



*Meeting:* **Children and Families Overview and Scrutiny Committee**

*Date/Time:* **Tuesday, 3 March 2020 at 2.00 pm**

*Location:* **Sparkenhoe Committee Room, County Hall, Glenfield**

*Contact:* **Gemma Duckworth (0116 3052583)**

*Email:* **gemma.duckworth@leics.gov.uk**

### Membership

Mrs. H. J. Fryer CC (Chairman)

Dr. R. K. A. Feltham CC   Mrs B. Seaton CC  
Mr. J. Kaufman CC   Mr. S. D. Sheahan CC  
Mrs. C. Lewis   Mr. G. Welsh CC  
Mrs. R. Page CC   Mrs. A. Wright CC

**Please note: this meeting will be filmed for live or subsequent broadcast via the Council's web site at <http://www.leicestershire.gov.uk>  
– Notices will be on display at the meeting explaining the arrangements.**

### AGENDA

<u>Item</u>	<u>Report by</u>
1. Minutes of the meeting held on 21 January 2020.	(Pages 5 - 14)
2. Question Time.	
3. Questions asked by members under Standing Order 7(3) and 7(5).	
4. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.	
5. Declarations of interest in respect of items on the agenda.	
6. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule	



16.

7. Presentation of Petitions under Standing Order 36.

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|---|--|-----------------|
| 8. Children's Social Care Investment Plan.  | Director of Children and Family Services | (Pages 15 - 36) |
| 9. 16+ Semi Independent Accommodation by External Framework.                                      | Director of Children and Family Services | (Pages 37 - 40) |
| 10. Early Support and Inclusion for Children with a Special Educational Need and/or a Disability. | Director of Children and Family Services | (Pages 41 - 46) |
| 11. Final Report of the Scrutiny Review Panel - Multi-Academy Trusts.                             | Scrutiny Review Panel                    | (Pages 47 - 58) |
| 12. Quarter 3 Performance Report.   | Director of Children and Family Services | (Pages 59 - 68) |

13. Date of next meeting.

The next meeting of the Committee is scheduled to take place on 2 June 2020 at 2.00pm.

14. Any other items which the Chairman has decided to take as urgent.

## **QUESTIONING BY MEMBERS OF OVERVIEW AND SCRUTINY**

The ability to ask good, pertinent questions lies at the heart of successful and effective scrutiny. To support members with this, a range of resources, including guides to questioning, are available via the Centre for Public Scrutiny website [www.cfps.org.uk](http://www.cfps.org.uk).

The following questions have been agreed by Scrutiny members as a good starting point for developing questions:-

- Who was consulted and what were they consulted on? What is the process for and quality of the consultation?
- How have the voices of local people and frontline staff been heard?
- What does success look like?
- What is the history of the service and what will be different this time?
- What happens once the money is spent?
- If the service model is changing, has the previous service model been evaluated?
- What evaluation arrangements are in place – will there be an annual review?

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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 need 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.

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**CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY  
COMMITTEE – 3 MARCH 2020**

**CHILDREN'S SOCIAL CARE INVESTMENT PLAN**

**REPORT OF THE  
DIRECTOR OF CHILDREN AND FAMILY SERVICES**

**Purpose of the Report**

1. The purpose of this report is to set out the proposals for the Children's Social Care Investment Plan to procure four properties and commission a new team to provide a new model of residential care for the most complex and vulnerable children and young people in Leicestershire.

**Policy Framework and Previous Decisions**

2. The proposals have been developed within the Children's Innovation Partnership which was established to drive forward key elements of the Care Placement Strategy 2018-2021. The Care Placement Strategy is an overarching document which brings together key departmental strategies within the overall pathway of edge of care through to leaving care.
3. The Cabinet approved the formation of the Children's Innovation Partnership on 6 July 2018.
4. This Committee received an update on the overall progress of the Children's Innovation Partnership on 21 January 2020.
5. Approval was given by the Cabinet in June and October 2019 to approve capital investment into social care accommodation based support services. It was agreed that the Director of Corporate Resources, following consultation with the Lead Member for Corporate Resources and the Director of Adults and Communities or the Director of Children and Family Services, has delegated powers to commit up to £2m capital per scheme.

**Background**

6. In 2018, innovative work was undertaken by the County Council to explore establishing a partnership that would enable more creative

working to design and develop services for children, young people and their families. A tendering process was undertaken in December 2018 after which the County Council entered into a Children's Innovation Partnership with Barnardo's.

7. The Partnership was tasked with carrying out a number of Design Briefs to bring about improvements in the areas covered by the Care Placement Strategy. The first of these areas was Residential Care.

### **Proposals/Options**

#### **Residential Design Brief**

8. A period of comprehensive design work was carried out between January – September 2019, led by Barnardo's. The design work analysed strengths, areas for development and opportunities within the County based on:
  - Data analysis on the cohort of Leicestershire children in care conducted by data analysis company Machinable, focusing on demand, placement and process characteristics
  - Primary research conducted by the Barnardo's Service Design Team, with workshops involving subject experts from the County Council and Barnardo's, scheduled one-to-one interviews with professionals, and one-to-one interviews with eight young people who had current/previous experience of Residential Care both in and out of county
  - Secondary research conducted by Barnardo's national Policy and Research Team, considering national trends in policy and practice.
9. This design work led to the proposal of an asset-based solution for local provision in Leicestershire. The proposed solution contains three elements which will be delivered in two phases; these are explained in more detail below:
 

Phase 1:

  - Assessment and Resource Team (ART)

Phase 2:

  - Hub containing three assessment beds (to also house the ART)
  - Three Multi-Functional Properties

**Assessment and Resource Team** (Phase 1: implementation by September 2020)



10. The first element of the proposal is for Barnardo's to recruit to a new Assessment and Resource Team (ART). The team will contain specialist roles such as Educational Psychologist, Clinical Psychologist, Speech and Language Therapist and Therapeutic Worker, and the staff will work as part of the team around the child, working closely with colleagues in other disciplines such as health, social care and police.
11. The ART will work with young people in an outreach capacity. These young people could be in residential care, foster placements, adoptive placements, hospital, or living at home. The team will be able to work with up to 12 young people at a time, and the resource will be focused on the most vulnerable young people. The team will ensure strong staff to child ratios, and the skills to provide the following types of support according to the presenting needs of the child:
  - Crisis intervention
  - Comprehensive assessment and care planning
  - Transitional support packages
  - Family work to facilitate a return home
12. Alongside working with up to 12 young people in an outreach capacity, the ART will be working with the young people in the Hub assessment beds (see below).
13. The ART will also work closely with Leicestershire County Council services such as the Dedicated Placement Support Team. This will enable the teams to share learning and best practice.
14. Costing for this provision has been produced based on the development of a highly specialist ART. Including direct worker costs, management, administration, clinical supervision, accommodation and service running costs, the indicative cost per child/young person would be £660 per week. At full capacity, this provision would have an annual cost of £411,840.
15. The current Multi-Disciplinary Intervention Support Team Leicestershire (MISTLE) contract provided by Action for Children offers similar provision to the ART. This project will therefore be decommissioned and the children and young people currently supported within the MISTLE project will transfer to receiving ART support. The County Council, Barnardo's and Action for Children are working in collaboration to consider TUPE implications and ensure continuity of service for these young people.
16. The current contract value of MISTLE is £450,000, compared with the annual value of ART of £411,840.

**Hub containing three Assessment Beds** (Phase 2: implementation January 2021 – January 2022)

17. The ART will be located in a Hub. This will also contain three assessment beds which will be supported by the ART and will be used to work to contain the anxiety and distress that children exhibit at the point of family or placement breakdown. They will help the child to feel safe and emotionally contained through clear and consistent boundaries and predictable nurturing routines. This stabilising process will help children to build trust with the adults allowing them to explore their world safely. Within these nurturing routines they will be offered a balance of activities and primary play opportunities to keep them busy, aid their learning and development, and build on their sense of self.
18. The beds will be used for a period of assessment of need, delivered by the ART. This assessment period will allow for a placement to be found for each young person based on a thorough understanding of their needs. These beds could be for young people:
  - With emotional and behavioural difficulties
  - With complex health and social care needs
  - Who are young parents
  - Who have unregulated behaviour
  - With high needs related to a delayed transfer of care
  - Who are particularly at risk from going missing
19. Following the assessment period, the ART will support each young person to transition into a new placement or to return home. Once the new placement commences, the ART will continue to support the young person in an outreach capacity to provide consistency of support which research tells us is of great benefit to supporting positive outcomes.
20. The total cost of these assessment beds, including support from the ART, would be £5,200 per week. This does not include capital cost for the property.

**Multi-Functional Properties** (Phase 2: implementation January 2021 – January 2022)

21. The third element of the proposal is the procurement of three properties to be used as Multi-Functional properties. Each of these properties will be fully self-contained, multi-functional and double occupancy – each will be able to house up to two young people as well as staff accommodation. There is the potential that for some young people, it would not be appropriate to fill both rooms as a result of their needs. In

these situations, a decision could be taken to provide a single occupancy placement.

22. One of these properties will be regulated for use by children under 16. The other two properties will be initially unregulated, meaning they are only able to provide placements for young people aged over 16. The provision will work to a recognised kite mark of quality to give assurances, but in being unregulated it will not be limited to any specific kind of provision – these placements can therefore be used flexibly according to the needs of the young people.
23. After an interim period of 6-12 months, the demand and usage of the two unregulated properties will be reviewed. At this stage if it is clear that there is consistent demand for a particular type of provision, one or both of these properties could be registered for a specific cohort of young people. This will be kept under review.
24. It is important to note that these properties will be used to place looked after children and will be appropriately staffed; they are not proposed as rental accommodation.
25. Including direct worker costs, management, administration, accommodation and service running costs the indicative cost per child/young person would be £2,438 per week for 16+ provision, and £5,477 for under 16. This does not include capital costs for the properties.

### **Drivers**

26. This proposal has been developed based on the findings from the Residential Design Brief. It has not been developed as a savings initiative, but as an opportunity to meet the requirements of the service and improve outcomes for children and young people through developing:
  - Needs based commissioning, supporting the local market to better accommodate children who are being placed out of county at high cost
  - Flexible beds within the Multi-Functional Properties at a standard cost that add in extra support depending on the child's needs and keep them in county
  - Better placements through the use of the assessment beds – getting it right first time
  - Better placement stability through ART support
  - Keeping children in placements which best meet their needs and preventing breakdown with ART support.

