

EDUCATION AND CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE

10 JANUARY 2017 AT 6.00 PM AT THE COUNCIL HOUSE

Committee Members Present	Councillor C. Towe (Chair) Councillor D. Barker Councillor A. Ditta Councillor N. Gultasib Councillor E. Hazell Councillor A. Kudhail Councillor E. Russell Councillor M. Ward Councillor T. Wilson
Portfolio Holders Present	Councillor R. Burley – Children's Services and Education
Non-elected non-voting Members present	Mr R. Bragger (Primary Teacher Representative) Ms P. Welter (Secondary Teacher Representative)
Officers Present	Mr D. Haley - Executive Director (Children's Services) Ms L. Poole - Assistant Director (Access and Achievement) Ms D. Carter - Assistant Director (Children's Social Care) Ms C. Goss - Head of SEN and Inclusion Mr M. Halliwell - Lead Assurance Officer Ms A. Haigh - School Organisation Manager Ms K. Mann - Admissions, Planning and Transport Manager Dr P. Fantom - Democratic Services Officer

1/17 APOLOGIES

Apologies for absence were received on behalf of Councillors T. Jukes and M. Follows.

2/17 SUBSTITUTIONS

There were no substitutions.

3/17 DECLARATIONS OF INTEREST AND PARTY WHIP

Councillor A. Kudhail declared a non-pecuniary interest in his capacity as a Director of Wholistic Fostering Ltd.

4/17 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
(AS AMENDED)**

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

5/17 **MINUTES**

Resolved:

That the minutes of the meeting held on 22 November 2016, a copy having previously been circulated, be approved as a true and accurate record.

6/17 **DRAFT REVENUE BUDGET AND DRAFT CAPITAL PROGRAMME
2016/17 TO 2019/20**

The Committee received a report [annexed] setting out the draft revenue budget and draft capital programme 2016/17 to 2019/20, which had been reported to the Cabinet on 14 December 2016. This included:

- the draft four year revenue budget, including the list of savings options previously reported, together with proposed investment and cost pressures;
- an update on the current financial performance for 2016/17;
- the draft capital programme for the four year period 2016/17 to 2019/20, for consultation;
- feedback from Overview and Scrutiny Committees on draft savings options, as previously reported;
- progress update on public and stakeholder consultation.

Members noted that the Cabinet at its meeting on 8 February 2017 would consider the feedback received from Overview and Scrutiny Committees prior to the final budget recommendation being made to the Council on 23 February 2017.

In considering the report, Members noted that the Committee had made a series of comments and recommendations to the Cabinet following scrutiny of the draft budget proposals at its meeting on 22 November 2016 and made the following comments for further consideration by the Cabinet.

Members noted that the cash limits for Children's Services and Education had increased from £57.94m in 2016/17 to £58.25m in 2017/18. This investment was welcomed, especially in relation to reduced social work cases and services for looked after children. It was noted by the Chair that, despite the investment, there were a number of significant challenges. These included the impact of the increased living wage, pension contributions, business rates and inflation. All local authorities had to contend with these issues, which were outside the scope of the Committee.

Having regard to the remaining forecast overspend of £1.69m, for 2016/17, in Children's Services which continued to be a concern for Members, a corporate year-end overspend of £6.545m would contribute to the reduction of the general reserves

from £14.131m as at 1 April 2016 to £5.992m at the end of the financial year. The Executive Director (Children's Services) advised the Committee that with reference to demand for services and the placement mix, action plans were in place to control and reduce spend. This was expected to decrease the overspend further. Members emphasised that despite the stringent financial pressures, they were proud of the services that were being provided to the children of the Borough.

There were questions from Members with respect to the draft capital programme 2016/17 to 2019/20 relating to the implementation of the Mosaic social care case management system and the benefits accruing from its introduction. Similarly, there was discussion of the benefits to working practices of providing mobile tablet technology via Mosaic mobile working, with the Committee noting that the costs of £634,076 would only relate to the 2017/18 financial period. In order to clarify if this would be sufficient, or whether further investment to cover maintenance was required, the Executive Director (Children's Services) would make enquiries and report back to a future meeting of the Committee.

