



Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Tuesday, 5 November 2024.

PRESENT

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

Mr. M. Frisby CC

Mr. M. Hunt CC

Mr. K. Ghattoraya CC

Mrs. S. Jordan CC

Mr. R. Hills CC

In attendance:

Mrs. D. Taylor CC – Lead Member for Children and Family Services

Mr. C. Smith CC – Cabinet Support Member

28. Minutes of the previous meeting.

The minutes of the meeting held on 3 September 2024 were taken as read, confirmed and signed.

29. Question Time.

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

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

The following questions had been 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:

“There is growing anxiety amongst parents and professionals of the use of smart phones in school premises on which the previous Government’s Guidance for Schools (Feb 2024) reported created a risk of “unnecessary distraction and disruption”.

The guidance suggested that a third of secondary school pupils report smart phones being used in lessons without permission. Children’s phone ownership from the age of 12 has reached 90%. The practice within schools is mixed with published statistics showing 60% of secondary schools pupils allowed to bring phones to school, but do not permit their use; while only 6% ban them from site and 3% lock them away. Meanwhile, 13 % of pupils were allowed to use phones in lessons with permission and 9% allow their use at break and lunch.

The author of the Independent Review on Children’s Social Care, Josh MacAlister, a Teach First alumnus who founded the social care training scheme Frontline, believes evidence is mounting that children “doomscroll” for several hours a day causing widespread harm and that regulation needs to be enforced uniformly by all secondary schools.

The authority owes it to children to keep them safe at school yet one in five pupils have experienced cyber bullying which threatens the ideal that a school should be protected from such risks and dangers. According to the latest statistics, there are a record number of children awaiting mental health support.

With these worrying statistics in mind:

1. What are our obligations concerning the protection of mental health in children within the authority and how is this monitored?
2. Has the authority addressed the matter of smart phones in schools or with the Leicestershire Schools Forum specifically?
3. How does the Local Authority respond to parental concerns on the matter?"

Reply by the Chairman:

1. The Children's Safeguarding Partnership has responsibility, as set out in Working Together to Safeguard Children 2023, to ensure robust safeguarding arrangements in the local area. Education and Health partners have a responsibility for universal services for children and young people including for the wellbeing of all children they work with. In addition, Health partners provide both universal and targeted services that support children and young people's emotional wellbeing, and where there is an assessed mental health condition, support to those children.

Children's Social Care works closely with partner agencies within the structure of the Children's Safeguarding Partnership to promote the wellbeing and safeguarding of children and young people across the county. Leicestershire County Council is the lead agency with responsibility to investigate allegations of child protection and to assess and coordinate safety planning if a child is assessed to be at risk of harm. The Local Authority receives referrals from other professionals or members of the public, and if the child/ young person meets a threshold for investigation (Section 47, The Children Act 1989) and or assessment (Section 17, The Children Act 1989), will complete an assessment of need which includes the child's health and emotional wellbeing. If appropriate services can then be provided as a child in need or in need of protection. This includes both providing a timely response to referrals from education settings when children are identified to have additional needs but also more generally to promote emotional wellbeing. Requests are also made for Targeted Family help services and following an Early Help assessment a range of services can be offered.

Within the Local Authority, the Public Health department has responsibilities to commission preventive public health services. They commission, from Children and Family services, the Teen Health service. In the last 12 months, the Teen Health service and Education Effectiveness have provided support to schools identifying and responding to the emotional needs of children, more specifically in relation to self harm and suicide.

The Teen Health service works with young people aged 11-18 in education. It has developed onsite resources across local secondary schools to provide services to

raise awareness of children's emotional needs and to promote their wellbeing – delivering groups and support on a one to one basis.

2. The Department has not addressed the matter of smart phone in schools, directly with schools or via the Schools Forum. Schools are responsible for the policy on smart phones in schools and already have the power to ban the use of phones in school.
3. The Department responds to any parental concerns that are received directly, and to those sent via Ofsted. However, it would always encourage parents to engage with their child's school to resolve any issues relating to this matter.

31. Urgent Items.

There were no urgent items for consideration.

32. 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.

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

There were no declarations of the party whip.

34. Presentation of Petitions under Standing Order 36.

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

35. 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 Exploitation, Missing and Modern Slavery Hub. A copy of the report, marked 'Agenda Item 8', is filed with these minutes.

In response to concern in respect of the percentage of Child Criminal Exploitation (CCE) referrals which related to males, and the percentage of Child Sexual Exploitation (CSE) referrals which related to females, the Director acknowledged that this was a concern but assured members that this was similar to national data and that robust partnership working was in place to respond to all referrals.

The Committee thanked the Service and partner agencies for the combined commitment and response to young people who were victims of any form of Child Criminal Exploitation.

RESOLVED:

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

36. Social Care Placements Market Position and Sufficiency Statement 2024-27.

The Committee considered a report of the Director of Children and Family Services which provided a summary of the Children's Social Care Placements Market Position and Sufficiency Statement, 2024-27. A copy of the report, marked 'Agenda Item 9', is filed with these minutes.

Members noted that the Market Position and Sufficiency Statement would exist alongside National Procurement Contract Regulations, the Procurement Act 2023 and local procurement and financial spend controls. Changes in procurement legislation would place greater emphasis on wider market engagement, increase the focus on robust and consistent commissioning activity, and require the Council to publish public notices relating to procurement sooner.