27. Although this proposal is not being presented as a savings initiative, it is anticipated that growth can be reduced as a result of having more local provision. Out of county placements are often significantly more expensive than in county placements, and also result in significant travel costs for social workers. Additionally, placement breakdowns often lead to escalations of need and therefore increased cost of subsequent placements.
28. A number of case studies have been developed which provide an indication of how a child's journey could be changed under the proposed new provision. These outline the child's actual journey, the anticipated journey under the new provision, the costs associated with each, and a narrative explaining the benefits in terms of outcomes for each child. These case studies are attached as Appendix A.

### **Resource Implications**

29. In June 2019, the Cabinet approved a report from the Director of Corporate Resources and Director of Adults and Communities for capital investment into social care accommodation based support services. A further report was taken to the Cabinet in October 2019 for approval to allocate an additional £10m to the capital programme. It was agreed that the Director of Corporate Resources, following consultation with the Lead Member for Corporate Resources and the Director of Adults and Communities or the Director of Children and Family Services, has delegated powers to commit up to £2m capital per scheme.
30. The Director of Children and Family Services has been invited to sit on the Social Care Investment Plan Board which oversees this work. It is proposed that the capital investment required for this new model of provision would follow this governance process.
31. The proposal requires the purchase and adaptation, or if not possible the design and build, of four properties. Based on market research, it is anticipated that this could cost up to £2.5m. This is additional resource beyond the £10m agreed in October 2019, as this has already been allocated.
32. As a result, a Cabinet decision is required to allocate additional capital investment to this programme. A report is being presented to the Cabinet at its meeting on 24 March 2020.

### **Demand**

33. Financial and demand modelling has indicated that had this provision been available in the financial year 2019/20, usage would have been such that there could have been avoided costs of approximately £359,000 against this investment.
34. This provision will be needs-led, so usage will be dependent on the needs of the cohort of looked after children. As this provision will be

delivered as part of the Children's Innovation Partnership with Barnardo's, it will be fully scalable. If demand is greater than the available provision, options will be explored to expand this model through recruiting additional staff to the ART and/or investing in additional properties. If demand drops from the estimated current level, there is the opportunity to scale down the model, or sell the provision to other local authorities. Initial conversations have taken place through the Regional Strategic Commissioning Group, and it is already evident that there is significant interest in this.

### **Conclusions**

35. The Committee is asked to comment on the proposals contained in the report.

### **Background Papers**

36. Report to Cabinet, 6<sup>th</sup> July 2018: [Children's Innovation Partnership](#)

Report to Cabinet, 25<sup>th</sup> June 2019: [Capital Investment Into Social Care Accommodation Based Support Services](#)

Report to Cabinet, 22<sup>nd</sup> October 2019: [Request for an Addition to the 2019/20 Capital Programme for the Social Care Accommodation Development Plan](#)

### **Circulation under the Local Issues Alert Procedure**

None

### **Equalities and Human Rights Implications**

37. The proposal is for provision which is needs-led, and will be targeted to support the most vulnerable children and young people.
38. An Equalities and Human Rights Assessment will be produced to accompany the Cabinet Report.
39. Additional Equalities and Human Rights Assessments will be produced for each phase of delivery.

### **List of Appendices**

Appendix A: Examples of Potential Provision & Costs

### **Officer to Contact**

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### Examples of Potential Provision & Costs

This model is not being proposed as a savings initiative. It has been developed following months of design work, including work with LCC staff and children in care (and recent care leavers), alongside secondary research on a national level. The primary driver for this proposed model of service provision is improved outcomes for children.

However, we also anticipate that for some young people there would be the potential for cost avoidance. A significant amount of this would be from placing children in the right placement first time, reducing placement breakdowns and costly moves. All use of this proposed provision would be needs-led, so it is difficult to put a cost or savings figure against predicted future demand or usage – this is being proposed as a way to reduce growth. Therefore to give an indication of the way this provision could be used to improve outcomes for children and at what cost, we have identified a sample of children who were in placements between November 2018 – November 2019. We have mapped their placement journeys over the course of a year, including the costs of their placements. We have then mapped what their placement journey could have looked like over the course of the year, had the new proposed model been in place.<sup>1</sup> These examples have been validated by the Head of Service for Children in Care.

Each of these young people were selected for the comparison because it was felt that their outcomes could have been improved under the new model, and they would have been better supported. For some of these children, their placement journey under the new model would cost less than the journey they experienced. For others, there would be little difference in cost, and for a small number, the cost would be slightly higher. However, for all these young people, it is anticipated that their outcomes would have improved. Narrative is included with each young person to explain this:

#### Child 1:

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Residential Parent Assessment Unit	4 weeks	£3,390	£13,560	Hub Assessment Bed	28 days (4 weeks)	£5,200	£20,800
Connected Person	8 weeks	£163	£1,300	Connected Person	8 weeks	£163	£1,300
Placement with Parent	9 months	£0	£0	Placement with Parent	9 months	£0	£0
			<b>£14,860</b>				<b>£22,100</b>

#### Outcomes for Child:

This young person was placed in a parent and child assessment unit. Rather than being placed in an out of county Residential Parent Assessment Unit, this young person would have been placed within the Hub for a 28 day assessment with their child, to ensure that their needs were fully assessed and they were supported to then move to a placement with a Connected Person before returning home. Whilst it is not anticipated that the placement journey would change, the young person would have been better supported by being able to stay within Leicestershire to be assessed. The transition could then also have been more smoothly and effectively managed.

#### Cost:

Under the new model, this young person's placement journey over the course of the year would come at an increased cost of **£7,240**. However, it is anticipated that outcomes for the young person would have improved.

<sup>1</sup> The 12 months modelled are not necessarily November 2018 – November 2019, but all these young people were in care within this time period. This is to ensure that we are not looking at historic cases, but the modelling involved examining journeys through care to identify the point at which intervention could have the best impact on outcomes.

**Child 2:**

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Family	8 weeks	£0	£0	Hub Assessment Bed	28 days (4 weeks)	£5,200	£20,800
Residential Placement (1.1)	4 weeks	£2,800	£11,200	Residential Placement (1.1)	11 months	£2,800	£123,200
Residential Placement	9 months	£4,005	£144,180	Above Plus ART Outreach Support	6 months	£660	£7,920
			<b>£155,380</b>				<b>£151,920</b>

**Outcomes for Child:**

This child went from living at home to a Residential Placement. This broke down within a month, and the child moved to a higher cost Residential Placement. Under the new model, when the relationship between child and family broke down, they would have been placed in one of the Hub Assessment Beds. This would have allowed their needs to be fully assessed and understood, and for their transition into the first Residential Placement to be fully supported. The ART would then provide outreach support to the child in the Residential Placement to ensure this did not break down.

**Cost:**

Under the new model, through accurately assessing the needs of the child to ensure the right placement first time and smooth transition into residential care, there would have been the potential for an avoided cost of **£3,460**. This is under the assumption that the ART would work with the child for the 6 months – however if this length of time were not required, the avoided cost would be greater.



**Child 3:**

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Residential Placement	5 months	£4,250	£85,000	Residential Placement	3 months	£4,250	£51,000
Residential School	5 months	£737	£14,730	Home	9 months	£0	£0
Home	2 months	£0	£0	Above Plus ART Outreach Support	6 months	£660	£15,840
			<b>£99,730</b>				<b>£66,840</b>

**Outcomes for Child:**

This child was placed in residential care, but was regularly going missing from the placement and returning home. When this placement broke down, the child was moved to a Residential School. However, this provision was very rarely used as again the child kept returning home. Eventually the child did move home, but there were difficulties in getting the child or family to engage with any support. Under the new model, it is anticipated that the child could be supported to return home sooner, to avoid spend on placements which were not being accessed. The ART could then provide support to the child and family, to ensure that positive outcomes were achieved at home and the child was fully supported.

**Cost:**

Under the new model, the child would be supported to return home sooner, which would result in cost avoidance. The ART would continue to provide outreach support, but this could potentially still result in an avoided cost of **£32,890**. This is under the assumption that the ART would work with the child and family for 6 months – however if this length of time were not required, the avoided cost would be greater.

**Child 4:**

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Home/ Hospital	4 months	£0	£0	Home/ Hospital	4 months	£0	£0
Residential Placement (out of county)	3 weeks	£3,200	£9,600	Hub Assessment Bed	28 days (4 weeks)	£5,200	£20,800
Residential Placement (out of county)	7 months	£4,900	£137,200	Residential Placement (in county)	7 months	£3,789	£106,092
				Above Plus ART Outreach Support	3 months	£660	£7,920
			<b>£146,800</b>				<b>£134,812</b>

**Outcomes for Child:**

This young person moved to a hospital placement from home. Once discharged, the young person moved to an out of county Residential Placement. When this broke down, they moved to another (more expensive) out of county Residential Placement. Under the new model, when the young person was discharged from hospital they would have been moved into one of the Hub assessment beds for 28 days. This would allow for the right placement to be found first time, as the needs of the young person would have been fully assessed and understood. The ART would then support a smooth transition into placement, and continue to support the young person in placement for the first 3 months.

**Cost:**

Under the new model, the child would be support into a suitable placement which met their needs following a period of comprehensive assessment. There is the potential that this placement may be more expensive than other available provision (as assumed in this modelling), but the time spent to ensure that this is the right placement, and the time dedicated by the ART to continue to support for the first 3 months of the placement, could potentially result in an avoided cost of **£11,988**.

