



Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Tuesday, 8 November 2022.

PRESENT

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

Mr. R. G. Allen CC

Mr. R. Martin

Mr. L. Hadji-Nikolaou CC

Mr. C. A. Smith CC

Mr. R. Hills CC

Mr. G. Welsh CC

Mr. Max Hunt CC

26. Minutes of the meeting held on 6 September 2022.

The minutes of the meeting held on 6 September 2022 were taken as read, confirmed and signed.

27. Question Time.

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

**a) Question asked by Sue Whiting**

“Could the Chair please state how much training members of the Inclusion Team have in SEND, particularly in the Specific Learning Difficulties/difference/disability, as these are the children who can often be very anxious because of unmet provision for their needs?”

**Response by the Chairman**

All members of the Inclusion Team who carry out direct work with children and young people are expected to undertake training relevant to the young people that they are working with. The training undertaken includes Autism Awareness training levels 1&2 with some staff completing level 3 where this supports the direct work that they have completed with a child or young person. The whole service has completed training on Adverse Childhood Experiences (ACES) and Trauma Informed Responses. Members of the service have taken part in Thrive training and we have a licensed Thrive practitioner. Staff have also undertaken training in Emotional Literacy Support, Dyslexia and Neurodiversity, Emotion Coaching, Dyslexia Awareness, Building Emotional Resilience, Mental Health First Aid, Words and Pictures and Hearing awareness.

**Supplementary question asked by Sue Whiting**

“Thank you for this comprehensive list of training. I am very familiar with most of the training listed but would value an explanation of the components of Thrive training and which particular role the licenced Thrive practitioner plays”?

### **Response by the Chairman**

At the invitation of the Chairman, the Director of Children and Family Services responded that Thrive Practitioners were education officers for children with medical needs who worked with children, parents, schools and any other involved agencies to plan a child or young person's education, whether that be requesting face-to-face or online tuition, in planning for a return to school, or engaging some other support around that child. The Thrive training had been an approach used by a number of schools in Leicestershire to support mental health needs of children and young people through training for staff in early years and school settings. The overall aim would be to boost the resilience of children by fostering an exclusive culture which would enable children to thrive. The Director advised that more information could be found at <https://www.thriveapproach.com/about-thrive/about-us>.

### **b) Question asked by Jane Williams**

"Panels make decisions on the lives of disabled children and can be the difference between getting the provision they need or not. Because these panels are so important to disabled children, can you confirm or deny if minutes are taken at all panel meetings and what the minimum required SEND law training for someone to be part of a panel?"

### **Response by the Chairman**

The Local Authority are required to make a number of decisions relating to the SEND. In making these decisions, the Council is required to follow the relevant legislation and the related guidance set out in the [SEND Code of Practice \(2015\)](#).

There is no requirement for the Council to establish any Panel mechanism to make the above decisions. However, in common with most other local authorities, Leicestershire County Council have established a number of Panels to make these decisions. All decisions made by the Panel are recorded, communicated to parents/carers and added to the child's case file.

There is no minimum training requirement for Panel members, but each person will be professionally qualified in their own field.

### **Supplementary question asked by Jane Williams**

"I know you said that you document decisions, but do you take minutes of how you came to that decision and how that decision complied in full with the Children & Families Act and the SEND Code of Practice"?

### **Response by the Chairman**

At the invitation of the Chairman, the Director for Children and Family Services responded that the Department had kept records of all decision making which had taken place at panels. Records would be logged on child's file as well as retained centrally as minutes so that officers could identify the decisions taken on any given date and also which panel members had been present. With regards to decisions to assess and decisions as to whether to issue a plan, the rationale would be recorded with reference to the relevant legislative test. Decisions regarding whether or not to

consult with a specialist placement would be made in line with the requirement to consult with the school of parental preference, but also the duty to ensure that the placement could meet the child's needs would be an efficient use of local authority resources and would not be incompatible with the efficient education of others.

