

Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Tuesday, 21 January 2020.

PRESENT

Mrs. H. J. Fryer CC (in the Chair)

Dr. R. K. A. Feltham CC
Mr. J. Kaufman CC
Mrs. R. Page CC
Mr. L. Phillimore CC

Mrs B. Seaton CC
Mr. S. D. Sheahan CC
Mr. G. Welsh CC
Mrs. A. Wright CC

In Attendance.

Mr. I. D. Ould OBE CC – Lead Member for Children and Families
Mrs. D. Taylor CC – Cabinet Support Member.

47. Minutes.

The minutes of the meeting held on 5 November 2019 were taken as read, confirmed and signed.

48. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

49. 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).

50. Urgent Items.

There were no urgent items for consideration.

51. 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.

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

There were no declarations of the party whip.

53. Presentation of Petitions under Standing Order 36.

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

54. Medium Term Financial Strategy 2020/21 - 2023/24.

The Committee considered a joint report of the Director of Children and Family Services and the Director of Corporate Resources which provided information on the proposed 2020/21 to 2023/24 Medium Term Financial Strategy (MTFS) as it related to the Children and Family Services Department. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Arising from the discussion, the following points were raised:

Service Transformation

- i) The transformation programme continued to be targeted at the development and implementation of a sustainable, cost effective operating model for the department that improved outcomes for children and young people in Leicestershire. The Department had significant transformation projects charged with delivering the MTFS savings such as the development of the Care Placement Strategy, children's centres and early help services and services for pupils with High Needs.

Proposed Revenue Budget

- ii) The total gross proposed budget for 2020/21 was £330.9m with contributions from specific grants, health transfers and service user and partner contributions projected at £250m (including £110m, excluding schools, of services funded from the Dedicated Schools Grant). The Director informed the Committee that the table at paragraph 10 of the report, which detailed the proposed net budget, was titled 2019/20 but was in fact the figures for 2020/21.

Growth

- iii) Growth over the next four years totalled £20.895m, including £7.795m in 2020/21. In response to a query, the Director explained that this figure would be the amount required if the department took no action to reduce demand or changed the way it was working. Work was currently taking place to determine how to reduce demand on the service and costs, and in terms of social care placements, it was hoped that the introduction of the Care Placement Strategy would have an impact on the unit cost of placements.
- iv) The Lead Member for Children and Family Services confirmed that the Department would be receiving no additional money, but he was gratified by the additional funding that the Department had received over the last five years. He gave assurance that the Department had a number of statutory duties and these would continue to be met.
- v) In relation to G1 – social care placements – there were currently 622 looked after children in Leicestershire, and current projections indicated an increase of 12%. It was noted that a number of children had entered the system with significant and complex needs and a question was asked about the extent of the Authority's prior knowledge of these children and whether they were

already receiving support from other service areas. The Director explained that some young people would have already been identified and other areas of the service would be working with them. In the main, however, they were being identified as a result of a greater understanding of criminal exploitation; these were generally older young people with greater complex needs. As a result, there was significant additional pressure on the service in terms of the type of placement they required. This was at a time when the market was very challenged in relation to the number of places available and high costs from providers.

- vi) The increase in the average weekly cost of provision was noted. The average weekly cost to social care of external residential placements was £7,390 (an increase of over £300 per week) and for 16+ supported accommodation placements, it was £1,330 (an increase of £117 per week).
- vii) The Director reported that the Department was looking at service redesign options for residential care. Actions had already been undertaken around those on the edge of care, how to work with partners to deliver services to young people, and how to work with families to keep children at home.
- viii) In relation to G4 – social care staff – increased caseloads – the Director confirmed that the Department had remained reliant on agency staff and investment in additional social worker capacity was therefore required. It was noted that the Department was introducing a new operating model and was in the early stages of reviewing improved ways of working to reduce demand on the service. Barnardo's, as the Department's strategic partner, would be involved in this review.
- ix) Attention was drawn to G9 – Unaccompanied Asylum Seeking Children (UASC) – where the demand on the budget continued to increase. There were currently 103 UASC for whom Leicestershire County Council had responsibility and although the Home Office had increased its funding rates, this was still not sufficient.

