

Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 4 April 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. L. J. P. O'Shea CC
Mr. T. J. Pendleton CC
Mrs. C. M. Radford CC
Mr. G. Welsh CC

54. Minutes.

The minutes of the meeting held on 18 January 2016 were taken as read, confirmed and signed.

55. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

56. 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).

57. Urgent Items.

There were no urgent items for consideration.

58. Declarations of interest.

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.

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

There were no declarations of the party whip.

60. Presentation of Petitions under Standing Order 36.

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

61. Commissioning Intentions.

The Committee considered a report of the Director of Children and Family Services on the Commissioning Strategy for Children and Family Services, and the Department's 2016/17 commissioning intentions. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

The Committee expressed concerns around the use of terminology within the strategy such as 'delay need' and what this meant for service provision. Assurances were provided that this categorisation would not result in delays to service provision, nor would it leave vulnerable children and young people at risk, but that there were service areas where it was hoped that the use of statutory powers could be prevented or delayed, as alternative services could be provided to meet the needs of the child and the family before intervention became necessary. 'Delay need' also referred to the use of targeted services to prevent the escalation of need. It was suggested that the report be revised to include a narrative that set out the meaning of the four descriptors in particular relation to children's social care services and the use of statutory powers.

A query was raised in relation to what position the Council held on encouraging early academisation of maintained schools. It was reported that the Council intended to support all schools at whatever point they chose to convert, and it was noted that thus far all schools which had converted to academies had chosen to do so, and were supported during the conversion process by the department, and afterwards through local partnerships aimed at ensuring excellence in schools.

RESOLVED:

- (a) That the Commissioning Intentions report be noted;
- (b) That the comments now made be submitted to the Cabinet for consideration at its meeting on 19 April.

62. Quarter 3 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 3 2015/16. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

It was noted that whilst the percentage of children becoming subject to a child protection plan for a second or subsequent time had decreased, Leicestershire remained in the fourth quartile of local authorities and the performance indicator was RAG rated as RED. The majority of children subject to a second plan had previous cases closed between a period of 2 – 7 years ago. The Department had undertaken work to understand why many cases had been closed in the past, and it was felt that professional optimism was a factor. It was reported that procedures were now in place to prevent this including robust management oversight, and it was expected that the percentage of second and subsequent child protection plans would continue to decrease.

Members noted Leicestershire's target for 2017/18 of 70% of pupils achieving five or more A*-C GCSE's (including English and Maths), and queried what actions would need to be taken in supporting schools to achieve this target, and who would be held accountable should targets not be met. It was reported that in the previous year, three schools had suffered from poor performance which had impacted upon the performance data. These three schools were currently supported to achieve improvements by the work of the Leicestershire Education Excellence Partnership. The local authority had a statutory duty only to monitor educational outcomes, though it was required to inform Ofsted what support was offered to schools with poor performance. Individual schools would be held to account as the providers of education if outcomes were not satisfactory.

It was felt that RAG ratings, whilst helpful in identifying areas of poor performance, read alone did not sufficiently explain the areas of better or worse performance for the Department and provide the required context to wholly understand the data. It was explained that the RAG ratings were based on the judgement of officers but, where Leicestershire County Council performance was in the top quartile, the RAG rating would be GREEN and where the Council was in the bottom quartile, the RAG rating would be RED. Officers were asked that for future performance reports, a narrative around those areas RAG rated as RED be provided alongside the dashboard to assist the Committee in scrutinising the work and performance of the department.

The Director advised that the Carers Charter had been updated in February 2016 and outlined the range of support offered to young carers in Leicestershire. It was agreed that a report on the support offered to young carers in Leicestershire be provided to a future meeting of the Committee.

The percentage of children aged three with one or more decayed, missing or filled teeth was RAG rated RED and performance had worsened since the last quarter. The Committee felt it would be beneficial to have sight of a report on oral health that had previously been submitted to the Health Overview and Scrutiny Committee, to understand child oral health in Leicestershire and associated commissioning and promotion activity. In addition to this it was suggested that a further report submitted to the Health Overview and Scrutiny Committee on the 0-19 Healthy Child Programme be circulated to the Committee. It was agreed that both reports be circulated for information.

RESOLVED:

- (a) That the Quarter 3 Performance Report be noted;
- (b) That Officer be asked to include a narrative in future performance reports around those areas RAG rated as RED to assist the Committee in understanding the performance of the department and the actions taken in relation to areas of concern or poor performance;
- (c) That a report on the range of support offered by the County Council to young carers be presented to a future meeting of the Committee;
- (d) That links to reports presented to the Health Overview and Scrutiny Committee on the 0-19 Healthy Child Programme Review and Re-Procurement on 30th March 2016, and on the Oral Health of Five Year Olds on 9th September 2015, be circulated to members of the Committee for information.