**Child 5:**

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Level 6 Carer	1 month	£821	£3,284	Level 6 Carer	1 month	£821	£3,284
Residential Placement (1.1)	4 months	£2,800	£44,800	Residential Placement (1.1)	4 months	£2,800	£44,800
Crisis Intervention Placement Linked to a Residential Home	1 month	£6,250	£25,000	Residential Placement (1.1)	7 months	£2,800	£78,400
Residential Placement (out of county)	4 months	£7,429	£118,856	Above Plus ART Outreach Support	4 months	£660	£10,560
Residential Placement (out of county)	2 months	£7,000	£56,000				
			<b>£247,940</b>				<b>£137,044</b>

**Outcomes for Child:**

This young person was placed with a Level 6 carer, but this placement broke down and they moved into a Residential Placement. This lasted 4 months, but then broke down. There was insufficient support for the placement to continue, so the young person moved into a Crisis Intervention Placement for 28 days. Following this, they moved into an out of county Residential Placement. This broke down after 4 months, and they moved into a different out of county Residential Placement. Under the new model, we anticipate that the placement with the Level 6 carer could still not have been supported to continue, and the young person would still have moved into the first Residential Placement. However, when this became at risk of breakdown after 4 months, the ART would have been used to work with the child and the home to support the placement to be able to continue. This would have had a significant positive impact on the child, as we anticipate that they would have been able to continue in their existing placement with their needs being met, rather than having to move to a further 3 placements. This consistency of placement and support would have had a positive impact on outcomes for the child.

**Cost:**

Under the new model, the child would have been supported to remain in their first Residential Placement through use of the ART. This could potentially result in an avoided cost of **£110,896**.

**Child 6:**

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Residential Placement (in county)	1 month	£6,900	£27,600	Hub Assessment Bed	3 months	£5,200	£62,400
EDT Placement	2 days	£232	£232	Residential Placement (in county)	9 months	£3,789	£136,404
Residential Placement (out of county)	2 months	£4,300	£34,400	Above Plus ART Outreach Support	9 months	£660	£23,760
Crisis Intervention Residential Placement	1 month	£8,400	£33,600				
Residential Placement (out of county)	4 months	£4,648	£74,368				
Crisis Intervention Residential Placement	1 month	£6,500	£26,000				
EDT Placement	1 day	£116	£116				
Secure	3 months	£6,977	£83,724				
			<b>£280,041</b>				<b>£222,564</b>

**Outcomes for Child:**

This young person had a number of placement breakdowns. Within the 12 month period, they experienced 3 residential placements (2 of which were out of county), 2 EDT placements, 2 Crisis Intervention Residential Placements, and a placement in Secure. As we know from secondary research, each placement breakdown and move can have a significant negative impact on outcomes for children as it increases and compounds their trauma. Under the new model, we anticipate that this young person would be moved into one of the Hub assessment beds for 3 months. After this time, it is felt that they would be able to transition into a Residential Placement, with the support of the ART in transition and beyond into supporting the placement.

**Cost:**

Under the new model, it is anticipated that this could potentially result in an avoided cost of **£57,477**.

## Child 7:

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Home	1 month	£0	£0	Home	1 month	£0	£0
IFA	1 month	£739	£2,956	IFA	11 months	£739	£32,516
EDT Placement	1 week	£426	£426	Above Plus ART Outreach Support	6 months	£660	£15,840
Residential Placement (out of county)	1 month	£7,070	£28,278				
	2 weeks	£5,820	£11,640				
	9 months	£4,392	£158,112				
			<b>£201,412</b>				<b>£48,356</b>

**Outcomes for Child:**

This young person moved to an IFA from living at home. This placement only lasted for a month, and when it broke down the young person was moved into an EDT placement for a week, before being moved into an out of county Residential Placement. This placement continued for the rest of the 12 months, although the weekly cost varied as a result of changes in the staffing requirements perceived from the young person's needs and behaviours. Under the new model, it is anticipated that the young person could not have been supported to remain at home and would still have moved to the IFA. However, when this placement was at risk of breaking down the ART would have supported the child and the foster carer to ensure that the child's needs were met and they were able to remain in the placement. This would have had a positive impact on the young person in terms of remaining in a family setting, and achieving consistency through avoiding further breakdowns and moves.

**Cost:**

Under the new model, it is anticipated that the young person could have remained in their IFA placement which could potentially result in an avoided cost of **£153,056**. This is under the assumption that the ART would work with the child and family for 6 months – however if this length of time were not required, the avoided cost would be greater.

**Child 8:**

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Residential Placement (in county)	10 months	£3,500	£140,000	Residential Placement (in county)	10 months	£3,500	£140,000
	1 month	£6,027	£24,108	Hub Assessment Bed	28 days (4 weeks)	£5,200	£20,800
Crisis Intervention Placement	1 month	£8,295	£33,180	Residential Placement 1.1	1 month	£3,882	£15,528
Residential Placement 2.1 (out of county)	1 week	£7,395	£7,395	Above Plus ART Outreach Support	1 month	£660	£2,640
			<b>£204,683</b>				<b>£178,968</b>

**Outcomes for Child:**

This young person spent 11 months in a Residential Placement. In the final month the young person's needs/behaviours escalated, resulting in the home charging an increased cost for the placement. The placement then broke down, and the young person moved into a Crisis Intervention Placement. Following this, they moved into an out of county Residential Placement. Under the new model, it is anticipated that when the escalation occurred after 10 months, the young person would have been moved into one of the Hub assessment beds for 28 days. This would allow their needs to be fully assessed and understood, and a suitable placement to be found for them. The ART would then support the young person to transition into their new placement, and would continue to provide support to ensure that they settled in well. For this modelling we have costed 1 month of ART Outreach Support to fit within the 12 months comparison, but it is anticipated that this support would continue for up to 3 months.

**Cost:**

Under the new model, through preventing escalation and the need for further expensive placements, there could potentially be an avoided cost of **£25,715**. However, it must be noted that it is anticipated that the ART would provide a further 2 months of support, which would come at a cost of £5,280.

**Child 9:**

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Residential School	11 months	£3,850	£169,400	Residential School	11 months	£3,850	£169,400
Bridging Foster Placement	1 week	£344	£344	Bridging Foster Placement	1 month	£344	£1,376
Connected Person	1 week	£0	£0	Above Plus ART Outreach Support	1 month	£660	£2,640
Residential Placement (out of county)	2 weeks	£4,356	£8,712				
			<b>£178,456</b>				<b>£173,416</b>

**Outcomes for Child:**

This young person had a long-term plan to transition from their Residential School placement into foster care. However, this placement ended because the Residential School closed down. The young person was not yet ready to transition into foster care without significant additional support. Therefore, the bridging foster placement was not able to continue. After spending a week with a connected person, the young person moved into an out of county Residential Placement. Under the new model, it is anticipated that the young person would still move into a bridging foster placement, but that the ART would work closely with the child and the carers to support this to continue. It may be that the young person did not stay with the initial bridging foster carers, but whilst there work could be done to find the best carers for the young person. For this modelling we have costed 1 month of ART Outreach Support to fit within the 12 months comparison, but it is anticipated that this support would continue for up to 3 months. This would enable the team to work with the child and provide time to prepare/train an internal foster carer to meet this young person's needs, or to work collaboratively with an IFA.

**Cost:**

Under the new model, it is not anticipated that there would be much difference in terms of cost based on this 12 month period. However, if the young person remains in the expensive out of county placement, costs will be significantly higher than if the young person were in a foster care placement. According to this 12 month period, there could potentially be an avoided cost of **£5,040**. However, it must be noted that it is anticipated that the ART would provide a further 2 months of support, which would come at a cost of £5,280.

## Child 10:

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Home/ Hospital	7 months	£0	£0	Home/ Hospital	7 months	£0	£0
Hospital – delayed discharge	3 months	£0	£0	ART Outreach to Hospital	1 week to get to know and prepare for transition	£660	£660
Residential Placement	2 week transition	£3,550	£7,100	Hub Assessment Bed	28 days (1 month)	£5,200	£20,800
	1 month	£7,100	£28,400	Residential Placement 1.2 (in county)	4 months	£3,789	£60,624
Hospital	1 week	£0	£0				
Residential Placement	1 week (whilst in hospital)	£7,100	£7,100				
Return to Placement from Hospital – request for uplift	1 week (will be ongoing for at least 6 weeks)	£8,900	£8,900				
			<b>£51,500</b>				<b>£82,084</b>

## Outcomes for Child:

This young person spent 3 months in hospital waiting for a placement. They then moved into a Residential Placement, with a 2 week transition period to support the move. After a month in placement, the young person returned to hospital. The home then asked for an uplift in cost for when the young person returns from hospital. Under the new model, as soon as the young person was ready to be discharged, the ART would spend a week working with them in the hospital to prepare them for transition, and then they would be moved into one of the Hub assessment beds for 28 days. Their needs would be fully assessed and understood to enable the right placement to be found for the young person. It is anticipated that the young person would then move into an in county Residential Placement. This has been modelled based on a therapeutic 1.2 placement including 1:1 staffing, which it is felt would best meet the needs of the young person. It is felt that under the new model, the young person could be supported more quickly and efficiently, and also in a way which would bring about the best possible outcomes.

## Cost:

Under the new model, it is not anticipated that there would be an avoided cost for this young person – it is anticipated that there could potentially be an additional cost of **£30,584**. However, this does not take into account the cost of the young person waiting in hospital for a placement for 3 months as this is not a cost to social cost – but this would be a saving for Health.



**Child 11:**

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
IFA (in county)	11 months	£1,320	£58,080	IFA (in county)	11 months	£1,320	£58,080
Residential Placement (in county)	1 month	£2,800	£11,200	IFA (in county)	1 month	£1,320	£5,280
				Above Plus ART Outreach Support	1 month	£660	£2,640
			<b>£69,280</b>				<b>£66,000</b>

**Outcomes for Child:**

This young person was placed with an IFA for 11 months. This placement broke down, and the young person moved into a Residential Placement. Under the new model, it is anticipated that the ART would be brought in when the placement showed signs of a risk of breakdown. For this modelling we have costed 1 month of ART Outreach Support to fit within the 12 months comparison, but it is anticipated that this support would continue for up to 3 months. This would enable the team to provide effective support to both the young person and the carers, and also to work closely with the Supervising Social Worker to ensure they could continue to support in a similar way when the ART leave.

**Cost:**

Under the new model, it is not anticipated that there would be a significant avoided cost based on this 12 month period. However, the significant additional cost of the Residential Placement compared to the IFA means that going forward this will be a greater cost to LCC than the anticipated journey under the new model. For this 12 month period, it is anticipated that there is the potential for an avoided cost of **£3,280**. However, it must be noted that it is anticipated that the ART would provide a further 2 months of support, which would come at a cost of £5,280.

