

## **CHILDREN'S AND YOUNG PEOPLE SCRUTINY AND PERFORMANCE PANEL**

TUESDAY 14 JANUARY, 2014 AT 6.00 P.M. AT THE COUNCIL HOUSE

<b>Panel Members Present</b>	Councillor B. Cassidy (Chair) Councillor D. Shires Councillor P. Lane Councillor E. Hughes
<b>Non elected voting members present</b>	S. Raynor (Lichfield Diocesan Education)
<b>Non elected non voting Members present</b>	R. Bragger (Primary Teacher Representative)
<b>Portfolio holder present</b>	Councillor C. Towe
<b>Officers Present</b>	Rose Collinson - Interim Executive Director, Children's Services; Sue Butcher - Interim Assistant Director, Specialist Services Louise Hughes – Assistant Director – Preventative and Targeted Services Alan Michell – Head of Service Colin Teasdale - Principal Corporate Performance Officer Andrea Potts – Head of Service Sue Morgan - Strategic Lead - Early Intervention & Family Support Katharine Mann – Admissions and Planning Team Neil Picken – Senior Committee Business and Governance Manager
<b>Also in attendance</b>	Robert Lake – Chair, Walsall Safeguarding Children's Board

### **370/14 APOLOGIES**

Apologies for absence were received on behalf of Councillors R. Martin, G. Perry and T. Jukes.

### **371/14 SUBSTITUTIONS**

None.

### **372/14 DECLARATIONS OF INTEREST AND PARTY WHIP**

There were no declarations of interest or party whip identified at this meeting.

373/14            **MINUTES**

Members considered the minutes of the meeting held on 26<sup>th</sup> November, 2013.

**Resolved**

That the minutes of the meeting held on 26<sup>th</sup> November, 2013, a copy having previously been circulated, be approved as a true and accurate record.

374/14            **CHILDREN AND YOUNG PEOPLE – ANNUAL COMPLAINTS REPORT**

The Principal Corporate Performance Officer presented the annual complaints report [annexed] which detailed the number and type of complaints made by, or on behalf of children and young people who receive support/services from Children's Social Care in Walsall.

The Panel were referred to appendix 1 which detailed the number of complaints, the number of unique cases that gave rise to a complaint and which service area they related to. It was explained that whilst the vulnerable children service area had received the most complaints it also had a large number of cases.

Members were advised that only a small number of complaints were escalated with only 6 progressing to stage 2 in 2012/13 and 2 during April – September, 2013. None of the complaints progressed to stage 3. In relation to investigations by the Local Government Ombudsman into maladministration, five complaints led to investigations. Only one led to a report of maladministration and this matter had been considered by the Panel at a previous meeting.

Officers explained that the most important part of having a complaints procedure was learning from complaints. Common themes could also be identified such as delays in service delivery which could then be addressed and improved upon. The Principal Corporate Performance Officer advised that there was now much more direct involvement at stage 1 and that complaints were resolved at the earliest point. Further, operations managers would be meeting in the future to revise the format of reports which would improve the Annual Report submitted to Members. There would also be further clarity around escalating procedures.

In relation to unreasonable and unreasonably persistent complaints a Member commented that such complainants demanded a huge amount of officer time and effort. Members asked how such complaints were currently handled? In response, officers explained that the Council had a procedure in place which sets a necessarily high bar for restricting contact, which requires Executive Director sign-off. It was stressed that this was used only as a last resort and was a better way of managing such complaints. The Interim Executive Director (Children's Services) advised that

the authority never lost sight of a child or young person as they were at the heart of the complaint and it was important to hear their views.

A Member asked whether there was sufficient resource to manage the complaints process efficiently. The Principal Corporate Performance Officer advised that it was challenging. The Interim Assistant Director (Specialist Services) advised that it was important to learn to do better and learn from complaints. Changing processes enable swift resolution of complaints. An example was provided of a manager calling a complainant which resulted in a complaint being resolved in 20 minutes. This was then followed up in writing. It was accepted that further work was required to learn from complaints, however, the service was working hard to do so. Part of the process was identifying the difference between unhappiness and a complaint as each required a different approach.

A Member questioned whether the statutory timescales for responding to complaints were being adhered to? The Interim Assistant Director (Specialist Services) advised that responding in 10 working days was not being achieved for all complaints, however, weekly reporting process were now more accurate which would help. Officers were confident that when the report is next submitted to the Panel figures would be more positive and that, by learning from complaints, issues would not be replicated.

