



- Meeting: Children and Families Overview and Scrutiny Committee
- Date/Time: Tuesday, 7 March 2023 at 2.00 pm
- Location: Sparkenhoe Committee Room, County Hall, Glenfield
- Contact: Damien Buckley (Tel: 0116 305 0183)
 - *Email:* damien.buckley@leics.gov.uk

<u>Membership</u>

Mrs. H. J. Fryer CC (Chairman)

Mr. M. Frisby CC Mrs. C. Lewis Mr. L. Hadji-Nikolaou CC Mr. R. Martin Mr. R. Hills CC Mr. C. A. Smith CC Mr. Max Hunt CC Mr. G. Welsh CC

<u>Please note</u>: this meeting will be filmed for live or subsequent broadcast via the Council's web site at <u>http://www.leicestershire.gov.uk</u>

<u>AGENDA</u>

Report by

Item

- 1. Minutes of the meeting held on 24 January 2023.
- 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.
- Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

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(Pages 5 - 14)

7. Presentation of Petitions under Standing Order 36.

8.	Transforming SEND and Inclusion in Leicestershire.	Director of Children and Family Services	(Pages 15 - 28)
9.	Stable Homes Built on Love.	Director of Children and Family Services	(Pages 29 - 36)
10.	Quarter 3 2022/23 Performance Report.	Chief Executive and Director of Children and Family Services	(Pages 37 - 44)

11. Date of next meeting.

The next meeting of the Committee is scheduled to take place on 6 June 2023 at 14:00pm.

12. 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 Governance and Scrutiny website <u>www.cfgs.org.uk</u>. 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?

Members are reminded that, to ensure questioning during meetings remains appropriately focused that:

- (a) they can use the officer contact details at the bottom of each report to ask questions of clarification or raise any related patch issues which might not be best addressed through the formal meeting;
- (b) they must speak only as a County Councillor and not on behalf of any other local authority when considering matters which also affect district or parish/town councils (see Articles 2.03(b) of the Council's Constitution).

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Agenda Item 1

Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Tuesday, 24 January 2023.

PRESENT

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

Mr. M. Frisby CC Mr. L. Hadji-Nikolaou CC Mr. Max Hunt CC Mrs. C. Lewis Mr. N. Lockyer Mr. R. Martin Mr. C. A. Smith CC Mr. G. Welsh CC

40. Minutes of the meeting held on 8 November 2022.

The minutes of the meeting held on 8 November 2022 were taken as read, confirmed and signed.

41. Question Time.

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

Question asked by Mrs Sue Whiting:

"As Admissions and Transport are two separate services within the Council, could the Chair please explain the procedure for liaison with transport when children are allocated school places, by admissions, to schools too far for a child to safely walk to, and is the procedure different for a child with SEND?"

Response by the Chairman:

"In the main phased round i.e., first time admissions and secondary transfers, officers within the Transport team have access to view the numbers of school applications as they arrive and will start to run automated reports at the point the offers are made. This often results in transport passes already being processed in preparation for parents in the summer prior to the start of the autumn term.

For those parents applying mid-term, for example those new to Leicestershire, the Transport team work closely with School Admissions once they receive the transport application, as Transport officers will wish to confirm as part of the eligibility exercise that the secured school is closest school and is beyond statutory distance in order to agree transport.

For children with an Education Health and Care Plan (EHCP) and where a setting has been identified by the Council as being nearest suitable school but is not local then transport will be provided by the Council. Once the EHCP has been finalised information is shared with SEN transport who will carry out an eligibility assessment."

Supplementary questions asked by Mrs Sue Whiting:

Mrs Whiting asked a supplementary question in relation to clarifying the alternative arrangements put in place by the Council in the event that a child was not in possession of a bus pass by the beginning of the autumn term, and whether parents and carers were involved in eligibility assessments for transport.

At the invitation of the Chairman, the Director of Children and Family Services indicated that this information would be provided to Mrs Whiting after the meeting.

42. <u>Questions asked by members under Standing Order 7(3) and 7(5).</u>

The following question was received under Standing Order 7(3) and 7(5) and was put to the Chairman of the Children and Families Overview and Scrutiny Committee:

Questions asked by Mr. M. Hunt

- "1. The TSIL Programme is expected to save over £20million by 2026/7 with over £3million in 2023/4; from which areas is this projected to save in 2023/24 (e.g., support staff, payments to special placements; legal or professional fees etc)?
- 2. How many new special school places is the LA expected to create within each year of the four-year programme?
- 3. The Report to Cabinet says that savings will be made by new and appropriate provision in mainstream schools, what levers does the LA have to create these?
- 4. The Report also says that EHC [Education and Health Care] Plans will be substantially reduced; how does the LA propose to do this, given our legal requirements?
- 5. The number of Looked After Children in the county has been rising steadily, how many do we currently have in the County in each category?
- 6. Under the proposed MTFS, what is projected for the Dedicated Schools Grant (DSG) deficit in each of the years shown?"

Reply by the Chairman:

	2023/24 Benefit £,000	2028/29 Benefit £,000	2023/24 – 2026/27 MTFS £,000
The right level of Children and Young People in mainstream provision The right level of provision for Children and Young People in mainstream provision	966	7,371	5,668
The right level of CYP in specialist settings	678	22,759	13,989

"1.

The right ratio of Children and Young people supported in LCC and independent specialist provision			
The right cost of independent provision	27	399	315
The right cost of provision following EHCP reviews and Health contributions	1,440	1,560	1,530
Total	3,112	32,059	21,502

- 2. There are 130 additional places due to become available at various points up to September 2024 (including in the Social Emotional and Mental Health (SEMH) school in the north of the County) and we have a number of potential opportunities under consideration whilst we evaluate best value. The strategy in later years will be informed by the outcomes of the Transforming SEND and Inclusion in Leicestershire programme.
- 3. One strand of the Transforming SEND and Inclusion Programme is looking at how we further develop inclusive practice in schools with an aim to enable everyone involved in supporting children and young people with SEND to take action and give the right support at the right time where needed in their education. Mainstream schools are partners in this development and are working with the programme to explore ways that this can be done. Alongside this, the County Council has, in partnership with schools built a number of units attached to mainstream schools to ensure there is effective provision in place for those children whose needs cannot be met in mainstream school.
- 4. The primary focus of the Transforming SEND and Inclusion Programme is ensuring children and young people with SEND have their needs met at the right time, in the right place and with the right support. Those children whose needs are such that an EHCP is required to ensure the support needed to reach the desired outcomes for a child or young person is in place, will still have an EHCP.

Where EHCPs are no longer required, for example because outcomes have been met, plans will be ceased. We are also working hard to address the issues regarding significant timeliness delays in undertaking EHCP assessments. In doing this we will be in a better position to provide the right support at the right time, if appropriate for the child, without an EHCP.

Looked After Children	2016/17	2017/18	2018/19	2019/20	2020/21	Current (Dec 22)
Fostering: Internal Mainstream	135	124	133	133	130	155
Fostering: Internal Specialist 1/1	0	2	3	2	2	2
Fostering: Internal Specialist Pathway	0	0	0	3	3	4

5. Update as of Dec 2022:

Fostering: Internal Specialist P+C	3	3	3	3	3	3
Fostering: External Mainstream	136	154	174	176	156	150
Fostering: External UASC	10	16	16	12	12	30
Connected Foster Carer	86	97	100	133	135	150
Residential Care	61	64	57	64	72	70
Semi-Independent Living: Internal	16	21	21	25	27	31
Semi-Independent Living: External SL & USAC		29	26	60	65	70
Fostering: other	22	39	55	23	75	34
All Looked after Children	469	549	588	634	680	699
Annual % Rise		17%	7%	7%	7%	
Rise since 2016/17				35%	45%	

6.

	2023/24	2024/25	2025/26	2026/27
	£,000	£,000	£,000	£,000
Dedicated Schools Grant Surplus (-ve) / Deficit	45,698	56,330	67,615	80,587

Mr Hunt thanked the Chairman and officers for an informative response to his questions.

43. <u>To advise of any other items which the Chairman has decided to take as urgent</u> <u>elsewhere on the agenda.</u>

There were no urgent items for consideration.

44. Declarations of interest in respect of items on the agenda.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Mr. R. Martin declared a registerable interest as the Chair of the Leicestershire Parent Carer Forum.

45. <u>Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule</u> <u>16.</u>

There were no declarations of the party whip.

46. <u>Presentation of Petitions under Standing Order 36.</u>

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

47. Medium Term Financial Strategy 2023/24 - 2026/27.

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 2023/24 to 2026/27 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.

The Chairman welcomed Mrs. D. Taylor CC, Lead Member for Children and Family Services, to the meeting for this item.

Service Transformation and Proposed Revenue Budget

Members noted the information provided at paragraphs 10 to 25 in the report and made no comment.