Savings

- x) Activities continued to be undertaken to reduce social care placement costs. This included the recruitment of foster carers, the development of a new local framework for providers and the Dedicated Support Team working intensively with high cost placements or those at risk of breakdown.
- xi) CF3 – Early Help Review – the Director highlighted the savings that had been realised through reducing property and management costs and merging three services into the single Children and Family Wellbeing Service. The Director confirmed that the long term impacts of the review would need to be monitored, which members supported. In response to a query, it was agreed that there was a link between vulnerable families and criminal exploitation. The Director emphasised that as part of the review, money had not been taken from frontline staff so families could continue to be supported at the same level. As part of the growth received for 2020/21, the Department would strengthen its work with those more vulnerable young people and had put in additional resources for those who were being criminally exploited.

- xii) Significant progress was being made across the Department in relation to staff absence (CF4) and it was anticipated that the target for 2020/21 would be achievable.

Dedicated Schools Grant/Schools Block

- xiii) For 2020/21, the Dedicated Schools Grant (DSG) continued to be split into four separate blocks (the Schools Block, the Central School Services Block, the High Needs Block and Early Years). In relation to the Schools Block, 2020/21 continued the move towards a National Funding Formula for schools. In respect of the school funding formula, this year's allocation represented a cash increase of 6%.
- xiv) The funding allocation for the Central School Services Block was being reduced nationally from 2020/21; this would be a financial pressure for the medium term as the funding was phased out, but the commitments retained.
- xv) For the High Needs Block, it was noted that Leicestershire received £2.1m from a national fund aimed at ensuring local authorities did not experience a funding reduction as a result of the introduction of the National Funding Formula. Confirmation of the 2020/21 grant was not expected until March 2020; this included additional funding announced by the DfE in September 2019 and was an increase of 7% from the 2019/20 baseline.
- xvi) The 2020/21 MTFS had set the overall Schools Budget as a net nil budget at local authority level. However, there was an annual funding gap of £10.531m which would be an overspend against the grant. It was anticipated that the Department would be required to submit a recovery plan to the DfE for each year of the MTFS.
- xvii) 26 new primary and three new secondary schools were expected to be built in Leicestershire in the medium to long term. The revenue requirement was difficult to assess, although early estimates suggested that the costs could be managed within the existing grant. Expenditure was expected to rise annually from 2021/22 and annual underspends in growth funding would be set aside in the DSG Earmarked Fund to meet the peak.

School Funding Formula

- xviii) It was noted that the minimum per pupil funding levels had been made mandatory. Despite the overall increase in budget, some schools remained on the funding floor and would experience a real terms decrease in income.
- xix) The introduction of two additional factors to the school funding formula – sparsity and pupil mobility – would ensure that the Leicestershire formula fully reflected the National Funding Formula. This had been supported by the Schools Forum and would be considered by the Cabinet at its meeting on 7 February 2020.

High Needs

- xx) The escalating cost of providing SEND services was one of the main financial pressures impacting local government nationally. For 2020/21, it was

estimated that the funding gap would be £11m and the cumulative deficit was expected to total £19m. The financial deficit was expected to continue increasing and the department was looking at how it could reduce demand.

- xxi) Concern was raised that local authorities would be required to set aside revenue funding to offset liability and that this would require expenditure reductions in other areas of the Authority. The Director confirmed that this was a national funding issue which was a significant risk to all local authorities. The County Council was taking action to reduce demand and costs in this area, but like other authorities, it would not be able to sustain the current level of overspend from the High Needs Block.

Other Funding Sources

- xxii) Grants were largely received from the DfE, who to date had not confirmed many of the allocations. However, it was assumed that the grants would continue at the 2019/20 levels.

Capital Programme

- xxiii) The programme focused on two significant areas, one of which was the needs to provide additional primary school places. It was estimated that additional places would be delivered in 2020/21. The programme also included an investment in SEND provision to increase local provision and would provide a total of 500 additional SEND places.

