

Minutes of the meeting of Children and young people scrutiny committee held at Online meeting only on Tuesday 2 June 2020 at 1.00 pm

Present: Councillor Carole Gandy (chairperson)
Councillor Diana Toynbee (vice-chairperson)

Councillors: Graham Andrews, Jennie Hewitt, Kath Hey, Phillip Howells and Mike Jones

Co-optees: Mr Pat Burbidge and Mr Andy James

In attendance: Councillors: David Hitchiner, Leader, Herefordshire Council, Felicity Norman, Cabinet Member for Children and Families

Officers: Director Children and Families (DCF); Assistant Director Education Development and Skills; Assistant Director Safeguarding and Family Support (ADS&FS); interim Head of Legal Services; Head of Learning and Achievement; Statutory Scrutiny Officer

48. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Paul Andrews and Mr Sam Pratley.

49. NAMED SUBSTITUTES

Councillor Jennie Hewitt acted as a substitute for Councillor Paul Andrews.

50. DECLARATIONS OF INTEREST

There were no declarations of interest.

51. MINUTES

RESOLVED: That the minutes of the meeting on 16 March be agreed as a correct record and signed by the chairperson.

52. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 9 - 10)

A copy of the public question received and the response provided is attached to the minutes at appendix 1.

The committee was advised that no supplementary question had been received. It is right to acknowledge that the public questioner had indicated a desire to ask a supplementary question. However a supplementary question had not arrived at the time when supplementary questions were considered by the committee because of the late acceptance of the question.

53. REVIEW OF PEER ON PEER ABUSE CASES

The committee considered a report by the assistant director education, development and skills concerning a review of historic peer on peer abuse cases that had been referred to the Multi Agency Safeguarding Hub (MASH).

The Director Children and Families made a statement at the start of the item. It was confirmed that the review and report was commissioned by the chief executive following agreement for the review between the leader and the chief executive. The report was not from the executive or the Leader and was not endorsed by the executive or leader. Comments from scrutiny could be built into the report before being shared with the executive. The sharing of the report was not viewed as satisfactory and officers have not been clear about the process of the report coming to scrutineer with the executive. The report had contributions from a number of officers and as such had become more wordy than intended. The director apologised for that and points can be clarified once scrutiny has had input. The report indicates that recording is something that can be improved, it has been and it is still an area of focus, as is the way the council works with schools and partners. Herefordshire was in a much improved position now and going forward. The report would benefit from referencing wider context, lessons learned and action taken over the years, including the Spotlight Review and recognising that the council's approach could have been strengthened further by sharing a draft risk assessment tool at the same time as the council shared other tools with school representatives. Also that the approach could have been strengthened in the past by providing written guidance rather than presentations and briefings

The Chairperson of the committee referred to the independent review of April 2017 into a case of peer on peer abuse at a Herefordshire school and the pro forma risk assessment arising from the review. The review had not been shared with the scrutiny committee or the spotlight review of peer on peer abuse in schools and was not referred to in the report before the scrutiny committee. The report stated that 8 cases of peer on peer abuse referred to the MASH between January 2017 – October 2018 were before the introduction of national guidance. However the outcomes and recommendations of the April 2017 review, providing guidance on the handling of peer on peer abuse cases, would be of relevance to the 8 cases. The lack of a reference in the report to the review was a gap which needed addressing together with greater detail on the cases reviewed including whether they involved rape or sexual assault and how many were substantiated and how many were unsubstantiated. It was explained that as the report currently stood there was not sufficient information for the committee to undertake effective scrutiny. Without sight of the April 2017 review and the pro forma risk assessment the committee would not be able to make a judgement on what guidance was available at the time of cases between January 2017 – October 2018.

The Chairperson proposed the deferral of consideration of the report until the next meeting of the committee on 28 July to enable detail of the April 2017 review to be included in the report. It was requested that a copy of the review, with necessary redactions, was appended to the report with the pro forma risk assessment.

In addition members were encouraged to write to the clerk of the committee to outline any gaps they felt were evident in the report which would be collated and sent to the report author for attention.

The proposed deferral and arrangements for the resubmitted report were seconded by Councillor Diana Toynbee.

The cabinet member children and families commented that it was important that the scrutiny committee had all relevant information contained in the report to consider.

The committee approved the deferral and arrangements for the resubmission of the report unanimously.

RESOLVED - That the committee agrees the deferral of the report to the next meeting on 28 July to allow for the inclusion of the 2017 review and risk assessment pro forma and clarification of gaps identified in the information provided.

54. REVIEW OF PERFORMANCE AND PROGRESS AGAINST THE SAFEGUARDING AND FAMILY SUPPORT IMPROVEMENT PLAN 2019/2020

The committee considered a report by the assistant director for safeguarding and family support (ADS&FS) which provided an update on performance in quarter 4 of 2020/21 against the safeguarding and family support improvement plan.

The ADS&FS introduced the report which included the points below:

- There was a need to improve the response of MASH to referrals within 24 hours and work was ongoing to facilitate the handling of less serious referrals by early help services. Work was also continuing to attempt to address the high level of referrals received from the police;
- There had been a decrease in the number of children on child protection plans. An audit was in progress in an attempt to understand the cause of this trend with a report available in June or July 2020;
- The completion of special guardianship orders and the rescinding of care orders might be impacted by the closure of courts during the COVID-19 pandemic;
- The roll-out of signs of safety had been affected by COVID-19 which had delayed the programme of briefings;
- Improvements that had been achieved in quarter 4 included: timeliness of visits; supervision; and the completion of assessments within timescales.

