

EDUCATION AND CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE

9 JANUARY 2018 AT 6.00 PM AT THE COUNCIL HOUSE

Committee Members present	Councillor C. Towe (Chair) Councillor T. Jukes (Vice-Chair) Councillor D. Barker Councillor J. Fitzpatrick Councillor E. Hazell Councillor D. James Councillor A. Kudhail Councillor T. Wilson
Portfolio Holders present	Councillor A. Nawaz - Children's Services and Education
Non-elected voting Members present	Mrs T. Tunnell (Parent Governor)
Non-elected non-voting Members present	Mr R. Bragger (Primary Teacher Representative)
Officers present	Ms S. Rowe, Executive Director (Children's Services) Ms D. Carter, Assistant Director (Children's Social Care) Ms C. Boughton, Head of Service (Safeguarding and Quality Assurance) Ms S. Whitmore, Operational Lead for CSE Mr M. Halliwell, Assurance Lead Officer Dr P. Fantom, Democratic Services Officer
In attendance	Mr A. Critchley, Independent Chair of the Walsall Safeguarding Children and Adult Board Ms J. Haden, Designated Nurse, Walsall CCG DCI D. Lambert, West Midlands Police Ms H. Matthews, Chief Executive, Walsall Street Teams Ms D. Rhoden, Nursing Quality Lead, Walsall Healthcare NHS Trust Mr A. Thompson, Operations Manager, Walsall Street Teams

1/18 **APOLOGIES**

Apologies for absence were received on behalf of Councillor M. Follows and from Ms W. Duffus.

2/18 **SUBSTITUTIONS**

There were no substitutions.

3/18 DECLARATIONS OF INTEREST AND PARTY WHIP

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

4/18 LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)

Resolved:

That the public be excluded from the meeting during consideration of the item set out in the private agenda for the reasons set out therein and Section 100A of the Local Government Act 1972.

5/18 MINUTES

With reference to the minutes of the meeting held on 21 November 2017:

- It was noted that Mr R. Bragger's name had been erroneously included in the list of attendees and, having provided his apologies for absence, this should be amended.
- Further to the resolution of Minute 98/17, that the fourth bullet point be amended by the deletion of the words 'and to other looked after children'

Resolved:

1. That the minutes of the special meeting held on 6 November 2017, a copy having previously been circulated, be approved as a true and accurate record;
2. That the minutes of the meeting held on 21 November 2017, as amended, a copy having previously been circulated, be approved as a true and accurate record.

6/18 DRAFT REVENUE BUDGET AND CAPITAL PROGRAMME 2018/19 TO 2020/21

The Committee received a report [annexed] setting out the draft revenue budget and draft capital programme 2018/19 to 2020/21, which had been reported to the Cabinet on 13 December 2017. This included the following items for consultation:

- Changes to the revenue saving proposals for 2018/19, as reported to Cabinet on 25 October 2017 (no changes related to the remit of the Committee);
- The draft capital programme for the four-year period from 2018/19 to 2021/22. An extract of the schemes relating to the remit of the Committee was attached to the report as Annex 1.

The Committee was invited to provide further feedback and made the following comments on the draft capital programme, which would be considered by the Cabinet in advance of the final budget recommendation to the Council in February 2018.

Having regard to the capital project – supporting transformation – looked after children – out of Borough placements, which would fund increased in Borough bed capacity, the Chair sought clarification on the allocation of £150,000 per year from 2018/19 to 2020/21. It was confirmed by the Assistant Director (Children’s Social Care) that this funding was intended to increase the capacity for bringing children back to the Borough when there was potential for special guardianships. Where it might be possible to provide permanency for children, this could be achieved by adaptations to carers’ homes and the funding could be rolled out over the three years, with there being a criteria for its administration.

The Assistant Director reported that with respect to the 2/3 bed-roomed small residential home also referred to under supporting transformation – looked after children, the allocation of £60,000 per year from 2018/19 to 2020/21 represented the rental on the property.