In terms of the consultation process that had focused on draft policy options to achieve savings in 2017/18 and/or 2018/19, Members reiterated the difficulties being encountered stating that account should also be taken of any future impact of the West Midlands Combined Authority. The Executive Director (Children's Services) advised that the implications of the consultation process for the provision of Children's Services were currently under consideration.

In summarising for the Committee the views of the Schools Forum, the Primary Teacher Representative referred to the real terms cuts being proposed in respect of school budgets. He stated that the proposed school funding formula had been agreed by the Forum, but the generalised fund duty had not been supported. The Assistant Director (Access and Achievement) added that in the case of 25 per cent of secondary schools and 26 per cent of primary schools, budgets were being reduced, and that this was having a detrimental effect on morale in schools.

Resolved:

- 1. That the Executive Director (Children's Services) report back to a future meeting of the Committee on whether further investment was required in respect of Mosaic mobile working;**
- 2. That the Executive Director (Children's Services) prepare a summary paper on the impact and consequences of the consultation process for circulation to the Committee.**

7/17 SPECIAL EDUCATION NEEDS REVIEW – INCLUDING EDUCATION, HEALTH AND CARE PLAN PROGRESS

A report was submitted [see annexed] outlining the progress made to introduce the Education, Health and Care Plans (EHCPs), implement the Special Educational Needs and Disabilities (SEND) reforms and relate the Council's performance in delivering the new assessments and transferring statements to EHCPs.

The Head of SEN and Inclusion outlined the steps being taken to improve the outcomes for young people via a streamlining and improvement of processes. This included a more succinct EHCP plan format, meetings with parents, schools and Special Educational Needs Co-ordinators (SENCOs). In addition, a third meeting of the multi-agency SENDI Challenge Board had taken place, inspection preparation meetings were being held to ensure readiness for the SENDI Ofsted inspection and use was being made of the CCG audit tool. Discussions with primary and secondary school head teachers had taken place and a meeting was to be held with the Head teachers of special schools regarding the commissioning of special school places.

Clarification was sought by the Chair and Members on the number of existing statements still to be transferred, the number of assessment requests being received and whether the timescales were being met. The Head of SEN and Inclusion confirmed that 735 statements were still to be transferred, representing approximately 48 per cent of the total. In respect of assessment requests in the last year, there had been 262 needs assessment requests, of which 205 were assessed within 20 weeks. This represented assessment of 78 per cent, compared with a national average of 75 per cent.

The Chair sought assurance that all existing statements would be transferred by the target date. The Head of SEN and Inclusion advised that this remained challenging but achievable. There had been improvements owing to the positive impact of new staff and it was envisaged that continued progress would result in the deadlines being achieved within the next three months. The Executive Director (Children's Services) advised that the Government had agreed New Burdens funding, which would be directed to the relevant team enabling an increase in the capacity to deliver on this agenda and meet the statutory timescales.

A Member enquired about the number of specialist places. In noting that there were eight Special Schools in the Borough, the Assistant Director (Access and Achievement) pointed out that there were pressures at Key Stage 1, with there being a trend of increased need at this level nationally. Reference was made to the Published Admissions Numbers (PAN), as determined by statutory guidance, with discussion with Government being needed should schools wish to exceed the PAN.

The Chair asked for verification that transfers affecting young people aged 16-25 had been completed and this was confirmed by the Head of SEN and Inclusion. The Assistant Director (Access and Achievement) related that there had been discussion with Walsall College and the Walsall Adult Community College regarding the placement of young people. It was noted that the possible costs incurred for an individual post-16 student with special educational needs to be educated outside of the Borough for one year would be £80,000.