28. 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:

**Question asked by Mr Max Hunt CC**

“Could I have the number of Independent SEND Settings used by the Local Authority in the last two years, so far as it is possible, together with the pro rata cost to the authority?”

**Reply by the Chairman:**

The Local Authority has commissioned places for children with special educational needs and disabilities from 64 providers over the last two years. The total spend on Independent Provision in 2020/2021 was £20,915,383 and in 2021/22 it was £22,016,004.

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

29. 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.

30. 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.

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

There were no declarations of the party whip.

32. Presentation of Petitions under Standing Order 36.

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

33. Leicestershire School Admissions.

The Committee considered a report of the Director of Children and Family Services which provided an overview of the Leicestershire School Admissions responsibilities and how the department delivers these responsibilities. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Arising from the discussion, the following points were made:

- i. In response to concerns that some children had not been allocated a school place for the academic year 2022/23, the Director explained that there would usually be a number of children awaiting a school place at any given time. Members noted that some of these cases would have been where parents or carers had missed the deadline for applying, applications for a mid-term transfer, which would include those children that had moved into the area, children that had not received an offer at their preferred school after statutory transfer rounds. The Department aimed to allocate children with a school place as quickly as possible and work with parents to make the best possible choice for the child. However, where school places in preferred schools were not available, this led to appeal to the tribunal.
- ii. In response to question regarding whether it would be possible to amend the application form to ensure that parents state three preferred schools, and that this include the catchment school, the Director explained that the School Admissions Code states that this cannot be mandated. However, the Department had improved messaging during the application process to recommend and encourage parents to state three preferences and to make them aware of the consequences where only one is stated. Despite this a number of parents had only stated one preferred school thereby limiting the chance of the child receiving a school place close to them in the event of not being successful in receiving a place at their preferred school. Members noted that the Department had communicated with schools regarding the importance of advertising catchment areas on their website and had signposted parents to check this before applying.
- iii. Members noted that when offering places, many schools placed priority on children who are subject to an EHCP, looked after children and those known to social workers. The Director explained that sibling groups and the distance from the school would also be important to many schools when offering places, but that schools, in particular academies, could chose to operate their own admissions policies. The Department would guarantee to commit to offering a school place to asylum seeking children and the children of those in armed forces.
- iv. In response to concerns over the number of parents who had not applied for a secondary school place for their children in the academic year 2022/23, the Director explained that the Department had experienced 200 fewer applications than expected, although some of these would be expected to make last minute applications. Some of these children would be attending independent schools and some may have been moving away from Leicestershire. Members noted that there would be no automatic entry to schools where parents had not made an application. The Department followed up with families who had not applied and would continue to issue reminders, through primary schools, for parents and carers to apply for a secondary school place.
- v. In response to a question regarding the success rate of parents appealing an admissions decision, the Director explained that the first stage of an appeal would look at whether the Admissions Code had been correctly applied, and the second stage would consider the impact on a school if it were overfilled. Some parents had appealed an admissions decision on numerous occasions, as they were entitled to do, once every academic year. Members noted that most appeals had been unsuccessful, but that there had been some circumstances where the appeal had been successful. If the appeal had been unsuccessful, the child would have been offered a place at their nearest available school with places, and where this

offer had not been taken, the child would be recorded as Missing in Education and would be referred to the inclusion service.

- vi. Members noted that a consequence of parental choice was increased competition amongst schools with parents increasingly aware of those schools who were rated Good which were popular and mostly oversubscribed.
- vii. In response to a question regarding the Department's strategy for improving the admissions process, the Director explained that the Department had reflected on learning from the admissions cycle in the academic year 2022/23 and had made changes to the service ensure that children received a school place on time. A new system had been introduced to improve the admissions process and there had been an increase in the number of staff working on applications. The Director explained that children would be automatically allocated with an alternative school where they had not been offered a place at their preferred schools. Members noted that the service had made changes to the online application and had issued communications ahead of the 31 October application deadline to ensure that applications are completed correctly and on time. The Department expected to see significant improvements to the admissions process in Summer 2023.
- viii. The Lead Member for Children and Family Services thanked officers for working incredibly hard during difficult circumstances, and for aiming to ensure that every child had a school place that themselves and their parents would be happy with.

