



Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 15 January 2018.

PRESENT

Mrs H. L. Richardson CC (in the Chair)

Mr. D. C. Bill MBE CC
 Dr. P. Bremner CC
 Mrs. C. Lewis
 Mrs. R. Page CC
 Mrs B. Seaton CC

Mr. S. D. Sheahan CC
 Mrs D. Taylor CC
 Mr. G. Welsh CC
 Mrs. A. Wright CC

41. Minutes.

The minutes of the meeting held on 13 November 2017 were taken as read, confirmed and signed.

42. Question Time.

The following question received under Standing Order 35, was put to the Chairman of the Children and Families Overview and Scrutiny Committee:

Question by Ms Sue Whiting, resident:

Could the Chairman please state how many Leicestershire children in care are resident in another local authority area and then transported into Leicestershire for education provision?

It would be appreciated if the figures can be for primary school children aged 5-10 years and secondary school children aged 11 to 16 years.

The Chairman replied as follows:

“We currently have 31 children in care (CiC) to Leicestershire County Council (11 of primary age, 5-10yrs and 20 of secondary age, 11-16yrs) who are resident in other authorities but who attend education in Leicestershire.

Each child has individual circumstances which determine why they are transported as such, sometimes because there is a temporary change in placement and maintaining a school place retains some stability in their lives, others have Education, Health and Care Plans specifying the type of education placement required, which is less easy to change if a placement move occurs.

35.5% (11) of these children are resident in Leicester City.

Resident in another local authority, educated in Leicestershire

		% of Total Number of CiC
Primary School Aged 5 – 10 years	11	3.3%
Secondary School Aged 11 – 16 years	20	6.0%
Total resident in another local authority, educated in Leicestershire	31	9.3%
Total number of children in care of statutory school age as at 9 January 2018.	335	

Ms Sue Whiting asked the following supplementary question in relation to the question:

Of the Secondary School Children Aged 11 – 16 years (20 of them), how many of them had an Education, Health and Care Plan?

The Director of Children and Family Services, on behalf of the Chairman, undertook to respond to the question in writing.

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

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

44. Urgent Items.

There were no urgent items for consideration.

45. Declarations of Interest.

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

No declarations were made.

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

There were no declarations of the party whip.

47. Presentation of Petitions under Standing Order 36.

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

48. Medium Term Financial Strategy 2018/19 to 2021/22.

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

2018/19 to 2021/22 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 Mr I D Ould CC, Cabinet Lead Member for Children and Family Services, to the meeting for this item.

The Director of Children and Family Services, in introducing the report, outlined the following drivers which had influenced the proposals for the Department's budget:-

- the overall financial position at the County Council, which required each department to make savings so that the overall budget for the year was balanced;
- significant costs pressures in Children's Social Care and the High Needs Block of the Dedicated Schools Grant, particularly with regard to Special Educational Needs and Disabilities (SEND); and
- the development of a transformation programme to address the cost pressures in the departmental budget.

Mr Ould CC, the Cabinet Lead Member for Children and Family Services, highlighted that the net budget will increase by £12m over the 4 years of the MTFS. He also advised the Committee of concerns regarding school funding. The overall increase in budget here was only guaranteed for 2 years; following this, schools could see a decrease in their budget.

Arising from discussion, the following points were raised:-

Service Transformation

- i) Concern was expressed that the proposals to meet the £1.5m MTFS savings in the Early Help Service would result in the closure of 18 Children's Centres and that this would have a negative impact on the services provided. The Committee was reminded that the Cabinet had agreed to consult on the proposals for the Early Help Service; this consultation would start on 22 January 2018 and this Committee would have an opportunity to respond to the consultation at its next meeting. The proposal included merging four separate services into a single 0-19 Family Wellbeing Service. It was intended to retain frontline staff and for the service to go into people's homes where appropriate. This was already common practice in the Supporting Leicestershire Families service, which only had four buildings. The new model would be a 'hub and spoke' model which retained 15 buildings. The use of other community buildings for group work would also be explored.
- ii) The risk of clawback from national Government if usage of the buildings is changed within 25 years of the initial award of capital grant from the Department for Education was recognised. However, in practice, where Children's Centres had closed elsewhere in the country, clawback had only occurred in a few cases and the level of clawback was low. It was noted that the proposal was to re-designate the buildings for other Early Years provision, rather than close them, which mitigated the risk of clawback. The 15 buildings that would be retained had been chosen based on a thorough evaluation.
- iii) Some Members highlighted the risk of reducing funding to Early Help services, both because of the importance of preventative services in preventing greater levels of need in the future and because partners and community groups might

not be able to 'pick up this work'. The Committee was reminded that the principle of the Early Help Review was to protect frontline staff. The consultation process would explore with partners and community groups the impact that the proposals would have on them. A few of the buildings currently used for Children's Centres were owned by the voluntary sector and the impact on them and their income streams would also be considered as part of the consultation.