## Child 12:

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Home/ Hospital	3 months	£0	£0	Home/ Hospital	3 months	£0	£0
Hospital – delayed discharge	6 months	£0	£0	Above Plus ART Outreach Support	1 week – work with team around the child and prepare	£660	£660
Residential Placement (out of county)	3 weeks	£4,819	£14,457	Hub Assessment Bed	28 days (1 month)	£5,200	£20,800
Agency Support on Weekends	One-off	£313	£313	Residential Placement 1.3 (in county)	8 months	£3,789	£121,248
DPST Overtime Activity	One-off	TOIL	TOIL				
Residential Placement under LCC Contract	1 week	£12,600	£12,600				
Residential Placement (out of county)	2 months	£7,100	£56,800				
			<b>£84,170</b>				<b>£142,708</b>

## Outcomes for Child:

This young person spent 6 months in hospital waiting for a placement. Following this, they were moved into an out of county Residential Placement. This required additional support from LCC staff and agency support. This placement broke down, and due to lack of appropriate provision, LCC were required to disrupt placements on another contract for a week. This therefore had a negative impact on other Leicestershire children and families, as well as adding another layer of disruption and change for this young person. Following this, an out of county Residential Placement was found for this young person. Under the new model, the ART would provide outreach support to the young person whilst in hospital. Then when they were ready to be discharged, they would be moved into one of the Hub assessment beds for 28 days. This would enable their needs to be fully assessed and understood, and give time for a suitable placement to be found. It is anticipated that an in county 1.3 Residential Placement could be found which would meet the needs of this young person. It is anticipated that this journey would have a significant impact on outcomes for this young person, as they would be out of hospital more quickly, and there would be reduced placement moves. There would also be more consistency of staff support.

## Cost:

Under the new model, it is not anticipated that there would be an avoided cost for this young person – it is anticipated that there could potentially be an additional cost of **£58,538**. However, this does not take into account the cost of the young person waiting in hospital for a placement for 6 months as this is not a cost to social care – but this would be a saving for Health. This case is a clear example of the drivers behind this proposed model – improved outcomes being the key consideration, not cost of placements and/or support.

**Child 13:**

Actual Journey	Length of Stay	Actual Weekly Cost	Total	Anticipated Journey	Anticipated Length of Stay	Weekly Unit Cost	Total
Home	11 months	£0	£0	Home	10 months	£0	£0
Residential Placement	1 month	£7,100	£28,400	Hub Assessment Bed	1 month	£5,200	£20,800
				Residential Placement	1 month	£3,789	£15,156
				Above Plus ART Outreach Support	1 month	£660	£2,640
			<b>£28,400</b>				<b>£38,596</b>

**Outcomes for Child:**

This young person came into a Residential Placement from living at home. Under the new model, it is anticipated that rather than moving directly into a home, this young person would have been moved into one of the Hub assessment days for 28 days. This would enable their needs to be fully assessed and understood, and they could then be supported in transitioning into the most appropriate placement to meet their needs. It is anticipated that the ART would then provide outreach support to this placement to ensure consistency of support and ensure that the young person settled well into placement.

**Cost:**

Under the new model, it is not anticipated that there would be an avoided cost for this young person within this 12 month period – it is anticipated that there could potentially be an additional cost of **£10,196**. However, if the young person remains in this expensive Residential Placement, there would be an avoided cost in subsequent costs if under the new model the young person was in a less expensive placement.

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**CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY**  
**COMMITTEE – 3 MARCH 2020**

**16+ SEMI-INDEPENDENT ACCOMMODATION**  
**BY EXTERNAL FRAMEWORK**

**REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY**  
**SERVICES**

**Purpose of report**

1. The purpose of this report is to provide an overview of the 16+ Accommodation and Support provided by external framework to Looked After Children (LAC) aged 16 and 17 years of age.

**Policy Framework and Previous Decisions**

2. Some establishments and types of accommodation are not required to register with Ofsted. These are sometimes known as ‘unregulated settings’. Providers who provide accommodation but not care do not need to be registered as a children’s home. The critical point is the provision, or not, of care.
3. Semi-independent accommodation is not subject to any minimum standards in law and the responsibility for determining the suitability of the accommodation falls to the placing local authority. Semi-independent accommodation meets the needs of some young people as a stepping stone towards adulthood.
4. Ofsted sets out in ‘Introduction to Children’s Homes’ criteria to help identify whether the service being proposed or provided is ‘supported accommodation’ and would therefore not require the provider and manager to register under the Care Standards Act 2000, rather than a children’s home, which would require the provider and manager to register with Ofsted and be subject to annual inspections. These criteria include:
  - Can young people go out of the establishment without staff permission?
  - Do young people have full control of their own finances?
  - Are young people in charge of meeting all their health needs, including such things as arranging GP or specialist health care appointments?
  - Are young people in full control of their medication?

**Background**

5. The 16 + Supported Accommodation Framework commenced on 1 August 2017. Providers offer accommodation and support to 16 – 18 year old LAC. The accommodation is shared or individual flats and usually includes five hours of support a week. Additional 1:1 support can be commissioned, as required, and is informed by the young person's assessment of need or Pathway Plan.
6. There are 24 Providers on the Framework and there are 96 young people (LAC) living in 16+ semi-independent accommodation. Of these 43 are Unaccompanied Asylum-Seeking Children. Costs per week range from £425 to £3000. One young person is in a Care Quality Commission (CQC) provision costing £5,625 per week. This cost is shared with Health.
7. Placing authorities are responsible for ensuring that any placement in an unregulated setting is suitable for the child or young person. The Council undertakes these duties through Quality Assurance Visits. Monitoring visits are planned and undertaken to all provision (minimum of annually) which includes an inspection of the provision, head office paperwork and considering the young person's feedback. Findings are documented and fed back to relevant professionals including the young person's social worker. Placement and Commissioning ensure any identified actions are completed.
8. Social worker and personal advisor statutory visits to the young person are also undertaken.
9. The Family Placements Team complete an annual audit to confirm that the criteria as set out by Ofsted is being adhered to. The last audit was completed in August 2019 and submitted to Ofsted for the inspection in September 2019.

### **Consultations**

10. Young people's views are sought during quality assurance visits undertaken by the Family Placement Team and inform action identified to improve the provision of accommodation and support.
11. Social Workers visit young people frequently, visiting patterns are set during Pathway Planning. The Pathway Plan is a Care Plan, detailing the services and support needed by young people aged 16 to 21 years. The Pathway Plan should be pivotal to the process whereby young people map out their future, articulating their aspirations and identifying interim goals along the way to realising their ambitions. Until the young person is 18, the Pathway Plan is overseen by an independent reviewing officer.

### **Resource Implications**

12. Children and Family Services holds responsibility for the provision of placements and accommodation for LAC, under the Council's sufficiency duties.
13. The Care Placement Strategy sets out these duties and the budget requirements are set in line with the predicted demand (LAC numbers and ages) and is impacted on by change in duties or how the Council executes these duties.

### **Conclusions**

14. Semi-independent accommodation is not subject to any minimum standards in law and the responsibility for determining the suitability of the accommodation falls to the placing local authority.
15. There is a consensus that semi-independent accommodation meets the needs of some young people as a stepping stone towards adulthood. The Council uses a range of methods to ensure the provision of supported accommodation is of a good standard and that these provisions are being correctly used.

### **Equality and Human Rights Implications**

16. An equality impact assessment is not required for the purposes of commissioning of 16+ semi-independent/supported accommodation.

### **Other Relevant Impact Assessments**

17. Section 22C Children Act 1989 sets out how local authorities should determine where a child will live. Section 22C(6)(d) allows a local authority to place a child in 'other arrangements', that is in a placement that is neither approved under Fostering Regulations nor a registered children's home, where this is consistent with the child's welfare and the most appropriate placement available. Semi-independent accommodation is an example of an 'other arrangement'.
18. However, use of unregulated provision to provide care for a child or young person, is illegal. Care is when the child or young person requires looking after, being done for rather than receiving advice and support. Where care is being provided, the child or young person should be placed in a setting registered with Ofsted.

### **Background Papers**

19. None

### **Circulation under the Local Issues Alert Procedure**

20. None

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**CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE:**  
**3<sup>RD</sup> MARCH 2020**

**EARLY SUPPORT AND INCLUSION FOR CHILDREN WITH A SPECIAL  
EDUCATIONAL NEED AND/OR A DISABILITY.**

**REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES**

**Purpose of report**

1. The purpose of this report is to provide an update regarding Early Help Special Educational Needs and Disabilities (SEND) support to families where a child has a special educational need and/or a disability.

**Policy Framework and Previous Decisions**

2. In April 2011 the short break duty came into effect and created a legal duty on local authorities in England to provide a range of short break services to children with SEN and/or a disability, including where assessed as necessary:
  - Overnight care in the homes of disabled children or elsewhere
  - Daytime care in the homes of disabled children or elsewhere
  - Educational or leisure activities for disabled children outside their homes
  - Services available to assist parents/carers in the evenings, at weekends and during the school holidays
3. The Children and Families Act 2014 (the SEND reforms) gives local authorities a duty to support children and young people with SEN to facilitate their development and help them achieve the best possible outcomes.
4. A report was considered by this Committee on 4 June 2018 which provided assurance that there had been a continuity of services to families since the ending of the contract with Menphys in December 2017.

**Background**

5. Since January 2018 the service has been delivered in house by Early Help Services, now known as the Children and Family Wellbeing Service (CFWS). The role of SEND Family Support Worker was created, with staff in these roles providing holistic responses to the identified needs within the family. These staff are supported by a Play, Leisure and Inclusion Officer who matches families with universally available play and leisure opportunities suitable to the child's needs. This is in line with the aim to develop inclusive local provision within the play and leisure sector.

