

Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Tuesday, 5 September 2023.

PRESENT

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

Mr. M. Frisby CC

Mr. L. Hadji-Nikolaou CC

Mr. R. Hills CC

Mr. Max Hunt CC

Mrs. C. Lewis

Mr. R. Martin

Mr. G. Welsh CC

In Attendance:

Mrs. D. Taylor CC – Lead Member for Children and Families

Webcast.

A webcast of the meeting can be viewed [here](#).

16. Minutes of the meeting held on 6 June 2023.

The minutes of the meeting held on 6 June 2023 were taken as read, confirmed and signed.

17. 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:

“Please could the chair advise which plans are being made for Dyslexia Awareness week in October, as part of the International awareness month for Dyslexia globally?”

Response by the Chairman:

“The Learning Support Team will be sending out a ‘Dyslexia Awareness Week’ flyer, which highlights this year’s theme, support strategies and signposting links. This will be shared directly with schools, via the Headteachers’ briefing and via SEND news in preparation for the week.

As part of ongoing dyslexia support, training and awareness raising, the following approaches are embedded in the Learning Support Team’s year-round offer:

- The Learning Support Team attend the Local Offer Roadshows and provide information about Dyslexia and support available to parents, carers and other agencies.

- Leicestershire County Council schools are able to book consultations and access a comprehensive range of training to support learning difficulties and dyslexia.
- The Council's Learning Platform provides schools with the opportunity to sign up to a range of training, includes Dyslexia Awareness training designed at a universal level.
- The recently launched Inclusive Practice Toolkit on the Leicestershire County Council's SEND website and includes advice and support for Cognition and Learning needs. This was created in conjunction with schools and education services including educational psychology and the Learning Support Team.

In addition, Leicestershire's Learning and Development Team are hosting a 'Dyslexia & Neurodiversity – Lunch & Learn' for all Leicestershire County Council staff on 9th October. This is offered as part of Dyslexia Awareness month and is a one-hour, virtual session exploring what Neurodiversity is and how we can develop an approach that encourages a sense of belonging at work."

Supplementary question asked by Mrs Sue Whiting:

Mrs Whiting asked a supplementary question in relation to whether the Inclusive Practice Toolkit on the Leicestershire County Council website was available for parents to access to support children who were being home-schooled. In addition, Mrs whiting asked whether the Dyslexia & Neurodiversity Lunch & Learn virtual event on 9th October would be available for Councillors as well as Leicestershire County Council staff?

Response by the Chairman:

At the invitation of the Chairman, the Director of Children and Family Services responded that the Inclusive Practice Toolkit was available for parents to access widely. It did set out the expectation of school support to meet the needs of children with SEND, so it may have been of limited use for those who were home schooled, but it was available for access by parents. In addition, the Director confirm that the Dyslexia & Neurodiversity - Lunch & Learn virtual event could be made available to councillors and suggested that information would be shared with councillors as to how they can access the event.

18. Questions asked by members under Standing Order 7(3) and 7(5).

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 CC:

1. "On 23 June 2023 the Cabinet approved an extension to the contract with consultants Newton Europe (NE) as variations under the procurement exercise authorised in April 2022. This was described as "necessary for the move to the next phase of the Transforming SEND and Inclusion in Leicestershire (TSIL) programme". When was it apparent that NE were essential to the second phase and will there be further phases requiring their participation and, if so, over what period?
2. The Medium Term Financial Strategy (MTFS) only included a figure of £939,000 for the remainder of the medium term financial period. What is current projection?

3. What specific measures are being put in place to meet the projected savings under the TSIL project of £3.12m in this financial year?
4. The report to Cabinet stated that it is likely that there will be a 20-40% reduction in children starting in a specialist school, and this would be confirmed before September 2023 as placements are finalised. Can the Chairman confirm the figures and how it was achieved? (eg which mainstream schools taking children who would otherwise have special education in which settings)

Other Children and Families Projects included

5. I understand from the Children's Social Care Panel Performance Update that the Mosaic Case Recording System Project is going well with any risks escalated to senior management as necessary between January and July 2023. Could you tell me what risks, if any have been escalated to senior management for this project, and for the TSIL Project.
6. Our Strategic Partner, Newton Europe (NE), is contracted to help deliver the next phase of the Defining Children and Family Services for the Future Programme including 100 hours of support to Looked After Children of Leicestershire. The number of Looked after Children has apparently dropped this year breaking a long term year on year rise. What new interventions that might have helped to reverse this trend and is it expected to continue in reverse?"

