

**Minutes of the Children's Services Scrutiny Committee
Wednesday, 9th September 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, J Cooper, S Craigie, K Lewis, C Perks and S Ridney.

Officers:

H Ellis (Acting Director of Children's Services), S Jones (Acting Head of Family Solutions), J Keeble, (Head of Education Outcomes and Inclusion), D Nicklin (Complaints Manager) and K Buckle – (Democratic Services Officer).

6. Declarations of Interest

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

7. Minutes

Resolved

That the minutes of the meeting held on 29th June 2020, be approved as a correct record and signed.

8. Children's Services Update

The Acting Director of Children's Services referred to Children's Services main objective which was being able to secure a permanent Leadership Team.

The appointment of Andrea Stone, the Assistant Director for Social Care, was referred to and Andrea introduced herself. The positions of Head of Safeguarding and Head of Children in Care and Placement Resources were currently being advertised.

The Schools within the Dudley Borough were now open with a 90% rate of attendance however, it was understood that some children and families had issues in relation to anxieties and shielding. Schools would continue to be supported by the Local Authority and attendance figures would continue to be monitored.

A further area of focus had been in relation to children's social care, with the securement of that Improvement Plan being imminent. There was emphasis placed upon ensuring that all improvements were recorded accurately within that Plan.

The commissioning of a former HMI Inspector to perform a sense check on Children's Social Care was referred to, together with the complete service review. The final feedback from that review would be provided on Friday, which would be reported within the Improvement Plan and shared with the Committee at a future date.

The Special Educational Needs and Disability (SEND) improvement journey continued to provide challenges, particularly with those children with disabilities returning to school. Work was continuing with parents and carers in special schools to ensure that (SEND) children were integrated back into education and learning.

Members welcomed the attendance rate figures following the return to schools, and the Chair thanked and congratulated all teams within Children's Services.

The Acting Director of Children's Services accepted that attendance figures would fluctuate, however the return to school had commenced on a positive note.

Resolved

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

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

A report of the Acting Director of Children's Services was submitted on actions taken, and processes put in place to improve complaint response times within Children's Services. Appended to the report submitted was the Children's Complaints – Referral and follow up Action Plan.

It was reported that consultations had taken place with Senior Managers and ICT Services, with revised processes for dealing with complaints now in place.

It was noted from the initial referral, Managers were fully aware of the need to provide a reason for the late response to a complaint.

Service Managers were now copied into referrals for complaints, within their areas of service, in order that they could check and track the progress of complaints.

There was also an additional reminder again involving Managers, in order that they were aware that the response date was approaching, and the new processes

identified those complaints that had exceeded the target dates. There was an expectation on those Managers to assist the Complaints Team, in order to ensure that as far as possible those responses were provided on a timely basis.

Amendments to ICT systems had been made, in order to capture the data and information from Managers on late response times and the reasons for those late responses. That data had been collated from 1st April 2020, with Managers now providing information for late responses from the beginning of the financial year.

A report to a future meeting would be submitted detailing the reasons for late response times.

The Assistant Director for Social Care referred to the previous issues in relation to complaint response times, advising that Heads of Service and Service Managers were now aware of the expectations in relation to responding on time, and monthly panel meetings would now be implemented in order to monitor those complaints that had not been responded to within the relevant time frame. Therefore, she was confident that there would be improvements in timely responses.

Arising from the presentation of the report, Members raised concerns and made suggestions and Officers responded as follows:-

The first four reminders referred to in the Children's Complaints – Referral and Follow Up Action Plan were reminders before the due date for responses, the further four reminders were after the due date for responses in order to inform Managers of the requirement to provide reasons for the delay in responses. It was agreed that the reasons for late responses could not be a tick box exercise, with Officers quality checking those responses.

It was further agreed that checking Key Performance Indicators and targets within Children's Services would be considered.

It was stated that regular updates in relation to complaint response times would be presented to future meetings of the Committee.