RESOLVED:

- a) That the report and information now provided be noted;
- b) That the comments now made be forwarded to the Scrutiny Commission for consideration at its meeting on 27 January 2020.

55. Change to the Order of Business.

The Chairman sought and obtained the consent of the Committee to vary the order of business from that set out on the agenda.

56. Children's Innovation Partnership.

The Committee received a presentation from the Director of Children and Family Services on the progress of the Children's Innovation Partnership in its first year of operation. A copy of the presentation is filed with these minutes, and would be circulated to members of the Committee.

Arising from the discussion, the following comments were raised:

- i) The collaborative work with Barnardo's had been in place for a year and there had been a range of successes. The Children's Innovation Partnership Board had been developed and a strategic lead for Barnardo's had been identified and was co-located in the Children and Family Service. This had ensured that there was a shared trust and vision.

- ii) Approval had previously been given to a design brief around residential provision and design briefs were now underway in relation to two further areas in SEND and Placements. The service design brief which had been approved by the Residential Care Board had also been approved by the Children's Innovation Partnership Board.
- iii) Barnardo's had successfully facilitated joint bid applications totalling £1.4m. The Holiday Activity and Food scheme (£798,000) had provided positive activities and healthy eating during the school holiday for over 2,000 children who were eligible for free school meals. A further bid had been developed for this scheme for this year for £1.5m and was a joint application with Leicester City Council. It was hoped that there would be a greater opportunity to promote the scheme further this year to both schools and families to ensure a bigger take up.
- iv) The Youth Engagement Fund had received £386,165 to provide an advanced life skills programme in eight secondary schools to support the reduction of youth crime and violence and it was hoped that this could be delivered in more schools. £234,600 had been awarded to provide 102 Family Group Conferences to families as part of the pre-proceedings legal planning process. Other opportunities to add revenue streams into the Council would be considered.
- v) Joint funding had been approved for staff resources to extend the collaboration agreement with Barnardo's for a second year. This would enable opportunities to be identified with other local authorities and partners.

The Committee noted the progress that had been made by the Children's Innovation Partnership and congratulated staff on the successes reported. It was asked that a further update be provided to a future meeting of the Committee.

RESOLVED:

- a) That the presentation be noted;
- b) That a further update be provided to a future meeting of the Committee.

57. Ofsted Inspection of Local Authority Children's Social Care Services.

The Committee considered a report of the Director of Children and Family Services providing the outcome of the recent Ofsted inspection of children's social care services in Leicestershire and to present the Action Plan which had been developed to address the recommendations in the Ofsted report. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Arising from the discussion, the following comments were raised:

- i) Ofsted had identified that progress had been made in many areas of children's social care services since the last inspection in 2016. However, the report had stated that overall, children were not experiencing good practice consistently enough across all services.

- ii) The report contained six recommendations for improvement. An action plan had been prepared in response to these and would need to be submitted to Ofsted by 10 February 2020. It was the intention that the action plan would be delivered alongside the existing Continuous Improvement Plan that had been developed as a four year plan following the 2016 Ofsted inspection.
- iii) It was reported that as the Department was only three years into delivering its four year Continuous Improvement Plan (CIP) there were still some outstanding recommendations but these would be reviewed in 2021, at the end of the four year period. It was noted that the new Action Plan was a direct response to the 2019 Ofsted inspection but that the six recommendations would fit into existing themes already recorded in the ongoing CIP. An update on progress would be provided at the September meeting of the Committee.
- iv) In response to a query, it was stated that Ofsted had been supportive that the Department was on the right track with its areas of development. The Lead Member for Children and Family Services emphasised that the draft action plan now contained SMART targets so that it was continually being reviewed and the Department had performance targets which were similar to those in the CIP. He felt that if the Department was able to deliver against all the actions in the Plan, it should be rated as outstanding in the next inspection.

The Committee agreed that improvements were evident, and assurance was given that the recommendations would feed into a whole system change so that nothing was considered in isolation.

RESOLVED:

- a) That the report be noted;
- b) That a further update be provided to the Committee in September 2020.

