

Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 18 January 2016.

PRESENT

Mr. L. Spence CC (in the Chair)

Mrs. J. A. Dickinson CC
Mr. G. Hirst
Mr. J. Kaufman CC
Mr. A. M. Kershaw CC
Mr. T. J. Pendleton CC

Mrs. C. M. Radford CC
Mr. R. J. Shepherd CC
Mr. G. Welsh CC
Miss. H. Worman CC

41. Minutes of the meeting held on 2 November 2015.

The minutes of the meeting held on 2 November 2015 were taken as read, confirmed and signed.

42. Question Time.

The following questions were put to the Chairman of the Children and Families Overview and Scrutiny Committee.

Question by Ms. Sue Whiting, resident:

“Could the chair please tell me what extra safeguarding measures have been put in place since 1st September 2014 (when the Children and families Act 2014 came into force) to ensure provisions recommended in EHCPs for Young Offenders are actually being provided?”

Reply by the Chairman:

“The Leicestershire youth offending service (YOS) case manages and supports young people on the cusp of offending who have not yet entered the criminal justice system, young people who have received community based sentences through the courts, and young offenders sentenced to custody. The new Special Education Needs and Disability codes (SEND) were introduced last year and the new regulations include a section on young people in custody in young offenders institutions (YOI’s).

The YOS has been under a duty to be the contact point between local authority education services, schools and YOI’s since 2009, in relation to young people receiving custodial sentences. The new Act is more prescriptive and requires the YOS to work closely with YOI’s, schools, the local authority, and parents and carers in relation to young people who already have identified special education needs. To meet this requirement and support the young person entering a YOI the YOS undertakes the following:

- i. On the day of sentence the YOS send a YOI the relevant information and assessment in relation to the young person's educational needs by electronic transfer;
- ii. It is a requirement that within 10 working days a joint planning meeting takes place between the YOS, and the YOI. This incorporates planning around the young person's education needs and will involve planning and discussion with the Leicestershire SEN team.

Very few young people enter custody in Leicestershire each year, normally around 5 or 6 young people. We are able to meet the requirements of the SEND codes to support young people in custody.

Over the last 2 or 3 years, many of the young people who enter custody frequently do so after a period of chaos and instability in their lives. This can often involve breakdown in relationships with parents or carers and long periods of poor school attendance. When a young person enters a YOI the young person will have many issues, but in many recent cases the education provision has been more stable in the institution than in the months leading up to the young person's sentence.

In relation to offenders we case manage on community sentences with special education needs, clearly the education provision is provided by the relevant school/institution. An internal education meeting is convened to have oversight of the education issues involving all young people case managed by the YOS. The major issue is not generally the support to young people on EHC plans but working with schools and other relevant agencies in identifying emerging special educational needs in young people (not currently on EHC plans) in main stream education, which maybe a contributory factor in their behaviour they are exhibiting."

Ms Whiting asked the following supplementary question:

"Could the Chair please confirm that the answer to my question means that no extra safeguarding measures have been put in place?"

The Director subsequently responded as follows:

"There are adequate safeguarding measures already in place and as a result there are no additional measures that need to be put in place."

43. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

44. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.

There were no urgent items for consideration.

45. Declarations of interest in respect of items on the agenda.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Mr L. Spence CC indicated that, whilst this did not amount to an interest to be declared at this meeting, he felt it relevant to report that he sometimes worked for an academy within the County.

No further declarations were made.

46. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

47. Presentation of Petitions under Standing Order 36.

The Chief Executive reported that no petitions had been received under Standing Order 36.

48. Medium Term Financial Strategy 2016/17 - 2019/20.

The Committee considered a joint report of the Director of Children and Family Services and the Director of Corporate Resources on the proposed Medium Term Financial Strategy (MTFS) for the period 2016/16 to 2019/20 as it related to Children and Family Services. A copy of the report, marked "Agenda Item 8" is filed with these minutes.

The Chairman welcomed to the meeting the Cabinet Lead Member for Children and Families, Mr I. D. Ould CC, and the Cabinet Support Member, Mr. G. A. Hart CC who were attending for this item.

In response to consideration of the issues and questions from the members of the Committee, the following points were noted:

Overall Context

The Director and Cabinet Lead Member in introducing the report drew attention to the extremely challenging financial position facing the County Council. Over the next four years the County Council would need to save £78million which was in addition to the £100million already saved since 2011.

To deliver the MTFS requirements it was imperative that the savings now identified were delivered, that there was close monitoring and control of demand led budgets and that services were reviewed and transformed to ensure value for money. Preventative services would also play a key role and in this regard the Cabinet Lead Member highlighted the work undertaken within the Department which had resulted in an increase of just 4% of children being admitted to the care system in Leicestershire as compared to 16% nationally.

Growth

(i) **Item G1 - Increased cost of Social Care Placements**

The amount requested as a growth bid was based on the actual level and type of demand in the last quarter of the previous financial year and the first quarter of the current financial year. It was difficult to give an indication of the number of

placements this would cover as the cost of placements varied significantly depending on the needs of the individual.