6. The service is delivered against the following specification:
- To deliver good quality early support to disabled children/young people and parent/carers living in Leicestershire. Providing the necessary help for coordination, that can improve accessibility.
  - To provide a good range of opportunities for disabled children/young people to access fun and adventurous activities.
  - To provide signposting, advice and support for disabled children/young people and parent/carers on accessible resources. Further to this basic requirement, the information should be without delay and available in places where families with children routinely go.
  - To provide support and information that focuses on issues and updates regarding economic and social wellbeing matters, as they relate to (or affect) disabled children/young people and parent/carers i.e. benefit advice, counselling advice, housing advocacy, volunteering opportunities, training and employment opportunities.
7. Where a family requests access to Short Breaks, the CFWS SEND workers undertake a Short Breaks Assessment. This identifies the short-break needs for the child, taking into account the wider family needs, including parent/carers and siblings.
8. If the family also need additional support, they are offered a full early help assessment to identify wider needs. This can lead to a range of coordinated support for example, behaviour management and parenting, education and employment support and also draws on services identified within the Local Offer.
9. All referrals for short breaks, are received through the First Response front door. This means that right at the start of the process there is oversight from a qualified social worker. In this way, the referral can be passed to the relevant social work team if it is identified that there may be safeguarding issues or that the child requires a Child in Need Assessment.
10. Upon completion of the Short Breaks Assessment the worker's assessment and recommendation is considered at the Short Breaks Panel, which meets on a fortnightly basis and is chaired by a Service Manager, Disabled Children. This means that there is further social work oversight of decision making.

### **Progress to date:**

11. Since January 2018 the service provided to families by CFWS has grown considerably and the level of support provided to families significantly exceeds that which was provided via the Menphys contract, as the wider service supplements and adds to the work of the five dedicated workers. The process now considers summer schemes, short breaks, direct payments, occupational therapy and domiciliary care. Close working with the Disabled Children's Service (social care) has greatly enhanced provision to families, ensuring that the most appropriate level of support is given to families in need and council resources are used to greatest effect.
12. Additionally, CFWS has invested in specialist training for a range of family staff. From January 2020 the parenting programme Stepping Stones is being rolled out

across the county. This is an approach developed by Triple P, an organisation recognised by Early Intervention Foundation as one of only three evidence-based approaches to supporting parents with behaviour management and building the parent-child relationship. Stepping Stones is a specialist programme for parents of disabled children and is aimed at those with children age 0-12.

13. During the summer of 2019, the Disabled Children's Service and CFWS worked together with support from the Early Years Improvement and Inclusion Service to host two family fun days. These were made available for up to 200 people at each event and encouraged families to attend and try out new activities together. Both events received very positive feedback from families, with activities provided by Leicester City Football Club, the District Councils, Wheels for All, and staff from across the services. Grant funding was secured through the summer holiday food scheme distributed by Barnardo's.
14. The Disabled Children's Register was also re-launched at this time. This is a voluntary register of children with disabilities and families are able to 'opt-in' to the register and receive for example the regular SEND newsletter and information from the Local Offer.
15. Whilst most families who are assessed for a short break do receive some element of a funded package, a proportion are found not to meet the criteria. In these cases, families are given support from the Play, Leisure and Inclusion Officer to access community schemes, sometimes providing additional adult funding or training to the provider to enable the child to attend safely. CFWS has developed SEND Youth Groups around the county and again these can be offered as an alternative to a short break for young people wanting to attend a leisure activity which meets their needs. These popular groups are supported by youth and family workers and run from CFWS buildings on a weekly basis.
16. During the financial year 2019-20 there are 260 children in receipt of support via an early help package. Currently, the total value of this support is £718,462. This compares to 112 families receiving a commissioned early help play scheme only in 2018-19, and 142 referrals for summer schemes under the Menphys contract, all of which were from Disabled Children's Service (so there were no early help assessments).
17. These 260 children are a combination of those who have been assessed by CFWS and a package agreed, as well as children assessed by social care as part of a child protection or child in need plan, but where their package of support is stable, and they are suitable to be 'stepped down' to CFWS.

### **Breakdown of support provided.**

18. **Direct Payments:** This method provides parents/carers with the means to purchase agreed services. The parent becomes the employer of any staff (non-family members) who they pay to provide support, often in the form of a personal assistant. Typically, these staff members will take the child or young person out to access community facilities and leisure activities. These are particularly popular for slightly older young people who are wanting some independence from their parents but require support to safely access opportunities.

Number of Children and young people receiving direct payments	126
Total Value of direct payments	£353,463

19. Of the 126 children, 16 also receive a short break and summer playscheme, and 21 receive both direct payments and a short break.

20. **Summer schemes:** These are commissioned places at specialist summer schemes which are run by external providers around the county. A typical offer for summer playschemes is five days during the school summer holidays.

Number of Children and young people receiving summer schemes	144
Total Value of summer schemes	£80,498

For 39 of the 144 children, this is the only service they receive.

71 of the 144 also receive a short break and 33 of the 144 also receive a direct payment

21. The number of children receiving a summer scheme will continue to increase over the next two months as families begin to plan arrangements for summer 2020.

22. **Domiciliary Care:** This is where commissioned services are provided within the family home to undertake specific tasks such as personal care.

Number of Children and young people receiving domiciliary care	11
Total Value of domiciliary care	£100,425

23. Of these 11 children, three also receive a summer scheme and two receive domiciliary care, short break and summer scheme.

24. **Short breaks:** These are commissioned specialist activities such as Saturday clubs which provide social and recreational opportunities to the child and respite for the family to allow them to do other things.

Number of Children and young people receiving short breaks	102
Total Value of direct payments	£184,077

### **The ambition moving forward:**

25. Having established the early help Short Breaks service and Panel the next ambition is to review the Short Breaks Offer to ensure that it is responsive to the needs of families. Whilst the feedback from families has been overwhelmingly positive, there is room for improvement in systems and processes. The service is working closely with the Parent Carer Forum to look at how the current offer might be improved, including how the service is described and the transparency of processes. This work is being supported by the Department's Innovation Partner, Barnardo's.

## **Resource Implications**

26. Whilst the service currently operates within budget, there are increasing demands year on year. Children in receipt of commissioned services through the service are likely to require ongoing input until they leave children's services, i.e. at the point of transition to adulthood. The long-term sustainability of the scheme must be under continuous review but balanced with the preventative impact it has in terms of helping families to stay together and care for their children.

## **Conclusions**

27. Leicestershire has developed an early help SEND Service to support families where a child has special needs or a disability as early as possible. Access to the service is through the First Response 'front door' and all offers of support are based upon a suitable assessment. Where a child requires services as a Child in Need support is available through the Disabled Children's Service or Locality Social Work Teams.

## **Background papers**

Report to Overview and Scrutiny 13 November 2017 "EARLY SUPPORT AND INCLUSION FOR CHILDREN WITH A SPECIAL EDUCATIONAL NEED AND/OR A DISABILITY

<http://politics.leics.gov.uk/documents/s133060/Early%20Support%20and%20Inclusion%20for%20Children%20with%20Special%20Educational%20Needs%20and%20Disabilities.pdf>

Report to Overview and Scrutiny 04 June 2018 "EARLY SUPPORT AND INCLUSION FOR CHILDREN WITH A SPECIAL EDUCATIONAL NEED AND/OR A DISABILITY

<http://politics.leics.gov.uk/documents/s146094/OS%20Report%20on%20SEND%20and%20Inclusion%20v7%20tracked%202.pdf>

## **Circulation under the Local Issues Alert Procedure**

28. None

## **Equality and Human Rights Implications**

29. The service works with vulnerable children, young people and families in the County. The above arrangements for delivery provide a holistic approach to the identification of need and delivery of services to meet the identified need. An Equality and Human Rights Impact Assessment was undertaken in October 2016 as part of the original commissioning process for the new specification. This is due to be reviewed by December 2020.

## **Other Relevant Impact Assessments**

30. None

**Officers to Contact**

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**CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE – 3**  
**MARCH 2020**

**FINAL REPORT OF THE SCRUTINY REVIEW PANEL ON MULTI-ACADEMY**  
**TRUSTS**

**Introduction**

1. This report sets out the conclusions and recommendations arising from the Scrutiny Review Panel investigation into the structural and operational arrangements of Multi Academy Trusts (MATs) managing Leicestershire schools.

**Recommendations**

2. The recommendations of the Panel are located within the body of the report. For ease of reference, they are also set out below:
  - a) That further work takes place to ensure that elected members understand how and where to raise concerns around a Multi Academy Trust;
  - b) That MATs be encouraged to appoint elected members to their local governing bodies to ensure better engagement between MATs, elected members and the local authority;
  - c) That a discussion take place at the Academy CEO Network Group around arranging visits to local schools for elected members in order to develop and maintain the local link;
  - d) That details of local elected members be sent to relevant schools to enable them to make contact should they wish;
  - e) That the Children and Families Overview and Scrutiny Committee receives an annual progress report from the School Effectiveness Team.

**Scope of the Review**

3. The Children and Family Services Department has a good relationship with Multi Academy Trusts, nevertheless there is currently a perceived gap in the relationship between local authority elected members and Multi Academy Trusts. Members have raised some concerns regarding accountability, engagement and the effectiveness of existing structures. The lack of influence that the local authority has over Multi Academy Trusts, whilst understood, is also a cause for concern.

**Membership of the Panel**

4. The following members were appointed to serve on the Panel:

Dr. R. K. A. Feltham CC  
 Mrs. H. J. Fryer CC  
 Mr. A. E. Pearson CC (in the event, Mr. Pearson CC was unable to attend the Panel meetings).  
 Mr. S. D. Sheahan CC  
 Mr. J. Kaufman CC

5. Dr. R. K. A. Feltham CC was appointed Chairman.

### **Conduct of the Review**

6. The Panel met on four occasions between 3 July 2019 and 11 November 2019, and over that period considered:

- an overview of the education landscape in Leicestershire
- the difference between stand-alone academies and those within a MAT
- the recruitment of governors/directors
- engagement with local communities
- the role of elected members in relation to Multi Academy Trusts
- examples of good practice.

