

Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 13 November 2017.

PRESENT

Mrs H. L. Richardson CC (in the Chair)

Dr. P. Bremner CC
Mr. J. Kaufman CC
Mrs. R. Page CC
Mrs B. Seaton CC

Mr. S. D. Sheahan CC
Mrs D. Taylor CC
Mr. G. Welsh CC
Mrs. A. Wright CC

27. Election of Chairman.

RESOLVED:-

That the appointment of Mrs H. L. Richardson CC as Chairman of the Children and Families Overview and Scrutiny Committee for the period ending with the Annual Meeting of the County Council in 2018 be noted.

28. Election of Deputy Chairman.

RESOLVED:-

That Mrs B. Seaton CC be elected Deputy Chairman of the Children and Families Overview and Scrutiny Committee for the period ending with the Annual Meeting of the County Council in 2018.

29. Minutes.

The minutes of the meeting held on 11 September 2017 were taken as read, confirmed and signed.

30. Question Time.

The following question, received under Standing Order 35, was put to the Chairman of the Children and Families Overview and Scrutiny Committee:

Question by Ms Sue Whiting, resident:

Could the Chairman please tell me how many Leicestershire children, who have Education, Health and Care Plans (EHCP), have their needs met in placements situated in other Local authority areas for:-

Age ranges a) 0-5
b) 6-11
c) 12-16
d) 17-19
e) 20-25?

The Chairman replied as follows:

Age Range	Number
0-5	1
6-11	90
12-16	143
17-19	71
20-25	30
Total	335

Ms Sue Whiting asked the following supplementary question in relation to the question:

“In the 12-16 age range, there are 143 children who are educated in out-of-county provision. Obviously, there is a huge range of needs, but is there one particular need that overrides other needs?”

On behalf of the Chairman the Director subsequently responded as follows:

“There are a number of different reasons why children with Education, Health and Care Plans are in placements situated in other Local Authorities. We have a large proportion of children with high functioning autism and other associated needs that are placed within our independent provision. We are looking at how we can best meet their needs within the Local Authority.”

31. 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).

32. Urgent Items.

There were no urgent items for consideration.

33. 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.

No declarations were made.

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

There were no declarations of the party whip.

35. Presentation of Petitions under Standing Order 36.

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

36. Proposals to Consult on Removal (Closure) of Residential Facilities at Maplewell Hall Special School.

The Committee considered the following documents which had been submitted in relation to this agenda item:-

- a report of the Director of Children and Family Services, marked 'Agenda Item 10', concerning the proposals for removal (closure) of the residential facilities at Maplewell Hall School with effect from September 2018;
- A statement from the Lead Petitioner, Kayti Ryan;
- A statement on behalf of Maplewell Hall School from Kirsty North, Care and Intervention Team Leader; and
- The consultation document 'Have your say on the proposed closure of the residential facilities at Maplewell Hall School'.

Copies of the documents listed above are filed with these minutes.

The Chairman welcomed to the meeting the following people who attended to speak on this item:

- Kayti Ryan, the Lead Petitioner
- Kirsty North, Care and Intervention Team Leader at Maplewell Hall School.

In introducing the report the Director emphasised:-

- 37% of the school population used the residential facility at Maplewell Hall School; none of the children had a requirement for residential provision detailed in their Education, Health and Care Plan (EHCP);
- The funding allocated to the school totalled £293,000 per annum to support the residential provision; and
- There was a need for equity and fairness in how the funding from the High Needs Block was allocated. Funding should be allocated according to the assessed need with priority being given to those with the highest need.

With regard to the consultation, 252 responses had been received. These showed a clear disagreement with the proposals and provided a rich picture of why the provision was valued by children, young people and their families as it helped the children and young people to develop their independence and social skills and, through providing respite care, improved the quality of family life.

The Chairman invited Mrs Taylor CC, local Member to speak.

Mrs Taylor expressed concern that the report proposed closure of the residential facility when there was increased demand for provision for children with Special Educational Needs and Disabilities (SEND). She added that it was important to support vulnerable children to be independent as this would reduce demand later in life for Adult Social Care services. It was highlighted to the Committee that OFSTED had rated the educational provision as 'outstanding' in September 2016.

Mrs Taylor also expressed concern about the lack of detail in the report regarding:-

- The additional transport and revenue costs generated as a result of the potential closure of the residential facility;
- The accuracy of the report regarding the current usage of the residential facility.

Mrs Taylor felt that there had been limited discussion between the County Council and Maplewell Hall School about the residential provision; options should be considered that would keep the offer of a residential experience available for SEND children and young people.

Mrs Taylor suggested a full service review should be undertaken of the High Needs Block which recognised the variance in provision required to meet the needs of children and young people with SEND and the benefit of having different provision across all special schools so all needs were catered for. Mrs Taylor asked for it to be placed on record that she did not support the proposal to close the residential facility at Maplewell Hall School.

The Chairman invited Kayti Ryan, Lead Petitioner and parent of a child at Maplewell Hall School to speak.

