

## Minutes

of the Virtual Meeting of the

## Children & Young People Services Policy & Scrutiny Panel

Thursday 18 June 2020

held via Microsoft Teams

Meeting Commenced: 10.00am Meeting Concluded: 11:35 pm

### Councillors:

A Wendy Griggs (Chairman)

P Steve Hogg (Vice Chairman)

P Marc Aplin

P Ciarán Cronnelly

Hugh Gregor

P Nicola Holland

P Huw James

P Lisa Pilgrim

P Tim Snaden

P Caroline Cherry

P Mark Crosby

P Ann Harley

A Ruth Jacobs

A Stuart McQuillan

P Geoff Richardson

P Richard Westwood

P: Present

A: Apologies for absence submitted

**Other Councillors in attendance:** Catherine Gibbons

**Officers in attendance:** Nicholas Brain, Brent Cross, Helen Caldwell, Michèle Chesterman, Emma Diakou, Mike Newman, Dawn Newton, Philippa Penney, Mike Riggall, Sheila Smith, Katherine Sokol,

**Other persons in attendance:** None

### CAY Chairman's Welcome

01

The Chairman welcomed everyone to this virtual Children and Young People's Policy and Scrutiny Panel meeting.

She explained the procedures to be followed at the meeting and confirmed that proceedings would have the same standing and validity as if they had taken place at a physical meeting of the Community and Corporate Organisation Policy and Scrutiny Panel meeting in the Town Hall.

The Chairman reminded everyone that the meeting was being livestreamed on the internet and that a recorded version would be available to view within 48 hours on the North Somerset Council website.

At the invitation of the Chairman a roll call was taken of the Panel members by Democratic Services for the benefit of those in attendance and members of the public watching the meeting online.

On behalf of CYPS the Chairman extended her thanks to Eifion Price, Assistant Director, Children's Support and Safeguarding who had recently retired. Eifion had been of invaluable support to the CYPS Panel and especially herself as a new Chair. She was sure all members would agree that he would be sorely missed and wished him a long, happy and well-deserved retirement.

**CAY  
02**      **Declarations of Disclosable Pecuniary Interest (Agenda item 3)**

None

**CAY  
03**      **Minutes of the Meeting held on 5 March 2020 (Agenda item 4)**

**Resolved:** that the minutes of the last meeting held on 5 March 2020 be approved as a correct record.

**CAY  
04**      **Ofsted Report (Agenda Item 6)**

The Director of People and Communities presented the Report on the Ofsted Inspection. North Somerset Children's Services had been inspected by Ofsted under the *Inspection of Local Authority Children's Services (ILACS) Framework*, between 24 February and 12 March 2020. Members were informed the report had been made available to the public on Wednesday 10 June 2020. As well as an overall judgement, the Inspection Report made judgements on the Council's services to children in need of help and protection; children looked after and care leavers; leadership and management. The inspection report also made some recommendations where inspectors would like the Council to improve. The full report was presented to Members, highlighting both areas of strength and areas of practice the Council was working to improve.

Members asked and received clarification in relation to:-

- *the needs of a small number of children not understood quickly enough* – when Ofsted undertook the Inspection there were no children without an allocated social workers. This was challenged by officers but remained in the report.
- *The effectiveness, and management oversight, of decision-making when children first come to the attention of the local authority (initial assessments)* – this was also identified as an area for priority action in the Ofsted Focused visit to Children's Services in May 2019. Additional support had been sought from the Department of

Education early last summer but then the Ofsted Inspection took place. It was intended to access this support to address a number of these issues