With regard to monitoring and managing this budget the Committee was advised of the following measures being taken:-

- Working to the policy that the best care provided is within a family environment and developing family based services such as specialist foster care services;
- Increasing focus on preventative services to reduce the risk of care needs escalating to a point at which high cost specialist care was required;
- Working closely with NHS partners to ensure ongoing support.

Notwithstanding all of the above it was recognised that in some cases it would be necessary to place some children in residential care settings and that sometimes it was necessary for that to be out of county.

ii) Item G3 - Supporting Leicestershire Families (SLF) – Pooled Budget Contribution

The growth requested would be sufficient to meet the target of working with 3000 families over the next 4 years. The Committee was advised that with the exception of the NHS, all partner contributions had been agreed; the NHS contribution was due to be considered by the Clinical Commissioning Groups shortly. Members of the Committee commended the work of the SLF programme which had turned around a large number of families as well reducing future costs.

(ii) Item G4 - Legislative Changes

The growth was to meet costs being transferred from the criminal justice system to local authorities and would cover the existing level of remands which were at 4-5 young people per year.

Savings

(iii) Item CF1 - Remodelling in Early Help

£1m of the original £1.4m MTFs savings had been identified, and has been achieved through the decommissioning of certain services where interventions had proved less effective, through the change of commissioning arrangements to focus on central as opposed to locality arrangements, and by reducing the duplication of services.

To achieve the remaining savings the Department would bring together preventative services, the Supporting Leicestershire Families work and the Children's Social Care Teams to achieve closer working and greater continuity, ensuring a proper and proportionate response to need. It was recognised that to achieve savings, some universal services would be reduced. The Director indicated that she would provide case studies demonstrating how the changed commissioning arrangements impact on service users.

(iv) Item CF2 - Develop local, lower cost provision for complex social care placements

A new operating model would be introduced that would shift from existing arrangements. Whilst not introducing a commissioner / provider split, there was the need for greater clarity as to why services were commissioned and from where. Internal provider units would have to demonstrate that they were cost effective.

(v) Item CF4 Reduce Cost and Demand for Social Care Placements

The work undertaken to date was welcomed by the Committee. Savings had been identified separately from the growth requirements in G1 as a means of demonstrating activity and initiatives underway to reduce costs and manage demand.

(vi) Item CF5 – Reduction in Educational Psychology Service

Members were reminded that the MTFs in 2015/16 included savings in this area of £380,000 which had been subsequently reduced to £150,000. Savings had subsequently been achieved by the Department charging schools for non-statutory activities. The Department was meeting all targets regarding statutory requirements in relation to the Education Psychology Service, and was generating significant new business from schools on non-statutory services which had resulted in two new members of staff employed in the service. The Director would circulate to members further information on non-statutory services.

(vii) Item CF6 - Increase in In House Foster Carers

Targets for the recruitment of Foster Carers in the current year was challenging, however the Department was on target to recruit 12 mainstream Foster Carers and two level 6 Foster Carers were currently being assessed. To achieve targets for 2017/18, the Department was working with Leicestershire County Council's communications team and others to develop initiatives to recruit and retain Foster Carers. Challenges in recruiting level 6 carers were not underestimated, and the Department recognised the need to ensure carers were fully trained and supported.

(viii) Item CF8 Reduction in Senior Management

The Committee was advised that reductions were necessary to ensure that frontline services were protected, recognising that there would be a reduction in leadership and management capacity.

(ix) Item CF10 - Establish Regional Adoption Agency

Eight East Midlands authorities and one voluntary sector provider were involved in discussions to establish a regional adoption agency. It was hoped that by coming together, economies of scale would be achieved on some aspects of adoption work. The Committee was advised that whilst more joined up working around adoption was welcomed, the Cabinet Lead Member was concerned about a national focus on the speed of adoption rather than permanence. A further concern was around the potential separation of fostering and adoption services and the interdependence between the two being lost.

Capital Programme

(x) School Place Planning

The Director advised that Leicestershire County Council's School Strategy, 'In the right place', set out the council's policy direction for school place planning. Plans identified the need for 17 new schools in the next 15 years; 15 primary schools and two secondary schools were required.

The process for securing Section 106 developer contributions had been significantly improved and the Government had indicated that it would make available sufficient capital resource for new schools. The position of, and demand for, school places would be closely monitored.

(xi) Age Range Changes

The Committee was advised that academies making age range changes needed to demonstrate to the Education Funding Agency through their Business Plan how additional costs would be met. The provision within the capital programme was primarily to cover primary schools affected as a result of age-range change.

The Department worked with all schools proposing age range changes to ensure that a whole systems approach was adopted.

Members expressed concerns regarding the use of mobile classrooms, particularly those reaching the end of their useful life. The Committee also expressed concern over the number of planning authorities that had refused to extend temporary planning permissions for mobile classrooms. The Director indicated that she would produce a comprehensive report on this matter for consideration at a future meeting of the Committee.

