

Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Tuesday, 3 September 2024.

PRESENT

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

Mr. M. Frisby CC

Mrs. S. Jordan CC

Mr. L. Hadji-Nikolaou CC

Mr. R. Martin

Mr. M. Hunt CC

14. Minutes of the meeting held on 4 June 2024.

The minutes of the meeting held on 4 June were taken as read, confirmed and signed.

15. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

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

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

Questions asked by Mr. M. Hunt CC:

“Earlier this Summer the Director of Corporate resources said that without new interventions the High Needs block deficit is forecast to continue to increase over the MTFs period and is not financially sustainable, despite the improved position in 2023/24. This creates a significant and unresolved financial risk to the Council. What new Interventions are we likely to see and what impact are they expected to have on the end of year outturn?

Would the Chairman provide a table of annual savings budgeted for annual savings achieved and the end of year accumulated deficit from 2022/23 and relevant projections to 2027/28?

The TSIL Programme is focussing significantly on ensuring that all data within the SEND system is robust and this has focused in part on data on individual pupils. Could the Chairman state how this has been conducted and whether parents or guardians have relevant access to the data”.

Reply by the Chairman:

As part of the continuous improvement phase of TSIL, future cost reduction opportunities of up to £12.7m have been identified. Areas identified include improved commissioning and effective management of Independent Special School places,

ensuring appropriate contributions from partners, effective EHCP reviews and transitions to adulthood. As savings under development, it is not expected that they will deliver any financial impact on the 2024/25 outturn but can be expected to impact on future years.

The current financial position on the Dedicated Schools Grant forecast at the end of the first quarter of 2024 is shown in the table below. The position is currently under review now that pupil destinations for the 2024/25 academic year are known.

	2024/25 £,000	2025/26 £,000	2026/27 £,000	2027/28 £,000
Grant Income	-109,176	-112,430	-115,781	-119,233
Placement Costs	117,490	129,398	142,392	156,622
Other HNB Cost	11,665	12,265	12,265	12,265
Commissioning Cost - New Places	162	37	0	0
Total Expenditure	129,317	141,700	154,657	168,887
Funding Gap Pre Savings	20,141	29,270	38,876	49,655
TSIL Programme Defined Opportunities	-3,788	-10,976	-19,195	-27,666
Increase in Local Specialist Places	-2,265	-5,472	-9,000	-12,579
Total Savings	-6,053	-16,448	-28,195	-40,245
Annual Revenue Funding Gap	14,088	12,822	10,681	9,410
Cumulative High Needs Deficit Brought Forward	41,187			
Cumulative High Needs Funding Gap	55,275	68,097	78,779	88,188
Surplus (-ve) / Deficit Other DSG Blocks	-9,663	-9,660	-9,160	-6,560
Dedicated Schools Grant Surplus (-ve) / Deficit	45,612	58,437	69,619	81,628
High Needs Spend as % of High Needs DSG	119%	127%	134%	143%
Surplus / Deficit as % of Total DSG	7%	8%	10%	11%

TSIL savings as reflected in the 2024/25 MTFS are shown below:

	2024/25 £,000	2025/26 £,000	2026/26 £,000	2027/28 £,000
Reduction in the number of EHCP Needs Assessment Requests	-228	-660	-1,231	-1,778
Reduction in Assessment Conversion Rate	-352	-861	-1,430	-1,918
Reduced Mainstream EHCP Cost	-345	-948	-1,634	-2,315
Reduction in the number of Early Years Specialist Starts	-587	-1,206	-1,839	-2,478
Reduction in the number of Non-Early Years Specialist	-1,333	-3,840	-6,721	-9,779

Starts				
Reduction in Non-Early Years Specialist Cost	-943	-3,460	-7,101	-9,399
Total - Potential Cost Reduction Savings	-3,788	-10,976	-19,956	-27,666

Data has been central to the work of the TSIL programme, ensuring improvements are evidence based using a range of data to identify, test and implement improvements within local authority SEND services. The impact of improvement activity is regularly monitored through performance data. The local authority is working with the SEND Hub to establish data sharing requirements with parents, carers and guardians.