#### RESOLVED:

That the overview of the Leicestershire School Admissions responsibilities and how the department delivers these responsibilities be noted.

#### 34. Leicestershire's Response to Tackling Child Criminal Exploitation.

The Committee considered a report of the Director of Children and Family Services which provided an overview of the work and progress of the Child Criminal Exploitation, Missing and Modern Slavery Hub. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

In introducing the report, the Director congratulated Ayshea Dalby Team Manager within the Vulnerability Hub at Wigston Police Station who had received a silver award for Team Leader of the Year at a Children's Services awards evening alongside partner organisations. The Chair offered her congratulations and all members of the Committee to Ayshea and the whole service.

Arising from discussion, the following points were made:

- i. In response to a question regarding the Department's strategy for tackling the challenge of an increasing number of children under the age of 11 who had been involved in county lines activity, the Director explained that the department worked closely with head teachers and regional partners to reach children of all ages. Members also noted that theatre productions and training materials on trusted relationships and online danger, which had been used for secondary aged children, were being tailored so that they would be appropriate for primary aged children. The Director explained that the Child Criminal Exploitation (CCE) Team and the Child Sexual Exploitation (CSE) team worked together to deal with the

separate aspects in such cases and that this approach had been commended by Bedfordshire University.

- ii. Members noted the Department worked closely with the Police and had two response teams based at Wigston police station to respond to Child Exploitation and Domestic Abuse. The Partnership approach provided a network opportunity and joint risk taking. The Director explained that daily meetings would assess the previous 24 hour period and if a case of child exploitation or a missing child had been reported, a formal meeting would be held to grade the child. If the child had been found to be at high risk, the child would be allocated a police detective, a social worker, and possibly a youth worker, who would deliver support services to the child from initial disclosure to any judicial process and then in recovery.
- iii. In response to concern regarding the high number of CSE referrals which had been received in quarter 1, the Director explained that many of these children would have been known as a result of early intervention work carried out to identify children at risk of becoming involved in exploitation such as those facing exclusion from school, a child at risk of going into care, vulnerable 16–17-year-olds facing homelessness and first time entrants to having contact with the police. Members noted that the service had reported positive outcomes through delivering this piece of work and would continue to be focussed on inclusion rather than exclusion.
- iv. Regarding the low number of CSE referrals of children from black and minority ethnic (BME) backgrounds, the Director reported that there had been underreporting from BME communities. The Department had received support from the Police and Crime Commissioner in commissioning work with BME champions to deliver support to communities.
- v. In response to concern that a significant percentage of CSE referrals were children with some form of disability, or children with an Education Health and Care Plan (EHCP), the Director explained that in the majority of cases, a perpetrator had targeted a vulnerable child and made an online connection with the intent on exploitation. The Department focussed on early intervention and on providing early support to children at risk of being exploited and would continue to offer support to children and families in making a statement, within a judicial process, and beyond.
- vi. Members welcomed the child focussed approach adopted by all agencies and the commitment to target and prosecute perpetrators of crime and to safeguard victims of exploitation.
- vii. The Lead Member for Children and Families highlighted the recent Ofsted visit where the work of the Vulnerability Team had been highly commended.

#### RESOLVED:

That the overview of the work and progress of the Child Criminal Exploitation, Missing children and the Modern Slavery Hub be noted.