A Member enquired what happened to the 57 un-assessed requests. The Head of SEN and Inclusion explained that there was a pathway process in which the educational and health professionals completed various elements. Accordingly, the reasons why requests had not been determined to require an assessment might include, for example, the level of need criteria not being met or insufficient information being provided. In the latter case, the request would be reconsidered upon receipt of the required information.

Members requested further detail which explained the pathway process. The Executive Director (Children's Services) agreed to make a flow diagram available that could be circulated to Members. Members commented that it would be helpful for them to see an example of a completed (anonymised) EHCP plan. The Executive Director (Children's Services) agreed to circulate this document.

Further to a question from the Chair, the Head of SEN and Inclusion confirmed that parent partnerships were in place and that it was important to ascertain the views of parents and children, particularly where there were a variety of needs represented by the partnerships. The Executive Director (Children's Services) confirmed that the views of parents and carers must drive service improvement.

The Executive Director (Children's Services) observed that significant work was being undertaken on the inclusion agenda in mainstream schools. He added that whilst there was a significant demand for places in special schools, provision could be tailored with reasonable adjustments made to enable children with disabilities/ additional needs to be educated in mainstream schools. Schools were being challenged on this basis, and work carried out in conjunction with head teachers, to ensure the allocation of places in special schools did not become a default position.

With reference to the partnership approach, the Executive Director (Children's Services) noted that whilst the Council was the lead agency, health and education are key inter-dependent components of the EHCP. When reviewing compliance with the 20 week statutory timescale, the incomplete provision of information by the other partners could lead to an unsatisfactory conclusion. Accordingly, partners were being challenged to make improvements to address this situation where information was not provided in a timely manner.

The Executive Director (Children's Services) referred to the work with Adult Services on learning transitions. He stated that alternative models, as developed by other local authorities, including the concept of an all age-disability team, and which might be applicable in future.

Resolved:

- 1. That a further report be made to the Committee in three months to update Members on the progress being made;**
- 2. That the Chair of the SENDI Challenge Board submit a report to the Committee on its challenge, monitoring of improvements and priorities;**
- 3. That the Executive Director (Children's services) circulate a flow diagram that explained the pathway process, together with a completed (anonymised) Education, Health and Care Plan.**

provided in order to inform the Committee of the future pattern and configuration of school places and the identification of where additional school places were required.

The Admissions, Planning and Transport Manager gave an overview of the Pupil Place Planning Sufficiency Strategy Plan. The purpose of this document was to set out the availability of places in primary and secondary schools across the Borough and to provide projections of the future demand for places in schools during the next five years. The process by which the projections were made related to the planning areas, of which there were 11 primary areas and four secondary areas in Walsall. It was the responsibility of local authorities to determine the appropriateness of each area having regard to the published admissions numbers for schools. It was noted that it was the intention to retain between 3 and 5 per cent of surplus places across the Borough, which allowed for the migration of children both within the Borough and across the boundaries with other authorities and to enable parental choice.

In responding to a question from the Chair regarding secondary schools, and whether there was any distinction in the planning process in relation to academies, the Assistant Director (Access and Achievement) confirmed that this was not the case. There was a mixed economy approach, monitored annually by the Education Funding Agency (EFA) and the Department for Education (DfE), which had regard to achieving value for money in order to justify funding for new school places.

Members referred to the consequences for school places of large housing developments and the steps that were required in areas where there was a shortfall in available places. It was noted that there had been further expressions of interest from free schools.

In response to a question from the Chair, the Executive Director (Children's Services) stated that having regard to the expansion and conversion to academies, the Council worked with the schools concerned. It was recognised that whilst the Council endeavoured to influence development, there was limited control since the DfE and Regional Schools Commission were the decision-makers. Therefore, if a decision for expansion was made by the DfE, direct funding would be provided to the school via the EFA and not the Council. With reference to a question from a Member on whether a planning objection could be made to a proposal deemed to be inappropriate, the Executive Director (Children's Services) advised that whilst there would be communication with the Planning Department and views could be presented, the refusal of a proposal of this nature would have to be on planning policy grounds.