17. 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.

18. 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 an Other Registrable Interest in Agenda Item 8 (Transforming SEND and Inclusion in Leicestershire (TSIL) Programme Update) as a Co-Chair of the Leicestershire SEND Hub.

Mrs. S. Jordan declared an Other Registrable Interest in Agenda Item 8 (Transforming SEND and Inclusion in Leicestershire (TSIL) Programme Update) as a trustee of the Leicestershire SEND Hub.

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

There were no declarations of the party whip.

20. Presentation of Petitions under Standing Order 36.

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

21. Transforming SEND and Inclusion in Leicestershire (TSIL) Programme Update.

The Committee considered a report of the Director of Children and Family Services which provided an update on the Transforming SEND and Inclusion in Leicestershire (TSIL) programme, including progress and achievements made to date and next steps, as well as an overview of the current High Needs Block financial position. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Arising from discussion, the following points were raised:

- i. In response to a question relating to the role of Educational Psychologists in the Education Health and Care Plan (EHCP) assessment process, the Director explained that they played a vital role when assessing the needs of children with special education needs in order to determine the most suitable support for

children with special educational needs and disabilities. The SEND Code of Practice included the requirement for Local Authorities to have Educational Psychologists Advice as part of the assessment process. Members noted that there was a national shortage of Educational Psychologists and that the Service was considering the best way to address this issue as part of a review of the overall assessment process.

- ii. The Lead Member for Children and Families highlighted that the majority of children with special educational needs could be supported within a mainstream school setting, unless there was a specific need for specialist provision. She stated that the number of EHCP requests had been a symptom of issues with school funding, and that she would continue to lobby Government on fair funding for schools.
- iii. Increasing demand continued to affect the financial position of the High Needs Block of the Dedicated School's Grant. It was suggested that an analysis of unit costs associated with specialist placements would be valuable in order to understand how costs varied between settings, and to inform how the Service could consider what could be done within legislation to address the issue and lobby for change. The Commissioning Service within the Department had analysed data relating to demand and unit costs, although it was acknowledged that more could be done to focus on specific placement costs and to understand the reason for increasing costs. The Director agreed to undertake an analysis of costs relating to specialist SEND placements, alongside work already which was being undertaken to strengthen the understanding of the demand for placements.

RESOLVED:

- a) That the Director be requested to undertake an analysis of costs relating to specialist SEND placements, alongside work being undertaken to strengthen the understanding of the demand for placements.
- b) That the update on the Transforming SEND and Inclusion in Leicestershire (TSIL) programme, including process and achievements made to date and next steps, as well as an overview of the current High Needs Block financial position, be noted.

22. Ofsted Inspection of Local Authority Social Care Services.

The Committee considered a report of the Director of Children and Family Services which provided the outcome of a recent Ofsted inspection of children's social care services in Leicestershire. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Arising from discussion, the following points were raised:

- i. The Committee congratulated the Director and the Department on the overall effectiveness of children's services in Leicestershire having been judged to be Outstanding.
- ii. Members noted that the Department would continue to deliver services to the high standard outlined within the inspection report and would undertake work to address two areas for improvement.

- iii. The Lead member for Children and Families thanked officers for their hard work and congratulated the Department on the result. She highlighted that the result would be positive for staff, children and families, and would also have a positive impact on recruitment and retention.

RESOLVED:

That the outcome of the recent Ofsted inspection of children's social care services in Leicestershire, be noted.

