

## **EDUCATION AND CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE**

**11 OCTOBER, 2016 AT 6.00 P.M. AT THE COUNCIL HOUSE**

<b>Committee Members Present</b>	Councillor C. Towe (Chair) Councillor T. Jukes (Vice-Chair) Councillor D. Barker Councillor A. Ditta Councillor E. Hazell Councillor A. Kudhail Councillor E. Russell Councillor M. Ward Councillor T. Wilson
<b>Portfolio Holders Present</b>	Councillor R. Burley – Children's Services and Education
<b>Non elected voting Members present</b>	T. Tunnell (Parent Governor) M. Wollaston (Parent Governor)
<b>Non elected non voting Members present</b>	R. Bragger (Primary Teacher Representative) P. Welter (Secondary Teacher Representative)
<b>Officers Present</b>	David Haley – Executive Director (Children's Services) Lynda Poole – Assistant Director (Access and Achievement) Debbie Carter - Assistant Director (Children's Social Care) Carol Boughton - Head of Service - Safeguarding & Quality Assurance Claire Goss – Head of SEND and Inclusion Mike Morris – Principal Independent Reviewing Officer Frances Done – Independent Chair, Education Challenge Board and SENDi Board Neil Picken – Senior Democratic Services Officer

### **606/16 APOLOGIES**

Apologies for absence were received on behalf of Councillors N. Gultasib and M. Follows.

### **607/16 SUBSTITUTIONS**

There were no substitutions.

608/16     **DECLARATIONS OF INTEREST AND PARTY WHIP**

There were no declarations of interest or party whip for the duration of the meeting.

609/16     **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985  
(AS    AMENDED)**

There were no agenda items that required the exclusion of the public.

610/16     **MINUTES**

**Resolved:**

That the minutes of the meeting held on 6 September, 2016, a copy having previously been circulated, be approved as a true and accurate record subject to the inclusion of Councillor E. Russell within the list of those present.

611/16     **UPDATE FROM THE EDUCATION CHALLENGE BOARD AND SENDI  
CHALLENGE BOARD**

A report was submitted [see annexed] updating the committee on the work of the Education Challenge Board (ECB) established in November, 2014 and the Special Educational Needs and Inclusion Challenge Board established in June, 2016.

The Chair noted that 76.5% of Walsall Schools had been judged good or outstanding by OFSTED as of September, 2016. He further noted that the national average was 88.0% making it clear that the rate of improvement in Walsall needs to radically improve. The Independent Chair of the ECB was asked to ensure there was transparency in future reports showing the difference between the performance of academies and maintained schools to ensure that the Committee are fully informed. The Independent Chair of the ECB agreed to do so in future reports commenting that there was great concern about performance, particularly with regard to sponsored Academies. This had been raised with the Regional Schools Commissioner by the Executive Director (Children's Services) and Assistant Director (Access and Achievement) and any further action would be taken by the Department for Education.

The Executive Director (Children's Services) confirmed that he had held a meeting with the Department for Education and received a degree of reassurance that issues with regard to Academies were known. A similar meeting had taken place with the Regional Schools Commissioner. In addition, information about Academy underperformance would be raised with the National Schools Commissioner. He confirmed that the Regional Schools Commissioner and DfE had the authority to challenge Academies but assured Committee that the Council was doing all it could to directly challenge and support the DfE challenge where it could.

A Member asked what the next steps were to improve school performance. The Independent Chair advised that plans were in place for the pace of change to increase. A number of permanent School Improvement Partner posts had been appointed to which should assist with building relationships with schools.

In response to a question from the Chair, The Independent Chair of the ECB confirmed that schools now had more confidence in the Local Authority.

The Assistant Director (Access and Achievement) advised that the Local Authority continued to monitor and support schools. A number of pre-warning notices had been issued and responses received. These were monitored weekly and improvements were expected within six weeks through the Improvement Review Process.

The Independent Chair referred to Education, Health and Care Plans. She explained that the Local Authority was not meeting national expectations on this. A report was due to be considered by the Board in November and solutions and actions were required.

A further area of concern was the ongoing review of Special Educational Needs. Members were advised that the review was taking a long time and that dissatisfaction within schools was growing. The Committee were advised that the Board would be considering this matter in detail and an update would be provided to the Committee in January, 2017.

It was asked why there wasn't a parent/care representative on the SEN Board? In response, officers assured the Committee that this was discussed at the previous meeting and will be addressed.