Having attended the Schools Forum, the Primary Teacher Representative raised the issue of financial uncertainty and the impact, including the potential closure of existing schools, arising from the creation of new schools where they were in close proximity to existing schools. The Committee acknowledged that this was a cause of concern, owing to the level of disruption that would affect both pupils and staff within these existing schools.

During further discussion concerning the planning areas and the trends exhibited by the data over time, the Admissions, Planning and Transport Manager stated that the projections had an accuracy of 98 per cent, but emphasised that there were a

number of factors that resulted in variations to the data. These included the consequences of cross-border migration, levels of pupil retention and the demand generated by new housing developments.

Responding to a question from a Member on the closure of the UTC, and whether the absorption of pupils from this school back into the system had been problematic, the Executive Director (Children's Services) stated that all students had been provided with alternative education provision. However, there had been some challenges in terms of the point of transition and meeting the expectations and needs of children and their parents.

A Member raised the question of whether potential impact assessments were completed in respect of free schools. The Assistant Director (Access and Achievement) stated that this matter would be raised with the DfE and added that Head teachers had indicated a willingness to contribute to any response made to the DfE. The Executive Director (Children's Services) noted that whilst there was similar position across the country, any expansion and/or reduction in the number of schools entailed local authorities having to think creatively about options for the utilisation of space in existing schools.

9/17 **CHILDREN'S SERVICES PERFORMANCE REPORTING AND MONITORING PROCESSES**

A report was submitted [see annexed] providing an overview of the role and function of the Children's Services Directorate Performance and Improvement Board, which had been operational in its current form since March 2016. The processes of monitoring performance within Children's Social Care, Safeguarding and Early Help, together with the range of data and information used, were detailed in the report.

The Assistant Director (Children's Social Care) explained the processes entailed in an holistic approach to understanding and monitoring the performance and quality of the services that were being delivered by the Directorate. In considering the context, it was stressed that management of case loads was essential for workforce stability and that staff received support from the supervision process.

Data for each service area was drawn from Mosaic and used to complete a comprehensive scorecard, which, together with a monthly report on audit outcomes, complaints and compliance, was presented to the Performance Board. The availability of an accessible dashboard feature on Mosaic, which is currently under development, was crucial to supporting the real time review of key performance indicators and this would be of great assistance to managers. This would provide them with the tools to investigate and assess performance data. The Assistant Director (Children's Social Care) referred to the robustness of the Service's approach to performance management and improvement, and the regular routine of interrogating this data which, in its current format, was time-consuming. The availability of service dashboards would be advantageous to the Directorate.

The Committee appreciated the benefits of accessing real time rather than historical data. Members questioned whether the quality of data being put into the system had

improved and asked if all users of the Mosaic package had been trained. The Assistant Director (Children's Social Care) advised that a robust training and refresher programme was in place that was completed by all staff to make them proficient in the use of Mosaic. Furthermore, the planned use of mobile tablet technology would be instrumental in helping to improve recording on the system and the quality of practice.

Responding to questions from Members on the implementation of Mosaic and perceived gaps in its functionality for reporting, the Executive Director (Children's Services) referred to the problems encountered due to being let down by a contractor who had not delivered a reporting tool that met the Service's requirements. An alternative Microsoft-based reporting tool that worked with Mosaic and met all needs had now been sourced and would be implemented. Gaps in the reporting function were being eradicated so that, for example, reporting could be done from the personal education plans (PEPs) for looked after children.

The Assistant Director (Children's Social Care) confirmed that work was taking place to cleanse the data which was held, to ensure its accuracy and to reduce the margins of error, so that it was up to date. The completion of this process related to the information about adopters and fosterers, and the expectation was that this would be completed by the end of January. A further review and process mapping exercise would be undertaken. The Executive Director (Children's Services) emphasised that prior to commencing phase 3 of the Mosaic implementation, it was essential to complete and embed phase 2 and that this would be achieved by the end of March 2017.