7. The Panel was supported in its review by the following officers and is indebted to them for their contributions:

- Paula Sumner – Assistant Director, Education and Early Help
- David Atterbury – Head of Service - Education Sufficiency
- Alison Bradley – Head of Service – Education Quality and Inclusion

8. The Panel is grateful to the two CEOs who attended meetings:

- Peter Merry – CEO of Oadby, Wigston and Leicestershire Schools (OWLS) Academy Trust
- Chris Parkinson – Executive Head Teacher/CEO of LiFE Multi Academy Trust

### **Background**

#### **What are Multi Academy Trusts**

9. Academies were first introduced through the Learning and Skills Act 2000 to help struggling schools in deprived inner-city areas. None of this type of academies existed in Leicestershire, and it was not until the introduction of the Academies Act 2010 and the notion of converter academies that the first change in the education landscape began to occur. Since then, the number of academies has grown; within Leicestershire all but one of the secondary school now have academy status, as do approximately half of all primary schools.



10. Academies fall into two main groups – sponsored academies and converter academies. Sponsored academies have sponsors (registered as MATs) who have majority control of the trust and most of these used to be underperforming schools that became academies to improve their performance. Converter academies are generally schools that have sought greater autonomy and independence and are sufficiently strong in terms of their performance and other factors, for example their financial position, to make conversion a success. These academies have steadily increased since 2011.
11. Academies are publicly funded schools which operate outside of local authority control. The government describes them as independent state-funded schools. They are funded directly by central government, instead of receiving their funds via a local authority. Funding and oversight come from the Department for Education via the Education and Skills Funding Agency.
12. A MAT operates more than one academy school. The day to day running of the school is with the headteacher or principal, but they are overseen by individual charitable bodies called academy trusts and may be part of an academy chain. A MAT is a single entity established to undertake a strategic collaboration to improve and maintain high educational standards across a number of schools.

#### Why have Schools Converted?

13. The key aim is to raise standards, improve choice and outcomes for children and young people. It provides Trusts the freedom to make future changes to a school (for example to the curriculum, term patterns and length of the school day) without having to seek permission. Becoming a MAT also enables strong partnerships to be formed, with greater access to support and expertise. Often, schools within a Trust liaise with each other and pupils are able to experience education at different schools within the Trust. However, there can be local pressure when other schools are converting in the local area.

#### The Benefits of Becoming a MAT

14. The benefits of a MAT are broadly:
  - The sharing of expertise and knowledge
  - The opportunity to develop enrichment activities
  - Access to resources and infrastructure
  - Improved buying power
  - Opportunities for professional development/career progression – the Trust is the employer of all staff rather than individual academies. This makes it easier to transfer staff resources across all academies within the Trust.
  - Strong leadership and governance
  - Improved accountability for local collaboratives and partnerships
  - Security

15. The formal structure of a MAT allows more school to school support so that those schools that are not performing as well as others (or smaller schools) can benefit from the experience and skills evident in stronger or larger schools. As the single employer, MATs also better enable the movement and career progression for staff between schools in the Trust. MATs also encourage economies of scale in shared services, such as finance and administration and the academies within the MAT can often negotiate preferable contracts and services, improving value for money.
16. Supporters of academies argue that they fill the gaps in areas where there are not enough school places for every child and drive up educational standards in disadvantaged areas, although neither circumstance readily relates to any Leicestershire area. For many, the autonomy that academy status brings is attractive, in particular the freedom over budget means more control over where money is allocated in the school. It is also argued that academy status makes it easier to put in place better teaching, leadership, curriculums and accountability, leading to better standards.

### Disadvantages

17. Academies have faced criticism from some teachers, parents and politicians. They see academisation as a move towards privatisation, selective admissions and damaging to existing schools around them. As a trust grows, there is a danger that it may become increasingly difficult to ensure consistent systems and procedures are applied across the Trust. Directors (the governing body) may feel that it is difficult to take on this responsibility for schools that they have had no day to day involvement with. The Ofsted Chief Inspector, in 2016, had criticised some larger academy chains for failing to improve the results of too many pupils in their schools, while paying board members large salaries. However, he did acknowledge that great progress had been seen in many academies.
18. Expectations at individual academies need to be managed. Some may have been forced to join a MAT because of poor educational results or weak governance structures. Individual academies could feel that their own independence is threatened and there is always a risk that, should one of the academies in the Trust fail, this will affect the reputation of all the schools in the Trust.
19. The Panel agreed that there is a balance to be determined between a MAT as a business and the needs of the local community. Schools within a MAT are now more focused on ensuring that they attract pupils in order to remain sustainable. This means that schools now have more pupils on roll from outside their traditional catchment area, and there is therefore a danger of losing the local community ethos of a school.

### Legislative Background and Governance

20. A MAT is the structure that allows more than one academy to work together under an academy trust. It has one overall board of directors which runs the

trust, with each academy having its own local governing board. The MAT provides the opportunity to share knowledge and teaching and learning between schools. Through sharing resources, schools can achieve lower running costs, reduced environmental impact, stronger safeguarding and improved communications, all on a more manageable and secure platform.

21. MATs are companies, limited by guarantee, and registered with the Charities Commission as a charitable company. They are formed by members who propose the Trust and the purpose is defined by Objects. Articles of Association are in place to cover the internal management of affairs. The MAT is the accountable body, with the governing body/directors having ultimate responsibility for each school within its Trust, the employment of its staff and the control of all assets. It is very much a top down governance arrangement. The Trust may establish a local governing body or advisory body at each school and delegate powers accordingly.

#### Delegation of Responsibilities

22. MATs can adopt various structures. The Board of Directors, or Trustees, will sit at the top with ultimate responsibility for the governance of the Trust. The Board of Directors will usually comprise key individuals from the larger academies within the Trust. The directors are accountable to the members, who are the top level of governance and have certain rights under company law. Members are the equivalent of shareholders, meeting at least once a year, and as 'owners' of the academy control its formal constitution. Subject to the Articles of Association, members generally have powers to appoint directors to the Board and hold the Trust Board to account for school performance. Trust members should be individuals, or corporate sponsors, who intend to be involved for the longer term. It would be the norm for an Executive Headteacher, or Chief Executive, to be appointed as one of the directors. Trust members will receive an annual report from the governing body, approve annual accounts and appoint auditors.
23. Most MATs have their own Local Governing Board which is responsible for making day to day decisions at their academy, with support from the academy's Headteacher and Senior Leadership Team. There is no statutory requirement to have a local governing board, but it is considered useful to support the management of good relationships with parents and the local community. It is key to establish and agree a balance between central direction and local autonomy whilst ensuring that across the Trust there are common systems and procedures where required.
24. Academy Governors are charity trustees and have duties as such. They also have strategic leadership, act as a critical friend of the headteacher and provide support and challenge. The Companies Act 2006 also imposed specific duties on academy governors as directors. In terms of the recruitment of MAT governors, the DfE's current academy school model recommends a two/three tier governance structure of a members' board, trust board and local governing board:

- The Members Board has a ‘limited and distinct role’ which should avoid duplicating the role of the Trust Board or assuming the role of Trustees. This has the responsibility for the appointment of other members and trustees.
  - The Trust Board has strategic oversight of the MAT (and each school where there are no Local Governing Boards). The Board can appoint other Trustees and will appoint Local Governing Board governors.
  - The Local Governing Board has some strategic oversight of an individual school, usually without the delegation to monitor its finances. Where there is no Local Governing Board, there is a requirement to have two parent representatives on the Trust Board.
25. All three tiers are ‘school governors’ and all are essential to school improvement. The recruitment of governors is the same as for maintained schools in that volunteers are enlisted. It is considered quite difficult to recruit existing local authority governors who could bring local knowledge as governor appointments need to take account of the skills required for the position. The Panel gave consideration to how to ensure governor appointments were taken up and felt that as the relationships with MATs develop, elected members should be encouraged to fill the role, both at a local level and as a representative of the local authority.
26. In 2017, the DfE had published two guidance documents which set out the requirements and expectations for all individuals sitting on school governing boards – the Governance Handbook and the Competency Framework – both of which raised the bar for all governing boards. In addition, academies are subject to the Academies Financial Handbook.
27. The Education and Inspections Act 2006 (Chapter 1, paragraph 5), which covers maintained and academy schools, states that local authorities have a duty to maintain education by promoting high standards of education and ensuring fair access to education. It also states that they are responsible for securing that sufficient education is available to meet the needs of the population in their area.

#### MAT Performance and Ofsted

28. Evidence on the performance of academies compared to local authority schools is mixed. Although a number of academies have done well, some have failed to thrive and some have been placed in special measures. In 2017, research by the Education Policy Institute found turning schools into academies did not automatically improve standards. More recently, a Public Accounts Committee report said that local authorities’ ability to fulfil their statutory responsibilities, including the duty to provide school places, was ‘undermined’ in areas where a high proportion of schools have become academies.
29. Individual schools/academies are inspected under the Ofsted framework and those responsible for governance are invited to participate in any inspection and to feedback. The local authority is informed by Ofsted of all inspections but has no right to attend inspections in academies. However, there is now greater

engagement and partnership working to increase the local authority's knowledge and the ability to provide support. The local authority, although not directly informed, is now being invited to observe MAT inspections, and there appears to be better communication between MAT leaders and the Regional Schools Commissioner.

### The Role of the Regional Schools Commissioner

30. Regional Schools Commissioners (RSCs) were introduced in 2014 to approve academy conversions and monitor standards at academies in their areas. Each RSC works with a small board of Headteachers. They cover quite a large geographical area and act on behalf of the Secretary of State for Education. Leicestershire forms part of the East Midlands and Humberside RSC region.
31. The main responsibilities of an RSC are:
- Taking action where academies and free schools are underperforming
  - Intervening where governance is inadequate
  - Improving underperforming maintained schools by providing them with support from a strong sponsor
  - Encouraging and deciding on applications from sponsors to operate in a region
  - Taking action to improve poorly performing sponsors
  - Advising on proposals for new free schools
  - Advising on whether to cancel, defer or enter into funding agreements with free school projects
  - Deciding on applications to make significant changes to academies and free schools.

### The Education Landscape in Leicestershire

32. There are currently 282 state funded schools and other educational establishments in Leicestershire, of which 191 have converted to academy status. This equates to 98% of secondary schools, 63% of primary schools, 50% of special schools and the figure also includes 15 'sponsored' schools.
33. A principal driver in Leicestershire for schools to convert to become an academy had been the age range change, which had created additional pressure on feeder primary schools and had led to some schools creating individual alliances. The School Organisation Service leads on matters relating to academy conversions.
34. The School Effectiveness Team was established within the County Council in 2018 to work with MATs, the Regional Schools Commissioner, the Department for Education and other organisations regarding school performance and leadership/governance matters. Regular meetings now take place to consider issues locally and the team manages the relationships with Leicestershire schools. Members are encouraged to feed any concerns they have regarding a school to the School Effectiveness Team and it is acknowledged that further

work will be required around ensuring that elected members are aware that they can raise an issue and how information can be fed back to members.