<u>Growth</u>

G1 - Social Care Placements:

- i. Members raised concerns regarding the growth in the demand for social care placements and the associated costs. The Director advised that the rise in demand had resulted mainly from more children presenting with more complex needs and because of an increasing trend in older children requiring care. Members noted, however, that the growth in spend had not been proportionate to this growth in demand as costs had also been affected by a number of other factors including market pressures, inflation and the rise in the cost of living.
- ii. The Director confirmed that Leicestershire had experienced a higher increase in demand for social care over the last five years (10%) when compared to the national average (4.1%). However, this had been because the Council had previously had a much lower number of children in care than other local authorities. Work had also been completed to ensure that 16/17-year-old homeless young people had access to care which had contributed to the increase. Members were assured that the number of children requiring care was projected to decrease. The Department had been focused on both preventing the need for children going into care in the first instance and reducing the time spent in care. This had helped to reduce the yearly percentage increase which was now below 8%.
- iii. Members noted that, as part of the Defining Children and Family Services for the Future programme (DCFSF), the Department continued to deliver early intervention to provide families who were struggling with practical parenting advice and support. This helped to prevent the need for some children entering into care. However, Members noted that safeguarding children remained the priority, therefore where it would not be safe for a child to remain at home, a care placement would always be provided.
- iv. Following on from the success of the first phase of the programme, Defining Children and Family Services for the Future programme 2 (DCFSF2) was now being implemented. The Department had also been delivering targeted work on areas such as domestic abuse, following the allocation of additional funding by the Government.

G4 – Increase in EHCP's Additional Case Managers:

- i. Concern was raised regarding a disproportionate increase in the number of children and young people requiring an Education, Health and Care Plan (EHCP) in Leicestershire (54%) when compared to the England (38%) and East Midlands (32%) average. The Director explained that all local authorities were required to measure against the same statutory data thresholds and that it would remain useful to make such comparisons to give an overall view. However, it was recognised that such data could not be considered in isolation. The Director provided assurance that the Department would focus on understanding the wider issues affecting demand for EHCP's and would develop services and work with partners to address these, delivering the correct provision for children in the right place, at the right time. Members noted that Leicestershire had experienced higher growth in the demand for EHCP's than any other local authority which had been partly due to low levels of Government funding for schools in Leicestershire. As a result, some schools did not have the resources to deliver the required level of inclusion services and therefore parents had applied for EHCP's to ensure the best level support for their children. The Director explained that funding for schools in Leicestershire had been increasing, but that it would take time for changes to be implemented.
- ii. In response to questions raised, the Director reported that the appointment of ten additional Case Managers would not meet the increased demand for EHCP's. However, it would help to alleviate some of the pressures in the system, adding capacity to enable the processing of applications and the opportunity for more engagement with parents and carers. This would in turn help ensure children were receiving the right level of support in the right place. The Director undertook to provide members with the number of case managers working within the service since 2016.

Savings

CF8 (Eff) Alternative Approach for Delivering Anti Bullying:

- iii. In response to concerns regarding the impact on children in not recruiting to the vacant post within the anti-bullying service, the Director assured members that the team (of two people) did not conduct work directly with children but provided support to schools to help them put in place their own anti-bullying initiatives. Members noted that this work would continue but that consideration was being given to how this support could be delivered more efficiently in future.
- CF9 (SR) Review Virtual School Provision:
- iv. In response to concerns raised regarding the potential impact on vulnerable children when reviewing the Virtual School provision, the Director assured members that the Department would be focussed on those children affected and consideration given to how best to mitigate any impacts arising from a reduction in the budget.

Dedicated Schools Grant (DSG)/Schools Block

- Concern was raised regarding the financial efficiencies projected to be made v. through the delivery of the Transforming SEND and Inclusion in Leicestershire (TSIL) programme and it was guestioned whether there would be any associated negative impacts on children. The Director explained that the TSIL programme would focus on transforming the whole SEND system to ensure that children with SENDs had their needs met at the right time, in the right place and with the right level of support. Members noted that diagnostic work conducted by Newton Europe in 2022 had indicated that some children within the SEND system had been receiving incorrect provision or were placed in an incorrect setting to support their needs. There would be a financial benefit in identifying and applying the correct provision early on, as well as a benefit to children, parents and carers, schools and other partners in getting this right from the outset. The Director acknowledged that it would be possible that the programme could identify that some children required a higher level of provision than had been provided, but assured members that the diagnostic work conducted by Newton Europe did not indicate that this would be the case.
- vi. In response to a question regarding the importance of reducing the deficit in the Dedicated Schools Grant (DSG), the Lead Member for Children and Family Services explained that the Council was required to set aside resources to offset the DSG deficit and that this therefore impacted the level of funding available for other services. At the levels of expected growth, the budget position would become increasingly unsustainable as more resources had to be set aside. If the Council were required to repay that debt, its financial position would become even more untenable. The Lead Member assured the Committee that she would continue to lobby the Department for Education (DfE) on the matter of funding, but it was. essential that the planned measures to contain growth, address demand and reduce costs continued.
- vii. The Director explained that the TSIL programme would offer the opportunity for closer engagement with schools on SEND and inclusion with the aim of applying funds more effectively to support children with SENDs within a mainstream education setting where this was most appropriate. Members noted that schools had received information on the TSIL programme, and that positive feedback had been received.

Capital Programme

viii. Members noted the information provided at paragraphs 92 to 100 in the report and made no comment.

The Chairman thanked officers for their work and for presenting a comprehensive report.

RESOLVED:

- a) That the report regarding the Medium Term Financial Strategy 2023/24 2026/27 and information now provided be noted;
- b) That the comments now made be forwarded to the Scrutiny Commission for consideration at its meeting on 30 January 2023;
- c) That the Director of Children and Family Services be requested to provide members of the Committee with the number of Case Managers assessing

requests for Education, Health and Care Plan's (EHCP's) since 2016.

48. <u>SEND Local Area Revisit.</u>

The Committee considered a report of the Director of Children and Family Services which provided an overview of the Ofsted and Care Quality Commission (CQC) Local Area Special Educational Needs and Disabilities (SEND) re-inspection report. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

In introducing the report, the Director clarified that the inspection had been carried out on Leicestershire County Council and the local Integrated Care Board.

Arising from discussions, the following points were raised:

- i. The Director acknowledged that sufficient progress had not been made in making improvements to the quality of Education and Health Care (EHC) plans and that this had impacted on children and their families. Members were assured that the service would focus on making improvements within the accelerated action plan and that this would be delivered through the Transforming SEND and Inclusion in Leicestershire (TSIL) programme. The Director explained that rather than setting up projects to look at issues in isolation, as had been attempted before, the TSIL programme would aim to transform the whole service and work collaboratively with stakeholders and partners to deliver effective and efficient support to children and families.
- ii. Members noted that the inspection report had outlined the Department's capability in making the recommended improvements within the action plan. The Director explained that if the Department failed to make sufficient progress, an alternative action plan would be recommended and ultimately, if it was felt that the Department was unable to make sufficient progress, the Care Quality Commission could seek to implement alternative arrangements if was not satisfied. The Director assured Members that she was confident the TSIL programme would deliver the improvements need to deliver the action plan.
- iii. In response to concerns raised, the Director explained that the service was in the process of developing expected timescales for delivery of the TSIL programme and that these would be communicated with schools in due course. A wider strategy to support better communication with schools generally was also being developed to ensure a good level of understanding of the role of the Council and its partners in supporting children and families.
- iv. In light of recent media covering on this issue, the Lead Member for Children and Family Services requested that the Committee be provided with a full copy of the letter and report outlining the outcome of the Joint Area SEND Revisit in Leicestershire.

RESOLVED:

 a) That the outcome of the Ofsted and Care Quality Commission (CQC) Local Area Special Educational Needs and Disabilities (SEND) re-inspection and the planned work to bring about necessary improvements be noted;

- b) That members of the Committee be provided with a full copy of the letter and report outlining the outcome of the Joint Area SEND Revisit in Leicestershire.
- 49. Corporate Parenting Strategy 2022-25.

The Committee considered a report of the Director of Children and Family Services which presented a revised draft Corporate Parenting Strategy 2022 – 2025 and sought its views as part of the approval process. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

The Chairman expressed the importance for all members of the Council to acknowledge and fulfil their role as a Corporate Parents and the commitment of members and officers towards 'Our Promise'.

In response to a question regarding the process for monitoring outcomes relating to support for children in care and care leavers, the Director explained that the senior management team held monthly performance meetings to review data and discuss successes and challenges with issues such as accommodation, safeguarding, and education, training and employment. Members noted that feedback from children continued to be collected through engagement, by regularly assessing pathway plans, and through regular meetings of a care leavers panel. The Department utilised data and feedback to produce annual reports which it ensured would be easy for children and families to understand and used other formats such as podcasting to demonstrate the Council's work towards 'Our Promise'.

Members noted that as part of the Government's expected response to the Independent Review of Children's Social Care, it was possible that care leavers could be added as a protected characteristic recognised within the Equality Act 2010, although this would require legislative change.

RESOLVED:

- a) That the revised draft Corporate Parenting Strategy 2022 2025 be noted;
- b) That it be noted that the outcome of the engagement and the final revised draft Strategy would be presented to the Corporate Parenting Board in February 2023;
- c) That it be noted that changes would be made to the Strategy, following approval by the Director of Children and Family Services, in accordance with the Council's Constitution.
- 50. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Committee would be held on Tuesday 7 March 2023 at 14:00 pm.