Members were advised that work had been undertaken with the Manor Hospital to learn from their complaints process where a more proactive stance was taken.

The Chair requested that a briefing note with an up to date breakdown of complaints, be considered by the Panel at the meeting to be held on 8 April, 2014.

## **Resolved**

That a briefing note with an up to date breakdown of complaints, be considered by the Panel at the meeting to be held on 8 April, 2014.

### **375/14 FINANCIAL PLAN 2014/15 TO 2018/19: UPDATE ON DRAFT REVENUE BUDGET AND CAPITAL PROGRAMME, AND OUTCOME OF BUDGET CONSULTATION TO DATE.**

A report was submitted [annexed] setting out the outcome of budget consultation including responses from all Scrutiny Panels.

The Portfolio holder (Resources) advised that despite a significant consultation exercise being carried out, response rates were not high. Only 238 postcards had been received in phase 2 which was disappointing. However, all but 6 of the 29 savings options were supported. The Chair stated that it was unfortunate that the borough-wide consultation had resulted in such a small number of responses and reflected upon the fact that this may be due to many people not being sufficiently aware of the range of services provided by the Council resulting in them only becoming engaged once those services ceased to be available to them.

The Chair sought an update on the savings within Children's Services relating to the reduction of taxi costs for looked after children. The Interim Executive Director (Children's Services) advised that in respect of children with a disability and/or in foster care, many wished for a 'normal' life which didn't mean having a taxi everywhere. Members were assured that taxis would not be stopped if it was the most effective method of transporting a looked after child, however allowances could be used to travel in more conventional ways if that was preferred. In relation to children and young people with special needs, it was explained that often transportation from home was not required as they would be able as their independence grew to, in some cases, access pick up points or travel buddies. The transition from children to adult services was also a consideration as such transportation may not be available and so they could be unprepared for travelling alone. With both services it was necessary to provide an efficiency saving but maintain effective provision.

In respect of the savings relating to the review of targeted youth support and the careers advice and guidance service, Members noted that this had not been supported by people responding to consultation. Members were advised that the Council had taken note and the efficiency had been revised to take less out. Officers advised that an update on the review could be submitted to the next meeting of the Panel.

The Interim Executive Director (Children's Services) explained that the contract for family support by Spurgeons had not been renewed as it was found to be ineffective. Officers had decided that this area of work would be undertaken in house and in a different way.

In relation to reviewing 'waking night' provision it was explained that staff were involved with the process of change and that each home would have bespoke provision subject to its needs. The review should result in cost savings but only where it was appropriate to change provision.

A Member stated that whilst they supported the review and redesign of education following the end of the SERCO contract they recognised that it was a huge task. The Interim Executive Director (Children's Services) advised that the Council had previously outsourced its education function which had resulted in a one off significant saving. The contract had expired and education would now be delivered in house. Meetings had been held with schools to set out the Council's expectations. The Assistant Director (Preventative and Targeted Services) commented that there had been a phased approach for the return of education to the Council. During the last phase it was important to ensure that services were fit for purpose and fit for the future. Services would be reshaped to make them more effective.

The Chair commented that she had grave concerns, given the pressure on budgets across the service but acknowledged that, efficiencies were required by the Council.

## **Resolved**

That an update on the review of targeted youth support, careers advice and guidance service be submitted to the Panel meeting scheduled to take place on 25 February, 2014.

### **376/14            PROTECTION OF FREEDOM ACT**

Members received a presentation on the Protection of Freedom Act [Annexed] which had arisen following the merger of the Criminal Records Bureau and Independent Safeguarding Authority. The two had been merged to provide a more 'streamlined' service, known as the Disclosure Barring Service (DBS) which became live on 1<sup>st</sup> December, 2012.

Members sought clarity on current requirements given that many held roles as school governors. Officers advised that school governors were still required to undergo a DBS check and that schools should prompt this. Members were advised that best practice was to renew every 3 years.

Officers advised that a subscription service was introduced on 17<sup>th</sup> June, 2014 and confirmed that certificates were issued directly to the individual. It was explained that the DBS was only one check and a variety of others were required. The Interim Executive Director (Children's Services) supported the view that the DBS was only one check and referred to a serious case review in East Sussex whereby a teacher had eloped with a student to France. This had significant safeguarding risks which would not have been addressed by the DBS.