- iv) The Cabinet lead Member for Children and Family Services assured Members that the Cabinet had recommended that, alongside the consultation, a detailed assessment of need would be undertaken. He would also be speaking to partners such as the Police and Crime Commissioner regarding funding and working with MPs to seek a commitment from the Government for a continuation of the funding for the Supporting Leicestershire Families programme beyond March 2020.

Proposed Revenue Budget

- v) It was confirmed that the budget transfers and adjustments of £814,000 during 2018/19 referred to contracts linked to the Early Help Review. The transfer of £0.8m from Public Health would be additional to this.

Growth

- vi) Concern was expressed that, due to the level of demand, Independent Fostering Agencies (IFAs) were prioritising placements for children with less complex needs. In response to this, the County Council's Care Placement Strategy was seeking to increase the number of in-house foster carers and to provide support so that they could provide more placements for children with complex needs. The Cabinet had recently approved a proposal to consult on changes to the fee structure for foster carers to bring the fees paid by the County Council closer to those paid by IFAs; this consultation was currently ongoing. The revised fee structure had been benchmarked against other fostering agencies and the Council had engaged a consultant who had previously been the Chief Executive of an IFA to support this work. The recruitment campaign focussed on the support and training provided for in-house foster carers, which was well received. Demographic information and an understanding of particular areas where the numbers of Looked after Children (LAC) were high were used to target the recruitment campaign. Members of the Committee were encouraged to look at the new fostering webpages on the County Council website. The work being undertaken to improve the recruitment of in-house foster careers was welcomed.
- vii) The increase in projected numbers of social care payments did not correlate with the level of growth proposed in the MTFs. It was confirmed that this was because the forecasts also took into account the type of placement that would be provided. The assumption was that the new placements would be more cost effective than existing ones.
- viii) The Social Care Agency Premia, intended to make Leicestershire County Council an employer of choice, support retention and reduce reliance on agency workers, was welcomed by Members.

Savings

- ix) The development of wrap around therapeutic support services for LAC was welcomed, particularly as it would focus on rehabilitating young people currently living in residential care into family settings or independent provision.
- x) The new Departmental Operating Model was intended to restructure senior management and to consider how the service was provided in order to identify efficiencies and savings. However, there was a £290,000 shortfall because it had not been possible to achieve the level of savings that had originally been envisaged.
- xi) The slower rate of academy conversion was partly because the county already had a large number of academies and also the withdrawal of the Government's White Paper proposing that all schools should become academies had removed the impetus to convert. It was still predicted that a number of schools would convert to academy status during 2018/19.

Schools Block

- xii) Each school had seen the impact that the new schools funding formula would have, based on draft data. This data was currently being updated using the information from the October 2016 census of schools. It would be provided to schools during the first week of March.
- xiii) It was noted that some primary schools at the bottom end of the scale for funding could see inflationary pressures which were greater than the increase in funding. Work was being undertaken with individual schools to help them prepare for this. Schools with falling numbers of pupils could also be adversely impacted by the new formula.
- xiv) The High Needs Inclusion Project was developing a financial strategy which would reduce the overspend in the High Needs Block and develop a manageable, sustainable, budget for this area. This would be a challenge for the County Council as the number of young people needing support was increasing. A range of issues was being considered, such as ways of reducing high spend in the independent sector and supporting children with special educational needs and disabilities in mainstream schools. It was noted that the County Council had a statutory responsibility to fund these services and would have to do so from its own budget if the overspend and sustainability of the High Needs Block was not addressed.

Specific Grants

- xv) Some of the grants for Children and Family Services were adequate to support provision; where this was not the case, the County Council focussed on discharging its statutory responsibilities. Where the Council had discretion, it aimed to achieve the best outcomes within the resources available.
- xvi) It was noted that the grant for supporting Unaccompanied Asylum Seeking Children only covered 50% of the County Council's costs. The County Council's position was, therefore, that it would meet its statutory responsibilities but that it would not enter into voluntary schemes.

Capital Programme

- xvii) It was confirmed that, where the Capital programme related to Church of England Schools, the Diocesan Board of Education would be consulted on any proposals.
- xviii) The Capital Grant for SEND initiatives had been confirmed but the County Council was required to submit a sending plan before the level of funding was allocated. This would form part of the SEND Strategy and this Committee would, therefore, have the opportunity to consider it as part of the consultation on the Strategy.
- xix) It was confirmed that the S106 contributions related to the number of school places required, whether the school was an academy or a maintained school. It was noted that studio schools counted towards the number of secondary school places that an area required, regardless of whether the studio school was a popular choice. The Cabinet Lead Member reminded the Committee that district level briefings on school places were provided for members during the summer.

It was moved by Mr Welsh CC and seconded by Mr Bill CC:

“That this Committee expresses to the Cabinet its grave concern that the risks associated with the proposed reduction in Early Help, including the closure of so many Children’s Centres, are excessive and will potentially lead to more children going in to Local Authority care”.

The Motion was put and not carried, with 3 members voting for the amendment and 6 members voting against.

Mr. D. C. Bill CC, Mr. G. Welsh CC and Mr. S. D. Sheahan CC asked for it to be placed on record that they voted for the Motion.