Resolved

- (1) That the report submitted on the Children's Services Complaints: Response Times Action Plan together and the Appendix to the report submitted, be noted.
- (2) That the revised processes and actions put in place to improve complaint response times be endorsed.
- (3) That the Acting Director of Children's Services be requested to submit regular updates in relation to complaint response times to future meetings of the Committee.



10. **Early Years Transformation Academy in Dudley**

Members considered a report on the partnership progress through the Early Years Transformation Academy (EYTA), and the 'critical first 1001 days vision' and Dudley's Implementation Plan, to support transformation of the maternity and early years system, and contribution to maternity and early years outcomes.

The Acting Head of Family Solutions referred to the opportunity to apply and being successful, in being a part of the Early Years Transformation Academy EYTA, working with the national think tank 'The Early Intervention Foundation'.

It was noted that the Local Authority had the support of the EYTA for a 12 month period, in order to develop outcomes across Maternity and Early Years Services. The intention had been to have a fundamental change away from services failing to share information, as it had become evident over the previous months, that although many Services across the Council were better connected through early years links, Maternity Services were not and an important opportunity had arisen to develop and forge stronger links with maternity colleagues based at Russells Hall hospital .

One of the main tasks was to fully review Needs Assessments, and across systems develop a detailed understanding of what challenges were presented in terms of maternity and early years outcomes, and geographically which areas in the Borough were most greatly affected.

Areas surrounding impacts on outcomes included data in relation to babies who were born with low birth weight, school readiness challenges, children who were overweight and obese at a young age, issues with regard to smoking during pregnancy and infant mortality. It was noted that much of this information was contained in the 'Understanding Dudley' document which was in the public domain and linked through the council's website.

The important approach, particularly with Dudley Council for Voluntary Service partners, conducting work in relation to community engagement and undertaking a dialogue with residents, with those that had recently experienced Maternity and Early Years services, in order to gather information in relation to areas of the services that had worked well were referred to.

Analysis for any key areas of development required within those services was also referred to.

In terms of the implementation work around the critical 1001 days, it was stated that the first 1001 days of a child's life commences antenatally and continued until the child's second birthday. The desired achievements were for every woman to experience a healthy pregnancy, to improve school readiness, reduce the impact of poverty, empowering families to make better healthy choices and strengthen relationships with communities and families.

The detailed plan in order to achieve the above was firstly in relation to forming a targeted community based, Midwifery Service as it had been evidenced that a Continuity of Carer Model that provided a consistent midwife throughout the community phase antenatally in the ward at the delivery and then post-delivery stages vastly improved maternity outcomes.

It was noted that there was currently a particularly distinct team who worked within Russells Hall hospital, in terms of the delivery stage and that team were separate from the community Midwives. Health visiting offered a very similar approach in all areas of the Borough. Health Visiting through the (EYTA) intended to employ an increased level of contacts with families in areas that are most challenged, with health and inequality. It was planned to have an increased offer around parenting support within the most challenged areas in the Borough.

The plan to increase the uptake of the targeted free early learning places for two-year olds was in place through Dudley's network of Family Centres.

It was reported that in some of the disadvantaged areas within the Borough, opportunities for community learning and parental engagement in relation to early years was unrepresented by the voluntary sector, and there were plans to ensure that those opportunities were provided for parents to access community led provision.

In terms of delivery during the pandemic, it had become clear that the plans outlined above could not be implemented, particularly in relation to maternity services, as the focus had been on women giving birth safely, with the whole system change being placed on hold.

In relation to the Continuity of Carer Model, it was hoped to implement that by the autumn. The work from a maternity perspective would focus on the Netherton, Woodside, and St. Andrews Ward, as it had been identified that some of the health inequality issues were most challenging in that Ward.