Reply by the Chairman:

1. "Continuation of the arrangement with the Children and Family Service's strategic partner, Newton Europe, was required to enable the Authority to capitalise on the required expertise and skills required to deliver the identified improvements and savings needed in the complex national and regional Special Educational Needs (SEN) landscape. The continuation of the relationship ensures that there is a fully contingent model under which £10m of annualised recurrent savings will be delivered, along with key other non-financial benefits.

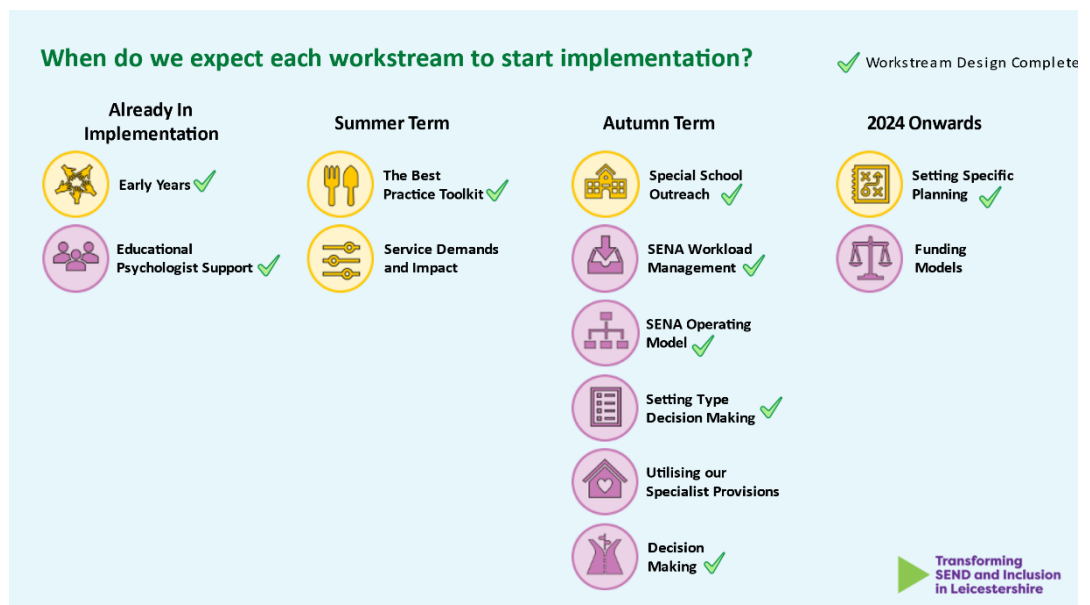
The progress of the Transforming SEND and Inclusion in Leicestershire Programme has been monitored from the outset of the programme against the benefits set out to be achieved, as well as the scale of work to be included and lead through the programme. In March 2023 it was clear that in order to fully realise the benefits set out in the initial diagnostic the Council would need to extend its arrangement with Newton Europe. A paper was presented to Cabinet in June 2023 to set out the financial and non-financial benefits of the continuation of the relationship with the strategic partner:-

- Achieve greater depth and scale of benefits than would otherwise be achieved;
- Ensure that all workstreams reach the point of sustainably, and have all changes embedded with the business as usual service structure;
- Complete the data quality workstream, as currently defined, with a solid foundation of financial, operational and case management data. This workstream will ensure that the service's data quality improves, and the service is left with a solid foundation of financial, operational and case management data on which it is able to make fully informed decisions;

- Deliver a stable set of performance dashboards, which will be operational and embedded in improvement cycle meetings at all levels;
- Establish a robust forecasting of financial performance, fully entrenched into business as usual activity;
- Identify further benefits and opportunities for delivery beyond this phase of the TSIL programme;
- Provide longer and closer support to the Children and Family Services leadership team both on programme delivery and wider challenges and opportunities;

The contract with the strategic partner does not allow for a further extension.