63. Fostering and Adoption Quarterly Performance Report.

The Committee considered a report of the Director of Children and Family Services outlining the performance of the Leicestershire Fostering Agency, and the Leicestershire and Rutland Adoption Agency for the period 1st October – 31st December 2015. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

The Committee welcomed the activities of and developments within the Fostering and Adoption agencies. The Committee was pleased to note the progress in relation to Level 6 Foster Carers, and requested that the Children in Care Panel be asked to explore the future departmental plans around the provision of support for Level 6 Foster Carers.

A profiling exercise had taken place so that the service understood the young people in its care, and their needs, better. It was noted that whilst the objective was for Leicestershire County Council to recruit its own Foster Carers where possible, market sufficiency had identified that in some cases placements commissioned through Independent Fostering Agencies may be required to meet the specific needs of children and young people.

The Committee considered the implications for adoption agencies and children in care of recent case law which defined adoption as a last resort and encouraged local authorities to explore all other options, including Special Guardianship Orders, first. It was noted that national research was being undertaken by the Government to establish the appropriateness of this policy. The Committee would be updated on the outcome and recommendations of the research following its conclusion.

It was agreed that a report on Regional Adoption Agencies and the implications that this could have for the Leicestershire Adoption Agency, be provided to a future meeting of the Committee.

RESOLVED:

- (a) That the Quarterly Performance Reports of the Leicestershire and Rutland Adoption Agency, and the Leicestershire Fostering Agency, be noted;
- (b) That a report on Regional Adoption Agencies be presented to a future meeting of the Committee;
- (c) That the Children in Care Panel be asked to explore departmental plans around the provision of support for Level 6 foster carers.

64. Leicestershire's Response to Child Sexual Exploitation

The Committee considered a report of the Director of Children and Family Services on the County Council's response to Child Sexual Exploitation. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

The Committee welcomed the report and the actions taken by the County Council to address Child Sexual Exploitation (CSE) in Leicestershire. The Chair and Director encouraged Committee members to sign the CEASE pledge, the multi-agency campaign to tackle Child Sexual Exploitation in Leicester, Leicestershire and Rutland, if they had not already done so. As part of the campaign, the Department was proactively engaging with local media, allowing them to shadow staff teams to understand the work undertaken to address CSE. The team had a robust communications strategy in place to ensure that

local communities had confidence in their services and social work more generally, and were confident in spotting and aware of the signs of CSE.

Members acknowledged the difficulties in being confident that CSE was not taking place in Leicestershire. However, the level of transparency and reassurance provided by the Department relating to the current service was welcomed.

RESOLVED:

That the report on Leicestershire's Response to Child Sexual Exploitation be noted.

65. School Funding and the responsibilities of the Local Authority.

The Committee considered a report of the Director of Children and Family Services on the position in Leicestershire with regard to school revenue funding, and information on proposed national changes and the potential impact in Leicestershire. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

Due to an overspend on High Needs as a result of the increase in placements required for pupils with Special Educational Needs, schools budgets were set to be reduced by 1% from the necessary movement of the funding from the Schools Block. The Schools Funding Forum was responsible for deciding the distribution of funding across the various blocks and had agreed to use reserves from the Dedicated Schools Grant to meet the cost. It was noted that the required funding for the High Needs Block was £3.2m

The Committee questioned the process for agreeing the establishment of free schools, and how the creation of free schools impacted upon other schools within the area, particularly where the number of school places was already sufficient. It was reported that the applications for free schools were submitted directly to the Regional Schools Commissioner and were assessed by the regional head teacher Board. Decisions were made based on the merits of applications which included evidence of local needs, for example analysis of areas where there was currently a skills shortage. The business case for free schools was also required to include details of consultation that had been carried out as part of the application process. There was no requirement for the County Council to be involved in the process but it was usually kept informed and the Director of Children and Family Services met with the Regional Schools Commissioner on a monthly basis.

It was noted that financial modelling had not formed part of the current stage of the national consultation on changes to school funding. Schools were therefore not yet able to predict and plan for the impact of changes.

RESOLVED:

That the report on School Funding and the responsibilities of the Local Authority, and the proposed national changes to school funding and the potential impact on Leicestershire be noted.

66. Walter McCulloch.

The Chairman reported that Walter McCulloch, Assistant Director for Children's Social Care, would be leaving his post at the end of the month. The Chairman felt sure that the

Committee would wish to join him in thanking Walter for his contribution to the work of the Committee over the years and wishing him well for the future.

67. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Committee would be held on 13 June at 2.00pm.

1.30 – 3.33pm
04 April 2016

CHAIRMAN