The Committee were advised that a number of services currently delivered from various locations were being relocated. The Children’s Services Independent Review and Child Protection conference service was to move from the Hollies to the Pinfold Centre. Also being relocated to the Pinfold Centre was the Looked After Children service, which was currently situated at Townend House, and the Alumwell Transition Learning Care hub. The contact service for those children going through the court process and for whom it was not safe for them to have parental contact, was to relocate from Stroud Avenue to Fallings Heath, which would be a more appropriate building to house this service as it could be run flexibly and offered better provision. Further to a question from a Member, the Assistant Director assured the Committee that parental contact would not be affected by the relocation of this service.

It was noted that there was a significant reduction in the estimated DfE allocation for Basic Need from £21,616,745 in 2018/19 to £4,000,000 in 2021/22, and it was pointed out by a Member that the allocation of £12,399,697 for 2019/20 exceeded that indicated on the Government website, which was £11,981,629. As this item related to pupil planning, school places and expansion, it was requested that further information be provided to Members.

Resolved:

1. That the Committee note the schemes included in the draft capital programme, relating to the Committee, as reported to Cabinet on 13 December 2017;
2. That a detailed breakdown on the estimated DfE allocation for Basic Need be provided for circulation to the Committee.

7/18 CHILDREN AND YOUNG PEOPLE – ANNUAL COMPLAINTS REPORT

The annual report [annexed] was submitted providing an overview and analysis of the compliments and complaints made by or on behalf of the children and young people receiving services from Children’s Social Care during the period 1 April 2016 to 31 March 2017.

In responding to a question from the Chair, the Assurance Lead Officer clarified for the benefit of the Committee the various categories of complaints. He explained that corporate complaints were made by people in receipt of a corporate service, in which case the corporate complaints procedure would be followed. There were three stages within the social care complaints procedure. At stage one the complainant should receive a response within 10 working days (or 20 working days when the issue(s) were complex). Progress to stage two occurred should the complainant be dissatisfied with the response and independent investigation was entailed, with there being a register of independent people qualified to undertake this role. The timescale for resolution at stage two depended on the complexity of the complaint. If the complainant remains dissatisfied with the Stage 2 response, they can request a Stage 3 investigation by an independent panel. Should all stages of the procedure be exhausted, a complainant could seek referral to the Local Government Ombudsman (LGO); however, it was noted that a complainant could also request direct LGO involvement earlier in the process.

Further to a question from a Member on compliance with timescales, the Assurance Lead Officer stated that performance had dropped during 2016/17 due to resource issues, but added that this had been rectified in the current year with there being significant improvements in timeliness due to recruitment to the complaints team.

The Assurance Lead Officer advised the Committee that in the case of complaints featuring multiple issues, each issue would be investigated separately and the complainant notified on whether the issue was upheld. It was highlighted that the main issue complained about was communication.

Further to the Headline Summary contained in the table at 1.2 of the report, it was confirmed to Members that during 2016/17, 130 complaints had been received of which 104 social care complaints had been responded to, 13 were corporate complaints and 13 were dealt with via other procedures, such as Court processes, for which there could be no disclosure of information.

In response to questions from Members on the types of complaints received, the Executive Director (Children's Services) and the Assistant Director (Children's Social Care) informed the Committee of the steps taken to learn from complaints and improve the service. This included logging the lessons learnt, feeding back to managers and teams, and incorporating into training programmes and workforce development. Using the example of complaints regarding lateness for appointments, Members were informed about the manner in which this was addressed via the restorative approach, emphasising the importance of communication and respectful engagement with children and families.

Members noted that there had been an increase in the number of complaints received from children and young people. The Executive Director reported that there had been recruitment to a Children Participation position, which would enable children to have a clearer voice in registering complaints. The Portfolio Holder - Children's Services and Education emphasised the importance of listening to children and that they should feel confident in approaching the service with any concerns. Members also had regard to, not only of capturing complaints and compliments and reporting them back to the Committee, but of being aware that

there could be a higher degree of anxiety and urgency felt by children and young people with regard to their issues of concern and the timeliness of addressing this.