2.00 - 3.51 pm 24 January 2023 CHAIRMAN

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CHILDREN AND FAMILY SERVICES OVERVIEW AND SCRUTINY COMMITTEE

7 MARCH 2023

TRANSFORMING SEND AND INCLUSION IN LEICESTERSHIRE (TSIL) PROGRAMME

REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES

Purpose of the Report

1. The purpose of this report is to provide an update on the Transforming SEND and Inclusion in Leicestershire (TSIL) programme. It sets out the activity undertaken since commencement in August 2022, achievements, progress made and an overview of the current High Needs Block financial position.

Policy Framework and Previous Decisions

- 2. The primary legislation regarding children and young people with Special Educational Needs and Disabilities (SEND) is the Children and Families Act 2014. The 0-25 SEND Code of Practice (2015) is the statutory guidance that sets out how local authorities and Clinical Commissioning Groups must work together to support children and young people with special educational needs.
- 3. The financial framework for pupils with High Needs and the Dedicated Schools Grant (DSG) are laid out within the School and Early Years (Finance) Regulations and associated guidance issued by the Department for Education.
- 4. In December 2018, the Cabinet authorised a consultation on the High Needs Block development plan, including proposed development of enhanced and expanded SEND provision across the County.
- 5. In October 2019, the Cabinet was advised of the progress of the High Needs development plan. On 5 November 2019, a report was considered by the Children and Families Overview and Scrutiny Committee, summarising the national and local context relating to SEND along with an overview of the plans to continuously develop and improve services to support children and families who are experiencing SEND.

- 6. On 21 January 2020, the Children and Families Overview and Scrutiny Committee considered a report that provided an overview of the Ofsted and Care and Quality Commission (CQC) SEND Inspection Framework. An update was provided on 1 September 2020 following the local area SEND inspection that took place in Leicestershire in February 2020, resulting in a Written Statement of Action. The report gave an update on the progress of the High Needs Block development programme.
- 7. On 2 November 2021, the Children and Families Overview and Scrutiny Committee considered a report that provided an overview on progress against the Written Statement of Action. That report also included a further progress report for the High Needs Block development programme.
- 8. In March 2022, the Government set out its ambitions for changes to the SEND system and opened a period of consultation on the proposals which Leicestershire has responded to. The Green Paper, 'SEND review: right support, right place, right time' proposes some fundamental changes to the SEND system, including:
 - a. A single national SEND and Alternative Provision (AP) System
 - b. Excellent provision from early years to adulthood
 - c. Reformed and integrated role for alternative provision
 - d. System roles, accountabilities, and funding reform
 - e. A National framework for funding SEND
- 9. In September 2022, the Children and Families Overview and Scrutiny Committee the August 2022 considered an update provided about the commencement of the Transforming SEND and Inclusion in Leicestershire (TSIL) programme.
- 10. In November 2022, the Children and Families department was reinspected as a follow up to the local area SEND inspection that took place in Leicestershire in February 2020 by Ofsted and the Care Quality Commission (CQC). A full update on this reinspection was provided to the Children and Families Overview and Scrutiny Committee in a separate report, on 24 January 2023. However, the outcome of the inspection has further informed the progress of the TSIL programme, as detailed below.
- 11. The Scrutiny Commission will receive a report on 15 March 2023 regarding the SEND Service and Finance which will provide an overview of support to children and young people with SEND, the current position regarding provision and the Council's current financial position in relation to SEND. The Chairman and Spokespersons of the Children and Families Overview and Scrutiny Committee have been invited to the meeting of the Scrutiny Commission.

Medium Term Financial Strategy (MTFS) Position

12. High Needs funding has been increased nationally and authorities will receive a minimum increase of 5% per head of the 2-18 population and a maximum of 7% per head. However, Leicestershire remains at the funding floor with a 5% increase. It should be noted that the population factor only generates 34% of

the High Needs Designated Schools Grant (DSG) allocation with other funding more specifically allocated based on levels of attainment, deprivation, and health/disability.

- 13. The provisional allocation for 2023/24 is £104.9m, with an additional grant allocation of £4.147m to reflect increased costs arising from the current economic situation. Leicestershire continues to receive floor funding, which for 2023/24 is 2.9% of the funding allocation. Whilst this funding is reducing annually, it should be noted that this allocation is the amount that Leicestershire receives above the funding generated by the High Needs National Funding Formula. The Department for Education has given local authorities its working assumption of annual increases of 3% and whilst grant allocations for 2024/25 onwards are uncertain this assumption has been factored into the MTFS.
- 14. Conditions have been placed on the additional £4.147m high needs grant that requires local authorities to increase funding rates for maintained special schools, academies, and alternative provision by 3.4% at an estimated cost of £2.5m which is reflected in the revised financial forecast.

	2023/24	2024/25	2025/26	2026/27
	£,000	£,000	£,000	£,000
High Needs Dedicated Schools Grant	-105,082	-108,225	-111,462	-114,797
Placement Costs	112,643	121,137	131,606	143,376
Other HNB Cost	10,029	10,029	10,029	10,029
Commissioning Cost - New Places	417	90	90	0
Invest to Save Project Costs – TSIL	939	0	0	0
Total Expenditure	124,028	131,256	141,725	153,405
Funding Gap Pre Savings	18,946	23,031	30,263	38,608
TSIL Programme Defined Opportunities	-3,112	-8,596	-14,863	-21,522
Benefit of Local Provision and Practice Improvements	-2,515	-2,803	-3,115	-3,115
Total Savings	-5,627	-11,399	-17,978	-24,637
Annual Revenue Funding Gap	13,319	11,632	12,285	13,971
2019/20 Deficit Brought Forward	7,062			
2020/21 High Needs Deficit Brought Forward	10,423			
2021/22 High Needs Deficit Brought Forward	11,365			
2022/23 High Needs Deficit Brought Forward P6 Estimate	10,876			
Cumulative High Needs Funding Gap	53,045	64,677	76,962	90,934

15. The forecast position on the High Needs element of the DSG over the MTFS period is shown below:

Surplus (-ve) / Deficit Other DSG Blocks	-7,347	-8,347	-9,347	-10,347
Dedicated Schools Grant Surplus (-ve) / Deficit	45,698	56,330	67,615	80,587
Surplus / Deficit as % of Total DSG	7%	9%	10%	12%

16. The financial position set out above sets out that over the period of the MTFS, the annual revenue funding gaps stays at around £11m - £13m. Clearly, the financial position set out above is unsustainable, and further actions need to be taken to address the position. Whilst some of the increased deficit relates to increasing cost, the significant element in the worsening position is the continued rate of growth in pupils.

Increasing Demand in the SEND System

- 17. Increasing demand in the local SEND System continues to affect the financial position of the High Needs Block of the dedicated schools grant and the ability to deliver assessments within statutory deadlines. As noted previously, between 2016 and 2020, there has been a 54% increase in the number of children and young people requiring an Education, Health and Care Plan (EHCP) in Leicestershire. This compares to a national increase over the same period in England of 38% and in the East Midlands of 32%. At the same time, funding has not increased in line with this local trend. This trend continued through 2021 and 2022, with a further 38% growth in the number of children supported with an EHCP.
- 18. This increasing demand continues to create drift and delay in the Special Educational Needs Assessment (SENA) service and means that currently statutory deadlines, as set out in the SEND Code of Practice (2014) are not being met. In turn, this has continued to lead to a large number of complaints being received from parents and carers and concerns raised by local education settings. The number of appeals against decisions and growing number of cases going to tribunal, often leading to the Courts overturning the decision of the Local Authority, also continues to be an issue.
- 19. In recognition of these ongoing demand-related issues, the TSIL programme has sought to identify areas of work for prioritisation and new ways of working within the SENA service to try and alleviate and resolve these pressures in the short-term. This includes looking at best deployment of resource within SENA and other internal services and addressing sufficiency challenges in the local SEND system.

Transforming SEND and Inclusion in Leicestershire (TSIL Programme)

20. In August 2022, the Department embarked on a new change programme for SEND and inclusion, known as Transforming SEND and Inclusion in Leicestershire (TSIL). This programme replaces the former High Needs Block

development programme and whilst it builds on previous activity it takes a different approach as it focuses on taking a whole system approach to support inclusion in mainstream wherever possible. In addition, a third-party partner, Newton Europe, has been commissioned to support the programme, provide challenge to the system, and ensure an effective, child-centred delivery.