Kayti Ryan presented the petition signed by 11,592 people in the following terms:-

“The petition opposes the closure of the residential facility at Maplewell Hall School.”

In summary, Kayti informed the Committee that:-

- The petition aimed to stop the closure of the residential facility at Maplewell Hall School;
- The children learned valuable life skills, preparation for adulthood and independence – all of which could not be taught at home;
- Those children who accessed residential provision gained far more than those who did not;
- That residential care was not included in EHCPs as it had always been presented as a facility the school automatically offered to students.

The Chairman invited Kirsty North, Care and Intervention Team Leader at Maplewell Hall School to speak.

Kirsty emphasised to the Committee that it was important to consider the children holistically, to provide support which met all their needs. She added that short breaks could prevent family breakdown and such short breaks were difficult to access through normal social care channels. The provision catered for children from across the County; if it was removed it would generate cost, safety and transport implications. The familiar environment of the residential facility to the education provision was important to the needs of the children and young people who attended and helped with developing their social and life skills.

In the ensuing discussion, the following points were raised:-

- Some Members were of the view that the issue was not clear cut as, although the residential provision for these children was not detailed in their EHCP, it provided an excellent opportunity for children and young people to develop independence and life skills;

- The benefit of the residential provision at Maplewell Hall School to children and young people was recognised. Members were assured that the value and quality of the provision was not in question;
- The EHCP was a holistic assessment, with input from professionals across education, health and social care. It considered all aspects of a young person's needs and family needs where appropriate. The assessment process was robust and inspected by OFSTED. It was reviewed on an annual basis and any parent who did not agree with the EHCP could appeal to an independent tribunal. Education provision needs were assessed by an Educational Psychologist. The residential element of this related to educational provision being required over a 24 hour period and no children in Leicestershire had been assessed with this need. However, if parents felt that they required respite care, as part of the social care element of the EHCP, they could request to be reassessed on this basis. This would not be provided by Maplewell Hall School as it was not registered to provide respite care;
- The after school provision began at school closure until 7.30pm. Some children stayed beyond this time, ate their evening meal, then carried out further 'after tea' activities, before going to bed. The criteria to determine who should benefit from this provision was set by the school. Should the decision be made to close the residential facility, the continuation of the after school provision would be a matter for the school to put in place; the County Council was supportive of working with the school on this;
- The Committee felt that the report lacked clarity regarding any additional transport costs that would be incurred if the residential provision was closed and costs for any children who might subsequently be assessed as requiring some form of residential or respite provision;
- The Committee understood that Maplewell Hall School received £293,000 for residential provision but was not clear of the actual cost of providing residential care and extra-curricular activities. It was also felt that discussions with the school should take place to understand whether a reduced offer could be put in place;
- Concern was expressed that, given the High Needs Block supported 3,600 children, there was a lack of equity and fairness in only 69 pupils receiving residential educational provision. The Committee was advised that the High Needs Block was significantly overspent with resources ringfenced by Government and likely to be capped. In light of the challenging resourcing position, and the growing demand for SEND services, difficult decisions had to be made about the services that could be provided; it was important that services provided were based on assessment and sound criteria.

Mr Ould, Cabinet Lead Member for Children and Young People informed the Committee that an audit of the Maplewell Hall School had been commissioned, particularly as some parents had been asked to contribute between £9-15 per night for the residential provision for their children. He thanked the Committee for raising the issue of outcomes.

The Committee was reminded that at its meeting in November, the Cabinet would take the decision of whether to formally consult on the process of closure; they were not taking the decision to close the residential facility at Maplewell Hall School. The Committee was

further advised that, as the petition on this matter had exceeded the 10,000 signature threshold, the Cabinet decision would be reported to the Council to enable it to discuss the matter. No action would be taken until after the Council meeting.

It was moved by Mr S. D. Sheahan CC and seconded by Mr G. Welsh CC:

“That the Cabinet be asked to defer this matter pending more detailed consideration of the issues that have been raised by this Committee”.

The motion was put and not carried with three Members voting in favour and six against.

The Chairman confirmed that the comments of the Committee would be passed to the Cabinet and summarised the key points as follows:-

- The Committee recognised the benefits of the residential provision at Maplewell Hall School; the value and quality of the provision was not in question;
- Little had been done to understand if a smaller offer could be made at reduced cost;
- There was uncertainty about the costs and alternatives available.

RESOLVED:-

That the comments of the Committee be forwarded to Cabinet for consideration at its meeting on 24 November 2017.

37. Early Support and Inclusion for Children with Special Educational Needs and Disabilities.

The Committee considered a report of the Director of Children and Family Services concerning the current position with the Early Support and Inclusion contract that the Department has with Menphys and the plan for delivery of these services after December 2017. A copy of the report, marked “Agenda Item 11”, is filed with these minutes.