The Committee noted that the report did not contain benchmarking against the performance of other local authorities and requested that this be incorporated in future reports. Also to be included in future was the overview/summary section of the report, which had been omitted on this occasion.

Resolved:

That the Children and Young People – Annual complaints report 2016/17 be noted.

8/18 CHILD SEXUAL EXPLOITATION/MISSING CHILDREN

The Chair introduced this item by welcoming the representatives of the partner organisations who were in attendance. He explained that further to the special meeting that had been held on 26 January 2017 to receive an overview on Child Sexual Exploitation (CSE), the purpose was to receive an update on the current activities being carried out in Walsall to prevent and protect young people from CSE.

The Committee received a report [annexed] that included the national and regional response activity around this significant priority for the Council, together with the response to the issue in Walsall that was led by the Walsall Safeguarding Children's Board (WSCB).

With reference to the DfE's new definition of CSE provided at paragraph 1.2 of the report, the Chair sought clarification on what was different and what this meant in practise. The Head of Service (Safeguarding and Quality Assurance) explained the development in thinking that occurred during the last 30 years. The new definition took account of issues including trafficking, multiple child abuse and the impact of social media and online abuse activity. This point was supported by DCI Lambert, who explained that for Government and the Police, CSE had taken an increasingly high profile and was now one of the six National Strategic Policing Requirements, alongside other high profile issues such as terrorism.

Further to this point, the Chair enquired whether the Police had sufficient resources to tackle CSE and DCI Lambert acknowledged that it was always the case that more money and resources would be welcome. He reported that in 2017, the Police had recorded over 1,000 cases of child abuse in Walsall of which 21 cases were of CSE. Whilst this represented two per cent of the total number of recorded cases, generally speaking CSE crime required more time and resources as it represented some of the most serious offending. In the last 5 years, he stated that huge strides had been made by the Police to tackle CSE, but it was recognised that not every one of the seven local authority areas in the West Midlands had a dedicated CSE team. This would potentially be addressed via the protecting vulnerable people agenda, by a change programme which would consider a consistent approach to resourcing CSE for all West Midlands local authorities. The Police's regional co-ordination was being undertaken by DI Kay Wallace, whose remit covered the West Midlands, West Mercia,

Staffordshire and Warwickshire, and a Detective Constable provided CSE co-ordination for the Walsall area.

In response to question a from the Chair concerning the issue of sharing information between authorities, which had been identified by Ofsted, the Head of Service updated the Committee on the steps being taken to fill two posts that had become vacant. She advised that the Partnership Regional Strategic CSE Co-ordinator's post, which was managed by Solihull Council, became vacant on 31 December 2017 and had been advertised; the other regional post had been vacant since September 2017 and although advertised, it had not been possible to recruit to fill this role. Given the importance of the gathering and sharing of data that had been performed by these two roles, Members expressed concern that this was not being carried out due to these vacancies being unfilled.

A Member asked a question having regard to paragraph 1.3 of the report, which stated that there was no specific criminal offence of CSE and that legal redress was via prosecution for a range of other offences, examples of which were given. In response, DCI Lambert pointed out there whilst CSE was not an offence in itself, every aspect of CSE was covered by the numerous offences under the Sexual Offences Act and he gave further examples to the Committee.

Further information was requested in relation to children who were in care, but were out of the Borough, and the role played by the Street Teams. The Head of Service emphasised the importance of location and proximity, and that there were a number of Walsall children being accommodated in neighbouring boroughs with Street Teams undertaking the interviews on their return.