- 21. Central to the programme is working collaboratively with a wide range of parents, young people, leaders, and staff across the education system (early years, mainstream, specialist provision and further education) and health, to design and implement an inclusive system that puts independence, outcomes, and educational achievement at the centre. Another key feature of the programme is the desire to involve children and young people and their parents/carers and families as much as possible. It is critical that they are at the heart of the programme and plans for the future of the SEND system in Leicestershire and that they are involved in the designing and development of the work.
- 22. A diagnostic was undertaken in late 2021 to understand the challenges and difficulties in the local SEND system and to inform programme planning for the TSIL programme. Using the evidence and data from the diagnostic, which highlighted the biggest challenges to meeting the needs of children and young people in the right place at the right time, the delivery of the programme has been structured around four key workstreams:
 - i. Inclusive Practice in the System [Inclusive Practice]
 - ii. Decision Making and Ways of Working [Service Transformation]
 - iii. Digital and Performance [Accurate Information]
 - iv. Communication and Engagement [Communication and Engagement]
- 23. These four workstream areas are interconnected and are underpinned by a set of principles:
 - Maintain a focus on children and young people
 - No one person or organisation can solve the problems alone
 - Shift to a mindset of collective responsibility
 - Work in genuine partnership
 - Foster good working relationships
 - Improved and honest communication
 - Define roles and responsibilities
 - Set clear expectations
 - Make transparent and robust decisions
 - Support children and young people early and close to home

Transforming SEND and Inclusion in Leicestershire (TSIL) – Progress

24. The TSIL programme has now moved into the design phase – where potential improvements and changes are tested and understood before being implemented across the system. A key principle of the approach in different workstreams is 'design by doing' rather than a 'desktop design' - this means trialling and iterating new ways of working to maximise the impact as soon as possible.

- 25. Activity has focused on further work to collate further data, analysis, and exploration of key lines of enquiry within workstreams, and to define focus and areas of activity. This has included starting to promote inclusive practice within the local education system and providing suitable tools, guidance, and support across all educational settings, including Early Years.
- 26. There has also been work undertaken to improve assessment and decisionmaking processes by identifying opportunities to improve process and ensure robust and transparent decision making. This has included some initial work looking at ways to improve the quality of EHCPs and ensuring that the Local Authority is meeting legal requirements and statutory deadlines.
- 27. Linked to this work has been scoping out of ways to encourage more effective and tailored consultation processes to improve process by which placements are made and improving communication with parents and carers and other stakeholders during this setting decision making process. This is predicated on having better visibility and understanding of sufficiency in the local SEND system by identifying opportunities to use existing support and provision better and develop new ones based on current and projected future demand and developing a more proactive and effective approach to the review of EHCPs. Linked to much of this initial work has been consideration of trialling new ways of working in internal services, including the SENA service, to manage demand better and to reflect changes to processes being developed by the programme. This is still in the design stage with trials planned to commence in March 23.
- 28. Alongside this specific programme activity have been a series of aligned activities which are enabling the programme to proceed with a focus on collaboration and partnership across stakeholders. This has included the launch of some internal focus groups, with particular focus on operational aspects of Service Transformation and the commencement of Design Groups across all the Inclusive Practice, Service Transformation and Communication and Engagement workstreams. Membership of Design Groups is made up of a variety of stakeholders (including parents and carers, health partners and educational professionals) who have put themselves forward to be involved in the design phase of the Programme. The Design Groups will be looking at a variety of areas for improvement with a focus on co-designing solutions, commenting on suggested improvements and influencing design activity.
- 29. Since September 2022, the Department's workstream structure has been refined to ensure that it aligns with service priorities, as well as the core themes highlighted during the reinspection. This has ensured that the Department balances its detailed process developments, with holistic oversight of service aims and performance.

Overview of Workstreams

30. As the programme moved into the design phase, there has been activity across all workstreams and evidence of the impact of the programme beginning to emerge, as set out below for each of the workstreams.

Inclusive Practice

- 31. From January 2023 onwards, a series of trials within the Inclusive Practice workstream has had a dual focus on promoting inclusive practice across school settings and specific work in the Early Years sector.
- 32. Work around Inclusive Practice in school settings has included the development of a best practice toolkit for schools clearly defining roles and responsibilities with an initial focus on the primary to secondary transition ensuring proactive communication, primary school preparation, and secondary school support. Alongside this, the workstream has sought to identify and encourage networking opportunities for schools, to encourage peer-to-peer working and sharing of good practice. Linked to this is work to ensure that there is visibility of performance (i.e. of inclusive practice) across the local education system, giving schools visibility of where they can develop their inclusive practice and other stakeholders and understanding of where and what good practice looks like and how to encourage improvement.
- 33. Other work has been focused on Early Years. This work has mainly been focused on the development and trial of work within the Early Years workstream, to support the early years to primary transition. This has included consideration of transition planning, using a consistent and thorough set of guidance to ensure the Department is proactively planning for, and identifying early any potential support required to ensure each child's best transition to primary school and ensuring that information relating to transitions is more consistently shared between settings. Other work has concentrated on forecasting which setting types of children with SEND and known to Early Years provisions will need in primary school, using guidance questions. This will provide a more accurate and objective forecast for the need of area special and unit placements.
- 34. There has been other direct work with Early Years settings, including codesigning, and exploring the potential with a selected specialist Early Years provider for a new model of placements that would act as 'short term 'assessment places' and accompanying processes to ensure children are transitioned back into mainstream nursery.

Service Transformation

- 35. Key activity around Service Transformation has been focused on a number of areas where improvements can be identified to ensure that the management of Assessments and Reviews is based on robust decision-making process and is achieved within statutory timeframes and the end-to-end process.
- 36. There has been focus to date on several key activities. The assessment process has been 'mapped' and reviewed to identify efficiencies, frustrations, and blockages both to enable an understanding of how to resolve current backlogs but also build sustainable and timely process for the future. Consideration has been given to securing additional capacity within the

Leicestershire Education Psychology Service (LEPS) and developing a performance and prioritisation tool developed with SENA case managers to identify training opportunities and drive quality improvement.

- 37. In addition, there has been considerable work to ensure that there is better visibility of open Assessments through more accurate and readily available data and improving the timeliness of the assessment process. Linked to this is work exploring changes to decision-making process including: the function and membership of existing panels; changes to consult forms (by which pupil needs are matched to provision to secure placements); and creation of better guidance for parents and carers to inform decisions, therefore improving the assessment process for children in order to identify needs and therefore support required. This in turn is aligned to work to better understand sufficiency in the local SEND system by mapping provision, understanding gaps in provision, addressing quality issues, and exploring better ways to engage with settings and provisions to ensure better allocation of placements and children and young people's needs properly understood and met at earliest opportunity
- 38. Further work is underway to review the Secondary Education Inclusion Partnership (SEIPS) offer to ensure effectiveness and sustainability until September 2024 and consideration of the future offer and alignment with other work with the TSIL programme, from September 2024 onwards.
- 39. A pilot has commenced to trial the Schools Portal within the Synergy education information system. This pilot will involve a small number of schools and there will be work with Special Educational Needs Coordinators (SENCOs) to trial the portal and obtain feedback about content and usefulness to inform any technical developments and improvements before wider role out later in the academic year. There will also be the opportunity to pilot a Parent/Carer Portal in Synergy later in the year once a full evaluation has taken place.

Accurate Information

- 40. The primary aims of this workstream are to develop the dashboards needed to drive operational change, to improve data quality and to ensure internal teams are set up to develop and iterate performance dashboards driven by the service. These dashboards will enable the Council to drive improvement both during the programme and beyond, ensuring sustainable delivery of change. This is supported by the data quality aspect which will ensure that the Council can confidently rely on these dashboards in decision making at every level. Finally, ensuring the right processes are in place with the teams developing these dashboards ensures they can continue to be iterated based on future changes in business needs.
- 41. Progress so far has seen the collation of key operational metrics across all workstreams, as well as incorporating metrics from statutory reporting requirements and key service wide metrics. In parallel with this exercise, there has been a detailed mapping out of data sources available which has allowed the identification of metrics that require further development to report on. Conversations are ongoing with the business system supplier to understand the

scope of tracking these metrics going forwards and mitigations are being implemented for specific risk areas.

- 42. The collation of key metrics above also allows for data quality checks to be conducted on them. Over the coming weeks a detailed exercise is taking place to consolidate data quality checks already conducted across workstreams and to conduct further checks. The aim of this exercise is to have a clear view of where there are challenges with data quality that is evidence based and to identify the root cause of these issues. Following this exercise, measures will be implemented to address these root causes and track data quality going forwards.
- 43. To ensure the sustainable processes are in place for dashboard development the Local Authority teams involved in this process are currently working with the programme to develop a set of 'Target Ways of Working.' These will aim to build on existing processes with a particular focus on ensuring there is clear visibility and accountability around ongoing work as well as ensuring the users are involved at every stage of development. This is to guarantee that the finished product is fit for purpose and meets the service's needs. Where there are gaps against the agreed 'Target Ways of Working,' current processes will be iterated alongside the teams involved until the service is satisfied that they fulfill the agreed criteria.

Communication and Engagement

- 44. Over November and December 2022, there were a series of engagement events with external and internal stakeholders to provide further opportunities for stakeholders to influence the programme and share views about the vision for SEND in Leicestershire; these were a follow-up to the main programme engagement 'Launch' in October 2022.
- 45. A Communications Plan has now been developed for the programme identifying key stakeholder groups, core messaging and channel strategy to support development of awareness and deeper understanding of programme aims and to facilitate delivery of the right message, at the right time, in the right way. This has included, detailed stakeholder segmentation mapping across all key system and service stakeholder groups, the development of stakeholder journeys and key priorities/areas of interest for these groups, the development of a series of core messages to support high level programme communication as well as more targeted messaging to segmented stakeholder groups.
- 46. The TSIL website has now been launched that provides all stakeholders with information about the programme, a place for regular updates, answers to Frequently Asked Questions (FAQ) and information about forthcoming activity and programme events. An infographic, found in the appendix, has been developed that explains the aims of the programme, underlying principles, and overview of the four workstreams and will soon be added to the TSIL website.
- 47. There has also been the development of further communications materials for wider stakeholder use including delivery timelines to support communication of

what is happening when, more detailed online content including a video of programme aims to support wider accessibility to programme information, and further infographics and stories which evidence the impact that TSIL activity is delivering.