Further to a question from a Member about the private fostering arrangements in the Borough, it was noted by the Assistant Director (Children's Social Care) that this was of a small scale and under-reported. Once a private fostering situation has been identified, Children's Social Care has to undertake an assessment and monitor the care of the child. It was noted that the reporting of private fostering was an ongoing issue and awareness-raising was monitored via the Safeguarding Board.

The Executive Director (Children's Services) pointed out that private fostering had been raised with School Improvement Partners in order for them to discuss it with Head teachers and school governing bodies. During the Spring Term 2017, private fostering will be a core agenda item on all school visits with every school and academy in the Borough. A pack to raise awareness and provide information about identification and referral pathways will be provided to every school. All schools would be asked to review and check attendance records and make appropriate referrals to Children's Social Care. Children's Services would monitor the impact of this in May 2017.

A Member enquired about the number of young carers in the Borough, and the Executive Director (Children's Services) informed the Committee that the service was working to identify young carers and that success had been achieved in this. A Young Carers Strategy, together with action plans, was in place to provide support to young carers.

Resolved:

- 1. That arrangements be made for Members of the Committee to attend a briefing/demonstration of the Mosaic social care case management system;**
- 2. That arrangements be made for Members of the Committee to visit the Multi Agency Screening Hub and front line teams.**

10/17 CHILDREN AND YOUNG PEOPLE – ANNUAL COMPLAINTS REPORT

The annual report was submitted [see annexed] 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 2015 to 31 March 2016.

It was reported by the Lead Assurance Officer that the total number of complaints responded to had fallen from 146 in 2014/15 to 120 in 2015/16, this being consistent with the experiences of other local authorities. In terms of corporate complaints, i.e. general complaints about the service and/or its processes, there was a reduction from 28 in 2014/15 to 9 in 2015/16. There were no stage two complaints (requiring independent investigation) or stage three complaints (requiring an independently chaired review panel) in 2015/16, with all the complaints being addressed at stage one (local resolution). The overall timeliness of 10 and 20 working day complaints had reduced in each case during 2015/16 compared with 2014/15, from 67.5 to 63 per cent and from 65.5 to 57.1 per cent respectively, with 14 per cent of the issues raised in the complaints being upheld. Previously, the main sources of complaints were parents and young people, whereas they were parents and grandparents in 2015/16.

The Assistant Director (Children's Social Care) reminded the Committee that a complaint could be received at any stage in the process of a social care service being delivered. There were often complex situations, involving a range of issues, and it was essential that all complaints received proper investigation and the resolution of concerns.

Further to a Member's question on the complaints escalated to and upheld by the Local Government Ombudsman, the Lead Assurance Officer pointed out that whilst four complaints had been upheld in 2015/16, due to the timescale involved, these complaints would have been initiated at an earlier time.

11/17 WORK PROGRAMME AND FORWARD PLANS

Members considered the work programme and forward plans.

Resolved:

- 1. That the work programme be updated to include the following:**
 - **Early Help 0-19 locality delivery model – including youth service delivery (This would now be considered at the meeting on 16 February 2017)**
 - **Educational Attainment 2016**
 - **Children’s Social Care Performance Scorecard – Quarter 3**
 - **Child and Adolescent Mental Health Services**
 - **Apprenticeships with particular reference to looked after children**

- 2. That as the Executive Director (Children’s Services) would circulate a paper on the Inter-Board protocol, the item would be removed from the work programme;**

- 3. That the forward plans be noted.**

12/17 DATE OF NEXT MEETINGS

The Chair advised that the date of the next meeting, which was a special meeting of the Committee convened to consider Child Sexual Exploitation, was 26 January 2017. Invitations to attend this meeting had been extended to a number of organisations and representatives, and it was noted that a positive response had been received.

The meeting terminated at 8.19 pm.

Chair:.....

Date:.....