Sophisticated work within Management Information Teams, in relation to maternity and early years systems would commence, in order to recognise that the changes made to systems were impacting on infant mortality, low birth weight, smoking at the time of pregnancy, the delivery on school readiness and on all the effects on maternity and early years systems.

The ambitious delivery plan was now dependant upon it being triggered by Maternity Services.

Arising from the presentation of the report submitted, Members asked questions and made comments and responses were provided as follows:-

- Family Centres in the Dudley Borough had been under-utilised in terms of Maternity Services, however there were now opportunities to create better links that would not affect the work that was currently undertaken in General Practitioner's Services and in other venues.

- In relation to the Time for Two's provision not being accessed in more deprived areas, there may also be problems in areas where English was spoken as a second language, and areas where there was more significant cultural diversity. There were members of staff working within the Council who spoke community languages, to ensure that every child that would benefit from a two-year place, could access that place, as well as the more general messages around the advantages in taking up the two year place.
- The Dudley Clinical Commissioning Group, Public Health and the Council report on information at different frequencies, therefore it was dependent upon what aspect of improvement was being examined, as some of the impact of the work outlined would be immediate with some producing results over longer periods of time.
- In relation to community resilience, of the five Local Authorities who had been involved in the early intervention work, Dudley was the only Authority who was fortunate to have someone from the Community Voluntary Sector working alongside them, to help and build on community resilience. It was important to note that some of the information and advice from family members may not always be evidenced based, for example commencing solid feeding and safe sleep, as there would still be the requirement to take advice from professionals, with advice being taken on equal measures from both.
- The impact of vaping on unborn children was unclear at this stage, however research was being undertaken in this regard with Maternity Services.
- It was hoped that the implementation of the programme set out above would ensure that support was where it was needed and ensuring greater levels of support for families that need it.
- Regarding playgroups and support to communities, that information was available through the Family Information Service, however it was recognised that some of the informal playgroups within the Borough were parent and carer led and faith-based provision, that required additional support. The Community Voluntary Sector could help provide that support, within the programme ensuring that those settings received the correct amount of support, in order that they could impact upon a child's development in the most sophisticated method.

A Member commented on a paragraph in relation to the Equality Impact Assessment contained in the report submitted, that it was not an option to complete those assessments it would be a requirement.

It was agreed that in relation to the Working Group that was to take place in October regarding the Early Years, that would include an invitation to health partners and encompass items to consider community resilience, and how the Council interacted with hard to reach groups, the support being provided to mother and toddler groups and the possibility of further support. An item on infant mortality would also be presented to the Working Group.

It was further agreed that the issue of vaping and the effect on unborn children should be scrutinised once data becomes available.

Resolved

- (1) That the report submitted on the Early Years Transformation Academy in Dudley, be noted.
- (2) That the meeting of the Children's Services Scrutiny Committee (Scrutiny Development) Working Group in October, 2020 considers items on the early years, community resilience and how the Council interacts with hard to reach groups, the support being provided to mother and toddler groups and the possibility of further support and an item on infant mortality.

11. Elective Home Education

A report of the Acting Director of Children's Services was submitted to provide Members with a position statement around Elective Home Education (EHE) in Dudley Metropolitan Borough Council's (the Local Authority) area up to July 2020.

The Head of Education Outcomes and Inclusion presented the report submitted, stating that the Local Authority had a statutory responsibility to ensure that all children of school age received an education.

It was reported that parents had the ability by themselves or by appointing tutors to provide the education. At present regular telephone calls were taking place with the Department for Education Dfe in relation to EHE. The rise in applications to home educate was a national issue, and the applications within Dudley were increasing, as in August 2019 there had been seven enquiries and/or applications and for the same period in 2020 there had been 17 enquiries and/or applications.

It was stated that the Pupil Access Team had now received 28 applications.

It was acknowledged that parents were clearly very anxious to return their children to school, and it could be the case that parents, carers or grandparents were shielding. The rise in EHE applications may not be driven from a real genuine desire to educate children at home. Those applications should be dealt with systematically on a case by case basis and capacity within the Pupil Access Team would be addressed.