RESOLVED

- a) That the report and information now provided be noted;
- b) That the comments of the Committee be forwarded to the Scrutiny Commission for consideration at its meeting on 24 January 2018; and
- c) That, where the Capital programme related to the Church of England schools, the Diocesan Board of Education would be consulted on any proposals.

49. Quarter 2 2017/18 Performance Report.

The Committee considered a joint report of the Chief Executive and Director of Children and Family Services which provided an update on departmental performance at the end of quarter 2 of 2017/18. A copy of the report marked ‘Agenda Item 9’ is filed with these minutes.

Arising from discussion the following points were raised:-

- i) The percentage of 'Children becoming subject to a child protection plan for a second or subsequent time' had risen to 29.4%; this continued to be an area of robust oversight for officers. The work completed over the last two years to improve performance had brought about a reduction and was in line with statistical neighbours. This year had seen an increase but audit of cases had shown that the time between periods on a plan was a lengthy period. Members were assured that managers had completed audits and had a good understanding of the circumstances surrounding each case;
- ii) The main risk factor for those subject to a repeat plan was neglect, with children living in chaotic family circumstances caused by domestic abuse, parental mental health issues and parental substance misuse. Members were informed that the process to take a child off a Plan was robust;
- iii) Robust practices had been established for health assessments and dental checks for children in care, with reviews held with Public Health on a monthly basis. Monitoring had identified that the low number of dental checks reported was due to a data input issue with MOSAIC, the reporting system, which had now been rectified and data cleansing had been completed to ensure accuracy of data. Members were assured that children who refused health checks were encouraged by officers to attend, and the importance of such checks was explained to them. Officers worked closely with Looked After Children nurses and the Children in Care Council to ensure that children were aware of the importance of health checks;
- iv) The Strengths and Difficulties Questionnaire (SDQ) was initially completed by the carers of young people, with input (depending on their age) from the young person. The importance of accurate scoring on the SDQ was recognised to ensure that the young person received the right level of support. Additionally, themes identified within the SDQs were used to determine the focus of service delivery;
- v) Regarding the percentage of schools rated as 'good' or 'outstanding' by Ofsted, Members were assured that the data could be broken down for primary and secondary schools, and academy and non-academy schools and would be provided to Members of the Committee;
- vi) Provisional data for Children in Care who achieved expected standards at the end of Key Stage Two (aged 11) showed performance in this area was worse than benchmarking authorities. The Cabinet Lead Member informed the Committee that the County Council had a lower number of children in care, due to the excellent work carried out to avoid taking children into care in the first place. However, this resulted in those children who were in care not being as representative a sample and ability as for other authorities; the cohort of children in care could not be accommodated within an extended family and this affected educational performance.

RESOLVED:

- a) That the Children and Families Service performance at the end of quarter 2 of 2017/18 be noted;
- b) That a report on the number of children being placed on a repeat Child Protection Plan, including the process for ending the initial plan, be submitted to the Children's Social Care Panel; and
- c) That the data for schools rated as 'good' or 'outstanding' by Ofsted be broken down for primary and secondary schools, and academy and non-academy schools, and provided to the Committee.

50. OFSTED Inspection Framework: Inspection of Local Authority Children's Services.

The Committee considered a report of the Director of Children and Family Services which outlined the new Ofsted Inspection Framework: Inspection of Local Authority Children's Services. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from discussion the following points were raised:-

- i) The new Inspection Framework was a three yearly process, which included an annual conversation by Ofsted with the Director of Children and Family Services, based on completion of a self-assessment. The frequency of inspection would be tailored according to the needs and performance rating of the local authority; for local authorities of concern, an inspection would be held sooner than the three year stage;
- ii) The Inspection Framework was service orientated and service-led, focussed on the practice and experience of children. Ofsted would spend time with social workers and seek evidence to make a judgement about service delivery and local authority performance overall. They would also seek to confirm that finances were being used effectively to achieve the desired outcomes;
- iii) Focused themed visits would also be carried out during the three-year cycle and would consider one or more aspect of the service delivered. Ofsted would set the parameter of the visits. In addition, joint targeted themed visits could take place; the theme for this period was Domestic Abuse and Child Sexual Exploitation;
- iv) Regarding the involvement of Members in the new Inspection Framework, Members were informed that the yearly conversation did not include the Lead Member for Children and Young People but that the Director of Children and Family Services would raise this with Ofsted. However, Ofsted had been clear that the annual conversation would be carried out with the Director of Children and Family Services and would involve others if required. Members expressed concern that there was a lack of Member involvement across the new Ofsted Inspection Framework process and the Director agreed to also raise this with Ofsted. The Lead Member informed the Committee that he hoped that the Local Government Association Children's Board would address this with relevant Ministers.

RESOLVED:

That the report on the new Ofsted Inspection Framework for Local Authority Children's Services be noted.

51. Date of next meeting.

It was noted that the next meeting of the Committee would be held on Monday 5 March 2018 at 1.30pm.

1.30 am - 3.45 pm
15 January 2018

CHAIRMAN

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