48. Other activity specific to the Communication and Engagement workstream has the over-arching aim of raising awareness of the Transforming SEND and Inclusion in Leicestershire (TSIL) programme of work and deepen understanding of TSIL and its impacts and across all stakeholders. This includes development of engagement plan for children and young people to capture the voice of children and young people in TSIL programme development and further surveys with stakeholders and development of robust, two-way communications feedback loops and measurement tools to track effectiveness of activity underway.

Stakeholder Engagement

- 49. As noted above, working in collaboration and partnership is a core principle of the TSIL programme. In addition to specific activity described above through the Communication and Engagement workstream, the following work with stakeholders across the programme is of note.
- 50. Specific work is underway to support the engagement of partners, staff, parents, carers, and children and young people in the changes and to represent the voice of collective stakeholder groups. Stakeholders are being invited to work collaboratively with the programme team to help shape and improve the effectiveness of communications across the programme and ensure that engagement meets the needs of those stakeholders.
- 51. This has led to the development of detailed staff briefings to update on progress and to equip both service leaders and front line staff with the knowledge needed to support them in their daily interactions with their immediate stakeholders across the system so that they can effectively build and strengthen existing relationships. There are planned a series of events for special schools, primary heads, secondary heads, and whole system event in March 2023 to provide updates on progress being made through TSIL system and service transformation initiatives.
- 52. There has also been established a System Leader Group which includes school leaders from across a range of settings ranging from Early Years to Further Education and including Maintained, Academy and Diocese schools' leaders. The group meets monthly to advise the TSIL program and provide an education system view both in and out of the programme. Some members take an active role in specific aspects of development work and support communications to stakeholders. They also provide advice on communications and provide feedback on how education and other stakeholders are feeling about the programme.
- 53. Regular meetings have been set up with the Leicestershire SEND Hub (local parent carer forum) to provide updates, address any concerns or issues being

raised by parents and carers about the programme and to develop a relationship to enable co-production and engagement. The Leicestershire SEND Hub are also represented in all the Design Groups (as described above. Further work on-going will seek to ensure that the role of the Leicestershire SEND Hub as a strategic partner is harness to help support and influence the programme through TSIL design group activity alongside work to identify another possible parent and carer voice in the local SEND system who may not be represented by the Leicestershire SEND Hub.

54. There will be an update on the TSIL programme provided at each meeting of the Children and Families Overview and Scrutiny Committee moving forward.

Circulation under the Local Issues Alert Procedure

55. None.

Background Papers

Report to the Children and Families Overview and Scrutiny Committee, 24 January 2023, SEND Reinspection https://politics.leics.gov.uk/ieListDocuments.aspx?Cld=1043&MId=7190&Ver=4).

The Green Paper, 'SEND review: right support, right place, right time' https://consult.education.gov.uk/send-review-division/send-review-2022/

Transforming SEND and Inclusion in Leicestershire Website https://www.leicestershire.gov.uk/education-and-children/special-educational-needsand-disability/transforming-send-and-inclusion-inleicestershire#:~:text=What%20is%20the%20Transforming%20SEND,with%20SEN D%20and%20their%20families

Equalities Implications

56. There are no Equalities implications directly arising from this report. Within the report, there is reference to a number of on-going programmes of work and activity and as these develop any potential equalities and human right issues will be addressed in line with the Council's policy and procedure.

Human Rights Implications

57. There are no Human Rights implications directly arising from this report.

<u>Appendix</u>

Overview of the Transforming SEND and Inclusion in Leicestershire (TSIL) programme

Officer to Contact

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Appendix Overview of the Transforming SEND and Inclusion in Leicestershire (TSIL) programme

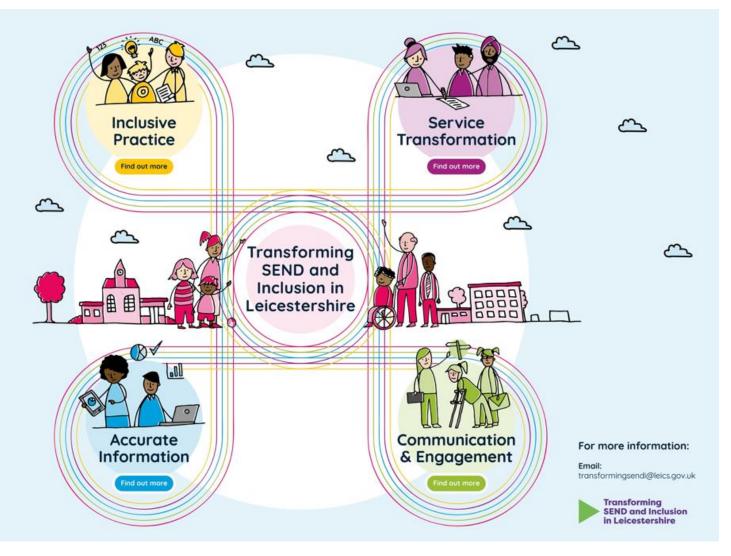
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Leicestershire children and

young people are supported by a system that is fair and transparent, to get the right support at the right time throughout their education

Principles:

- 1 Maintain a focus on children and young people
- 2 No one person or organisation can solve the problems alone
- 3 Shift to a mindset of collective responsibility
- 4 Work in genuine partnership
- 5 Foster good working relationships
- 6 Improved and honest communication
- 7 Define roles and responsibilities
- 8 Set clear expectations
- 9 Make transparent and robust decisions
- 10 Support children and young people early and close to home



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CHILDREN AND FAMILY SERVICES OVERVIEW AND SCRUTINY COMMITTEE

7 MARCH 2023

STABLE HOMES BUILT ON LOVE: IMPLEMENTATION STRATEGY AND CONSULTATION (CHILDREN'S SOCIAL CARE REFORMS 2023)

REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES

Purpose of the Report

- 1. The purpose of this report is to provide an overview of the Government's strategy Children's Social Care Reform Stable Homes, Built on Love, published on 2 February 2023 for consultation.
- 2. This paper provides the Children and Families Overview and Scrutiny committee with evidence of the implications of this review for Leicestershire, taking account of internal reviews that have taken place and initial reflections on the key proposals.

Policy Framework and Previous Decisions

3. On 2 February 2023 the Government Launched the implementation strategy Children's Social Care Reform: Stable Homes, Built on Love for consultation. The implementation strategy is the governments response to three reviews that took place in 2022. The Independent Review of Children's Social Care (May 2022), The Child Safeguarding Practice Review Panel Review into the Murders of Arthur Labinjo-Hughes and Star Hobson (May 2022) and the Competition and Markets Authority Review of Provision of Homes for Children Coming into Care (March 2022).

Background

- 4. In 2022, a number of national review papers placed a spotlight on children's social care. Three of these are addressed in the Children's Social Care Reform Strategy: Stable Homes, Built on Love.
- 5. These reports included The Independent review of Children's Social Care, published in May 2022. This presented recommendations to Government including detailed proposals which are considered in the recent Government response. This was based on extensive consultation including gathering the views of children, young people, families and from across the sector and wider stakeholders.
- 6. Secondly, The Child Safeguarding Practice review panel's review into the Murders of Arthur Labinjo-Hughes and Star Hobson, published in May 2022, made a number of recommendations based on an evaluation of practice following the deaths of Arthur in Solihull and Star in Bradford both cases drawing high profile media attention and identifying weaknesses in how services to keep these children safe were provided.

30 This included front door processes, attention to the concerns of family members and quality and timeliness of assessment work in both cases. The need for greater integration of multiagency safeguarding responses was a key recommendation.

7. Finally, The Competition and Markets Authority review of provision of homes for children coming into care, published in March 2022, a market study launched in response to concerns around how the placements market was operating, both in terms of availability of placement and cost of placements.

Stable Homes, Built on Love

- 8. The Government strategy sets out its overarching plans to reset children's social care in what it describes as a 'once in a generation reform,' including a wider reaching consultation process to gather reviews from stakeholders which ends on 11 May 2023.
- 9. The key ambition for the proposals is to focus on what really matters for children 'family, love and a safe, stable and reliable place to call home.' The strategy, supported by £200 million additional investment over the next two years, states its intention to lay the groundwork for long-term, future reform, which will be significant in defining how services will be provided by both children's social care and wider safeguarding partners, based on likely statutory reform and updated frameworks for practice models.
- 10. The strategy sets out six pillars to transform children's social care:

<u>Pillar 1: - Family help provides the right support at the right time so that children</u> <u>can thrive with their families</u>

- 11. Developing the established concept of meaningful and effective help for families facing challenges is the foundation of children's social care. The strategy sets out the ambition for every area in England to provide families with supportive and welcoming Family Help Services that are delivered by skilled multi-disciplinary teams.
- 12. The Government is investing £45 million which will be allocated for up to 12 'families first for children pathfinder' areas to path find a new approach to Family Help by introducing multidisciplinary family help services, to provide "non-judgmental", joined-up support for families affected by issues such as domestic abuse or poor mental health. This will bring together existing targeted early help and child in need services and focus on the right people with the right knowledge, skills, and relationships to provide support to children and families.
- 13. As part of this, the Department of Education will consult on enabling a broader range of practitioners to be case holders for children in need to broaden the skill base of the workforce so that support services are matched to the needs of families.