### **MATs in Leicestershire**

35. Within Leicestershire, there are 30 MATs – 8 from outside of Leicestershire and 22 local, ranging in size from 2-57 schools. Those that are local are likely to have a greater link with the local community compared to the national MATs. A large proportion of MATs feature various types of school and this helps to ensure that there is good diversity and choice delivered through a mixed economy.

### **Evidence of Good Practice**

36. The Panel heard from two CEOs about their experience of being involved in a MAT.
37. Mr Chris Parkinson, Executive Headteacher/CEO of LiFE Multi Academy Trust attended a meeting of the Panel. He provided an overview of the ethos of the LiFE MAT, which currently contained four schools. The key issues he raised were as follows:
- In order to achieve genuine collaboration, it was necessary to have a clear model of operation. Key was appreciating that issues were not always the same at every school in a MAT.
  - The LiFE MAT did not want to disempower communities in terms of what they wanted from a school and local relationships were valued. The LiFE MAT aimed to be more inclusive as this led to greater challenge and provided a wider picture than just results. It was acknowledged that there appeared to be an increased picture of schools displaying 'zero tolerance' to those with more challenging behaviour.
  - Pupils were able to visit the different schools within a MAT for specialist subjects and to use the different facilities available. This was seen as positive as the young people provided one to one support to each other and fed into the strengths of different communities. There was evidence of older pupils helping younger children, and the MAT had seen some success in taking Year 9/10 pupils to A Level taster sessions at another school within the MAT in order to encourage those who might not have previously considered A Levels as an option.
  - Support from parents was considered essential and Mr Parkinson had explained that the LiFE MAT wanted to ensure that it kept local governing boards in order to engage more with local communities. By taking away the responsibility for financial decisions (undertaken by the Board of Directors) it was the aim that more parents would become involved in the governing body of the school. The Panel had agreed that it was important that academies had a strong educational ethos, but that they should

choose what they used to draw on this ethos. The Panel had also agreed that the school should be the focal point of the community.

- Mr Parkinson had agreed that there was a real potential for MATs to regrow the relationship with local authorities and welcomed any help and involvement. He acknowledged that there was a general lack of awareness around the role of elected members in the community and felt that they could prove to be the vital link in the relationship between the MAT and the local authority. However, in order for this to be successful, it needed to be a two way relationship – MATs should invite local elected members into schools and members should offer their help. Mr Parkinson agreed to raise the possibility of arranging visits to schools for elected members with the Academy CEO Network meeting as it was important to develop and maintain the local link.

38. The Panel had also welcomed Mr Peter Merry, CEO of Oadby, Wigston and Leicestershire Schools (OWLS) Academy Trust to a meeting. This MAT currently comprised six primary schools and its governance arrangements had been in place since 2012. The policy of the MAT was to work for its students and staff and despite areas of commonality, each school had its own ethos. The main points arising from the discussion with Mr Merry were as follows:

- The MAT was currently going through the process of taking on a new primary free school in Lubbethorpe. There were currently 38 pupils in this school and these were provided the same opportunities as pupils at other schools within the MAT. The communication structures allowed children to liaise with their peers and teachers from the other schools.
- The MAT ensured that its schools were community based. At Lubbethorpe, a community area had been created and the school was open in the evenings for the community to use. Work was taking place with the local authority and Ofsted around implementing the Ofsted framework and the MAT was keen to pursue its governance arrangements to create a greater locality ethos.
- Each school within the MAT was challenged and school to school support was available. In terms of finance, it was possible to track the position of each school individually. All schools within the MAT were requested to keep a certain amount in their budgets, but the whole MAT would support an individual school if it suffered an in-year deficit.
- The MAT held an annual Trust Review day for trustees to consider the current policies and update them where necessary. Local governing bodies had the opportunity to ask questions and raise any issues at this meeting. Mr Merry also attended local governing body meetings, and video conferencing took place which gave the local governing body the opportunity to speak with the CEO. The MAT also had an annual local authority health check.

- Mr Merry explained that he worked very closely with the local authority as he was a national leader and was part of the Leicestershire Education Excellence Partnership. He was also a member of an external panel for appointing centrally employed teachers.
- Mr Merry felt that the MAT had a good relationship with its local communities. At Lubbesthorpe, a community pioneer had been commissioned to work with the community during the building of the school, and this person was now a member of the Trustees for the school. Obtaining the views of the local community was considered important and local support was welcomed at local governing body level.
- If a complaint was received, it was usual practice to get the local elected member involved and keep them informed of local issues. Mr Merry stressed that open dialogue with the local member was essential.

### **Current Engagement with Local Communities**

39. Elected members have a pivotal role in their local communities, and this has traditionally involved a connection with the local school. Prior to schools becoming academies, many elected members also undertook the role of a school governor. The Panel felt that this connection, and indeed the link between schools and the local authority, is no longer as present.
40. As MATs become more established, there is an opportunity to reaffirm the relationship with local authorities. This could partly be achieved through elected members acting as the conduit between the two. However, the role of elected members as community champions is not necessarily fully understood by MATs, and work therefore needs to take place to enhance their visibility and to promote the potential benefits of involving elected members in MATs. One option is inviting members into schools and in turn members offering their help within a school, to help enhance the relationship. The Panel agreed that **a discussion should take place at the Academy CEO Network meeting around enabling visits to local schools for elected members in order to develop and maintain the local link.**
41. In order to also promote the relationship between a school and its local community, local support at local governing board level is welcomed. This will provide the opportunity to report local issues of concern into the school more directly. The Panel also recommended **that MATs be encouraged to appoint elected members to their local governing bodies to ensure better engagement between MATs, elected members and the local authority.**
42. The Panel is fully aware that MATs cannot be forced to develop a relationship with either local elected members or the local authority, but it generally agreed that it would be good practice to promote the elected member role of managing community expectations and essentially acting as a critical friend to their local school. **Details of local elected members will be circulated to relevant schools to enable them to make contact, should they wish to.**



## **Conclusion**

43. The Panel feels that it understands the role and remit of the local authority in relation to MATs better. Existing processes for accountability and engagement have been reviewed and, where appropriate, improvements have been identified for consideration. The Panel also acknowledges that the visibility of elected members as community champions needs to be enhanced along with the possibility for greater linkages with MATs in their local areas.
44. From the evidence provided and the comments made by the CEOs, the Panel felt reassured that more of a relationship was developing between the MATs and the local authority and that the County Council was clear about its role in holding bodies to account. It was recognised that this was still a learning curve for all involved, and **further work therefore needs to take place around ensuring that members are aware of where they can raise any concerns around a MAT.**
45. The Panel feels reassured that the School Effectiveness Team is ensuring that the local authority link with MATs is present and positive. It is recommended that **the Children and Families Overview and Scrutiny Committee receives an annual progress report from the School Effectiveness Team.**

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**CHILDREN AND FAMILIES OVERVIEW**  
**AND SCRUTINY COMMITTEE 3<sup>RD</sup> MARCH 2020**

**QUARTER 3 2019/20 PERFORMANCE REPORT**

**JOINT REPORT OF THE CHIEF EXECUTIVE AND DIRECTOR OF**  
**CHILDREN AND FAMILY SERVICES**

**Purpose of the Report**

1. The purpose of this report is to present the Committee with an update of the Children and Family Services Department's performance for the period October to December 2019 (Quarter 3).

**Policy Framework and Previous Decisions**

2. The Children and Family Services Department's performance is reported to the Committee in accordance with the Council's corporate performance management arrangements.

**Background**

3. A Strategic Plan 2018-2022 has been agreed by the Council. The following report and accompanying dashboard aim to report on priority areas identified by the plan and monitor performance of key indicators on a quarterly basis. The current performance dashboard is attached as Appendix A, and this has been refreshed to concentrate on indicators where new data is available for Quarter 3.
4. Quartile positions are added where comparative national data is available. Comparative data is not available for all indicators.

**Overview**

5. From 29 measures that have been reported, 18 have improved, 8 show no significant change and three have declined. In addition to this, 1 indicator provides information with no polarity.
6. From 21 measures that have a national benchmark, five are in the top quartile, ten are in the second quartile, four are in the third quartile and two are in the fourth quartile.

**Children at most risk are kept safe and protected from harm**

7. The number of 'Child Protection cases reviewed within timescales' was 93% in quarter 3. This is 2.1% lower than quarter 2 and moves Leicestershire into the third quartile of all local authorities.
8. The percentage of 'Children becoming subject to a child protection plan for a second or subsequent time' decreased by 8% to 15.2% (28 children) in quarter 3. This improvement moves Leicestershire into the third quartile of local authorities by available comparisons.
9. The percentage of re-referrals to Social Care within 12 months was 20.4% (280 children), a reduction from quarter 2. This moves Leicestershire into the second quartile of local authorities and better than statistical neighbours. Monthly audits take place within the service to monitor this.
10. The percentage of 'single assessments completed within 45 days' was 87.6%. This continues the improvement seen in quarter 2 and represents 1160 assessments. This has increased significantly over the past three quarters and the figure stood at 631 in quarter 4 of last year. The Leicestershire figure is in the second quartile nationally and better than statistical neighbour comparisons.
11. Two Child Protection plans lasting two years or more were open at the end of quarter 2, representing 0.4% of cases. This is the same as quarter 2. The current figure places Leicestershire in the second quartile of local authorities using available comparators.

### **Children are living in stable and secure environments**

12. The 'percentage of children with three or more placements during the year' was 8.6% (54 children). This is lower (better) than quarter 2 and places Leicestershire in the second quartile nationally. The 'percentage of children in the same placement for 2+ years or placed for adoption' was 58.6% (126 children). This is lower than quarter 2 (63%) and Leicestershire remains in the fourth quartile by national levels.
13. The percentage of Care Leavers in Suitable Accommodation was 93.8% at the end of quarter 3 (151 young people). This places Leicestershire in the top quartile of local authorities using available comparisons.
14. The percentage of Care Leavers in Education, Employment or Training was 64.6% at the end of quarter 3 (104 young people). This also places Leicestershire in the top quartile by comparison with other local authorities.