It was reported that the Local Authority were sensitive in relation to anxiety issues surrounding EHE, and although as an Authority fixed term penalties could be issued to those parents whose children were not attending school, it was believed that parents would fail to re-engage should the statutory route be taken. Schools would continue to be supported however a balance was required in relation to those parents who were genuinely anxious about their children returning to school.

The Local Authority were part of a national strategy entitled Wellbeing for Education Return however, should families fail to re-engage in relation to returning to school, there may be no alternative but follow the statutory route.

It was acknowledged that there could be safeguarding issues surrounding EHE, as there would be no daily oversight of those children, however it was stated that there was no direct link between EHE and safeguarding, but there were particular concerns in relation to more vulnerable groups of children, for example children in need and those subject to child protection plans.

Returning to education was vital, particularly for children out of school who were in families with high levels of anxiety, as health and wellbeing issues may be prevalent.

In relation to those children who were Year 11 students prior to lockdown, the Local Authority had worked with Connexions to ensure children were supported to access post 16 education/training or employment provision.

The graphs contained within the report submitted were referred to and it was noted that the Local Authority were slightly below the national average for EHE.

The current review of the Education Outcomes Teams was referred to, with the Pupil Access Team operating as two teams. The need to have the capacity to process applications for EHE was also referred to, as the Local Authority must ensure that a child has an education at home or was supported in returning to school.

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

The Local Authority continued to challenge schools to minimise exclusions and movements around the system. Once the new Ofsted Inspection Framework was launched, as it refers to a specific judgement relating to “off rolling”, all Secondary Head Teachers were appraised of the new Framework, and the message had been enforced that operating according to a general inclusive philosophy was necessary.

Those parents who were assessed and deemed not to have the necessary means to home educate would be discouraged from this.

In terms of safeguarding not seeing the child in school was an issue, and the request of the Chair to forward a letter to the Secretary of State for Education, Gavin Williamson MP, highlighting the grave concerns of the Committee in relation to the increasing numbers of those applying to home educate their children, and that the area of Elective Home Education being largely unregulated would be supported, as should numbers of EHE rise robust action would be required from a national perspective.

It was agreed that the increase in primary school children being home educated posed major concerns, in terms of their future academic potential and the reduction in their attainment levels.

The data in relation to children from ethnic minorities being home educated would be captured in future.

It was agreed that home education may impact on a child's social and communication skills.

The Acting Director for Children's Services referred to the daily telephone calls to the Dfe, reporting the increasing number of EHE applications and enquiries, and challenging the Dfe in relation to the support required in that regard.

Resolved

- (1) That the report submitted on Elective Home Education, be noted together with the following:-
 - (i) That the further rise in numbers of EHE pupils was predicted, due to the effects of COVID-19, and the anxieties many parents face with returning their children to mainstream schools in September, as well as Education, Relationships and Sex Education and Health Education being made compulsory, in both primary and secondary schools, although parents retained the right to withdraw their child from the sex education aspect , with the remaining content compulsory, be noted.
 - (ii) That the full review of EHE services was being carried out to ensure that support was provided appropriately, including a review of the existing EHE staffing levels, and the relationship between EHE support and other Education, SEND, Public Health, Connexions, Children Missing Education and Social Care Services, be acknowledged.
 - (iii) That once the Department for Education had analysed the feedback from their consultation on proposed legislation on EHE, there may be changes to the local authority's duties for EHE pupils, that would inform the review of the service, be noted.
- (2) That the Acting Director of Children's Services be requested to prepare a letter for the signature of the Chair, to the Secretary of State for Education, Gavin Williamson MP, highlighting the grave concerns of the Committee in relation to the increasing numbers of those applying to home educate their children, and that the area of Elective Home Education was largely unregulated.