RESOLVED:

That the summary of the Children's Social Care Placements Market Position and Sufficiency Statement, 2024- 27, be noted.

37. Proposed Transfer of Funding from the Schools Block to the High Needs Block of the Dedicated Schools Grant.

The Committee considered a report of the Director of Children and Family Services which set out a proposal to seek a transfer of funding from the Schools Block to the High Needs Block of the Dedicated Schools Grant and the funding to be used for the establishment of a Special Educational Needs (SEN) Investment Fund to deliver targeted actions in order to reduce the increase in the number of Education, Health and Care Plan (EHCPs) and reduce the annual overspend. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

In introducing the report, the Director reported that:

The Leicestershire Schools' had met on 4 November 2024 where it voted to refuse the transfer of funding from the Schools Block to the High Needs Block of the Dedicated Schools Grant and the funding to be used for the establishment of a SEN Investment Fund. This decision reflected continued opposition to the proposal since it first received a report on the matter in June 2024. Consultation feedback on the proposed SEND Investment Fund were largely focused on disagreement to the transfer of funds. The Schools' Forum had been clear that it opposed the transfer as it would represent a decrease in funding for schools. It would support funding going to schools to support SEND inclusion but not by utilising the Schools Block Transfer in order to create a fund for this.

The Director advised members that it was intended to submit a report to the Cabinet regarding pursuing the transfer with the Secretary of State as the High Needs deficit facing the Authority was not sustainable.

Arising from Discussion, the following points were raised:

- (i) In response to questions, the Director explained that the funding transfer would not be used simply to offset the High Needs deficit but to enable measures to reduce the number of EHCPs being issued and support SEND inclusion in schools (as had been done by other local authorities), and it was proposed that the Investment Fund would be governed by schools. Details of the planned Investment Fund remained to be confirmed, as it had not been progressed further in light of opposition to the transfer.
- (ii) Members noted that a previous request for a funding transfer had been refused as no evidence of reinvestment in mainstream schools had been provided. The Council continued to work with schools to develop inclusive SEND provision and should the Secretary of State approve a funding transfer then further consultation would be held with schools on development of an Investment Fund. The Council would have waited for the new Government's approach to tackling issues within the SEND system to be clarified but in order to comply with statutory processes and deadlines for the 2025/26 capital programme it was necessary apply to the Secretary of State at the earliest opportunity.
- (iii) The Cabinet Lead Member for Children and Families agreed with the Director that the situation was difficult and complex, and that more Government funding was required to support children with SEND. The Council's financial position had left it little alternative but to seek a funding transfer to help address the High Needs deficit.

RESOLVED:

- (a) That the proposal to seek a transfer of funding from the Schools Block to the High Needs Block of the Dedicated Schools Grant and the funding to be used for the establishment of a Special Educational Needs (SEN) Investment Fund to deliver targeted actions in order to reduce the increase in the number of Education, Health and Care Plan (EHCPs) and reduce the annual overspend, be noted.
- (b) That the Cabinet be advised of the comments made by the Children and Families Overview and Scrutiny Committee on the proposal to seek a transfer of funding from the Schools Block to the High Needs Block of the Dedicated Schools Grant.

38. Leicestershire Fostering Agency Statutory Report.

The Committee considered a report of the Director of Children and Family Services which provided an overview of activity of the Fostering Service for the period March 2023 to March 2024.

Members noted that there continued to be a national shortage of foster carers and a growing population of children in care. The Department for Education regularly reported on this issue. Leicestershire County Council continued to perform well against neighbouring authorities in terms of recruiting foster carers and attracting carers who were transferring from other agencies.

The Committee thanked officers within the Service for the work undertaken to support children and families and highlighted the responsibility of elected members, as Corporate Parents, to promote opportunities relating to fostering.

RESOLVED:

That the overview of activity of the Fostering Service for the period March 2023 to March 2024.

39. Leicestershire Adoption Agency Statutory Report.

The Committee considered a report of the Director of Children and Families which provided an overview of activity of Leicestershire County Council's Adoption Agency, from March 2023 to March 2024. A copy of the report, marked 'Agenda Item 12', is filed with these minutes.

Arising from discussion, the following points were raised:

- (i) In response to a question, the Director stated that Special Guardianship Order related to a family court order which placed a child or young person in long-term care with someone other than their parents. The arrangement was an alternative arrangement to adoption or fostering.
- (ii) Members noted that initial visits presented the opportunity for social workers and potential adopters to discuss the adoption process as well as initial questions relating to the family and home. Some of those who received an initial visit may have decided not to continue with the process or staff may have raised a concern which could prevent them from doing so. Staff often signposted individuals to alternative services such as fostering.
- (iii) Members thanked officers within the Service for the work undertaken to ensure that children and families were matched successfully.

RESOLVED:

That the overview of activity of Leicestershire County Council's Adoption Agency, from March 2023 until March 2024, be noted.

40. Annual Report of the Leicestershire Virtual School.

The Committee considered a report of the Director of Children and Family Services which provided an overview of work and data of the Virtual School (VS). A copy of the report, marked 'Agenda Item 13', is filed with these minutes.

The Lead Member for Children and Families thanked officers within the Service for the work undertaken to support looked after children and previously looked after children.

RESOLVED:

That the overview of work and data of the Virtual School for the academic year 2023-2024, be noted.

41. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Committee would be held on 21 January 2025 at 14:00.

2.00 - 3.29 pm  
05 November 2024

CHAIRMAN

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