

Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Tuesday, 2 November 2021.

PRESENT

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

Mr. M. Frisby CC

Mr. L. Hadji-Nikolaou CC

Mr. R. Hills CC

Mr. R. Martin

Ms. Betty Newton CC

Mr. C. A. Smith CC

Mr. G. Welsh CC

In Attendance.

Mrs. B. Seaton CC – Cabinet Support Member.

28. Minutes.

The minutes of the meeting held on 7 September 2021 were taken as read, confirmed and signed.

29. Question Time.

The following question, received under Standing Order 34, was put to the Chairman of the Children and Families Overview and Scrutiny Committee:

Mrs Sue Whiting asked the following question of the Chairman of the Children and Families Overview and Scrutiny Committee:

Could the Chair please explain how Panels for deciding on provision for Children with Special Education/Health/Care Needs/Disability are appointed, especially where a Joint Commissioning of Services between the local authority and Clinical Commissioning Group is relevant?

Mrs H Fryer CC replied as follows:

Panels to support decision making around SEN provision are made up of a range of multi-agency representatives including SENA Service staff, a Senior to the Principal Educational Psychologist, Health Designated Clinical Officer, Social Care Representative, Specialist Teaching Service Manager, SENCO representative and a Special School Representative. The Panel meets weekly and makes recommendations, based on the needs set out in the Education Health and Care Plan on the best provision for a child or young person. This includes those children where a Joint Commissioning of Services between the local authority and Clinical Commissioning Group is relevant.

Supplementary Question:

Mrs Whiting asked a supplementary question which asked for clarification that each panel, to decide on EHCP provision for a child where joint commissioning is required, consists of a member of the SENA staff, a senior or principal psychologist, a health

designated officer, a social care representative, the specialist teaching service manager, a SENCO representative and a special school representative, making a total of at least seven people?

At the invitation of the Chairman, the Director of Children and Family Services stated that a written response to Mrs Whiting's supplementary question would be sent to her after the meeting.

30. 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).

31. Urgent Items.

There were no urgent items for consideration.

32. 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.

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

There were no declarations of the party whip.

34. Presentation of Petitions under Standing Order 36.

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

35. Engagement of the Council's Strategic Plan.

The Committee considered a report of the Chief Executive which presented the draft Strategic Plan for the period 2022-26. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

A twelve week public consultation had commenced on 1 November and this included an opportunity for Overview and Scrutiny Committees and key Partnership Boards to comment on the Plan. Findings from the consultation would be used to inform development of the final Plan. A report would be presented to the Scrutiny Commission in March 2022, followed by a report to the Cabinet presenting the outcome of the consultation and seeking agreement for the revised draft Plan to be submitted to the County Council for approval in May 2022.

The strategic outcomes in the Plan were intended to broadly reflect the remits of departments and the portfolios of lead members. Progress in delivering the outcomes would be monitored and the Committee would receive a quarterly update on the outcome most directly related to Children and Family Services.

Arising from the discussion, the following comments were received:

- i) A member commented that more detail was required in the Plan around how outcomes would be achieved and it was agreed that more information would be provided on this.
- ii) In relation to sub-outcome 7.1, a query was raised around how collaboration between partners would be strengthened. The Director of Children and Family Services explained that this work was far reaching and linked to the Children and Families Partnership Plan. A number of actions were proposed, including strengthening pathways, continuing to work with families and strengthening the Children and Families Wellbeing Service. Key was ensuring that the focus of any work was achieving the right outcome for the child. A lot of work had been undertaken around issues relating to the youngest children and those who would benefit from additional support being identified at the earliest opportunity. It was acknowledged that the number of children taking up the free early education entitlement had decreased as a result of Covid-19 but work was now taking place to promote the benefits of early education.
- iii) A question was asked in relation to sub-outcome 7.2, in particular the building of new schools and the number of independent school places being funded by the County Council. The Director reported that there was a five year strategy for the provision of mainstream school places and the development of SEND provision, which had been included in the High Needs Plan. Over the last three years, £20m had been invested in SEND provision but it was acknowledged that more was still required. The Director stated that a number of independent school places were still used and although the preference was for children to attend a school within Leicestershire, key was ensuring that they were in an appropriate setting that met their needs.
- iv) In terms of EHCP processes, it was important to ensure that children's needs were clearly identified within a school setting as soon as possible so that the necessary support was provided in accordance with the SEND Code of Practice. A Multi-Agency Panel was now in place to determine whether it was appropriate to assess a child for an EHCP and where it was not agreed to undertake an assessment, other support was suggested. This process had led to more consistent decision making.