- *The quality of analysis in assessments, including the impact of children's situations on their health and development* – as before assistance was being sought from the Department of Education, (hopefully North Tyneside Council), to help with issues of variability and inconsistency.
- *Information being lost with regards to children then being placed for adoption* – the issue was around their day to day lives not being adequately understood. The issue was around information being lost for circumstances in which children were placed for adoption but related instead to referrals and initial assessments.
- *Issues about children at risk of exploitation* – this had been raised and Ofsted had been informed of the work being carried out. Children's Services had very good links with partner agencies and especially police colleagues. The Co-ordinator was aware of all the children who went missing and individual plans were in place to reduce the numbers of missing episodes successfully working alongside police colleagues. In addition, the Co-ordinator was very robust about making contact with other authorities to identify missing children from outside the district. Also the Authority did have relationships with them when they were placed in the small number of children's homes in North Somerset.
- *Turning the Tide – Missed Opportunity* – this was in relation to a homeless young person who had been offered Turning the Tide but information in the case notes did not appear to follow it up. The Head of People and Communities was unable to respond to the comment because it was raised some time later after the conclusion of the inspection. However, it should be noted that the inspectors were very positive about Turning the Tide in respect of it being an Edge of Care service.
- *Concern over the Short Hand-over Time* – The feedback received from young people indicated that young people did not worry over the hand over time but nevertheless that is being investigated by the resource service. Children knew much earlier on who their advisor would be but what was not done was to change over that relationship at a much earlier point as it was crucial for them to have their social worker alongside them.
- *The use of the CYPS workplan to monitor improvements* – The development of an Ofsted Task and Finish Group was proposed by the Chair. Members were informed there whilst there would not be another Ofsted Inspection of this scale for a number of years it was likely there would be another Ofsted focused visit within the next 12 months. Officers were keen to start work on the Ofsted Improvement Plan and there was already work going on but it would be very helpful if they could be scrutinised and monitored by the scrutiny panel.
- *Follow up with children who are part of the corporate parenting role* – Officers to discuss with the Chair of the Corporate Parenting and whether there would be opportunities for the Corporate Parenting Panel to hear from some of the young people who had gone through

the experience of being missing and were now settled in a placement and what had made the difference for them.

In conclusion the Director of People and Communities noted that officers were very disappointed with the outcome of the recent Ofsted Inspection as was the Executive Member for Children's Services and Lifelong Learning and the Leader of the Council. Members were informed that It had been hoped that more of the work carried out by Children's Services would be recognised but the inspectors took the view that as some of the work had not yet been embedded it could not be acknowledged as a strength. Members thanked the Director of People. The many positives in the Inspection were recognised and it was felt the positives outweighed the negatives. The amount of work officers in Children's Services had put into the Inspection was also acknowledged and appreciated by Members.

Reference was made to the Corporate Parenting All Member Briefing Session which took place on 8 June 2020. It was reported that 29 Members were present. On behalf of the officers, the Director of People and Communities was pleased to see so many offers received from Councillors on how they could help in their role as corporate parents.

**Concluded:**

- (1) that the Panel receive and comment on the report
- (2) that the Panel form an Ofsted Task and Finish Group to scrutinise and monitor the Improvement Plan following the Ofsted Report.

## **CAY 05 Special Educational Needs and Disabilities (SEND) Strategy and Action Plan (Agenda Item 7)**

The Strategy and Policy Development Manager presented the report on the SEND Strategy and Action Plan. Members were aware that during May 2018 Ofsted undertook a Local Joint Area Review (LJAR) of SEND services in North Somerset. This had been a multiagency inspection, specifically focusing on the strategic leadership, commissioning and processes of the Local Authority and Clinical Commissioning Group, but also involving health providers, schools, colleges, and other non-statutory partners. An emphasis had been placed on the views of parents and carers in particular as represented by the local parent/carer forum (PCF).

A written statement of action (WSA) had been required to address the areas identified for improvement. North Somerset's WSA was approved by Ofsted and the Department for Education in October 2018. A key requirement was the development of a Local Area SEND Strategy. This work was underway at the time of the Ofsted LJAR inspection but was renewed and refreshed after the visit.

The SEND Action Plan formed a significant part of the strategy, and included those areas of longer-term activity required to complete delivery of the WSA agreed by Ofsted and Department for Education; work to support sufficiency and enhancement of capacity, arising from the SEND Programme Board's analysis of the first SEND Management Information (MI) report; additional actions required to secure and enhance co-production with parents and carers, including supporting the sustainability of a local parent carer forum; activity to support ongoing improvement in services. Each action in the strategy had been linked to either an agreed WSA work area, or to a section of the SEND Management Information report. This would be refined with additional evidence as the strategy was reviewed in the light of the now regular MI reports.

Members were made aware it was a multi-agency document with the active involvement of the clinical commissioning group (CCG) and parent carer representatives. Most partners had signed up to a single way of working with children of special educational needs and disabilities. It was highlighted to Members how positive a development this was as it meant there was now a framework in place for solving challenges that arose. Members noted the valuable contribution of the Parent Carer Forum.

