

The improvements to the non-familial abuse and the exploitation priority were outlined, and it was noted that the Exploitation Strategy had been completed with this being implemented and progress monitored through the Exploitation sub-group, which was chaired by DCI Lambert of West Midlands Police,.

The development of the Exploitation Hub was referred to. The hub would ensure that children and young people at risk of exploitation would receive a more dedicated service from appropriate staffing expertise.

It was reported that training focusing on return to home interviews for those children who go missing from care and work continued, on a Child Exploitation Programme, ensuring that services were responding appropriately.

The ninth priority improvement were in relation to Supervision, Quality Assurance and Supervision Management Oversight.

Details of responding to serious incidents were outlined, and there was a focus on the new Supervision Programme, training and there being clear understanding surrounding the Service framework, ensuring that staff had manageable caseloads, as it was accepted that caseloads were currently too high resulting in capacity issues which would hinder completing good quality reflective work.

It was accepted that Ofsted and the DfE remained concerned, however the Director of Children's Services was confident that improvements would be achieved. However, there were no illusions of the scale of the task.

The workforce remained the Director's top priority, including capacity, recruitment, training, retention, good quality supervision, high expectations, support and challenge, with a focus on consistency of practice and not losing sight of the child at the heart of the work to be carried out.

Arising from the presentation of the report submitted Members asked questions and made comments and the Director of Children's Services responded as follows: -

- In relation to retaining staff and maintaining a fluid workforce, it remained incredibly difficult to recruit experienced Social Workers. There was the desire to retain a sustainable workforce, recruiting newly qualified students from University, with the ambition to recruit two students per Social Work Team, which may be attainable with a good offer and the provision of first year training in order to retain staff.

There were Family Support Workers who were currently training as Social Workers in Dudley and there were also student work apprenticeships in place, with the desire to provide student work-place placements by working with local training providers.

- Prioritising apprenticeships within Children's Services was taking place with the current recruitment of a care experienced apprentice.
- A Work Force Board would be established that would focus on capacity, capability and culture. A data set that the Director required would enable tracking adverts for new positions, who had applied for those positions, the timeliness of adverts to on-boarding as should drift occur in that process, potential staff could be lost.
- Regarding those staff leaving the Authority, exit interviews and reasons for staff leaving the Authority would all be monitored.
- Dealing with capability and performance management, support to deliver outcomes would also be monitored together with focusing on the work force culture.



- When systems were overwhelmed, as was the case at the present time within many parts of children’s services, those responsibilities that were mandatory such as training or completing audits became unachievable, therefore it was imperative that staff had the capacity to meet their mandatory requirements in order to ensure that the Local Authority met their duty of care as an employer.
- Caseloads and Social Work Teams would need to be addressed in order to undertake re-balancing work, supporting those Social Workers who had high caseloads.
- First Work-Force Board meetings would take place shortly, with the Director meeting with Human Resources in order to obtain data on a fortnightly basis to remain informed in relation to staffing and services.
- Supporting staff in order to undertake Audit and Quality Assurance requirements was paramount.
- Key Performance Indicators, Audit work and the voice of children, young people and families would inform services in the future.

Resolved

- (1) That the information contained in the report submitted on the Improvement Plan and progress on outcomes and performance against the delivery commitments and timeframes contained in the improvement plan, be noted.
- (2) That the wider Children’s Services Improvement initiatives within the Local Authority and partner organisations that embed the cultural and operational changes required to achieve sustained improved outcomes for Dudley Children and young people, be noted.
- (3) Members supported the drive to change support improvement within corporate directorates and strategic partnership boards and the development of frontline practice and engagement within children and young people.

35. Update on the Youth Offending Service (YOS) Inspection Plan

A report of the Director of Children’s Services was submitted on the progress made against the Youth Offending Service Action Plan and service delivery during the Covid-19 pandemic.

The Head of Family Solutions referred to the Youth Offending Management Board that had taken place that afternoon, when a victim of crime who had been supported by the Service, provided some brave feedback together with noting the incredible work that



had been undertaken by the Team in order to support that victim. The excellent improvements in relation to health improvement work were also referred to during that meeting.

It was reported that the Service had been inspected nearly two years ago by the HMI Probation Service, with the service being inspected against a points-based system and narrowly missing a good outcome but achieving a requires improvement grade.

The three broad areas of practice that the inspection covered were referred to.

In terms of progress against the Action Plan it was reported that the YOS plan for 2019/2020 had been approved and accepted by the Youth Justice Board.

The implementation of the Health Review by the Lead Officer from Dudley Integrated Health and Care NHS Trust was referred to and significant progress had been made against the improvements that were required.

Excellent progress had been made in relation to delivering high quality training in relation to desistance safeguarding and recording.

In relation to non-familial abuse and exploitation, the YOS were inextricably linked to the work being developed within the contextual safeguarding hub, with work being conducted closely with Children's Services, including the YOS.

A comprehensive data set had been developed to inform the YOS Board on progress against performance. An opportunity had arisen to share the data set with the YOS Management Board in a specific bespoke session recently.

In terms of the work in relation to employment, education and training, there was a challenging environment for all of Dudley's young people in view of the pandemic, and in view of this link work that was taking place with the YOS.