23. Quarter 1 2024/25 Performance Report.

The Committee considered a joint report of the Chief Executive and the Director of Children and Family Services which provided an update on the Children and Family Services Department's performance for the period April to June 2024 (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 a question relating to the process for utilising the Funded Early Education Entitlement (FEEE), the Director advised that parents would be required to obtain a code from a government website which would then be presented to an educational setting. The educational setting would then invoice the Council, which received the funds from Government. Members noted that there had been some issues in receiving funds from Government.
- ii. There had been an announcement made by Government that overall 'single word judgements' would be phased out of Ofsted inspection reports and would be replaced by report cards. The Director would consider how Ofsted performance would be presented to the Committee in future performance reports.
- iii. In response to concern raised relating to the increasing number of children being Electively Home Educated (EHE), the Director acknowledged that this continued to be a concern and stated that the trend was being observed nationally. Members were assured that the Department was undertaking work to understand the reasons why families had chosen to EHE children.
- iv. Concern was also raised regarding the number of permanent exclusions from Leicestershire schools. The Director assured Members that the number of exclusions was lower than that in other local authorities but that the figure was still high. The Department had a robust policy for supporting children at risk of exclusion and working with schools on the issue. The Director would consider work which could be undertaken to address the issue. The Lead Member for Children and Families stated that issues with school funding could have contributed to the increased use of exclusions by schools.

RESOLVED:

- a) That the Director would consider how Ofsted performance would be presented to the Committee in future performance reports, following a phasing out of single-word Ofsted judgements.

- b) That the update on the Children and Family Services Department's performance for the period April to June 2024 (Quarter 1), be noted.

[At this point Mr. M. Hunt CC left the meeting.]

24. Children's Social Care Statutory Complaints and Compliments Annual Report 2023/24.

The Committee considered a report of the Director of Family Services which provided a summary of the Children's Social Care Statutory Complaints and Compliments Annual Report for 2023/24. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

Arising from discussion, the following points were raised:

- i. In response to concern raised relating to the safeguarding in place for children with SEND needs who required taxi transport to school, the Director assured members that robust safeguarding processes were in place which ensured the safety of children whilst being transported to school, and that safeguarding issues would be thoroughly investigated. The Director asked that any individual concerns relating to SEND transport be reported outside of the meeting so that these could be passed on to the Director of Environment and Transport, who held responsibility for SEND transport.
- ii. Members noted that complaints relating to staff conduct would relate to staff of Leicestershire County Council rather than staff within schools.
- iii. A Member asked which complaints were referred to as Corporate Complaints. The Director advised that any complaint made to the Council where there was no statutory process in place was referred to as a Corporate Complaint. This included complaints relating to SEND transport.

RESOLVED:

That the summary provided on, and the contents of, the Children's Social Care Statutory Complaints and Compliments Annual Report for 2023/24, and the Corporate Complaints and Compliments Annual Report 2023/2024, be noted.

25. Leicestershire and Rutland Safeguarding Children Partnership Annual Report 2023/24.

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 Partnership for 2023/24. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

In response to a question relating to the Councils responsibility for supporting women and children with domestic violence cases, the Director stated that the Department undertook various pieces of work alongside partner agencies to support children and work with adult victims. The Department had a responsibility for a Domestic Abuse Plan and Strategy, and a responsibility to carry out needs assessments. It managed a grant for domestic abuse which focussed on responsibilities for domestic violence cases and supporting individuals to live safely outside of abusive relationship. A Domestic Abuse team worked alongside the Police and with the Front Door colleagues to review referrals. The Service had a dedicated officer who delivered safer relationship work with care leavers as they

became young adults. In addition, the Department was responsible for undertaking work on parental conflict and providing support with resolving family issues healthily. Members noted that social workers were not specifically trained on dealing with court cases but had the relevant experience in order to support children and adult victims through the court process.

RESOLVED:

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.

26. Annual Report of the Independent Reviewing Officer 2023/24.

The Committee considered a report of the Director of Children and Family Services which presented the Annual Report of the Independent Reviewing Officer with regard to children in care. The report evaluated the extent to which Leicestershire County Council had fulfilled its responsibilities to these children for the period 1 April 2023 to 31 March 2024. A copy of the report marked 'Agenda Item 13' is filed with these minutes.

The Lead Member for Children and Families highlighted that the Service undertook vital work with regards to supporting children in care.

RESOLVED:

That the contents of the Annual Report of the Independent Reviewing Officer with regard to children in care, and the extent to which Leicestershire County Council has fulfilled its responsibilities to these children for the period 1 April 2023 – 31 March 2024, be noted.

27. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Committee would be held on 5 November 2024 at 14:00.

2.00 - 3.28 pm
03 September 2024

CHAIRMAN