12. **Summer Provision and September school update**

A report of the Acting Director of Children's Services was submitted on the overview of the summer provision in Dudley; an analysis of secondary and college provision; an analysis of Virtual School events and of the Dudley Performing Arts (DPA) events, together with a summary of the Local Authority's support for schools in September 2020. Members noted that the report had been prepared in August 2020.



The Head of Education Outcomes and Inclusion referred to the ambition to co-ordinate as much provision during the summer as possible investigating a wide range of programmes. Primary school provision as outlined in the report submitted was referred to.

The college-based support for Year 11 pupils was outlined, together with the large provision for those not in employment, education or training (NEETS). The Head of Education Outcomes and Inclusion wished to record his thanks to John Cunningham for his help and support with supplying the summer provision.

It was reported that 1,000 Year 10 pupils had participated in a project entitled the 'Edu School' which was an online programme to support disadvantaged Year 10 pupils.

It was stated that the Dudley virtual School had hosted a range of provision, together with Dudley Performing Arts organising two weeks of events, targeting children and young people who were likely to find it difficult to re-engage with school in September.

The Black Country Living Museum were very supportive, and the video link that had been forwarded to Members in order to celebrate activities was referred to.

There had been particular support for SEND children. Connexions, Dudley College and various other organisations had assisted in preventing NEETS. The different providers worked to offer apprenticeships delivering opportunities and qualifications to young people.

The Brockswood Animal Sanctuary provided access to work experience placements.

It was confirmed that Data in relation to the Virtual School events could be provided to Members should they require it.

Although the number of pupils accessing the Dudley Performing Arts events had been disappointing, they had only targeted those children who may have had difficulties re-engaging with schools in September. The positive comments from some of those attending the events as contained within the report submitted were referred to.

Although school attendance rates were at 90%, the Local Authority would continue to support schools by engaging with those parents who had not returned their children to school.

It was reported that the Local Authority had launched their Education Strategy with Secondary Head Teachers, as the need for an overarching strategy as to the vision in order to challenge and support schools was necessary. The six key principals would be introduced as part of that strategy that would all link into the Ofsted Programme that was based around inclusion. This Strategy would also be launched with special schools, governors and primary schools in due course.

There was the requirement to complete work to ensure systems were much more inclusive and joined up, as there were children in special schools who had moderate learning difficulties (MLD), who could be educated in mainstream provision with specialist support and there were financial implications connected to this. Should special schools educate children that could access mainstream provision, there would not be enough capacity to educate SEND children, with out of Borough places being funded, which had a huge cost implication for the Local Authority.

All of the special schools within the Dudley Borough were rated outstanding by Ofsted and their practice should be shared with mainstream providers.

The work in relation to the commitment to reduce exclusions and the removal of children from their educational settings was referred to, together with the place planning that was required, due to the need for further school provision in Halesowen, in view of the reducing birth rate data there was a need to reduce primary provision.

There would be a new structure of the Education Team which would follow on from the current consultations with individuals and Human Resources. The need to bring together other teams into a wider team banner in order to work in schools to provide support and challenge was referred to.

It was reported that the Pupil Access Team had been divided into two separate teams, with the Education Investigation Service and the Inclusion Team being based in schools. In relation to the Hearing, Visual and Physical Impairment team, there was the desire to co-ordinate those teams. The Borough SEND teams would be included into the overall structure, in order that they could become involved in regular meetings and be part of the overall communications.

Township meetings took place on a weekly basis and questions from Head Teachers were discussed with the Dfe.

The Risk Assessment Action Plan for the potential re-opening of schools for September 2020, appended to the report submitted was referred to, with the Head of Education Outcomes and Inclusion preparing weekly bulletins for schools. There was currently work being completed in relation to revising schools' open evenings, as there was the need to put in place some guidance and leadership from the Local Authority.

It was reported that work was taking place with the police in relation to 'A Park Safe' initiative, to improve parking safety around schools.