A Member stated that capacity to meet the needs of special needs pupils needed to be built in mainstream schools. Some schools considered they were under significant pressure in terms of budget and staffing to meet needs. The Independent Chair advised that a balance was required between special school provision and specific support for pupils in mainstream schools to ensure that support was available. It was important to gain a detailed understanding of 'need'. Two special school Head Teachers were working with mainstream schools to support lead professionals and Special Needs Staff in each school.

Members expressed the need for the new SEND model to reflect the good practice found in primary schools and requested a further report on SEND at a future meeting.

A Member queried the support offered by the Child and Adolescent Mental Health Service (CAMHS) noting that concerns about the service had been raised before. The Member also asked what happened to those who didn't qualify for Education, Health and Care Plan's but still required support. In response, the Independent Chair explained that schools often report that they do not have sufficient access to CAMHS and that this was a service that was required at the right time and in the right way. Part of the challenge was to include the NHS and other partners and this was included as part of the SENDI Boards work programme. In closing, the

Committee were advised that the Independent Chair had heard good things about CAMHS, including a new project where CAMHS professionals work out of schools, but acknowledged that there needed to be a consistent service.

**Resolved:**

That a further report on Special Educational Needs and Disabilities be considered at a future meeting.

**612/16 Change in the order of business**

The Chair advised that item 11 would be considered next on the agenda.

**613/16 EDUCATION, HEALTH AND CARE PLANS – COMPLIANCE AND QUALITY ASSURANCE**

A report was submitted outlining the progress made in relation to the introduction of Education, Health and Care Plans (EHCPs) in September 2014 which replaced Statements of Special Educational Needs.

Members were advised that all transfers to EHCP should be undertaken by 2018. There was a significant backlog and so a new assessment team with additional staffing had been introduced to work to meet this deadline. It was anticipated that by December, 2016 the Council would be meeting the national average in terms of new EHCP's completed within the 20 week timescale. With the additional capacity all existing SEN statements should be transferred by March, 2018.

The Committee heard that there was a need to de-layer the system to improve efficiency. All paperwork was being revised to better align services.

The Chair stated that it was clear that the Council was not in a good place in respect of EHCP's and questioned whether officers were assured that they now had sufficient resource to meet the deadline. The Head of SEND and Inclusion advised that there was sufficient resource. However, there was only 18 months in which to make the transition. The Chair noted the deadline and sought further reassurance that the deadline was achievable with existing resources? The Head of SEND and Inclusion confirmed that there was sufficient resource.

A Member stated that there was a huge amount of misunderstanding amongst all involved as to how to complete forms. It was asked whether guidance would be issued and training provided for all those working with EHCP's, including teachers? In response, the Head of SEND and Inclusion acknowledged that there had been some confusion but provided assurance that everything would be clarified. It was made clear to the Committee that the Local Authority was responsible for ECHP's. New staff had been appointed and training and development would be carried out.

A Member questioned whether tribunals were an issue and whether they were rising. A further Member intimated that the council hired expensive solicitors to attend tribunals and that often parents won. They questioned how much this cost the Council. In response, the Assistant Director (Access and Achievement) explained that they would seek an analysis from legal services and circulate this to Members. She also agreed to circulate an example of the forms that need to be completed for an EHCP. The Executive Director (Children's Services) advised that tribunals were only used in exceptional circumstances and every effort was made to negotiate. It was always the intention to achieve the best outcome for the child.

### **Resolved**

1. That an analysis of the number of EHCP Tribunals be circulated to Members of the Committee;
2. That an example of the forms to be completed in respect of an EHCP be circulated to Members of the Committee;
3. That a progress report is provided to forthcoming meeting and a detailed assurance report provided for discussion at the 10 January 2017 meeting of the Committee.

### **614/16 LOOKED AFTER CHILDREN WORKING GROUP REPORT**

A report was submitted [see annexed] providing an update on the progress against the recommendations of the 2014 Looked After Children Working Group.

It was reported that the number of Looked After Children (LAC) continued to rise nationally. In Walsall, there were 636 LAC. There was a robust admission to care policy and approval to bring a child into care was taken at Group Manager level. A monthly panel reviewed all LAC in the system to ensure that they remained on the right plan and were in the right place.

The Courts were proving challenging as there was a strong culture of making care orders when the child remained with parents or were cared for by relatives. This was despite there being an alternative process to follow for such cases. The Executive Director (Children's Services) and Assistant Director (Children's Social Care) were holding meetings with the family judge to discuss this and other matters.