58. Local Area Inspection of Special Educational Needs and Disabilities (SEND).

The Committee considered a report of the Director of Children and Family Services which provided an overview of the Ofsted SEND Inspection Framework. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from the discussion, the following comments were raised:

- i) It was reported that the local area was anticipating an inspection of its SEND Service in the near future. Five working days' notice of the inspection would be provided and the inspectors would then be in the area for five days. After the inspection, Ofsted and the Care Quality Commission (CQC) would publish an inspection report in the form of a letter; it would not contain an inspection judgement. Where required, the local area would produce a written statement of action and this had to be published within 70 working days of receiving the report.
- ii) Leicestershire had developed an initial Self Evaluation Framework that had been signed off by the SEND Partnership Board in March 2019. This was currently being reviewed to better highlight key achievements and areas for development. The County Council and its partners were fully aware of the

areas that required further work to improve outcomes for children and how to respond to this, and the County Council had its own specific development plan in place to further improve and develop its services in this area. The High Needs Development Plan was responding to pressures on the High Needs Block of the Dedicated Schools Grant and to the increasing numbers of Education Health and Care Plans (EHCPs).

- iii) In response to a query, the Director confirmed that EHCPs were introduced as part of the SEND reforms in 2014. The Government's whole system review of SEND was now underway and would consider the SEND system, including the role of EHCPs. It was known nationally that the number of EHCPs were increasing significantly.

Once an inspection had taken place, assurance was given that the Committee would be informed of the outcome.

RESOLVED:

That the report be noted.

59. Care Leaver Offer.

The Committee considered a report of the Director of Children and Family Services which highlighted the activity of Leicestershire County Council's Care Leavers Team and the support provided to care leavers. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

Arising from the discussion, the following comments were raised:

- i) Two significant protocols had now been developed – the Care Leavers Housing Protocol, which was in the process of being signed off, and a joint protocol with the Job Centre and the DWP to ensure that care leavers were supported more effectively if they needed to claim benefits.
- ii) Thanks were given to the panel of five elected members who had reviewed the role of Corporate Parenting and as a result, the Council had established three Member Champions for children in care and care leavers. The revised Corporate Parenting Strategy had been approved in December 2019, and this had outlined the role of the Lead Member and elected members as corporate parents.
- iii) Although 90% of care leavers were in suitable accommodation, concern was raised that 10% were not in suitable accommodation. However, this could be young people who were in hospital or custody or who were waiting for their own permanent address. Assurance was given that the Department's Senior Management Team received a monthly update of those care leavers in unsuitable accommodation and a discussion took place around individual cases.

The Committee agreed that this was a very positive report and were pleased to note the fact that almost 98% of care leavers had stayed in touch with the local authority.

RESOLVED:

That the report be noted.

60. Pupils Missing Out on Education in Leicestershire.

The Committee considered a report of the Director of Children and Family Services providing a summary of Leicestershire children who were missing from education and the work taking place across the county to support them. A copy of the report marked 'Agenda Item 13' is filed with these minutes.

A query was raised around whether checks were made into whether a child missing education had been permanently excluded from school. It was stated that data was received from schools on a monthly basis which provided information on issues such as permanent exclusions and this helped to identify those who could be missing out on education. Where a child was not attending school, contact would be made with the parents to check whether the child was officially being home educated or was missing education and had been wrongly categorised.

RESOLVED:

That the report be noted.

61. Virtual School.

The Committee considered a report of the Director of Children and Family Services providing an overview of the work undertaken by the Virtual School over the past twelve months and the outcomes for children in care. A copy of the report marked 'Agenda Item 14' is filed with these minutes.

Attention was drawn to the Virtual School Conference, 'Preparing all Learners for Future Success'. There would be two keynote speakers at the conference – a care leaver and the Director of Learning from the Wellspring Academy Trust. Details of the conference would be circulated to members of the Committee.

The provisional test and examination results for 2019 were presented and would be published when confirmation of the data had been received. This would be presented to the Committee in a future report. It was pleasing to note that there were now 17 young people in care who were in higher education.

RESOLVED:

That the report be noted.

62. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Committee would be held on 3 March 2020 at 2.00pm.