### **Child Health and Wellbeing**

15. The percentage of 'Children in Care who have had an annual health assessment' within the last 12 months was 86.2% (540). This is slightly lower than quarter 2 (88%) in percentage terms but only represents one less young person. Completion of health assessments continues to be overseen by the Children in Care Head of Service and Service Manager, with specific actions identified to

address delays and barriers including systems support, processes and staffing pressures.

16. The percentage of 'Children in Care who have had a dental check' was 74.9% (469). This is slightly lower than quarter 2 as a percentage (75.5%) but actually represents five more children.
17. The Strengths and Difficulties Questionnaire (SDQ) is a tool which is used to identify Looked After Children who are at risk of developing emotional and behavioural difficulties. The Department for Education (DfE) classes a score of 0-13 as 'normal', 14-16 as 'borderline' and 17-40 as 'cause for concern'. The average score for Leicestershire children was 14 in quarter 3. A score of 14 for Leicestershire is similar to the statistical neighbour average of 14.2 and places Leicestershire in the second quartile of all local authorities. The scores for Leicestershire children range from a low of zero and one to a high of 30.

### **Families are self-sufficient and able to cope**

18. The new Children and Family Wellbeing service has now been established and new reporting is currently being developed. New figures to reflect the activity of the service have been produced which aim to take into account the work of Childrens Centres, a significant part of the new service. As a result, reported figures are higher than those previously reported. The figures show that the service worked with 4,210 individuals during the period and 1,749 families.
19. At the end of Quarter 3, the Supporting Leicestershire Families programme had claimed Payment by Results (PBR) for 2205 families. This represents 80% of the overall target for Leicestershire. Progress towards the April 2020 target remains strong in Leicestershire compared to available regional comparisons.

### **People are safe in their daily lives**

20. Youth Offending statistics are usually reported one of two quarters in arrears. This is because data has to be produced and validated by legal bodies such as the Police and courts before being released to local authorities.
21. The Q2 figure (latest available) for 'first time entrants to the criminal justice system aged 10-17' was 18. This annual figure for 2018/19 was 100. Therefore, the single quarter figure is below the average quarterly figure for last year.
22. The rate of re-offending per young offender for quarter 2 was 0.18 offences per offender. This is lower than the quarterly average for 2018/19 when the end of year figure was 1.37.
23. One young people was sentenced to custody during quarter 2 (latest available). This figure is usually low, for example one or two.

### **Every child has access to good quality education and achieves their potential**

## Early years

24. The percentage of eligible two year olds taking up the Free Early Education Entitlement (FEEE) offer was 81%. This is higher than the previous reported figure of 72% and places Leicestershire in the second quartile of all local authorities by available comparisons. The percentage of eligible 3 and 4 year olds taking up the FEEE offer was 100%, this is higher than the previous reported figure of 98% and places Leicestershire in the top quartile of local authorities.
25. The percentage of childcare providers in Leicestershire rated as good or outstanding was 95.7%. This was slightly higher than the previous quarter and places Leicestershire in the third quartile of local authorities according to latest comparisons.

## Primary school outcomes – SEN and FSM

26. More detailed national data is now available at Key Stage Two to identify performance of characteristic groups.
27. At the end of Key Stage Two (age 11), 7% of children in Leicestershire with an Education, Health and Care Plan (EHCP) reached the expected level in Reading, Writing and Mathematics. This is the same as the previous two years and below the statistical neighbour average of 7.9%. The score places Leicestershire in the third quartile of local authorities.
28. 40% of children in Leicestershire who are eligible for Free School Meals reached the expected level in Reading, Writing and Mathematics at the end of Key Stage 2 (aged 11). This is better than 2018 when 37% of the group reached the threshold. Leicestershire is close to the statistical neighbour average of 42% but remains in the fourth quartile of local authorities.
29. Key Stage Four performance for the same groups had not been published at the time of writing.

## Ofsted school inspections

30. The percentage of Leicestershire schools rated as Good or Outstanding was 87.5%. This was an improvement on the previous figure of 86% (244 schools) and places Leicestershire in the second quartile of local authorities. The proportion of Leicestershire pupils in good or outstanding schools is 83.7% (80,910 pupils). This is slightly lower than previous, and places Leicestershire in the third quartile.
31. The percentage of primary schools rated Good or Outstanding was 89.3% at the end of quarter 3 (200 schools). This is higher than quarter 2 and moves Leicestershire into the second quartile of local authorities. The equivalent secondary school figure was 76.1% (35 schools). This is lower than the quarter 2 figure but remains in the second quartile of local authorities.

32. The percentage of Good or Outstanding Special Schools remained at 100% (six schools).

### **Leicestershire has a highly skilled and employable workforce**

33. Latest NEET data (young people Not in Education, Employment or Training), is for the end of December 2019 and shows a Leicestershire figure of 1.9% representing 249 young people. This figure is similar to the statistical neighbour average of 2%.

34. The NEET figure for young people with Special Educational Needs was 4.2% (45 young people) at the end of December 2019. This is better than Q2 when 56 young people with SEN were NEET (4.7%).

### **Conclusion**

35. The report provides a summary of performance at the end of Quarter 3 of 2019/20, covering the period October to December 2019

36. Details of all metrics will continue to be monitored on a regular basis throughout the year and any subsequent changes will be notified in future reports.

### **Background Papers**

Strategic Plan 2018-22 and Outcomes Framework

### **Relevant Impact Assessments**

Equality and Human Rights Implications

37. Addressing equalities issues is supported by this report, with a focus on vulnerable groups within Leicestershire, including children in care. Education data relating to different context groups including children with Special Educational Needs and Free School Meals is reported when data becomes available.

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**List of Appendices**










- Appendix A - Children and Family Services Department Performance Dashboard for Quarter 3, 2019/20












# Children and Families Performance FY2019/20 Q3

Latest update    Current Performance    Compared to previous data point    Trend Charts    Status RAG    National benchmark (quartile 1 = top)    Most recent Statistical Neighbour average

## Children at most risk are protected from harm and kept safe

Latest update	Current Performance	Compared to previous data point	Trend Charts	Status RAG	National benchmark (quartile 1 = top)	Most recent Statistical Neighbour average	
% child protection cases which were reviewed within timescales.	Q3	93.0%	Lower (high is good)		A	3	90.8%
% of children becoming subject to a child protection plan for second or subsequent time	Q3	15.2% (28)	Better		A	3	22.1%
% re-referrals to childrens Social Care within 12 months	Q3	20.4% (280)	Better		A	2	21.4%
% single assessments completed within 45 days	Q3	87.6% (1160)	Better		A	2	83.8%
% of Child Protection plans lasting 2 years or more open at the end of the quarter (low = good)	Q3	0.4% (2)	Same		G	2	1.8%
Placement stability - % children with 3 or more placements during a year (low = good)	Q3	8.6% (54)	Better		G	2	10.4%
Placement stability - % children in same placement for 2+ years or placed for adoption	Q3	58.6% (126)	Lower (high is good)		R	4	69.1%
% of Care Leavers in suitable accommodation (end of quarter)	Q3	93.8% (151)	Better		G	1	85.3%
The % of Care leavers in education, employment and training (EET) (end of quarter)	Q3	64.6% (104)	Better		G	1	53.2%

Child Health, Wellbeing and SEND								
The % of children in care who have had dental checks within last 12 months (at end of period)	Q3	74.9% (469)	Similar		n/a	n/a	n/a	
The % of children in care who have their annual health assessment within last 12 months (at end of period)	Q3	86.2% (540)	Similar		n/a	n/a	n/a	
The average emotional health strengths/difficulties score for children in care. (low = good)	Q2	14.0	Similar		A		2	14.2
Families are self-sufficient and able to cope								
No. of individuals with an Early Help assessment	Q3	4,210	Higher		n/a	n/a	n/a	
No. of families with an Early Help assessment	Q3	1749	Higher		n/a	n/a	n/a	
No. of SLF families claimed for as a % of overall payment by results target	Q3	2205 (80%)	n/a		n/a	n/a	n/a	
People are safe in their daily lives								
Number of first time entrants to the criminal justice system aged 10-17 (low = good) (year to date)	Q2	18	Better		n/a	n/a	n/a	
Rate of re-offending by young offenders (low = good)	Q2	0.18	Better		n/a	n/a	n/a	
Number of instances of the use of custody for young people (low = good)	Q2	1	Similar		n/a	n/a	n/a	

Every child has access to good quality education and achieves their potential							
The % of eligible 2 year olds taking up their FEEE	Q3	81.0%	Better		A	2	73.3%
The % of eligible 3 and 4 year olds taking up their FEEE	Q3	100.0%	Better		G	1	98.4%
The % of all childcare providers rated good or outstanding.	Q3	95.7%	Better		A	3	96.6%
The % of all schools rated Good or Outstanding.	Q3	87.5%	Better		A	2	87.3%
The % of Primary Schools rated Good or Outstanding	Q3	89.3%	Better		A	2	88.4%
The % of Secondary Schools rated Good or Outstanding	Q3	76.1%	Lower		A	2	79.9%
The % of Special Schools rated Good or Outstanding	Q3	100%	Same		G	1	93.3%
The % of pupils in Good or Outstanding schools	Q3	83.7%	Similar		A	2	86.7%
Key Stage 2 - Expected level in Reading, Writing and Maths - pupils eligible for Free School Meals	2019	40.0%	Better		R	4	42.0%
Key Stage 2 - Expected level in Reading, Writing and Maths -pupils with an EHCP	2019	7.0%	Same		A	3	7.9%
Leicestershire has a highly skilled and employable workforce							
% of NEET 16-17 for children with SEN and disability (low = good)	Q3	4.2% (45)	Better		n/a	n/a	n/a
NEET young people aged 16-17 (low = good)	Q3	1.9% (249)	Better		G	1	2%

**RAG rating key**

- Top quartile of local authorities or high in second quartile with improving trend
- Second or third quartile with room for improvement
- Fourth quartile or low in the third quartile with a declining trend

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