RESOLVED:

- (a) That the report and information now provided be noted;
- (b) That the comments of the Committee be forwarded to the Scrutiny Commission for consideration at its meeting on 27 January 2016.

49. Placement Commissioning.

The Committee considered a report of the Director of Children and Family Services concerning the recent actions taken with regard to the commissioning of placements for children in the care of the County Council. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

The Director reported that the calendar year of 2015 had proved challenging in relation to the retention of in house foster carers due to the fact that many carers had retired. To address this, the Department had been working with the County Council's communications team and others to develop a comprehensive recruitment and retention plan. The support service offered to foster carers had also been strengthened, and plans were in place to develop a support service for level 6 carers also.

The Committee was supportive of the intention to recruit and train level 6 carers, and was advised that the aim was to have concluded the recruitment process by March 2016 and have children and young people placed with carers thereafter.

RESOLVED:

That the Committee welcomed the Department's approach and actions taken with regard to the commissioning of placements for children in the care of the County Council.

50. Proposed closure of Greengate Children's Home - Report on the Public Consultation

The Committee considered a report of the Director of Children and Family Services seeking the views of the Committee on the proposed closure of Greengate Children's Home following the completion of a public consultation in December 2015. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

It was reported that a typographical error had been made in paragraph 5 of the report. The forecasted overspend was £7.9m, as opposed to £5.9m as stated in the report.

In response to questions from Mr Kauffman, Members were advised that that:

- i. There were four placements at the remaining County Council's children's home, and further to this the County Council had a long term commissioning arrangement with the provider Horizon Care, which provided six further placements in local children's homes;
- ii. The overspend in 2014/15 was £3.4m against a budget of £17m, and the total placement budget for 2015/16 was £17.6m;
- iii. Children in Care, including those in residential care, from a number of local authorities including Leicestershire County Council, had contributed to the report of the Ofsted Children's Rights Officer 2013/14.

The Committee supported the closure of Greengate Children's Home as it was in line with the Council's placement and sufficiency strategy of encouraging and providing family-based care where possible. Members requested that the transition of the remaining resident in the home would need to be handled sensitively and the Director reported that on a recent visit, Ofsted had reported that they were supportive of the County Council's placement strategy and of the transition plans for the remaining resident.

Members were assured that across a range of services there was sufficient provision for emergency placements, and that the use of Children's Homes for emergency placements was not advocated due to the settled nature of residents.

The Committee acknowledged that foster placements were not always suitable for some children and young people and was assured that in these cases, there would be the opportunity for alternative placements to be commissioned that would meet the needs of the child or young person.

RESOLVED:

- (a) That the Committee support the proposed closure of Greengate Children's Home;
- (b) That the comments of the Committee be forwarded to the Cabinet for consideration at its meeting on 5 February 2016.

51. Quarter 2 Performance Report.

The Committee considered a report of the Director of Children and Family Services concerning the performance of Children and Family Services at the end of quarter 2 2015/16. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

Arising from discussion the following points were raised:

- i. Members were advised that the impact of age-range changes on levels of attainment at KS3 was difficult to determine so soon after changes had been implemented, and that analysis would prove more beneficial following a period of stabilisation when the data set covered a longer period;
- ii. A concern was expressed as to whether being taken into care could affect the immediate educational attainment of children and young people. A small cohort of five young people had been in the care of the County Council less than two years at the point of sitting GCSE's which could have reflected adversely in results data in the performance report.

RESOLVED:

That the Quarter 2 2015/2016 performance report be noted.

52. Leicestershire and Rutland Safeguarding Children Board Draft Business Plan 2016/17.

The Committee considered a report of the Local Safeguarding Children Board outlining and seeking the views of the Committee on the draft Business Plan for 2016/17. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

Arising from discussion the following points were raised:

- i. The Committee welcomed the Safeguarding Children Board's collaborative work with the Safeguarding Adult Board, and the inclusion of shared priorities in business planning.
- ii. Concerns were expressed over how elements of the previous Business Plan that had no longer been identified as priorities for 2016/17 would be monitored. The Committee was advised that the Safeguarding Board had a robust performance management system in place, and a subgroup tasked with quality assuring and monitoring the safeguarding activities of partners received performance data and could challenge partners on any area causing concern.
- iii. It was felt that the format and priorities of the plan were clear, but outcomes and impacts needed further detail. The Committee was advised that the intention was for the final Business Plan to include SMART outcomes. Further consultation across the local safeguarding partnership would follow, and the comments of the Committee would be forwarded to the Safeguarding Board for consideration.

RESOLVED:

That the comments of the Committee be forwarded to the Leicestershire and Rutland Safeguarding Board for consideration at its meeting on 29 January 2015.

53. Date of next meeting.

It was noted that the next meeting of the Committee would be held on 4 April 2016 at 2.00pm.