RESOLVED:

- a) That the update on the work undertaken on the Council's Strategic Plan be noted;
- b) That the Chief Executive be requested to consider the comments now raised as part of the consultation on the Council's draft Strategic Plan 2022-26.

36. Defining Children and Family Services for the Future.

The Committee considered a report of the Director of Children and Family Services which provided an update of the progress made with respect to the Defining Children and Family Services for the Future programme. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

It was noted that the design stage had been concluded for all the workstreams and the new ways of working were now being rolled out across the service. At 9 September, the new ways of working were delivering an annualised benefit of £7m, which was progress towards the target of £8.7m. As the implementation period progressed and new ways of working became embedded, it was expected that the annualised benefit which could be achieved would approach the stretch target of £13.4m.

In response to a query around the view of the programme roll out, the Director stated that the main purpose of the programme was to meet the needs of children and families and the results thus far had exceeded expectations. There was confidence that the benefits related to children and families and this had led to an impact on demand. Assurance was also given that staff within the department had fully engaged with the work.

RESOLVED:

That the update be noted.

37. Written Statement of Action and High Needs Block Development.

The Committee considered a report of the Director of Children and Family Services which provided an update on the progress being made against the Written Statement of Action and High Needs Development Programme. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from the discussion the following comments were raised:

- i) A Neurodevelopmental Pathway delivery model had been developed, although a clearly defined pathway had yet to be agreed. The timescales for implementation would be presented to a future meeting of the Committee.
- ii) In response to a query around the areas of weakness highlighted in the Written Statement of Action, assurance was given that good progress was being made. A Joint Commissioning Strategy with Leicester and Rutland was now in place and all actions within the Strategy were on track to be delivered. Monitoring by the Department for Education had been positive and suggested improvements were now being captured. Although an exact timescale was unknown, it was anticipated that a revisit to the Local Area would take place next year, which would focus on the two previous areas of weakness.
- iii) The restructure of the SENA service was commended and it was acknowledged that this was beginning to have a positive impact. In relation to SEND annual reviews, these were a statutory requirement although it was not a statutory duty for a local authority to attend every review. There were currently over 5,500 SEN Plans in place and the service was prioritising those where the child had more complex needs or attended a setting outside of the locality.
- iv) There was currently no specific hard data to suggest a delay in the service as a result of Covid-19. There had been a decrease in the number of referrals for an assessment at the height of lockdown and although an increase had been anticipated at the beginning of this academic year, the number had been in line with previous years. The number of children recorded as being electively home educated was beginning to decrease. It would not be known for some time whether children had received the full provision stated in their individual plan but

this was being monitored. An update would be provided to the Committee when any data became available.

RESOLVED:

- a) That the report be noted;
- b) That the timescales for implementation of a Neurodevelopmental Pathway be presented to a future meeting of the Committee;
- c) That an update be provided to the Committee when any data relating to delays arising from Covid-19 became available.

38. Quarter 2 2021/22 Performance Report.

The Committee considered a joint report of the Chief Executive and Director of Children and Family Services which provided an update on the Children and Family Services Department's performance for the period July – September 2021. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

From the 19 measures that had been reported, two had improved, six showed no significant change and four had declined. From 12 measures that had a national benchmark, two were in the top quartile, six were in the second quartile, one was in the third quartile and two were in the fourth quartile.

