

3 January 2018

Scrutiny of Education and Children's Services

Ward(s) All

Portfolios: Councillor S. Coughlan - Leader
Councillor A. Nawaz – Children's Services

Executive Summary:

In its inspection report of October 2017, Ofsted stated that the Education and Children's Services Overview and Scrutiny Committee needed to improve its scrutiny of the quality of services within its remit. The Committee subsequently made a recommendation to Council to split its remit to create separate Overview and Scrutiny Committees - one to scrutinise Education and one to scrutinise Children's Services. This recommendation is being referred to Council on 8 January 2018. The rationale for the recommendation is to increase capacity to enable greater scrutiny of the two areas. This report is presented to inform the Scrutiny Overview Committee (SOC) of the recommendation and rationale for it, along with an analysis of the implications.

Recommendation:

That Scrutiny Overview Committee comment on the proposal made by the Education and Children's Services Overview and Scrutiny Committee to create separate Overview and Scrutiny Committees for Education and Children's Services.

Report:

On 16 October 2017 the Education and Children's Services Overview and Scrutiny Committee (E&CSOSC) met to consider the outcome of the Ofsted inspection. Part of the report focussed on the work of the committee.

The report made the following observations:

'the committee does not sufficiently understand and challenge the quality of services for children effectively. Scrutiny does not challenge officers effectively about the quality of services and the impact of social work practice.'

It also added *'the scrutiny committee, while challenging of process and compliance, does not sufficiently understand and challenge the quality of*

services for children effectively. For example, scrutiny of early help focuses on service provision rather than quality and outcomes for children.'

The report later recommends that the Council *'Improve [the] functioning of the scrutiny committee to ensure that their work has a positive impact on improving services for children and the outcomes that they achieve'*.

At its meeting on 16 October the E&CSOSC received a presentation from the LGA on how to improve the scrutiny of 'quality' of service. In a presentation to the Committee the LGA Children's Improvement Advisor, Claire Burgess, analysed the challenge in the following way: *'Scrutiny is challenging the "what are we doing" (activity) and the "how are we doing it" (process and compliance) but not the "is it making a difference" (quality and impact).'* The presentation made suggestions on methods that could be used to improve the focus of scrutiny on quality ensuring a balance between qualitative and quantitative approaches. This presentation is attached at **Appendix 1** to this report.

During consideration of the presentation some Members of the E&CSOSC felt that the Education and Children's Services remit was too broad to scrutinise thoroughly under the umbrella of a single committee. During the last municipal year, and especially in view of the preparation necessary for the Ofsted inspection, the committee's agenda had carried a high number of items per meeting and many of these were substantial reports containing extensive detail. As a consequence of this, it was recognised that due to the time constraints on Members, it had not always been possible to give each and every agenda item the fullest attention it merited. Furthermore, Members expressed reservations that the continuation of this arrangement could lead to issues of interest to the Committee being overlooked or marginalised and that criticism could be incurred at a future date. Therefore they made a recommendation to Council that two scrutiny committees be established to manage the remit of the current committee, one Committee for Education and the other considering Children's Services. The committee agreed that further agenda time was required to consider education in more detail. However, this was challenged as areas within the children's services side of the committee's remit required more immediate consideration. The suggestion to establish a sub-committee was considered but rejected. The majority of the committee's members were in favour of the change, with two members indicating that they were not in favour of such a split.

Role of Scrutiny Overview Committee

The E&CSOSC's recommendation is scheduled to be considered by Council at its meeting on 8 January 2018. It is appropriate that a report is submitted to the Scrutiny Overview Committee, as the overarching, co-ordinating body, to establish members' views on the recommendation to expand the number of OSCs.

This matter has previously been considered following the Leach review undertaken in 2015. The recommendation at that time was to retain an all

encompassing Children's Services OSC. This is demonstrated in the extract from the report below:

3.1 In the current circumstances, there is a strong case for retaining the Children's Services and Adult Care and Health panels in their current form, with their existing remits. Given the criticisms about the ineffectiveness of scrutiny that have been made in official reports on the Rotherham and Mid-Staffs crises, and the fact that both the Walsall panels concerned have demonstrated a capacity to deal with the issues raised in these reports, it would be risky, and counterproductive to depart from the status quo. In the medium-term, when these issues have become less emotive and high-profile, it may be appropriate to consider alternative structures for these two panels; but not at present.

However, time has moved on. It could now be argued that, based on the views expressed by the E&CSOSC, the Committee is no longer demonstrating 'the capacity to deal with the issues' as referred to by Professor Leach. That said, it could also be argued that some oversight may be lost should the single committee be replaced with two separate committees.

Regional Neighbours - Benchmarking

A benchmarking exercise with regional neighbours has been undertaken. This indicates that all five West Midlands Metropolitan Councils operate a single scrutiny committee responsible for overseeing education and children's services as shown below.

Authority	Committee
Birmingham	Schools, Children's and Families Overview and Scrutiny Committee
Coventry	Education and Children's Services Scrutiny Board
Dudley	Children's Services Scrutiny Committee
Solihull	Children's Services, Education and Skills Scrutiny Board
Wolverhampton	Children, Young People and Families Scrutiny Panel

Financial implications

If a further Overview and Scrutiny Committee is established then the Chair of the Committee would be eligible to receive a special responsibility allowance. For a Scrutiny Committee Chair this is £7,284 pa. Assuming the Committee is established in January 2018 a sum of approximately £3,035 would be payable for the remainder of the Municipal year.