The Chair reminded the Committee of a concern that he had raised at the meeting on 26 January 2017. This was in relation to the 72 hour interview process in situations when parents and/or children did not engage with the interview process and the need for stronger action by the partners to ensure that such children who were at risk were kept on the radar and action taken to protect them. The Chair reiterated his view of the importance of early identification of problems via the interview process and asked whether this issue had been brought to the attention of national Government. The Head of Service confirmed that there had been no legislative change in this regard, and that whilst parents and/or children might refuse to engage with the interview process, if there were concerns then cases could be escalated upward and a strategic meeting convened. DCI Lambert stressed that the Police would always continue to engage via a safe-and-well visit when a missing person returned or was found, and that whilst it was rare for a parent to persistently refuse to do so with the Police, there were options available should this occur.

Ms Matthews and Mr Thompson provided the perspective on this matter on behalf of the Street Teams. They noted that only a very small number of children refused to engage with their teams and that the parents tended to engage well, it being emphasised that the approach of Street Teams was to build up positive relationships. It was a part of the process for Street Teams to follow the return interviews up with contact with Children's Services.

The transportation of looked after children via taxi services being noted, a Member sought reassurance that all steps were being taken to ensure that this was being done safely. The Head of Service confirmed that the taxi companies used had fulfilled all the requirements of the Council's procurement and vetting processes. She added that since March 2017 it was a requirement for the drivers of hackney carriage and private hire vehicles to satisfactorily complete training (with the Council meeting the fee for existing drivers subject to their completion), and that of the 1,500 drivers operating in Walsall about one-third had already done so. It was envisaged that all drivers would have completed the training within the next eighteen months.

The Portfolio Holder - Children's Services and Education informed the Committee that as a Member of the Licensing and Safety Committee he had attended several meetings of the Taxi Liaison Group. He added that both the hackney carriage and private hire vehicle drivers were supportive of the completion of this training. DCI Lambert reinforced the importance of this training as taxi drivers may become aware of useful intelligence regarding CSE and to whom it should be reported.

The Vice-Chair enquired whether, when CSE 'hot spots' became known, this was notified to residential homes, and if the 'hot spots' coincided with areas of economic deprivation. DCI Lambert advised that the Police mapped the locations of identified victims and perpetrators and the places where CSE activity took place. In relation to Walsall, this mapping indicated a higher prevalence in the centre and west of the Borough, because this was the area of highest population density. Places where there was a large concentration of children and young people, for example schools and other educational institutions, children's homes, fast food outlets, could become 'hot spots' but these could also move over time. The Head of Service indicated that when there was concern about a particular location, the information would be shared with early help workers, residential workers and social workers.

Paragraph 3.5 of the report, which referred to the recent media campaign on the warning signs of CSE and the use of street signage, was highlighted by a Member. The Chair was pleased to report that the marketing campaign was having a positive impact, as was the 'See-me Hear-me' website, which was supported by partner organisations.

Reference was made to online vigilantes and DCI Lambert provided an explanation of the typical operation of such individuals and groups. Whilst the Police had concerns about potential public safety issues, and could not condone the activities of these vigilantes, it was noted that as a result of their posing as decoys several people had been charged and intelligence gathered.

Paragraph 4.26 of the report gave information on the 111 children that had been reported missing and referred for an independent return interview during quarters 1 and 2 of 2017/18. In terms of the presentation of this information, Members asked that for ease of comprehension, in future both numbers and percentages be provided in reports. Further to an offer from Street Teams to provide more information, it was agreed that this be circulated to the Committee. Paragraph 4.28 indicated that there were currently 103 children and young people at risk of CSE and 5 were currently at the highest level of risk. A Member asked what was being done about this and what protection was being offered. The Head of Service reported on the complexities of

supporting children in such situations, pointing out that the period at which they were at risk was variable and that it was important, therefore, to maintain contact with them.

The growth in the number of children in the Borough being home educated or receiving private tutoring was raised by Members who queried whether there was any inspection for this type of educational provision. The Executive Director (Children's Services) pointed out that ensuring that with respect to home education, safeguarding and appropriate provision were both national problems. A list of Walsall children who were home educated was maintained by Children's Services and visits were made to keep in touch with them so that, if necessary, there could be statutory intervention through children protection procedures.