2. The £939k included in the MTFS relates to the 'invest to save costs', within the Children and Family Services Department to support the delivery of the TSIL Programme. This amount is currently only built into the first year of the current MTFS (23/24). The Department is currently looking at what needs to be in place to sustain the delivery of the programme and to continue to make improvements going forward.
3. There are a number of workstreams within the programme that will contribute to the achievement of the financial benefits set out in the MTFS. There include supporting children in Early Years to ensure their needs are assessed and they are supported in the right place at the right time, developing the capacity within the educational Psychology Service, a best practice toolkit for inclusion, developing special school outreach support and remodelling the SENA service to ensure it is able to meet the demands of the education, Health and Care Plan process. The timescales for the delivery of each element of the workstreams is set out below:



4. The report to Cabinet set out that the diagnostic review undertaken in early 2022 identified that if something had been different earlier in their educational journey, there were a number of opportunities including for up to: 68% of children and young people in specialist settings to have their needs met in mainstream schools or resource bases. This opportunity was identified through reviewing a large number of children's cases and identifying that if support had been provided at an earlier stage children's needs could have been met in a mainstream setting rather than specialist setting. This finding has led to a range of work being undertaken to both support

children in mainstream schools as well as ensure assessments are undertaken that identify a child's needs so that support can be provided in the right place, at the right time and at the right level. The two work streams of the programme that are specifically supporting this work are Early Years and Setting-Type Decision Making.

5. There have been no risks escalated from the Children and Families systems Board or the Transforming SEND and Inclusion Board to senior managers.
6. The stabilisation of the number of children in the care of the local authority is as a result of both preventative and direct work, including building family networks and strengthening parenting, as well as rigorous work on permanence planning which means that children leave care, where appropriate, earlier, for example under special guardianship plans. In addition to this, the service has developed its support for domestic violence and its approach to working with adults causing harm.

The Department is projecting that the number of children coming into care will continue to rise, albeit at a slower rate."

19. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.

There were no urgent items for consideration.

20. 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.

No declarations were made.

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

There were no declarations of the party whip.

22. Presentation of Petitions under Standing Order 36.

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

23. Recruitment and Retention.

The Committee considered a report of the Director of Children and Family Services which presented provided an overview of the Department's recruitment and retention activity, current position and future objectives for the service. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Arising from discussion, the following points were raised:

- i. The Department continued to face increased competition with other authorities for qualified social workers, both those at the start of their career and those with experience. Members noted that recruitment and retention within social work continued to be increasingly challenging with the greater prevalence of agency

opportunities alongside the existing complexity of child protection work. Members suggested that negative public and media perceptions and low morale in the sector could have led to a decrease in those choosing a career in social work. It was also suggested that tuition fees could place a barrier for studying to become a social worker and a member proposed that the Department should raise this issue with the Government.