Members discussed action plans and measures being included of what was good. It was highlighted that when the document was designed officers were conscious of what should be left out in order to make it accessible and not so lengthy and complex that people would not read it. All of the actions were addressed by separate, more detailed, project plans some of which were in North Somerset owned, some of which were shared documents and some of which lay with the CCG. The SEND programme board, the Executive Member for Children's Services and Lifelong Learning and the Chair of the CYPS Panel would receive those more detailed action plans and would monitor them and provide challenge.

A Member of the Panel raised a concern that many children who were attending college with special educational needs would have missed out on professional support during very important parts of their course. For certain courses such as Civil Engineering, Construction and the Built Environment through Weston College, students would still need to complete the practical component of the course before passing and gaining a qualification from the Engineering Construction Industry Training Board. With some parents of SEND children were unlikely to have the skills required to support them through home education, despite their best efforts, there was a real chance that they may fail the course. This could mean needing to retake the course, due to no fault of their own, and as a result falling into the trap of running out of free education before they could progress to more advanced courses and hamper their chances of applying for an apprenticeship, for example. It was asked if there anything the Panel could do to make sure the many SEND students and parents would not miss out on this vital training and be supported if their free education ran out.

The Strategy and Policy Development Manager responded that he had liaised with the Inclusion Lead at Weston College who had explained that the issue was complex as there were different awarding bodies for the subject areas with differing requirements and expectations. Weston College was addressing the issue by the provision of small group access for students to complete the relevant elements of their assessment including practical components recognising that in some cases the young people would be shielding or self-isolating. It would then be a case of working with each of those awarding bodies to determine how they could potentially extend or provide additional support to get those assessments so that the young people would not be disadvantaged by the pandemic.

Concerns were raised by Members in relation to CAHMS provision. It was suggested that these concerns also be raised at the Health Overview and Scrutiny Panel. A Member of the Panel had been approached by parents of autistic children who were desperately worried due to the impacts of lockdown and the fact that they had no access to extra help during this period. One of the issues concerning these parents was the fact that the government had sent out a statutory instrument which suggested that local authorities did not have to produce Education Health and Care Plans (EHCPs) within the normal timeframe.

Members were informed that the relaxation of the legislation around Education Health and Care Plans only took effect recently although it had been expected much earlier and would have a limited lifespan until October 2020 at which point the normal rules would apply. In addition, the legislation was clear in that the government continued to expect the local authority to deliver on those plans and complete all the relevant assessments involving the relevant professionals. In essence, the legislation recognised that the local authority may not respond in the same timescales. It was noted that the SEN team who carried out the assessments were working very hard to not only manage the current situation which was challenging but to also improve the timescales for North Somerset. The Authority was very proud of the fact that it had achieved good 20-week compliance in the past. Whilst it was recognised there had been some issues around the capacity of educational psychologists who were critical to that process in terms of their delivery there

had been efforts to work around those and develop plans to counter them. Members were assured that the SEND would continue to work really hard to maintain the local authority's good record and with children starting new schools for the first time or for the first year with an EHCP in place this was felt to be crucial.

Members also asked for more detail in relation to the 16% of SEND children who were in out of area placements. It was clarified that at the time of completing the strategy the 2019 SEN 2 return (the Department for Education census for children with SEN) was being used. At that point 16% of the local authority's children with education, health and care plans were in out of area placements, however this percentage now stood at 11%. However, this figure would never be zero as many of the children that accessed placements had disabilities and needs that could not be accommodated by North Somerset. These children would require specialist support which was only available regionally or even nationally. On that basis work had begun on extending North Somerset's provision locally. Work was being undertaken with the Department for Education around the provision of a new free school in North Somerset for children with social, emotional and mental health needs (which made up a large section of the out of area placement cohort). When this was in place it would be possible to accommodate some of these children more locally and there would be benefits not only financially but also in terms of the young person's wellbeing in respect of not having to travel or being away from their family.

Members thanked the Strategy and Policy Development Manager and team for the report. The Chairman proposed an all member briefing on SEND to be held in autumn 2020. In addition, the Strategy and Policy Development Manager agreed to provide regular updates to the Panel.

### **Concluded:**

- (1) that the Panel receive the report and acknowledge the successful delivery of a joint Local Area Action Plan setting out clear goals for service improvement in the coming years;
- (2) that the Panel consider how it wishes to engage with the ongoing monitoring, review and development of the strategy;
- (3) that the Panel host an all member briefing on the SEND Action Plan in autumn 2020.