Pillar 2: - a decisive multi-agency child protection system

- 14. Pillar 2 sets out proposals for a strong and effective Child Protection system that is based on stronger multi-agency collaboration and integrated responses is proposed.
- 15. The proposals build on the concept of a Child Protection lead practitioner, who will have received advanced specialist training and who will be appointed to lead safeguarding cases working in a multi-agency team consisting of social workers, police officers and health professionals. This reflects recommendations from both the Care Review and the National Review into the Murders of Arthur and Star.

- 16. These experienced social work practitioners will co-work with family help teams and the arrangements tested in the pathfinder Authorities. To support this the Department of Education, will also consult on new multi-agency child protection standards as part of a review of Working Together to Safeguard Children in 2023 exploring new standards of multi-agency working arrangements based on greater integration of staff.
- 17. In addition to this, guidance supporting the Children's Safeguarding Partnership arrangements will be amended to give clearer roles and responsibilities for Local Authorities, Police and Health partners. This aims to ensure leaders with the right level of authority are making key decisions and effectively overseeing the whole system.
- 18. There will be more robust and effective accountability and more support in place for partnerships. It will also explore how the role of education can be strengthened, including consulting on its role as a safeguarding partner.

Pillar 3: Unlocking the potential of family networks

- 19. Family networks are identified as playing an essential part in supporting families and enabling children to live safely at home with their parents. When a child cannot remain with their parents, wider family and friends can also offer a safe, loving, and stable alternative to becoming looked after and living with strangers. This is not a new concept and builds on established efforts to build safety in family networks embedded within the Signs of Safety practice framework already adapted locally and in a number of Local Authorities nationally.
- 20. Families first for Children Pathfinders in up to 12 areas will test using family group decision-making, such as family group conferences, at an early stage to support parents to minimise risks to children. In addition, seven areas will test providing family support network packages providing resources to help families care for children and avoid them going into care. This is part of creating a culture of 'family first' and takes current practice forward decisively.
- 21. To support this, the Government will publish a national kinship care strategy by the end of 2023. This will look at issues such as educational entitlements, training and improving local authority practice as well as updating on reform activity such as exploring financial allowances.
- 22. In addition, it proposes an investment of £9 million in a training and support offer for all kinship carers (those with a legal order and informal kinship carers) by the end of this Parliament.

Pillar 4: Putting love, relationships, and a stable home at the heart of being a child in care

- 23. When care is the best choice for a child, it is essential that the care system provides stable, loving homes close to children's communities based on homes that provide consistency, stability, and warmth. The report concludes that the way the service currently plans, commissions, and provides homes for children in care is not working, with children often living far from where they would call home or in the wrong type of home for what they need.
- 24. When children leave care, they face barriers to having a stable home, a good job, strong relationships, and good health. To meet this ambition a number of proposals

are set out including investment of £27 million over the next two years in foster carer recruitment and retention to make fostering an option for more children. This will be based on a developed best practice regional model that can then be delivered more widely to provide enhanced support to foster carers.

- A range of initiatives to strengthen the guality of leadership and management in the 25. children's homes sector aims to build quality into residential provision. This will include exploring proposals for professional registration of the workforce and a leadership programme, financial oversight to improve transparency for finances and the development of Regional Care Cooperatives (RCCs) to plan, commission and deliver care places which will be based on testing in two sites.
- To support these developments, it is proposed to set up an expert group to review 26. standards of care, regulations and guidance and consultation with a view to updating legislation. For care leavers, there will be priority given to loving relationships with funding for practical interventions of well evidenced family finding, befriending, and mentoring programmes investing over £30 million over two years.
- This will be supported by strengthening the corporate parenting responsibilities 27. towards children in care and care leavers across the public sector so that more organisations consider the needs and views of children in care and care leavers in delivering their policies and services. This will have consultation in Autumn 2023 and bring forward any legislative changes to support implementation.
- 28. A key part of this will be the development of the education, employment and training offers using the Virtual School Heads (VSHs) and Pupil Premium Plus (PP+) funding. Also proposed are a range of supports to Care Leavers to enhance support, access to training, apprenticeships and leaving care grants. All of this will aim to provide a universal offer of wrap around support and accommodation for all care leavers and an increase in leaving care allowance and stronger offer of Staying Put and Staying Close.
- A key proposal will aim to respond to health support to reduce the gaps in mental 29. health and physical health disparities and increase life expectancy for children in care and care leavers, including enhancing social workers' and other practitioners' understanding and skills to respond to children's mental health needs.

Pillar 5: A valued, supported and highly skilled social worker for every child who needs one

- The proposals set out that social workers need the time and tools to do their job well. 30. The report recognises the pressure on the social work workforce with high vacancy rates, increased use of agency provision and lack of experienced social workers.
- The report points out the need for stronger training for social worker and continuous 31. support during their career. It identifies their wellbeing be a priority for leaders and the Government. To achieve this there are specific actions identified over the next two years.
- 32. This includes the need to prioritise high-quality career development for social workers with the establishment of an Early Career Framework (ECF) - proposed to be five years. To improve retention Local Government will be supported to improve working conditions and reduce caseload pressures. Key to this are proposals to reduce the cost and reliance on agency social workers.

33. A separate consultation on the Child and Family Social Worker Workforce was published in February 2023. This set out proposed national rules on agency usage. including potential price caps, minimum gualification rules for agency staff and specific recruitment and commissioning expectations. Alongside this is an aim to boost social worker recruitment - with up to 500 additional child and family social worker apprentices offered nationally.

Pillar 6: A system that continuously learns and improves, and makes better use of evidence and data

- 34. To be successful, the report proposes a clearer framework for accountability, inspection, funding, and regulation to provide clearer national direction. This would underpin a system that continuously learns and improves.
- 35. To achieve this, it is proposed that a Children's Social Care National Framework is developed to set out the outcomes children's social care departments should deliver. This will be supported by a Children's Social Care Dashboard, providing information on how outcomes are being achieved and Practice Guides to set out the best evidenced approaches for achieving the outcomes set out within the National Framework.
- A key improvement will be how technology and data are used and a new data 36. strategy is proposed by the end of 2023 to transform data in children's social care.
- 37. Future inspections will need to be aligned with the National Framework and Ofsted will rebalance how it looks at practice focused on service improvement, with enhanced offers of support to Local Authorities seen to be drifting.
- This work will be supported by an updated funding proposal based on an up-to-date 38. assessment of needs and resources. Before the next Spending Review, the DfE will aim to update, publish, and consult on a new formula for children and young people's services funding provided to local authorities and then work with the Department for Levelling Up, Housing and Communities (DLUHC) to identify opportunities for implementing the new formula.

Leicestershire Children's Social Care and Targeted Early Help.

- The publication of the strategy, Children's Social Care Reform: Stable Homes, Built 39. on Love is welcomed with the hope that they allow improvements in the children's social care system by building upon areas of strength that the strategy identifies and seeking improvements in the system in those areas of significant and chronic challenge.
- There will be significant cost implications associated with the proposals in the 40. strategy, and whilst the additional investment to fund local pathfinders before wider roll out is welcomed, there are many aspects that will increase costs. For example, care leaver costs, enhancement of Kinship support and further support to foster carer.
- 41. Leicestershire Children and Family Services are well placed to work towards the proposals which already align well with many aspects of current work.
- The Family Help model is aligned with the Department's ambition to develop an 42. approach to the provision of support for children in need cases. A revised offer has been tested which will aim to better use the skills of the alternatively qualified workforce to deliver strong interventions to progress Child in Need plans. This pilot is

34 being co-produced between existing Children and Family Wellbeing Service and Children's Social Care with an ambition to strengthen the offer and reduce the reliance on social workers whilst maintaining strong oversight to plans.