- ii. In response to a question regarding routes into social work outside of the traditional degree route, the Director explained that there were other ways in which people could change careers to become a Social Worker. The Social Worker Level 6 Degree Apprenticeship, which would take around three years, had been undertaken by staff from elsewhere within the service and the first cohort had completed the course. Another option available was the Step up to Social Work programme, which was an intensive 14-month full-time programme for those who want to become a social worker but did not have a degree in social work. The Director explained that a number of staff, who had a degree in another field, had joined from other frontline services. These staff members would be trained within the service to gain hands on experience. A Member suggested that these opportunities could be shared more widely by members and the Director agreed to provide members with details of all options available for entering a career in social work.
- iii. In response to concern regarding internationally recruited social workers having relevant knowledge on UK social work practice and legislation, the Director assured members that thorough checks were always carried out by the Department to ensure that the necessary knowledge was in place. A support package had been developed to cover the initial three months of the programme which would teach legislative requirements of UK social work practice. Newly qualified staff would work alongside a delivery mentor and work with a reduced number of cases, together with additional supervision and training days. The programme was assessed nationally and the Department had received good feedback on its delivery.
- iv. Exit interviews would continue to be conducted when staff were leaving the service, to either within or outside of the organisation, in an attempt to understand their reasons for leaving. The results of the interviews were shared with the senior management team so that issues could be addressed and so that themes could be identified in order to create an action plan for improvement. Exit interviews had indicated that staff were largely positive about the Council as an employer. Some staff had indicated that they had left to move to a higher paid role, but it was noted that the Department would not support an approach for offering high rates of pay seen at some local authorities. A large proportion of staff had left to move into the agency market which was an issue being experienced nationally due to rates of pay and flexibility being offered by agencies. Some staff had indicated that they had left due to workload pressures. Members noted the Department had introduced a process of monthly reporting on workloads.
- v. A member asked for clarity regarding the Early Career Framework (ECF) which would be proposed to replace the Assessed Year in Practice. However, the Director explained that it was uncertain how the framework would be delivered as it was part of a national consultation, Stable Homes, Built on Love, which was focused on addressing the challenges Local Authorities were facing in the recruitment and retention of social workers. It was anticipated that ECF would offer

additional investments in supporting social workers and to grow their expertise. The Director attended national forums which focussed on the issue and agreed to update members at a future meeting, once the outcome of the consultation was known.

- vi. Members noted that although the service continued to operate with a relatively high number of agency staff and had a number of vacancies across teams. Members were assured that the Department would continue to ensure that all agency staff had a mentor in place.
- vii. The Lead Member for Children and Families highlighted that despite the challenges with, and perceptions regarding, social work, there were many staff who had made a life choice to enter the vocation and were passionate about supporting and working with children.

RESOLVED:

- a) That the overview of the Department's recruitment and retention activity, current position, and future objective for the service, be noted.
- b) That the Director of Children and Family Services be requested to provide Members of the Children and Families Overview and Scrutiny Committee with details of the Step up to Social Work programme, the Social Work Apprenticeship, and the Social Work Graduate Training scheme.
- c) That the Director of Children and Family Services be requested to provide Member of the Children and Families Overview and Scrutiny Committee with an update on the outcome of the national consultation Stable Homes, Built on Love, at a future meeting of the Committee.

24. Leicestershire School Buildings.

The Committee considered a report of the Director of Children and Family Services which provided an overview of Leicestershire school buildings, including the roles and responsibilities of the Local Authority and Academy Trusts. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

In introducing the report, the Director provided an update to the Committee on an issue relating to the presence of Reinforced Autoclaved Aerated Concrete (RAAC) in some school buildings nationally, an issue which had been covered extensively in the media:

"On 31 August 2023, the Department for Education (DfE) published updated guidance for responsible bodies of state funded education estates in England that had confirmed or suspected RAAC in their buildings.

The guidance advised responsible bodies to vacate and restrict access to the spaces with confirmed RAAC. Spaces should remain out of use until appropriate mitigations were in place, even where they would have been deemed 'non-critical' previously.

On 31 August, it was reported in the media that there were 156 settings in England with confirmed RAAC, according to DfE data. Of those, 52 already had safety mitigations in place, and 104 were being contacted week about getting them in place.

As the responsible body for maintained schools, Leicestershire County Council had not had any approach from the Government to identify a school (maintained or academy) which should have been closed.

In December 2018, the DfE made building owners aware of a recent building component failure in a property constructed using RAAC. In May 2019, the Standing Committee on Structural Safety (SCOSS) raised an alert to emphasise the potential risks from such construction, highlighting the failure of a RAAC panel roof construction within an operational school. This collapse was sudden with no apparent warning.

Since then, the DfE had been made aware of further sudden collapses of RAAC panels in roofs that appeared to be in good condition.

In March 2022, the DfE asked all responsible bodies to undertake a survey questionnaire to identify any RAAC in their estate. The survey was extended to further education colleges and nurseries in December 2022. The DfE required responses to the questionnaire setting out actions being taken by Responsible Bodies. The responsible body for maintained schools would be the Local Authority. Academies and Multi-Academy Trusts would be the responsible bodies for their schools.