Arising from discussion the following points were raised:-

- i) The contract procedure rules prevented a further extension of the contract with Menphys;
- ii) Delivery of Early Support and Inclusion Services after December 2017 would be carried out in-house by the Children and Family Services Department which remained committed to offering high quality services to all children that it supported. Officers had a high level of expertise in working with children with Special Educational Needs and Disabilities and assured the Committee that service delivery would be enhanced by the services already offered by the Department;
- iii) A robust communications plan had been developed in conjunction with Menphys; the Director of Children and Family Services had written to all parents of children at Menphys letting them know of the change in service delivery and offering the opportunity to discuss their future support requirements. Additionally, plans were in place to ensure that potential new parents were made aware of the new service offered;

- iv) Where families needed additional support, or where their needs were not sufficiently clear or more complex, they would be offered an Early Help assessment to identify needs and deliver required support, either through group work or on a one-to-one basis; officers would offer a range of provision that would sit alongside the Early Help offer;

RESOLVED:-

That the current position with the Early Support and Inclusion contract that the Children and Family Services Department has with Menphys and the plan for the delivery of the services after December 2017 be noted.

38. Children's Social Care Recruitment and Retention Strategy.

The Committee considered a report of the Director of Children and Family Services which provided an overview of the development of a Recruitment and Retention Strategy for Children's Social Care. A copy of the report, marked "Agenda Item 12" is filed with these minutes.

Arising from discussion, the following points were raised:-

- i) In developing the Recruitment and Retention Strategy, officers had considered a variety of data including Leicestershire County Council HR Data, recent staff survey results, usage of agency workers and had benchmarked salary data with other County and City Authorities;
- ii) The Recruitment and Retention Strategy had been developed to recruit permanent staff and so reduce the use of agency workers; currently agency workers amounted to 11.5% of the Children's Social Care workforce. The situation experienced by the County Council in recruiting and retaining permanent Children's Social Care staff reflected the national picture;
- iii) All actions included within the draft Recruitment and Retention Strategy could be implemented within the current policy framework. However, should additional actions be considered that fall outside the policy framework, a revision would be considered;
- iv) The Strategy considered and highlighted a number of elements that were important when recruiting new staff including salary, working environment and flexible working policies, training and future opportunities to progress professionally. The Strategy also considered the use of the Apprenticeship Levy and links to university. Regarding entry qualifications, Members were informed that there was currently a Social Work degree which people could study on leaving further education before entering employment;
- v) The Committee recognised that the role of the Team Manager was vital in encouraging job satisfaction and generating a work life balance for staff. The Committee was concerned that there were a number of vacancies at this level;
- vi) There were a number of reasons why vacancies existed for experienced Senior Practitioners, many of whom had successfully moved into Team Manager positions within Leicestershire County Council. However, some had moved to other Local Authorities following the offer of incentives;

vii) A salary gap had been identified in comparison with other Local Authorities; the gap increased at the higher salary scales, with a gap of up to £3,000;

viii) The Committee discussed the possibility of offering incentives to encourage job applications for new Social Workers. However, it was recognised that there would be a need to set out expectations for the length of time that the new incumbent should remain in post before moving on to make this worthwhile to the County Council.

RESOLVED:-

That the Recruitment and Retention Strategy for Children's Social Care be noted.

39. Progress Report: OFSTED Continuous Improvement Action Plan 2017- 2020 - The Road to Excellence.

The Committee considered a report of the Director of Children and Family Services concerning the progress made against the OFSTED Continuous Improvement Action Plan. A copy of the report, marked "Agenda Item 13", is filed with these minutes.

Arising from discussion, the following points were raised:-

- i) Following the OFSTED Inspection, Officers had reviewed all processes and procedures in the First Response Team. A monthly review of all children had been implemented, which had resulted in changes to
 - a. the management structure and overview procedures in First Response;
 - b. the out-of-hours provision;
 - c. the initial contact provision as cases were referred to the Service;
- ii) Substantial work had also been carried out to ensure that the right support mechanisms were in place to support newly qualified Assessed and Supported Year in Employment (ASYEs) staff in their first year;
- iii) Of the single assessments completed within timescale, only 74.9% had been completed within the target 45 days; this was reduced from the 90% completed last year. However, the number of single assessments completed had increased from 191 last year to 390 this year; and the quality had greatly improved. This improvement brought the County Council in line with its statistical neighbours;
- iv) The County Council system, Tableau, used to manage performance reporting, provided daily reports for Service Managers for their areas. Additionally, a monthly report was produced on both the national and local Performance Indicators, which showed where the County Council performance sat in relation to statistical neighbours and the England average. Management practices had been put in place so that the data was scrutinised to ensure appropriate actions were taken to address the identified need;
- v) Members were informed that the area that presented greatest risk to delivering the OFSTED Continuous Improvement Action Plan was in the recruitment of staff. This was the subject of a detailed report earlier on the agenda;

- vi) The Committee commended officers for the detailed report on progress and acknowledged the progress made.

RESOLVED:-

That the progress made against the OFSTED Continuous Improvement Action Plan be noted.

40. Date of next meeting.

It was noted that the next meeting of the Committee would be held on 15 January 2018 at 1.30pm.

1.30 - 4.15 pm
13 November 2017

CHAIRMAN