- 43. This alignment of Targeted Early Help and established collaboration with Children's Social Care places the Department well for delivering the future Family Help model and the connected workforce remodelling aims to broaden the skills based on the Children's workforce and create a new structure for how services are delivered.
- 44. The new Domestic Abuse team, with investment in early offers of help, provides an example of creative uses of resources to offer early help to families affected by domestic abuse. Careful evaluation of this project will help when considering how this is diverting cases from more costly child protection services and will help consideration of further development for similar help in response to substance misuse and mental health problems. This model of aligning staff skills to need will need wider roll out to establish community-based delivery across the county in the future.
- 45. In 2023-24, the Department is creating a network of Family Hubs across Leicestershire, these will offer parents and carers access to family advice and support services, placing the service in a strong position to improve engagement with hard-to-reach communities.
- 46. Positively, the workforce reforms are reflected in a recruitment and retention strategy, with regular reviews of pay and conditions in place, recent enhancements to some pay grades and close scrutiny of caseloads on a monthly basis. The use of agency social workers continues to be essential to support gaps in services where permanent staff are not retained, and creative recruitment is only having a moderate impact on vacancies.
- 47. The Department is, however, well placed to extend the offer to social work apprenticeships with an established offer in place with Warwickshire University and current efforts to establish managed recruitment from abroad.
- 48. The local evaluation of service provision at the Front Door in response to the National Review into the murders of Star and Arthur has confirmed that the service has established pathways for families to be directed to early help and has built stronger responses to family and anonymous calls which were highlighted in that report as areas of potential weakness.
- 49. The service is satisfied that it has robust arrangements in place with both the Police and Health partners to respond to Child Protection referrals and sufficient experience within the workforce to provide expertise in leading child protection responses. Some staff are co-located within the Wigston police station who currently focus on child exploitation and domestic abuse. Two health practitioners are co-located in the First Response team. The Department is well placed to build on this should a multi-agency Child Protection team be required as part of these proposals, with careful thinking, realignment of staffing and wider modelling across the service. The service continues to evaluate the quality of information sharing and collaborate with partners through both single and multiagency audits internally and within the Children's Safeguarding Partnership.
- 50. The Department has worked to strengthen its support to foster carers and kinship carers. Enhanced support from newly established Special Guardian support team captures recognition of how important lasting family carer can be for children. On this basis the concept of Family First is aligned with its own strategic vision.

Consultation

51. The consultation on the strategy is open until 11 May 2023. The Department will be developing a response alongside gathering the views of young people and wider stakeholders to inform the Council's response.

Background Papers

Stable Homes Built on Love: Implementation Strategy and Consultation Children's Social Care Reforms 2023:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_ data/file/1133537/Children_s_social_care_stable_homes_consultation_February_2023.pdf https://assets.publishing.service.gov.uk/government/uploads/system/uploads/att achment_data/file/1133537/Children_s_social_care_stable_homes_consultation_February _2023.pdf

The Independent Review of Children's Social Care (May 2022): https://childrenssocialcare.independent-review.uk/final-report/

The Child Safeguarding Practice Review Panels review into the murders of Arthur Labinjo-Hughes and Star Hobson (May 2022):

https://www.gov.uk/government/publications/national-review-into-the-murders-of-arthurlabinjo-hughes-and-star-hobson

The Competition and Markets Authority review of provision of homes for children coming into care (March 2022):

https://www.gov.uk/government/publications/childrens-social-care-market-study-finalreport

National Safeguarding Practice Review into safeguarding children with disabilities and complex needs in residential settings (October 2022): https://www.gov.uk/government/publications/safeguarding-children-with-disabilities-in-residential-settings

Child and Family Social Worker Workforce Government consultation (February 2023): https://consult.education.gov.uk/social-work-reform-unit/child-and-family-social-workerworkforce/supporting_documents/Child%20and%20Family%20Social%20Worker%20Wor kforce%20consultation%20document.pdf

Circulation under the Local Issues Alert Procedure

52. None

Equalities Implications

53. These are addressed throughout the Government proposals and intend to improve standards and outcomes for all children including disabled children, young children, and those from minority and harder to reach groups.

Human Rights Implications

54. There are no human rights implications arising from this report.

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Agenda Item 10



CHILDREN AND FAMILY SERVICES OVERVIEW AND SCRUTINY COMMITTEE

7 MARCH 2023

QUARTER 3 2022/23 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 on the Children and Family Services Department's performance for the period to December 2022 (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 and Overview

- 3. The Strategic Plan was agreed by Cabinet on 18 May 2022. Performance reporting arrangements will be revised accordingly to reflect these changes.
- 4. The Children and Family Services Department has also produced a Departmental Plan 2020-2023 which identifies ambitions and measures to monitor progress. The following report and accompanying data aim to report on the priority areas identified by both plans and monitor performance of key indicators on a quarterly basis. The current performance data is appended and has been refreshed to concentrate on indicators where updated data is available for quarter 3.
- 5. Quartile positions are added where comparative national data is available. Comparative data is not available for all indicators.
- 6. From 18 measures that have a national benchmark, four are in the top quartile, eight are in the second quartile, and six are in the third quartile.

Helping children in Leicestershire live in safe, stable environments and have secure attachments

- 7. Local Authority comparisons used are most recent figures published by the government for end of year benchmarking.
- 8. As a result of improvements made to the Mosaic case management system in December, the number of social care performance indicators available is temporarily reduced while reporting systems are updated.
- 9. The percentage of children becoming subject to a child protection plan for a second or subsequent time remained similar at 22.7% at the end of quarter 3 compared to 22.6% at the end of quarter 2. In this period 38 children began a second or subsequent child protection plan, an increase from 33 reported in the preceding quarter. Leicestershire is now placed in the third quartile of local authorities compared to most recent national results published for 2021/22. This continues to be an area of focus for the service and regular audits are completed, to understand any themes around the circumstances leading to repeat periods of child protection planning.
- 10. Ten Child Protection plans lasting two years or more were open at the end of quarter 3, representing 1.8% of cases. This is a small increase compared with the end of quarter 2 (eight children, 1.4%). Leicestershire remains in the second quartile of local authorities.
- 11. The percentage of Care Leavers in Suitable Accommodation was 94.0% at the end of quarter 3 (233 out of 248 young people). This is a small increase from the end of quarter 2 (93.3%) and continues to place Leicestershire in the first quartile of local authorities using available comparisons.
- 12. The percentage of Care Leavers in Education, Employment or Training was 64.5% at the end of quarter 3 (160 out of 248 young people). This is an increase from the end of quarter 2, 61.3%, and continues to place Leicestershire in the top quartile by comparison with other local authorities. The service continues to provide careful oversight to the care leaver indicators and is driven by a corporate commitment for creating mentoring and apprenticeship opportunities for care leavers.

<u>Helping children and their families build strength, resilience, confidence, and capacity</u>

- 13. During quarter 3 2022/23, the Children and Family Wellbeing Service (CFWS) worked with 3,489 individuals and 1,435 families across Leicestershire. This is lower than quarter 3 2021/22 in both cases, when the figures were 3,775 and 1,533, respectively.
- 14. The Children and Families Services Departmental Plan states the intention to ensure that the needs of young people are identified as early as possible so that timely and appropriate support is provided in the right setting, therefore reducing the risk of needs escalating at the same time as ensuring children and young people's best outcomes are achieved.

- 15. The number of children in mainstream schools in Leicestershire with an Education and Health Care Plan (EHCP) was 2,252 in the Autumn 2022 school census. This is 111 lower than the Summer 2022 census (2,363). The Autumn term 2022 school census EHCP numbers are the highest for an Autumn term since 2017, when the phasing in of the 2014 SEN Code of Practice changes was completed.
- 16. The number of children in mainstream schools in Leicestershire without an EHCP but in receipt of SEN Support was 12,077 in the Autumn 2022 school census. This is 127 lower than the Summer 2022 census (12,204). The Autumn term 2022 school census SEN support numbers are the highest for an Autumn term since the completion of the phasing in of the 2014 SEN Code of Practice changes in 2016.

People are safe in their daily lives

- 17. The number of first-time entrants to the criminal justice system (aged 10-17) for quarter 2 2022/23 was 15. This is a decrease on the same period the previous year (18).
- 18. Reoffending for young offenders for quarter 1 2022/23 was 0.53. This is an increase on the same period the previous year (0.17).
- 19. There were no instances of the use of custody for young people (10-17) in quarter 2 2022/23. This is unchanged from the same period the previous year.

Help every child to get the best possible start in life

Early years

20. In the Autumn Term 2022, 92.2% of eligible two-year-olds took up their Funded Early Education Entitlement (FEEE). This is an increase from the summer term (80.7%). For three-year-olds, the figure was 94.5%, an increase over the previous term (92.6%). Overall, 96.5% of eligible two- and three-year-olds took up their FEEE in high-quality provision, an increase on the summer term (95.6%).

Help every child to have access to good quality education to ensure they achieve their maximum potential

- 21. The percentage of primary schools rated Good or Outstanding was 90.7% at the end of quarter 3. This is 0.9% lower than quarter 2 2022 (91.6%). This figure is within the third quartile of local authorities.
- 22. The percentage of secondary schools rated Good or Outstanding was 75.6% at the end of quarter 3. This is unchanged since quarter 1 2022. This figure is within the third quartile of local authorities.
- The number of children Electively Home Educated (EHE) was 911 at the end of Q3. There has been an increase (6.5%) in the number of cases since the end of Q1 (855 students), although, this is to be expected as more families decide to go

down the home education route at the start of the academic year. This is for the number of different reasons, for example, students not obtaining a place at their school of choice or not settling well at their new schools.