The Chair suggested that any Member with a specific query in relation to the DBS should contact officers.

## **Resolved**

That the report be noted.

### **377/14            WALSALL SAFEGUARDING CHILDREN BOARD ANNUAL REPORT 2012/13 AND JUNE 2012 OFSTED FINDINGS AND ACTION UNDERTAKEN**

Items 9 and 10 were taken together as they were interlinked.

A report was submitted [annexed] setting out an executive summary of the Walsall Safeguarding Children Board's Annual report. A presentation was then provided which detailed the actions undertaken following the Ofsted findings in June 2012.

In presenting the annual report, the Independent Chair of Walsall Safeguarding Children's Board (WSCB) apologised that, due to major staffing issues, the full Annual report was not yet available. It was anticipated that the report would be

finalised imminently and Members would be provided with a link to access the information electronically. Once Members had considered the report the independent Chair would visit the Panel again if requested.

The Chair advised that the latest Government guidance 'Working Together 2013' placed a huge responsibility on Local Safeguarding Children Boards (LSCB) putting them at the helm of local partnerships. Members were advised that within Walsall the LSCB would take over from the Improvement Board once the improvement notice was lifted and so it was crucial that it was fit for purpose.

The Independent Chair of the WSCB advised that the report submitted pre-dated the revised 'Working Together 2013' but agreed that it had a massive role to play in future. He further stated that one of the roles of the board was to encourage everyone to provide challenge to themselves and each other. This had been carried out to good effect with Partners bringing difficult issues to the Board for challenge in a bid to improve services to children.

A discussion ensued on serious case reviews. Members sought assurance that Walsall had a system in place to consider serious case reviews (SCRs). It was explained that 'Working Together' set the criteria for SCR's and that, in Walsall, an SCR Practice Guidance and Toolkit had been produced. Work was underway to address how cases are handled which do not meet the criteria for a serious case review, to ensure that learning was not lost despite the case not meeting the threshold for a full review. The Interim Assistant Director (Specialist Services) explained that all decisions in respect of whether a case met the threshold for a serious case review could be referred to a national panel of SCR experts to ensure that every decision taken locally was robustly challenged.

The Interim Executive Director (Children's Services) advised that there was previously a perception amongst partners that the Council wasn't fully engaging with the SCR process. The Chair asked which method of review Walsall used? The interim Assistant Director (Specialist Services) explained that it was important to use older and more tried and tested methods as the authority had not had a culture of undertaking many SCRs in the past. It was important to learn how to do them and do them by the book. That said, it was acknowledged that they should be used sparingly and only in the right circumstances.

The Chair of WSCB advised that Police involvement and attendance at meetings had improved following a review by West Midlands Police which increased resources to this area.

A Member asked whether the Board was fit for purpose to which the Chair of the WSCB stated that it was certainly well on its way. The Independent Chair stated that the Chair of the Improvement Board was positive about the WSCB.

The Chair of the WSCB thanked the Council for its continued support.

## **Resolved**

That the Chair of the Walsall Safeguarding Children Board be invited to attend a meeting of the Panel in September, 2014 and that Members of the Panel be provided with an electronic link to the full annual report, when available.

### **378/14 CHILDREN'S SERVICE IMPROVEMENT ACTIVITY**

A report was submitted [annexed] detailing the latest performance information and commentary, including a full set of the reports to the Department for Education 12 month review on 3 December, 2013, together with a summary of actions planned for the next period.

The Interim Executive Director (Children's Services) advised that Ofsted would be undertaking a thematic inspection examining children's services early help arrangements for children, young people and their families on Tuesday 21 and Wednesday 22 January.

The Chair requested that the report to the next Panel focuses on agency staff, early help and caseloads to which the Interim Executive Director (Children's Services) agreed to provide.

## **Resolved**

That the Improvement Activity report to the Panel to be held on 25<sup>th</sup> February, 2014 focuses on caseloads, early help and agency staff.

### **379/14 CHILDREN'S CENTRES**

The Panel received a briefing note which summarised progress on the reshape of Children's Centres in Walsall to develop Early Help Area clusters to deliver 0-19 Early Help services for children and families from April 2014.

Members were advised that from the 1<sup>st</sup> April 2014, Children's Centres would be clustered to deliver and coordinate Walsall's Early Help offer for each of the 6 Area Partnership footprints.