However, it was difficult to know the level of support required by such children and it was deemed unlikely that Government legislation would be brought forward on this. Mr Critchley informed the Committee that the Association of Independent Chairs of Safeguarding Committees had raised this issue with the DfE, but there was no sense of action being forthcoming. He did point out, however, that Walsall was more proactive than some authorities he had worked with, and that it was a matter being looked at by the children and young people partnership. The Chair referred to the case of Khyra Ishaq, a Birmingham child home educated by a third party, and expressed his disappointment with the Government's approach to preventing repetition of her tragic death. A Member suggested that the Committee write to local MPs, drawing their attention to the lack of robust legislation on elective home education.

The Chair asked the representatives from NHS organisations to provide an update on the sexual health aspect of CSE. Ms Rhoden stated that there was a high level of training provided within NHS organisations and that staff were encouraged to ask questions directly to elicit information of this nature from children and young people. It was noted by Mr Critchley that information was shared between organisations, was reported to various bodies including the CSE and Missing Operational Group (CMOG) meetings and it featured in the CSE scorecard that had been introduced in December 2017. The latter had indicated that Walsall was comparable to the regional norm.

The Chair enquired of attendees whether a difference was being made for the children in the Borough. Mr Critchley referred to the introduction of the scorecard and noted that the LGA had been brought in for a peer review. He stated that on the basis of the audits conducted and the statistics available, a positive difference was being made.

The Committee was reminded by the Chair of the discussion at the special meeting held on 26 January 2017 of awareness-raising in relation to CSE for employees of hotels. In updating the Committee on the progress made, DCI Lambert remarked that the intelligence picture had improved and that a recent CMOG meeting had received details of a hotel where a member of staff was believed to be involved in facilitating CSE. He alluded to the covert nature of some of the work undertaken by the Police, so that they could find a route into such situations and take appropriate action. The importance of disruption tactics was noted and DCI Lambert referred to the disruption toolkit, which contained a number of pieces of legislation that could be employed.

The role being played by NHS organisations and partners in tackling CSE was raised and, on behalf of the CCG, Ms Haden pointed out that CSE training was monitored by the CCG. She stated that she had recently observed the training delivered at Walsall Healthcare NHS Trust to ensure that it met the needs of the professionals concerned. A Safeguarding Committee had been constituted and this would monitor and deal with situations before escalation was required.

In considering the position when compared with that in January 2017, DCI Lambert indicated that at any one time there were between 900 and 1,200 children and young people in the West Midlands region who were at risk of CSE. He noted that at an operational meeting held 12 months ago, there were three people of interest to the Police in connection with CSE, but that this had now increased to 12 people. From the social care perspective, the Assistant Director emphasised that work with children and families and with partners was still ongoing with regard to safety planning.

It was noted that Ms Whitmore had recently been appointed to the position of Operational Lead for CSE, in which role she would act as a single point of contact for operational issues and was developing a programme of work in order to achieve an intensive practice uplift. Ms Whitmore reported that she had gained an understanding of the procedures, pathways and the partners, and that the practice uplift would be concerned with developing 'change champions' for particular aspects including gathering intelligence and providing this to the Police. She anticipated what progress on this could be expected within the next two to three months and the Chair invited her to attend a future meeting to provide a report to the Committee.

The Chair concluded the discussion by thanking all of the external partners for their attendance and contributions to the meeting. He hoped that it would be possible to invite them to attend a meeting next year in which a further update could be received.

Resolved:

1. That information to be provided by Street Teams regarding the reported missing and referred for an independent return interviews be circulated to the Committee;
2. That the timeline for the completion of the training programme for hackney carriage and private hire vehicle drivers be circulated to the Committee;
3. That, in relation to home educated children and children receiving private tutoring, a letter be sent to the three Members of Parliament drawing their attention to the lack of robust legislation on elective home education.

9/18 ESTABLISHING THE WORKING GROUP ON THE OFSTED INSPECTION

The Committee received a report [annexed] on the establishing of a working group with regard to the Ofsted inspection of services for children in need of help and protection, children looked after and care leavers. This had been supported by the Committee at its meeting on 21 November 2017 and expressions of interest had subsequently been received from several Members.