Previous RAAC information published from 2019 onwards was safety alert and guidance only, recommending that responsible bodies check their school buildings. All maintained schools within the specified date range, at that time, were checked in 2019 by operational Property services. Academy schools were also written to in 2019.

Leicestershire County Council undertook a review of its school buildings by filtering data from condition surveys within the new date range of construction identified by the DfE, 1930-1990. This returned 95 maintained schools with buildings within the date range.

To date, all relevant maintained school building had been assessed and RAAC had not discovered within any maintained schools.”

Arising from discussion, the following points were raised:

- i. A member raised concern that the report had not covered voluntary aided schools such as church schools, which were not under the responsibility of the Council. Members noted that maintained church schools were under responsibility of the relevant diocese and the relevant governing body. Voluntary controlled schools would usually be under the ownership of the diocese who worked in partnership with the local authority, which remained the responsible body. The DfE made a grant available to the diocese in respect of its voluntary aided schools and maintained church schools which converted to academies were leased through a church supplemental agreement. Members were assured that the Diocese of Leicester Board of Education had completed all surveys requested by the DfE and was working closely with church academies which had been identified. The Director agreed to discuss the safety of church schools and academies in Leicestershire with the member.
- ii. Members noted that responsibility for building safety and maintenance of faith schools which were independently run would sit with the relevant building owner.
- iii. In response to concern that the closure of schools would prevent sufficient special educational provision to meet the needs outlined in Education, Health and Care

Plans (EHCP's), the Director assured members that there were no Leicestershire schools with RAAC which have had to put measures in place. In the event that a school did have to close due to safety concerns, the Department would enact contingency arrangements, such as locating another building to ensure continuation of education for children.

- iv. The DfE had not published the number of academies which were overdue in completing a survey questionnaire to identify any RAAC in their estate. To date, all those academies in Leicestershire which had responded to the survey had not identified and issue with RAAC. Members noted that the Council and the Diocese of Leicester Board of Education had found it difficult to receive clarity from DfE on RAAC in academies. The Department was confident that all Local Authority maintained schools in Leicestershire had no RAAC within their building.
- v. In response to concern regarding the risk of safety in public buildings, such as schools, the Director of Corporate Resources assured members that the Council undertook compliance improvement works on an annual basis and that this included asbestos removal work, improvements to fire compartmentation, and legionella control projects. Assurance was given that where a risk to life was identified, contingency arrangements would be enacted, and the issue would be addressed immediately.
- vi. Members noted that the Director had discussed the issue of RAAC in Leicester City schools with the Strategic Director Social Care and Education at Leicester City Council and had offered support if it would be required. However, it was understood by the Department that Leicester City Council had put contingency arrangements in place for the continuation of education for children in affected schools.
- vii. An error in the report was highlighted within the table outlining schools under the School Priority Rebuilding Scheme. Members noted that the responsible body for Rawlins Academy should be the Embrace Multi Academy Trust.

RESOLVED:

- a) That the overview of Leicestershire school buildings, including the roles and responsibilities of the Local Authority and Academy Trusts in terms of building safety and maintenance, and the update provided on the presence of Reinforced Autoclaved Aerated Concrete in schools and academies, be noted.
- b) That the Director of Children and Family Services be requested to contact the Church of England Schools Representative on the Children and Families Overview and Scrutiny Committee to discuss the safety of church schools and academies in Leicestershire.