- Cluster 1: Greenfield / Brownhills / Pelsall
- Cluster 2: Streetly / Pheasey / Leighswood
- Cluster 3: Bloxwich / Blakenall / Hatherton / Edgar Stammers
- Cluster 4: (A) Alumwell and Birchills  
(B) Palfrey, Paddock and Chuckery
- Cluster 5: Darlaston
- Cluster 6: Bentley / Lighthouse / Fibbersley

The Chair sought clarity around cluster 4 as the contract was due to expire. The Assistant Director (Preventative and Targeted Services) advised that the contract

had been extended with the relevant community associations to enable the transition to clusters to go ahead. In 2015, a procurement exercise would be undertaken in line with Council procedures.

A further breakdown was requested in relation to the number of children each cluster would serve. Officers agreed to provide this information to Members and advised the Panel that a formula was used to ensure that funding followed need.

The Chair asked what the overall finance cut would be? It was explained that the budget would be reduced by around 20%. This included £930,000 from the reshaping of Children's Centres to better deliver Early Help and £320,000 from the removal of Children Centre teacher posts which are no longer a statutory requirement.

Clarity was sought on the level of redundancies to which the Assistant Director (Preventative and Targeted Services) advised that the number of redundancies had been reduced from 37 to 20. There were further voluntary redundancies to consider which would reduce the requirement for compulsory redundancies.

The Panel requested a further update on implementation of delivery to the meeting scheduled to take place on 25<sup>th</sup> February, 2014.

### **Resolved**

That a further update on the implementation of delivery the submitted to the meeting scheduled to take place on 25<sup>th</sup> February, 2014.

### **380/14      REPORT ON THE AVILABILITY AND TAKE UP OF PRIMARY SCHOOL PLACES IN WALSALL**

A report was submitted [annexed] on current availability and take up of primary school places in Walsall and of projected numbers of pupils expected to enter Reception in Walsall in the period 2014 to 2017. Further, it detailed the number of children registered as elective home education because they could not be offered their parent's preferred school for admission to Reception.

The Chair advised that this report had been requested following a meeting of the home schooling working group. It was acknowledged that elected members were under pressure during admissions as parents' children may not get a place in their preferred school. In light of this, it was useful to receive a briefing on admission arrangements. It was suggested that the briefing be circulated to all Members with a reminder that the admission round would commence in March, 2014.

Members were advised that the admissions policy would go to consultation in 2015/16, however, Academies were able to set their own admission arrangements.

The Chair requested that further detail be provided on the number of children missing from school, together with reasons. The Panel were advised that Ofsted had produced guidance on children missing out on education. The link to the guidance would be emailed to Members for consideration.

## **Resolved**

1. That the briefing in respect of admission arrangements be circulated to all Members;
2. That the link to Ofsted guidance entitled 'Children Missing Out on Education' be circulated to Members of the Panel.

### **381/14 THE REPORT OF HER MAJESTY'S CHIEF INSPECTOR OF EDUCATION**

The Chair sought the Panels agreement to defer consideration of this item to a future meeting.

## **Resolved**

That the item be deferred to a future meeting.

### **382/14 SPECIAL EDUCATIONAL NEEDS REFORMS**

The Interim Executive Director (Children's Services) provided an update on the Children's and Families Bill, due to receive Royal Assent in spring, 2014 and becoming law by September, 2014. In doing so, the Panel were advised that a further, more detailed report would be brought to the Panel in February, 2014.

In Walsall, preparation for implementation of the reforms had progressed to a second phase which included the development of a SEND: Strategic Multi-Agency Working Group.

The Chair commented that the devil, as ever, would be in the detail. The Interim Executive Director (Children's Services) advised that special schools within Walsall were currently operating at almost full capacity. Work was being undertaken to ensure that the Authority were confident that the right child is placed in the right school as needs types had changed over the years with Autism and Aspergers now more common. It was still the case that Walsall children should be educated within Walsall, wherever it was possible to meet their needs.

## **Resolved**

That a further report be considered by the Panel at the meeting scheduled to be held on 25 February, 2014.

### **383/14 WORK PROGRAMME**

Members considered the work programme.

**Resolved**

That the work programme be noted.

384/14      **FORWARD PLAN**

Members considered the forward plan [annexed].

**Resolved**

That the forward plan be noted.

385/14      **DATE OF NEXT MEETING**

The date of the next meeting was noted as 25 February, 2014 at 6.00 p.m.

The meeting terminated at 8.15 p.m.

Chair: .....

Date:.....