- 24. Compared to the end of Q3 2021 (818 students), there has been a 11.4% increase and a 19.2% increase since Q3 2020 (764 students).
- 25. The overall increase on numbers follows the national trend of an increasing EHE population. The Association of Directors of Children's Services complete an annual survey which includes 124 of the 152 local authorities nationally responding with data on their EHE cohort. In November 2021, they published their latest findings which suggested that the EHE population in the UK had increased by 7% in comparison to October 2020 and an increase of 34% since October 2019.
- 26. Leicestershire figures follow the national trend of increasing number since 2019 with its cohort at the end of quarter 3 2022/23 increasing by 48.8% since quarter 3 2019.
- 27. The trend has been driven by two factors during this period: firstly, having experienced a period of enforced home schooling, some parents have opted for EHE as a lifestyle choice and have chosen to continue this even when schools reopened. The second factor has been ongoing health concerns which could be for the child, vulnerable parents, or general safety concerns. The numbers will continue to be monitored closely continue to be monitored closely.
- 28. All final 2022 School educational performance outcomes that enable benchmarking have been released by the Department for Education. Due to the disruption to the standard performance reporting between the 2020 and 2021 exam years, comparisons to a previous period will be made against 2019 performance data.
- 29. The final Foundation Stage Profile performance data for 2022 was released by the Department for Education on 24th November 2022. The percentage of pupils achieving a 'Good level of development' was 67.6%. This performance is within the first quartile nationally. This is the first national statutory collection of data since the 2021/22 early years foundation stage (EYFS) reforms were introduced in September 2021, therefore it is not possible to make direct numeric performance comparisons to previous years. In 2019, under the previous EYFS assessment framework, performance in relation to this measure was in the second quartile. The performance of Free School Meal eligible pupils is within the third quartile nationally for this measure (47.1%) and was 20.5% below the performance for all pupils.
- 30. The final Key Stage 2 performance data for 2022 was released by the Department for Education on 15 December 2022. The percentage of pupils achieving the expected standard or above in Reading, Writing and Mathematics in 2022 was 62.1%, which is 5% lower than in 2019 (67.1%). This performance is within the first quartile nationally, but the lowest for Leicestershire since 2017. For this measure, the performance of Free School Meal eligible pupils (40.1%) was within the third quartile nationally, this was 20% lower than the performance for

all pupils. Special Educational Needs (SEN) support and SEN EHCP pupils are within the second quartile nationally for this measure.

- 31. The final Key Stage 4 performance data for 2022 was released by the Department for Education on 2nd February 2023. The Progress 8 performance for all pupils, Free School Meal eligible, SEN support and SEN EHCP pupils is within the second quartile nationally. This represents an improvement in the relative performance in comparison to the last reported performance of a comparable nature in 2019.
- 32. At the end of quarter 2 (December 2022) 0.7% of young people (16-17) in Leicestershire were not in education, employment or training (NEET). This is a slight increase over the end of the previous quarter (0.6%, September 2022).

Conclusion

- 33. The report provides a summary of performance at the end of quarter 3 2022/23, covering the period October to December 2022.
- 34. Details of all metrics (reflecting any changes in indicators for 2022/23) will continue to be monitored on a regular basis throughout the year and any subsequent changes will be notified in future reports.

Background Papers

None.

Circulation under the Local Issues Alert Procedure

None.

Equalities Implications

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

Human Rights Implications

36. There are no human rights implications arising from this report.

<u>Appendix</u>

Children and Family Services Department Performance Dashboard for Quarter 3, 2022/23

Officers to Contact

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				Reporting	Previous	Previous						National benchmark (quartile 1 =	Most recent Statistical Neighbour
Topic	Theme	Indicator	Polarity	Frequency	Period	Value				-	Status RAG		average
Help children and their families build	CFWS	Individuals worked with by CFWS during period	N/A	Quarter	Q3 2021/22		Q3 2022/23		Decrease	N/A	-		
strength, resilience, confidence and	CFWS	Families worked with by CFWS during period	N/A	Quarter	Q3 2021/22		3 Q3 2022/23	· · · · ·	Decrease	N/A			
capacity	SEND	Children in mainstream schools with EHCP	N/A	Term	Summer 2022		Autumn 2022		2 Decrease	N/A			
	SEND	Children in mainstream schools in receipt of SEN Support (without EHCP)	N/A	Term	Summer 2022		Autumn 2022		Decrease	N/A		N/A	
Help children in Leicestershire to live	Social Care	Children becoming subject to a CPP for second or subsequent time	Low = Good	Quarter	Q2 2022/23	22.60%	GQ3 2022/23	22.74%	6 Increase	<20.8%	Amber	3	22.3%
in safe, stable environments and have	Social Care	CPP lasting 2 yrs or more open at the end of the quarter	Low = Good	Quarter	Q2 2022/23	1.40%	GQ3 2022/23	1.82%	6 Increase	<3.0%	Green	2	1.3%
secure attachments	Social Care	Care leavers in suitable accommodation	High = Good	Quarter	Q2 2022/23	93.30%	Q3 2022/23	94.00%	6 Increase	>92.0%	Green	1	87.8%
	Social Care	Care leavers EET	High = Good	Quarter	Q2 2022/23	61.30%	Q3 2022/23	64.50%	Increase	>54.0%	Green	1	54.0%
Help every child to get the best	Early Years	Eligible 2 year olds taking up their FEEE	High = Good	Term	Summer 2022	80.7	Autumn 2022	92.2	2 Increase	N/A	N/A	N/A	N/A
possible start in life	Early Years	Eligible 3 year olds taking up their FEEE	High = Good	Term	Summer 2022	92.6	Autumn 2022	94.5	5 Increase	N/A	N/A	N/A	N/A
	Early Years	Eligible 2 and 3-year olds taking up their FEEE in a high-quality provision	High = Good	Term	Summer 2022	95.6	Autumn 2022	96.5	5 Increase	N/A	N/A	N/A	N/A
	Education	Primary schools rated 'Good' or 'Outstanding'	High = Good	Quarter	Q2 2022/23	91.6%	Q3 2022/23	90.7%	Decrease	N/A	Amber	3	90.1%
	Education	Secondary schools rated 'Good' or 'Outstanding'	High = Good	Quarter	Q2 2022/23	75.6%	Q3 2022/23	75.6%	No Change	N/A	Amber	3	84.7%
	Education	Reception pupils reaching a 'Good level of development'	High = Good	Annual	N/A		2021/22 Final	67.6%	6 N/A	N/A	Green	1	67.3%
	Education	Reception pupils with Free School Meals (FSM) status achieving 'Good level of development'	High = Good	Annual	N/A		2021/22 Final	47.1%	N/A	N/A	Amber	3	46.7%
	Education	Reception pupils with Education, Health and Care Plans achieving 'Good Level of Development'	High = Good	Annual	N/A		2021/22 Final	4.4%	N/A	N/A	Amber	2	3.7%
	Education	KS4 - Progress 8	High = Good	Annual	2018/19	-0.07	2021/22 Final	0.01	L Increase	N/A	Amber	2	-0.07
	Education	KS4 - Progress 8 (FSM)	High = Good	Annual	2018/19	-0.64	2021/22 Final	-0.64	1 No Change	N/A	Amber	2	-0.81
	Education	KS4 - Progress 8 (EHCP)	High = Good	Annual	2018/19	-1.22	2021/22 Final		Increase	N/A		2	-1.36
	Education	KS4 - Progress 8 (SEN Support)	High = Good	Annual	2018/19	-0.49	2021/22 Final		3 Increase	N/A	Amber	2	-0.45
Help every child to have access to	Education	KS2 - pupils achieving expected standard in Reading, Writing and Mathematics	High = Good	Annual	2018/19	67.1%	2021/22 Final	62.1%	Decrease	N/A	Green	1	58.4%
	Education	KS2 - Expected level in Reading, Writing and Maths - pupils eligible for FSM	High = Good		2018/19	40.1%	2021/22 Final	40.2%	Increase	N/A		3	36.1%
achieve their maximum potential	Education	KS2 - Expected level in Reading, Writing and Maths - EHCP	High = Good	Annual	2018/19	6.8%	2021/22 Final	8.3%	Increase	N/A	Amber	2	6.6%
	Education	KS2 - Expected level in Reading, Writing and Maths - SEN Support	High = Good	Annual	2018/19		2021/22 Final	21.1%	Decrease	N/A		2	19.5%
	Education	Pupils in Good or Outstanding schools	High = Good	Quarter	Q2 2022/23		Q3 2022/23		Decrease	N/A	Amber	3	90.0%
	Education	Children Electively Educated at Home	N/A	Quarter	Q2 2021/22		3 Q2 2022/23		1 Increase	N/A	N/A	N/A	N/A
	Education	NEET young people aged 16-17	Low = Good	Last Mth of Qtr	Sep-22	-	Dec-22	0.7	7 Increase	<2.1%	, N/A		
People are safe in their daily lives	Youth Justice	No. of first time entrants to the criminal justice system aged 10-17 (year to date)	Low = Good	Quarter	Q2 2021/22		3 Q2 2022/23	15	5 Decrease	N/A			
	Youth Justice	Re-offending by young offenders	Low = Good	Quarter	Q1 2021/22	0.17	Q1 2022/23	0.53	3 Increase	N/A	N/A	N/A	
	Youth Justice	Instances of the use of custody for young people	Low = Good	Quarter	Q2 2021/22	0	Q2 2022/23	C	No Change	N/A	N/A	N/A	

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