The Chair highlighted that the high number of caseloads for social workers was a significant issue when the review was undertaken. The Committee were assured that every effort was being made to reduce social workers caseloads. This would enable them to work in a more direct way whilst providing opportunity to develop a more systemic model of practice to support both maintaining children appropriately in their home environments and enable appropriate and timely return home when an admission to care was needed in the short term. The bespoke methodologies being implemented were intended to support the Council's work with children, young people and their families, including restorative practice and the NSPCC re-unification model. Currently experienced social workers carried a caseload of around 22/23 whilst newly qualified social workers did not exceed 15 children.

In terms of edge of care provision it was acknowledged that a flexible approach was required as issues did not just arise during office hours. A cultural change was required by social workers to focus on making every effort to support individuals to prevent them coming into care as this should be the last resort.

At present within the care system there are 28% under the age of 3, 25% between the ages of 5 and 9, 34% between the ages of 10 – 15 and 13% between 16 and 17.

The Assistant Director (Children's Social Care) advised that Out of Borough placements for teenagers were particularly costly and a legacy of the Council not acting earlier. It was essential that the right support was offered in the right way and at the right time.

In terms of the structure within the safeguarding service, Members were advised that a new structure was implemented in September 2014. This was working well in most areas. However, there was a consultation underway to review the management structure within Safeguarding Family Support Service, Corporate Parenting Service and the Children with Disability team. This proposal will stream line supervisory and management arrangements. In addition social workers' caseloads are starting to reduce and there is a revised recruitment and retention strategy to start to reduce the reliance on agency workers.

Members commented that social workers should focus on work with children and families rather than bureaucracy and red tape. Officers advised that in a staff survey over 70% stated the same two things as being an issue:-

1. Variability of supervision;
2. Bureaucracy.

It was clear that this needed to be addressed. It was intended that a launch of mobile devices in April, 2017 would allow for more flexible working and that MOSAIC, the case recording system, would be further developed to streamline administrative processes.

Debate followed on the recent closure of Bluebells Children's Home to accommodate one child. Members queried whether this was the only course of action available? In response, the Executive Director (Children's Services) confirmed that no other options were available to prevent this course of action. There were three staff assigned to the case and every effort was made to reduce the impact on others that would usually use Bluebells. All parents that lost time due to this issue would be able to have that time back to use on another occasion. The Executive Director (Children's Services) confirmed the costs of Out of Borough placements and the difficulty of securing such placements anywhere across the country.

A Member questioned turnover of staff and its impact on children and young people noting that changes to assigned social workers had a negative effect and so should be kept to a minimum. Officers advised that when a child is under 4 the solution would be to try to find foster parents and adopted parent(s) or family and friends carers. The Council had a good track record of adoptions. In terms of a life journey in the care system individuals are assigned a social worker from the Initial Response

Service for the first four weeks and then assigned another from Safeguarding Family Support Service who would then stay with them until they are adopted or become long term looked after, at which point they would be assigned a further social worker. Ideally the number of social workers should be three but there are a number of factors including staff turnover, disagreements between children and social workers meaning that, in reality, the number could be more. It was stressed that the aim of the council was to maintain stability and permanence for the child and that is the way the system was set up.

Further debate ensued around recruitment of social workers. The Assistant Director (Children's Social Care) advised that a number of strategies were in place including fast track to social work and a micro-site to attract new recruits. It was acknowledged that it remained a challenge to attract experienced social workers which was important as, unlike newly qualified staff, they could carry full and complex caseloads. It was stated that having lower caseloads both attracted staff and retained them.

Members requested that a breakdown of social work vacancy rates be circulated following the meeting.

**Resolved:**

That a breakdown of social work vacancy rates be circulated to Members.

**615/16 MISSING CHILDREN**

A report was submitted [see annexed] providing an overview of the issue of children who go missing from home, care or education.

It was made clear at the outset that when children go missing it was a dangerous activity. The immediate risks associated with going missing included having no means of support or legitimate income leading to high risk activities; involvement in criminal activities; becoming a victim of abuse or a victim of crime; alcohol or substance misuse; missing out on schooling and education; deterioration of physical and mental health and increasing vulnerability.

It was explained that in 2013 the Association of Chief Police Officers (ACPO) and the College of Policing introduced the definitions of 'missing' and 'absent' to allow responses that are proportionate to the risks faced by those reported as missing and to allow more efficient use of police resources.

*A missing person is: 'Anyone whose whereabouts cannot be established and where the circumstances are out of character or the context suggests the person may be subject of a crime or at risk of harm to themselves or another'.*

*An absent person is: 'A person not at a place where expected or required to be and there is no apparent risk'.*

Members were advised that this was no longer used in many forces and that West Midlands Police had recently announced that they were likely to remove the absent person definition. The revised approach would see the missing person definition being split into three categories – high, medium or low risk. Work was being undertaken regionally to develop this and other matters further.