Capacity within Democratic Services also needs to be considered. In the short term the new committee would be managed from within existing resources; however, the long term sustainability of this would need to be reviewed. The service is now operating at capacity following a restructure in 2016 which resulted in the loss of two posts and the service taking on


additional work streams. Any additional capacity would require a growth bid in the 2018/19 resource allocation process.

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Walsall Metropolitan Borough Council

Education and Childrens Services
Overview and Scrutiny Committee

Making a Difference

Claire Burgess

LGA Childrens Improvement Adviser

16 October 2017

Aims

- To reflect on the comments and recommendation in the Ofsted Report published in September 2017 and what this means for scrutiny practice going forward in Walsall:
 - A common understanding of what is meant by having a positive impact on improving services and the outcomes C&YP achieve
 - Good practice in understanding and challenging the quality of services for C&YP
 - Practical support and advice to support the development of the Committee
 - Support from the LGA going forward
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Function of effective O & S

- Strategic overview of policies, strategies and plans
 - Scrutiny through 'critical friend'- constructive challenge
 - Conduit of political accountability
 - Monitoring of performance and budget outturns
 - Review of outcomes and impact
 - Input to policy development and review
 - Gatherer of evidence and good practice
 - A means to connect with residents
 - Independent view on future challenges
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Ofsted's perspective on good governance – good scrutiny

*“....Leaders and elected members have a comprehensive and current knowledge of **what is happening at the front line** and **how** children and young people are helped, cared for and protected....”*

Making a difference

- Feedback from Ofsted is that Scrutiny is challenging the “what are we doing” (activity) and the “how are we doing it” (process and compliance) but not the **“is it making a difference”** (quality and impact).
 - This limits the ability of scrutiny to know/assure itself that:
 - services being provided are having a positive impact on C&YP in terms of improved outcomes/life chances
 - ability to hold key leaders and partners to account
 - that the work of scrutiny is making a difference.
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What does this mean in practice?

- Clarity and understanding about the overarching strategic plans for improvement and service delivery.
This will support:
 - knowing the baseline and where you are trying to get to in Walsall
 - the forming of your agendas and work programme
 - your priorities & where can you have most impact and influence using the best method
 - Knowing the role and programmes of the other relevant assurance/ governance boards and where scrutiny can add value/provide assurance/challenge eg CPB, LSCB, H&WBB
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What does this mean in practice 2

- Developing a proactive approach to ensuring that there is a focus not only on quantitative information and data – the facts and figures relating to “this is what we have done and this is how we have done it” but equally on qualitative information
 - Qualitative information – how well has something been done and has it made a difference in terms of improving performance, the experience of a child or young person/family – the impact
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Qualitative evidence – scrutiny of the quality of services

Activity embedded in the LA and LSCB Performance & Quality Assurance framework - often around specific service areas and can include evidence from:

- case auditing – themes and evidence of improving practice
 - compliments and complaints – themes emerging
 - staff surveys – what does it feel like to work here
 - views and experiences of C&YP/parents & carers/partners – has it made a difference to our lives/has it made a difference to working together and what we can achieve
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Methods for gathering intelligence

- Task and finish groups/working groups – used to do time limited deep dives into specific issues/areas of work
- Focus groups with key people who can tell you how it feels to receive and experience services
- Inquiry days
- Workshops
- Site visits/observations
- Participation of C&YP in scrutiny function

Areas of focus to provide assurance of impact and quality of practice

- Quality and stability of leadership & workforce
 - Line of sight to front line practice
 - Managing demand – are the right C&YP in the right part of the children's services system
 - Caseloads – quality of practice
 - Timeliness
 - Statutory compliance
 - Building the culture and climate for improvement
 - Triangulation of core data and intelligence – asking the right questions of the right people
 - The voice of C&YP, parents/carers, IROs, workers
 - Partners stepping up to their duties and responsibilities
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The benefits of robust O & S to children's services

- Effective scrutiny = better decisions at all levels
 - Direct and powerful questions – curious and courageous
 - Influential - scrutiny's strongest power is the influence it exerts
 - Takes account of holistic viewpoints and local knowledge
 - Links up wider council roles and expertise
 - Child-centred – learning from local voices
 - Additional perspectives on priority areas – Council and partnerships
 - Embeds safeguarding children in wider policy agendas
 - Stakeholder and appreciative approaches
 - Builds knowledge and grows confidence in members and the public
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What can get in the way and what support will help you?

Plenary discussion



Support the LGA can offer

- Individual mentoring for newly appointed chairs of scrutiny, corporate parenting board and the lead member
 - Assessment of current scrutiny arrangements – the strengths and areas for development through direct observation and feedback to enhance the scrutiny and overview function – acting as a critical friend
 - Support for skills development for effective scrutiny – service specific knowledge & sharing best practice and what works
 - The regional West Midlands Leadership Essentials programme 15th November 2017 – for Scrutiny Chairs and Lead Members
 - The National Leadership Essentials programme for Lead Members and Scrutiny Chairs
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Useful references

Safeguarding children: A practical guide for overview and scrutiny councillors

- <http://www.cfps.org.uk/wp-content/uploads/Safeguarding-Children-1.pdf>

10 Questions to ask if you are scrutinising services for LAC -

<http://www.cfps.org.uk/wp-content/uploads/10-questions.pdf>

LGA 'Must Knows' for children's services - <https://www.local.gov.uk/our-support/our-improvement-offer/childrens-services-improvement/must-knows-lead-members-childrens>

LGA/ISOS Research <http://www.isospartnership.com/action-research-into-the-enablers-of-improvement-in-children-s-services.html>

Tomorrow's People? A guide for overview and scrutiny committees about involving young people in scrutiny

<https://www.local.gov.uk/sites/default/files/documents/tomorrows-people-guide-ov-f48.pdf>