Arising from the discussion, the following comments were raised:

- i) A member raised concern around the number of second or subsequent child protection plans and queried whether previous plans had been ended appropriately. This was an area of work that continued to be monitored closely and it was agreed that a further, more detailed, discussion would take place at a future meeting of the Children's Social Care Panel.
- ii) It was suggested that reducing the number of EHCP assessments would not reduce the number of children with an EHCP in mainstream settings. The Director responded that there was an aspiration to have more children supported in mainstream schools without the need for a statutory assessment. It was the intention for children to receive the right support at the right time, albeit at the earliest opportunity.

RESOLVED:

- a) That the report be noted;
- b) That a discussion take place at the Children's Social Care Panel around the number of second or subsequent child protection plans

39. Leicestershire Fostering Agency Statutory Report.

The Committee considered a report of the Director of Children and Family Services which presented the activity of the Leicestershire Fostering Agency between March 2020 – March 2021. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

Arising from the discussion, the following comments were raised:

- i) In response to a question about gaps in foster care provision, the Director reported that there had not been an increase in mainstream carers over the last year. However, there had been more kinship carers and more mainstream carers were now being approved. In terms of support for young carers, assurance was given that this was very good and any gap in foster carer provision would not see an increase in the number of young carers.
- ii) The Committee was advised that kinship care had a benefit over mainstream foster care in that the carer was someone who had a significant link with the child. However, it was acknowledged that this was not the correct option for all children and key was ensuring an appropriate placement to meet the individual child's needs. It was stated that kinship carers went through the same assessment process as a prospective foster carer and it would be possible to provide the number of children in kinship care and the duration of the placements.
- iii) In terms of the timescale, it was reported that an initial assessment for a kinship carer could be undertaken within days. It would then be possible to place the child whilst a full assessment was completed; this could take up to three months after which approval would be required from the Fostering Panel.

Members agreed that this was a very positive report and that thanks should be given to foster carers as well as the service.

RESOLVED:

That the report be noted.

40. Leicestershire Adoption Agency Statutory Report.

The Committee considered a report of the Director of Children and Family Services which presented the Annual Report of the Adoption Service. This evaluated the extent to which Leicestershire County Council had fulfilled its responsibilities to children for the period 1 April 2020 – 31 March 2021. A copy of the report marked 'Agenda Item 13' is filed with these minutes.

Arising from the discussion, the following comments were raised:

- i) It was noted that there had been some delay in the time for a child to be placed with an adoptive family. However, this primarily related to a small group of children who had more complex needs. Although these children had been successfully placed, the time for this to be achieved had been impacted.
- ii) Adoption funds were used to support families in getting a specific piece of equipment or to assist with additional care. The local authority could also apply for funding for therapy work. It was, however, unusual for this funding to be used for an adaptation to someone's home.
- iii) Members were advised that adoption was very different to fostering in that adopters had already made a decision that they wanted to become parents and

wanted to parent a child on a permanent basis. An overview of the Adoption Service would be presented to the Committee at a future meeting.

RESOLVED:

- a) That the report be noted;
- b) That an overview of the Adoption Service be presented to a future meeting of the Committee.

41. Leicestershire's Response to Tackling Child Criminal Exploitation.

The Committee considered a report of the Director of Children and Family Services which provided an overview of the work and progress of the Child Criminal Exploitation, Missing and Modern Slavery Hub. A copy of the report marked 'Agenda Item 14' is filed with these minutes.

Assurance was given that, despite the Office of the Police and Crime Commissioner withdrawing funding, the Hub at Wigston Police Station was still operational and now hosted two permanent teams from the County Council.

RESOLVED:

That the report be noted.

42. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Committee would be held on 25 January 2022 at 2.00pm.

Future meetings of the Children and Families Overview and Scrutiny Committee would be held at 2.00pm on the following dates:

8 March 2022
7 June 2022
6 September 2022
8 November 2022.