**CAY  
06**

### **Month 12 Children's Services Budget Monitor (Agenda Item 8)**

The Finance Business partner presented the report outlining the spend against budget for children's services.

The report summarised and discussed the 2019/20 estimated spend against budget for children's services, highlighted key variances, movements and contextual information. The report provided further details on the month 12 report that was due to be presented to the Executive on 24 June 2020. The

report also referred to the principles and outcomes associated with the setting of the 2020/21 budget.

The overall year end position for Children's Services after use of earmarked reserves was net expenditure of £30.983m compared to a budgeted amount of £28.946m, giving a projected overspend of £1.999m (6.9%). This position represented a worsening when compared with the month 11 position reported to the Executive of £1.550m.

There had been some significant growth in 2019/20 partly closing the gap Between the budget and the demand for placements for looked after children. However, growth in numbers and costs began to materialise from Month 8 onwards. The overspend reached £1.2m, although around £400k of this related to invoices paid in 2019/20 that were in relation to 2018/19 placements and so were not ongoing costs. In addition, cost pressures continued in areas such as adoption fees, children's centres and early years nursery provision, legal costs, support to families with disabled children and education related services.

Members' attention was drawn to Appendix 2 on Page 12 of the report - Children's Placements Activity and Unit Cost Data which outlined the different numbers of placements and the average unit cost for each sort of placement. The top three were the areas where the Authority spend the most money. The Finance Business Partner elaborated on the price differentials in some of those areas.

Members were also guided to Appendix 3 (page 13) the Number of Children Looked After – to aid understanding of the factors that were driving some of the spend in children's placements. Members noted that during the course of the previous year there were an average of 225 looked after children's placements. As could be seen by Appendix 3 there had been a jump in numbers. During the course of the last financial year, Members were made aware that the Authority was averaging something like 240 looked after children. At the time of setting the budget for 2019/20 it was around the autumn of the previous year when looked after children's placements were much lower which probably accounted for part of explanation for the increase in cost.

The Finance Business Partner highlighted paragraph 3.24 (page 7) which showed the spend in the last few years on agency staff. In 2016/17 the Authority spent £1.7m on agency staff in Children's Services and in 2019/20 that was significantly reduced to under £400k. This has been raised in the Ofsted Report.

It was also noted that a significant amount had been put in the budget to try and address the EHCPs in terms of trying to secure more educational psychology resources and more resource in the SEND team to Keep up with the demand for EHCP assessments.

In terms of the impact of COVID in relation to the Children's Services budget it was still too early to understand where the pressures might. The view was that once lockdown measures were eased there might be an increase in number of looked after children. In the early stages of the



lockdown there was a reduction with the current figure at 225 looked after children. The Authority had experienced additional costs in relation to some social care costs for vulnerable children who had not been able to attend school and it was anticipated that there might be some rise in costs in relation to keeping children in care beyond the age of 18. There were certainly some anticipated additional costs in trying to re-configure some of the children's centres and nurseries for social distancing. It was also acknowledged that there had been a loss of income in certain areas. The example of the music services was highlighted, which was a traded service and not receiving any income from schools or parents at the moment. This had been mitigated by furloughing some staff in the music service and Members were made aware that there were some other areas where income was not being received - children's centres, nurseries and non-attendance penalty notices. A great deal of work was being undertaken to quantify the financial impacts of COVID-19. Some of these financial impacts would be in children's services but equally and more significantly costs were being incurred in adult social care and a significant loss of income was being experienced across the Council.

The final area highlighted in the report was the dedicated schools grant (DSG). Members were aware that this was a ringfenced grant used to fund schools and education. A deficit of £2.4m was being carried into the current financial year. Unfortunately, this had increased. There has been a significant increase in demand for special school placements and at the current time a lack of local supply of those placements. Out of area placements and top up funding were the particular areas where the Council was experiencing a very significant increase in demand as a result of many more children with EHCPs.