When children did return from going missing the Council's commissioned service Street Team offered return interviews to understand the reasons why. Whilst this was always offered, sometimes parents or the child themselves refused to have a return interview. Within this process all children are screened for risk of child sexual exploitation. A Member stated that it was important to interview all children that went missing and asked what happened if a parent or child refused. It was reported that the Head of Service - Safeguarding & Quality Assurance would try to persuade the parents or individual a number of times to engage, but ultimately there was a need to respect the persons wishes should they choose not to have an interview as it was not compulsory.

The Committee were advised that there were 28 individuals that are 'without a destination'. The Council makes every effort to trace these individuals using a variety of methods including checking GP registers. This continues to take place until the child reaches the age of 16.

In terms of the numbers of children that had gone missing, Members asked whether this had increased or decreased when compared to previous years. The Head of Service - Safeguarding & Quality Assurance agreed to provide this information.

Members pressed on this matter asking how the Council could be sure, without a return interview, that nothing untoward was happening to the child or young person. The Head of Service - Safeguarding & Quality Assurance advised that where there were existing issues and the young person was known to social care, the Council was able to intervene. Where this isn't the case it was very difficult to do so, especially if it was the first time the individual had gone missing. Should the child go missing repeatedly further pressure was put on the individual and/or their parents to identify and manage risk.

Debate moved on to children not in main stream education. The Committee were advised that as at the end of August 2016 there were 93 children missing education who had been taken off a school roll and who do not currently have a named mainstream or special school place. It was explained that there were a number of reasons why this may be. Members acknowledged that there was a need to be tougher to ensure that children awaiting an appeal still attended the school offered, even if this was not the preference of the parents/child.

## **Resolved**

That The Head of Service - Safeguarding & Quality Assurance provides missing children figures from previous years.



## 616/16 CHILD PROTECTION PLANS

A report was submitted [annexed] providing detail as to why there had been an increase in repeat Child Protection Plans (CPP).

Officers advised that in 2016 the number of children subject to two or more Child Protection Plans in Walsall increased to just over 17% which was above national and statistical neighbour averages for the first time in 5 years.

The Principal Independent Reviewing Officer advised that to gain a better understanding of the identified issue and the impact of repeat CPPs on children, an audit was carried out in June 2016. This looked at 8 cases involving 26 children. A series of key themes emerged from the audit including that:-

- Neglect and domestic abuse feature in the lives of all of the children.
- The files evidence extensive professional activity in terms of meetings, assessments, agreements, visits and support planning. There are also cases where it was difficult to determine the intervention that would result in change for the child and where the intervention had minimal impact.
- There were cycles of improvement followed by subsequent deterioration in the care experienced by the children.
- The records did not always provide enough information about the children's home lives or the direct work undertaken with the children.

The Executive Director (Children's Services) advised that repeat CPPs were a concern as it could be an indication that the right things may not have been carried out previously to prevent a repeat CPP or that a child was taken off a CPP too early. To address this, a number of actions had been undertaken. Significant training had been carried out with staff and additional support provided.

There is a strong focus on improving outcomes for children and young people, which has sustained and embedded change. All managers are participating in training designed to promote and enable this. There is a mandatory training programme for all social workers with an emphasis on direct work with children and families; a relationship- based approach.

The Assistant Director (Children's Social Care) advised that she is monitoring this issue closely and it is a priority of the Children's Service Performance Board. With improved caseloads and training it was expected that the performance indicator will improve.

### **Resolved**

That the report be noted.

617/16 **APPOINTMENT OF MEMBERS TO ATTEND MEETINGS OF NEW BELONGINGS AND COUNCIL 4 KIDS**

**Resolved**

That the following Members be appointed for the remainder of the 2016/17 Municipal Year to engage with New Belongings and Council 4 Kids:-

**Council 4 Kids** – Councillor A. Kudhail and Councillor T. Wilson

**New Belongings** – Councillor T. Jukes and E. Hazell

618/16 **WORK PROGRAMME AND FORWARD PLANS**

The Chair noted that the work programme had been omitted from the paperwork and asked for the information to be circulated.

**Resolved:**

- 1. That the work programme be noted;**
- 2. That the forward plans be noted.**

619/16 **DATE OF NEXT MEETING**

The date of the next meeting was 22 November, 2016.

The meeting terminated at 8.45 p.m.

Chair: .....

Date:.....