#### 35. Q2 2022-23 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 September 2022 (Quarter 2). A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from discussion, the following points were made:

- i. In response to concerns regarding a decrease in single assessments completed within 45 days the Director explained that the Department had experienced increased demand as well as challenges with staff sickness and availability of agency to cover these areas but assured members that all children had received an assessment, although some had taken longer than expected to complete.
- ii. Members noted that the decrease in the number of children and families 'worked with' had been due to a large number of children and families 'worked with' in the previous quarter. The Director explained that the number of referrals received varied at different points in the year and assured members that robust processes were in place to ensure that children and families would be supported. The Director agreed to review how comparative data was present to allow for a more accurate reflection of performance.

RESOLVED:

That the update on the Children and Family Services Department's performance for the period to September 2022 (quarter 2) be noted.

36. Leicestershire Fostering Agency Statutory Report.

The Committee considered a report of the Director of Children and Family Services which presented an overview of the activity of the Leicestershire Fostering Agency between March 2021 and March 2022. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

The Director thanked staff within the service for their work throughout Covid-19 and beyond in supporting carers and children, as well as their work in identifying foster carers and supporting children within foster placements.

The Chairman asked that any comments from Members on the report be submitted to the Director of Children and Family Services.

RESOLVED:

- a) That the overview of the activity of the Leicestershire Fostering Agency between March 2021 and March 2022 be noted.
- b) That members of the Children and Families Overview and Scrutiny Committee be requested to submit their comments on the report to the Director of Children and Family Services.

37. Leicestershire Adoption Agency Statutory Report.

The Committee considered a report of the Director of Children and Family Services which provided members with an overview of the activity of the Adoption Agency during 2021-22. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

Arising from discussions, the following points were made:

- i. Members noted that a decrease in the Adoption Support Fund (ASF) claimed in 2020-21 when compared with 2021-22 had been due to extra funds having been available during Covid-19 to provide extra support to families with children not being in school as well as other additional support.
- ii. In response to concerns regarding difficulties which had been faced by adopters in accessing the Adoption Support Fund, the Director explained that difficulties had been faced when applying for funds due to criteria methods and that the Department would often have to work on a claim a number of times before it being approved by ASF. Members noted that here had also been an increase in waiting times for ASF to be processed through the system which had led to delays in making payments to adopters. The Department had introduced a dedicated contact form for adopters to approach the service at any time. Members noted that there had been a shortage of staff during the spring and summer which had resulted in a short waiting list to access the service but were assured that all cases had been allocated.
- iii. The Director thanked staff within the service for their continued focus on supporting children and adopters and for their initiative work in identifying permanent, safe homes for children.
- iv. The Chairman asked that any further comments from Members on the report be submitted to the Director of Children and Family Services.

RESOLVED:

- c) That the overview of the activity of the Leicestershire Fostering Agency between March 2021 and March 2022 be noted.
- d) That members of the Children and Families Overview and Scrutiny Committee be requested to submit their comments on the report to the Director of Children and Family Services.

38. Annual Report of the Independent Reviewing Officer.

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 and evaluated the extent to which Leicestershire County Council had fulfilled its responsibilities to children for the period 1 April 2021 – 31 March 2022, including its corporate parenting function. A copy of the report marked 'Agenda Item 13' is filed with these minutes.

The Chairman asked that any comments from Members on the report be submitted to the Director of Children and Family Services.

RESOLVED:

- a) That the extent to which the Council has fulfilled its responsibilities to children for the period 1 April 2021 – 31 March 2022, including its corporate parenting function be acknowledged.



- b) That members of the Children and Families Overview and Scrutiny Committee be requested to submit their comments on the report to the Director of Children and Family Services.

39. Date of future meetings.

RESOLVED:

It was noted that the next meeting of the Children and Families Overview and Scrutiny Committee would be held on 24 January 2023 at 2.00pm, and that future meetings had been scheduled to take place at 2.00pm on the following dates:

7 March 2023

6 June 2023

5 September 2023

7 November 2023

2.00 - 3.40 pm  
08 November 2022

CHAIRMAN

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