Members noted paragraph 3.34 (page 9) referred to the cost of out of area placements which had been raised by as a point of clarification by a Member under the previous agenda item. It was reported that this had increased over the course of the last year. The average number of children in placements was 180 and the average unit cost being £48k. Members were informed that £5.5m had been spent on out of area places during 2019/2020. The deficit on the dedicated schools grant was a concern for the Council. The Department for Education did not expect the Council's general resources to subsidise this deficit so the Council's general funds would not be used to pay for this but there was an expectation that measures would be put in place to try to reduce the deficit over time. Officers believed that reducing the deficit over the short term was unlikely. In fact it was believed that it was much more likely that the deficit would increase, particularly in the short term, simply because of the increase of demand for specialist provision. There were significant plans in place to mitigate that particularly in relation to the new lots of significant plans to mitigate that including the expansion to Baytree School and other measures to increase spaces in some of the local special schools. Nevertheless, the magnitude of the increase in demand for these types of placement and those children not being able to be maintained in mainstream schools was too big an increase in demand to be mitigated and it was expected that the DSG would increase. Members were informed that a planned meeting with the Department for Education was in place to discuss this issue.

Members discussed the extra costs with schools following COVID-19 and the fact that it would take a long time to get back to normality. Concerns were also raised in relation to the mental health of young people during the pandemic and if this could be something scrutiny could pick up.

It was pointed out that schools were funded from the DSG which was ringfenced and outside the Council's general fund. There was an expectation that if there were additional pressures on schools that would continue to be funded through the DSG. The Authority had not received any notification from the government in relation to how funding might change in relation to the DSG. It had continued to fund schools and early years settings to their normal extent during the pandemic and there had been no reduction in funding for schools.

**Concluded:** that the Panel received and discussed the 2019/20 forecast spend against budget for children's services and the risks and opportunities associated with the medium-term position.

## **CAY 07** Performance Monitoring (Agenda Item 9)

The Senior Analyst, Business Intelligence presented the report. In addition to the standard items, the report included an overview of trends in the number of families receiving Early Help, Children in Need, Children on a Child Protection Plan, Children Looked After (CLA), including demographic data, Foster Carers, Care Leavers, High Impact Families, Missing Children and Child Sexual Exploitation.

One inspection relating to North Somerset Council services and/or North Somerset Schools was carried out since the last report to the Panel and published on the Ofsted website – Worle Secondary School 4 February 2020. Schools are graded either 'Outstanding', 'Good', 'Requires Improvement' or 'Inadequate'. Worle Secondary School was graded 'Requires Improvement'.

Members noted that at the last meeting discussions had taken place in relation to using the term pupil premium in reports instead of free school meals and were informed that pupil premium would be reported on in the performance report to the next Panel on 29 October 2020.

Members also discussed High Impact Families (HIF) and whether there were comparisons with other local authorities who were following the same strategy. Officers noted that there were national measures which were used to compare against other areas. However, HIF was very specific to local areas and there was a great deal of autonomy around how the various performance indicators were set, for example, programmes of work around supporting people to go back to work. Whilst it was possible to compare whether all of the various local authorities also hit their targets it was not a fair comparison as there was a fair amount of difference between projects. It was noted that North Somerset had achieved 100% of its targets with HIF and it was also believed that this was the case for most of the authorities in the south west also.

**Concluded:** that the Panel receive the performance information presented in the report and comment on both areas for improvement and areas of good improvement.

**CAY  
08      The Panels' Work Plan (Agenda item 10)**

The Democratic and Electoral Services Officer provided an update on the Panel's Work Plan.

Members noted that this was a pre COVID Action which clearly needed to be reviewed in this very different evolving landscape. The work plan was going to reviewed shortly and overhauled and members were asked to contact THE Democratic and Electoral Services Officer with any suggestions for inclusion in the plan.

Members were informed that since the last Panel meeting there has been a School Organisation Scrutiny Steering Group 10 June and the All Member Corporate Parenting Responsibilities Session on the 18 June.

Members were also made aware that the Scrutiny Panels were going to work together as well as it was felt there are a number of issues where it was needed to be looked in a joint scrutiny way rather than specific to one scrutiny panel. There were working groups or briefings with the other scrutiny chairs and vice chairs in place to look at that.

Members discussed the work plan and the possibility of contacting a primary, secondary and special school to provide a reflective briefing/presentation to the Panel in January/February 2021 on the impact of COVID-19. It was agreed that this would be very useful for Members. It was also appreciated by Members that the schools were doing some very good work during the pandemic. Members were informed of the work being carried out by the Parliamentary Education Select Committee in relation to COVID-19. It was also suggested that Multi Academy Trusts North Somerset might also be a valuable source of information to the Panel

**Concluded:**

- (1) that the work plan be received and updated as agreed.

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Chairman

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