25. Quarter 1 2023/24 Performance Report.

The Committee considered a joint report of the Chief Executive and Director of Children and Family Services which presented an update on the Children and Family Services Department's performance for the period to June 2023 (Quarter 1). A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from discussion, the following points were raised:

- i. In response to concern that the number of children receiving at least one fixed term suspension had risen by 50 percent since the last academic year, it was acknowledged that the effect on excluded children could be profound, particularly where children have issues at home. Members were assured that the Department would continue to communicate with schools to ensure that statutory guidance on suspension would be applied correctly. In addition to this, the Department would continue to support children and families affected by a fixed term suspension. It was suggested that more robust multi-agency working could strengthen the support offered to children at risk of suspension and for those who had been suspended.
- ii. In response to a question regarding a decrease in the number of eligible two-year-olds took up their Funded Early Education Entitlement (FEEE), the Director acknowledged that there had been a trend and it was anticipated that this was due to parents making alternative arrangements during COVID-19 restrictions. Members were assured that the Department would monitor this trend to fully understand the reason for the decrease.
- iii. Members noted that the 101.2 per cent increase in the number of three-year-olds who took up their FEEE cited in the report could have been an error and that this would be investigated. The Director agreed to provide members with the correct figure if the figure cited in the report had been an error.
- iv. Members requested that future performance reports include figures alongside percentages when reporting data so that the data could be fully interpreted. The Director agreed that all future performance reports presented to the Committee would include figures alongside percentages.

RESOLVED:

- a) That the update on the Children and Family Services Department's performance for the period to June 2023 (Quarter 1), be noted.
- b) That the Director of Children and Family Services be requested to provide members of the Children and Families Overview and Scrutiny Committee with the correct percentage of the increase in number of three-year-olds who took up their Funded Early Education Entitlement (FEEE) in Quarter 1 of 2023/24, if the 101.2 per cent cited in the report had been incorrect.
- c) That the Director of Children and Family Services be requested to include figures alongside percentages when reporting data within future Performance Reports presented to the Children and Families Overview and Scrutiny Committee.

26. Children's Social Care Statutory Complaints and Compliments Annual Report 2022/23.

The Committee considered a report of the Director of Children and Family Services which provided a summary of the Children's Social Care Statutory Complaints and Compliments Annual Report for 2022/23. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

In introducing the report, the Director highlighted that there had been a particularly significant number of complaints regarding the length of time it had taken to carry out

Education, Health and Care Plan (EHCP) assessments, as well as relating to issues with the admissions cycle for the 2022-23 academic year. The Director assured members that the Department was confident that service improvements had addressed the issues which had led to significant complaints across the two areas.

Arising from discussion, the following points were raised:

- i. A member expressed thanks to the Council regarding its process for processing complaints, particularly relating to SENA. The Member suggested that complaints were always taken seriously, addressed in a timely manner, and that the next course of action was always fully explained.
- ii. The Chairman was pleased to note that a notification had been issued announcing that applications for admissions for the 2024 academic year had been opened. Members noted that applications for secondary school admissions would close on 31 October 2023 and that the deadline for applications for primary school admissions would be 15 January 2024. The Director highlighted that parents would continue to be encouraged to include three schools within their application to ensure that children would have the best possible chance of attending a local school.
- iii. The Lead Member for Children and Family Services suggested that parents should always include a catchment school within admissions applications as there had been an increase in the number of families not doing so. Members noted that parents could visit a school's website to reveal its catchment area.

RESOLVED:

- a) That the summary provided on, and the contents of, the Children's Social Care Statutory Complaints and Compliments Annual Report for 2022/23, and the Corporate Complaints & Compliments Annual Report 2022 – 2023, be noted.

27. Leicestershire and Rutland Local Safeguarding Children Partnership Annual Report 2022/23.

The Committee considered a report of the Director of Children and Family Services which sought the views of the Committee on the draft Annual Report of the Leicestershire and Rutland Safeguarding Children Partnership for 2022/23. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

The Chairman asked that any comments from Members on the draft Annual Report be submitted to the Director of Children and Family Services by no later than 15 September 2023.

RESOLVED:

- a) That the draft annual report assessing the impact of the work undertaken in 2022/23 on safeguarding outcomes for children in Leicestershire and Rutland be noted.
- b) That Members of the Children and Families Overview and Scrutiny Committee be requested to submit their views on the draft annual report to the Director of Children and Family Services by no later than 15 September 2023.

28. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Children and Families Overview and Scrutiny Committee would be held on 7 November 2023 at 2:00pm.

14:00 – 15:47
05 September 2023

CHAIRMAN