In relation to the rolling programme to review the YOS Policies and Procedures, that was now embedded in practice, with a rolling programme in order to ensure that Policies and Procedures continued to be developed.

The Audit work that was taking place against the national standards in relation to operational practice were in the main assessed as good, when considered by the Board, with only a few assessed as required improvement which demonstrated that there had been a significant shift in the practice of the team with significant progress being made.

At each Performance Challenge meeting there was a focus on disproportionality, ensuring that the work investigating the groups that were represented from Black and Minority, Ethnic groups within the youth offending cohort were not under or over-represented.

Audit work had been conducted in order to examine working arrangements.

Those arrangements had been consulted upon and developed in partnership with the Police.

An Assessment Framework had been developed for out of court work.

The YOS had adapted their way of working from a traditional 'offender management' approach to one that put the child very much at the forefront of every aspect of the service delivery in terms of the 'Child First' focus, that had been a key element of the service ensuring that the 'Child First, Offender Second' approach had been a key principal of the work that had been taking place by the Team during the previous two years.

Relationship based restorative practice had been the core of the work taking place and the use of technology had been a key focus in the way in which services had been developed for young people.

The reparation work that had taken place including a package of activities that had been carried out at home by young people and their families was noted.

The YOS data from April to September, 2020 as contained in the report submitted, was referred to and it was reported that in relation to first time entrants and re-offending rates, Dudley's rates were lower than their West Midlands average and the national average, with the data continuing to improve.

There remained challenges in relation to the use of custody as generally boys and young males who were aged 16 to 17 and unable to comply with orders were a key reason why that cohort were entering into the secure estate.

The Chair and Members congratulated the Head of Family Solutions and members of the YOS team for their outstanding work in relation to the service and thanked the Head of Family Solutions for the comprehensive report submitted.

Resolved

That the report submitted on progress made against the Youth Offending Service Action Plan and service delivery during the Covid-19 pandemic be noted.

36. Unregulated Provision in Dudley

Members considered the summary and background to children's unregulated provision in Dudley. The report also provided some national context as well as information at a local level, highlighting measures taken to raise standards for young people in Dudley.

It was reported that Unregulated provision was allowed in law, however it was illegal to place a child under the age of 16 in Unregulated provision.



The Service Manager Children's Services – Children's Social Care, reported that on the 19th February 2021 the Department for Education banned all those under the age of 16 going into unregulated provision, and assurances were provided that Dudley would not place any child under the age of 16 in unregulated provision.

The West Midlands Supported Accommodation Framework was referred to and it was noted that the framework covered all 14 West Midlands Local Authorities. The Framework was developed in order to provide maximum assurance in relation to the quality of providers. This also included partnership working with multi-agency partners including West Midlands and West Mercia Police.

It was reported that semi-independent provision should be used as a stepping-stone to independence, and only ever when it was in a young person's interests to do so.

It was noted that Dudley had 14 young people over the age of 16 placed in semi-supported accommodation as at 11th March 2021.

In addition to the Regional Framework providers, Dudley Borough had provision for accommodation from CHADD Foyer, YMCA supported Lodgings and YMCA Highland Road, along with a small number of supporting floating accommodation providers.

The varying costs of supported accommodation were noted, and it was reported that there were gaps in accommodation provision, and areas for development had been identified through existing work streams that would require the exploration of external funding opportunities.

The Chair commented positively specifically in relation to CHADD exploring opportunities to develop and enhance their offer of accommodation within the Borough.

Resolved

That the report submitted on Unregulated Provision in Dudley highlighting measures taken to raise standards for young people in Dudley, be noted.

37. **Annual Overview and Scrutiny Report 2020/21**

Members considered the Annual Scrutiny report for 2020/21.

Members were invited to suggest any items that they wished to be included within the Annual Scrutiny Programme for 2021/22.

Resolved

- (1) That the information contained in the report submitted on the Annual Overview and Scrutiny report 2020/21, be noted.



- (2) That the Monitoring Officer, following consultation with the Chair and Vice-Chair be authorised to make any necessary amendments to update the annual report prior to its submission to the Council.
- (3) That the following items be rolled forward for inclusion in the draft Annual Scrutiny Programme for 2020/21: -
- Early Years Transformation Academy
 - School Readiness
 - Children’s Services Verbal Updates
 - Children’s Services Complaints, Comments and Compliments Annual Report 1st April 2020 to 31st March 2021.
 - The Effect of Vaping on Unborn Children
 - Elective Home Education
 - Special Schools and their Provision with respect to Support for Schools
 - Independent Reviewing Officer Annual Report 1st April 2020 to 31st March 2021
 - Fostering and Permanency Services
 - Medium Term Financial Strategy
 - Education Report
 - Dudley Safeguarding Children Partnership Group (DSCPG) Annual Report 2020/2021
 - The DfE review of the Children’s Services Improvement Board.

38. **Closing Remarks of the Chair**

This being the final meeting of the Municipal Year, the Chair paid tribute to all of the Teams within Children’s Services advising the Members had tried their hardest to support the Services throughout this very challenging year.

The Chair also referred to the response to the letter that she had received in relation to Elective Home Education (EHE) from Parliament, advising that there would be a number of parliamentary committees to consider EHE, as there was currently no national guidance in relation to EHE.

The meeting ended at 7.55pm

CHAIR