Arising from the presentation of the report submitted Members raised questions in relation to the following:-

- The arrangements being made for children to return to school who were fitted with a tracheostomy.

- Were pupils who were EHE children able to access the summer provision referred to in the report submitted?.
- Were there any contingency plans in place should school staff become ill?.
- Concerns were raised in relation to the lack of special school places within the Borough.

The Head of Education Outcomes and Inclusion responded stating that:-

The Local Authority had been constrained by some of the guidance in relation to children who were fitted with a tracheostomy returning to school, however it was hoped that the children referred to would return to school very soon. The parents of those children had been written to, however there were two issues in relation to their return, the first being to purchase ventilators in order to recycle the air in the school, and the second being to provide Face Fit Mask training to staff. The Head Teachers were very supportive, working with Public Health and a range of medical services. The delay going forward was how fast the ventilators could be installed, and a response was currently awaited from the Dfe in relation to assistance with funding costs.

Should there be children who genuinely required that complexity of education provided by special schools, those children should be in special schools, however there was the need to make secondary schools more inclusive in relation to children with MDL.

Schools were requested to provide details of pupils who should access the summer provision, and the Head of Educational Outcomes and Inclusion could check the position as to whether any EHE children were involved in the provisions.

The Chair expressed praise for the work that had taken place across the Borough and suggested that the Greyhound Trust in Sedgley could be approached in relation to work experience for young people and SEND children.

The Government had issued Contingency Guidance on 28th August 2020 providing a tiered response in relation to certain levels of lockdown. There was the desire to keep primary school children in school right through until tier 4, which would probably be a national lockdown. Special schools and alternative education provision would remain open. The secondary schools and college sectors would be more difficult to manage, as those children were more likely to contract and pass on the virus. Secondary schools would move into a two week in and a two week out model for the different year groups. Some pupils would remain in school whilst some would learn remotely, essentially key worker children and vulnerable children would remain in school. In relation to tier 3 selected cohorts would remain in school, such as those who were a priority for example those who were or would be sitting exams.

The Acting Director for Children's Services referred to the passion for providing SEND children with the correct education setting, referring to the SEND Inspection in May, 2019, resulted in the need to undertake a complete transformation of the SEND Framework. There was a Written Statement of Action, 14 recommendations and a huge amount of work that had to be conducted as part of the Written Statement of Action.



The pressures within the special school economy were recognised, together with the pressures in secondary schools. The continued hard work in relation to SEND was referred to together with the detail of the Inspection, that included the statement that ‘the Local Authority were not aspirational or outcome focused for those children and there was the need to support schools to step up in relation to inclusion’.

The Chair suggested that special schools and their provision should be an area for further Scrutiny, with respect to support schools in September, 2020 and it was agreed by the Acting Director of Children’s Services that this item would be included as part of the Scrutiny in relation to EHE.

The Vice-Chair thanked the Head of Education Outcomes and Inclusion for the detailed report and asked whether it was a concern that only six primary schools provided activities during the summer, with no schools within the North of the Borough providing activities.

The Head of Education Outcomes and Inclusion advised that the schools had either funded the activities or parents had paid for the activities. There was funding rolled out as part of the catch-up funding, with schools being allocated £18,000 to £20,000, which could be utilised for two weeks of summer provision or directed towards providing additional staff.

The Chair echoed the comments of the Vice-Chair referring to the concise report and requested that thanks also be expressed to all of those involved with the summer provision.

A Member advised that work had been completed on a programme to provide activities in the North of the Borough in partnership with some voluntary organisations, however due to the lockdown restrictions those activities did not take place.

Resolved

- (1) That the report submitted on the Summer provision and September school update, be noted.
- (2) That Special Schools and their provisions be carried forward as an item for Scrutiny with respect to the support for schools in September, 2020.

The meeting ended at 8.20pm

CHAIR