The Chair advised the Committee that it was envisaged there would be at least two meetings of this working group. A point of clarification was raised by the Portfolio Holder - Children's Services and Education, and the Chair responded that the intention was for the group to review the Ofsted action plan. The Portfolio Holder indicated his willingness to attend any meetings in order to assist the working group with this task.

There having been five expressions of interest received, the Chair enquired whether any other Members of the Committee were interested in joining the working group. There was also discussion of when the group's first meeting should take place.

Resolved:

1. That the report and the proposal to establish the working group on the Ofsted inspection be noted;
2. That the composition of the working group to be Councillors C. Towe, T. Jukes, J. Fitzpatrick, E. Hazell and T. Wilson, and Mrs T. Tunnell;
3. That the first meeting of the working group would be held on 22 January 2018, commencing at 6.00 pm.

10/18 WORK PROGRAMME 2017/18 AND FORWARD PLANS

The Committee received a report [annexed] setting out suggestions for agenda items for the two meetings to be held during the remainder of the 2017/18 municipal year.

Having regard to the meeting of the Committee to be held on 15 February 2018, whilst the report proposed that there should be items of business concerning mental health (children and adults), homelessness and the corporate finance report for quarter three, Members received additional information and reconsidered the requirements for the meeting in the light of this. The Committee endorsed the amendment of the programme for the meeting, with the following items to be placed on the agenda:

- Homelessness and its impact on children and families in Walsall, including the impact of homelessness on education;
- An update on the recruitment and retention of social workers.

Further to the expressed interest in receiving a report on mental health that extended beyond considering looked after children, the Executive Director (Children's Services) referred to the Ofsted inspection report's recommendation that the Committee ensure that its work had a positive impact on improving services for children and the outcomes they achieve. Therefore, she proposed that a future report could be prepared which would focus on mental health support for early intervention for all children and young people in Walsall.

The Committee was also advised that the Health and Wellbeing Board was to receive a report on mental health and the thematic inspection being carried out by the CQC. It was requested that a copy be circulated so that the Committee could then determine at its next meeting whether it wished to receive a further report on mental health.

A Member proposed that a future joint meeting could be arranged that would involve both the Overview and Scrutiny Committees for Education and Children's Services and for Social Care and Health, together with the Health and Wellbeing Board. However, the Portfolio Holder - Children's Services and Education reminded Members that all three of these bodies had a scrutiny role and that it was important that there should be no duplication of effort.

With regard to the meeting to be held on 27 March 2018, it was noted that further to the invitation received from the Chief Executive of E-ACT, the meeting was to be held at the Willenhall E-ACT Academy. In addition to an update report from E-ACT, there would be items of business on educational attainment and on the Ofsted action plan (including a contribution from the Ofsted inspection working group).

The Committee noted that Council's forward plan of key decisions contained the following decisions to be considered by the Portfolio Holder - Children's Services and Education: Regional Adoption Agency; Regional Family Drug and Alcohol Court; and High Needs Funding Formula.

Resolved:

1. That the Committee's work programme for 2017/18 be noted;
2. That the agenda for the meetings to be held on 15 February and 27 March 2018, as revised, be approved;
3. That the report on mental health from the Health and Wellbeing Board be circulated to the Committee;
4. That the Council's forward plan of key decisions and The Black Country Executive Joint Committee's forward plan of key decisions be noted.

11/18 PRIVATE SESSION

Exclusion of the Public

Resolved:

That, during consideration of the remaining item on the agenda, the Committee considers that the item for consideration is exempt information for the reasons set out therein and Section 100A of the Local Government Act 1972 and accordingly resolved to consider this item in private.

12/18 **MINUTES**

Resolved:

That the minutes of the special meeting held on 6 November 2017, a copy having previously been circulated, be approved as a true and accurate record.

The meeting terminated at 8.25 pm.

Chair.....

Date.....