There was a brief adjournment at 1.51 p.m. to allow Councillor Jennie Hewitt to reconnect with the virtual meeting. The meeting reconvened at 1.55 p.m.

In the discussion that followed the principal points below were raised:

- It was proposed that when the new arrangements for the improvement report were considered that thought be given to prioritising the actions contained in the improvement plan. The invitation of all members of the committee to performance challenge sessions was also proposed as a recommendation. *The DCF explained that work was ongoing on making changes to the improvement plan including smarter actions/timescales and to be clearer about the priority areas. The ADS&FS explained that it was difficult to prioritise elements in the plan as all actions were essential for improvement.*
- There was concern that the improvements realised would be undermined by the COVID-19 pandemic and if there was sufficient resource in the Multi Agency Safeguarding Hub (MASH) to cope with an increase in referrals during the easing of the lockdown. *The ADS&FS explained that mechanisms had been put in place at the start of the lockdown to ensure that meetings and visits could continue virtually where appropriate. Where necessary face to face visits were continuing and keeping in touch meetings were taking place virtually to ensure that contact was maintained with children. Work was ongoing with partners to ensure that there would be sufficient staff resource in the MASH to handle any potential increase in the level of referrals following the return of schools and proactive conversations were taking place with schools to monitor the return of children on child protection plans. Social workers from the assessment team*

were being trained to undertake work in the MASH if an increase in referrals required additional resource.

- It was queried if the involvement of third sector organisations had been considered to support the actions contained in the improvement plan and it was proposed that work with the voluntary sector was explored. *The ADS&FS explained that a lot of work had taken place to facilitate partner agencies, in frontline contact with children, to complete early help assessments. The DCF explained that the talk community initiative was playing an increasing role in the county and the intention was that this would continue to develop an approach which was focused directly on the benefits for children through family based work and utilised community strengths.*
- The increase in the number of looked after children over the previous six years was queried and when the rate in Herefordshire would begin to fall into line with neighbouring local authorities. *The ADS&FS explained that the focus of the looked after children reduction strategy was to reduce the number of children entering care and enable children to leave care. The work of the edge of care service would assist in preventing children becoming looked after and the use of pre-proceedings allowed for plans for children and families to be put in place at an early stage before care arrangements became necessary. Membership of the regional adoption agency would help provide more options for adoption with greater opportunities for arrangements such as foster-to-adopt.*
- The reference in the report to the lack of triaging of domestic abuse referrals was queried and what risk this presented. *The ADS&FS explained that a domestic abuse hub had been established which ensured that any level 4 domestic abuse notification received in the MASH was taken directly to a strategy discussion. It was confirmed that all domestic abuse notifications were now triaged daily.*
- There was concern expressed regarding the delay to the work on the transition pathway for vulnerable young people and it was proposed that the committee recommend closer working between the children's and adults' directorate to establish the pathway.

The cabinet member children and families commented that it was encouraging to see progress but it was acknowledged that there was still improvement to be achieved. The appointment of the new assistant director, quality and improvement, had been positive and would help realise improvement. The issue of transition between childhood and adulthood was work that was ongoing and greater interaction with adults' services was required. The attendance of committee members to the performance challenge sessions was encouraged.

The committee voted on recommendations proposed during the debate including: arrangements for the improvement plan report in future; resourcing third sector organisations; joint work between directorates on the transition pathway; member attendance at performance challenge sessions; and the outcome of the audit of the child protection plans. The recommendations were agreed.

RESOLVED: The committee agrees that:

- **consideration is given to how future versions of the report could provide details of the prioritisation of actions in the improvement plan;**
- **consideration is given to how third sector organisations could be resourced to support actions in the improvement plan;**
- **the children and families directorate works with the adults wellbeing directorate to undertake joint work on establishing a clear transition pathway for vulnerable young people;**

- **all members of the committee should be invited to attend performance challenge sessions; and**
- **the outcomes of the audit of the reduction in child protection plans to be made available to the committee.**

55. CHILD EXPLOITATION TASK AND FINISH GROUP - OUTCOMES AND RECOMMENDATIONS

The committee considered a report by the chairperson of the child exploitation task and finish group which provided the outcomes and recommendations of the task and finish group.

The chairperson of the task and finish group introduced the report and advised of the purpose of the group, the meetings that had taken place and the witnesses that had been engaged. It was intended that the annual summit that was proposed in the recommendations should include town and parish councils.

In the discussion that followed the principal points below were raised:

- If the child exploitation team had attended parish and town council meetings which was an intention outlined in the report. *The ADS&FS explained that an update on attendance at parish and town council meetings would be provided.*
- It was queried whether the task and finish group had received details of 'cuckooing' in Herefordshire and the extent of trafficking locally. *The chairperson of the task and finish group explained that the representative of West Mercia Police had briefed the group on cuckooing. Evidence suggested that child exploitation was not a significant problem in Herefordshire compared to other areas in the West Midlands. The ADS&FS explained that a prevent and disrupt group was in operation locally which would be able to provide detail of cuckooing and trafficking locally. A report from the group could be arranged for the committee to consider.*
- A briefing note was requested with figures of the current risk of child exploitation to vulnerable young people in Herefordshire.

Councillor Graham Andrews left the meeting at 3.01 p.m.

The cabinet member children and families explained that she was keen to involve parish councils and the wider communities and the notion of a parish summit to focus on child exploitation was a good idea. Work on transition from childhood to adulthood was recognised as a priority and was being taken forward.

The committee voted on the recommendations from the task and finish group in the published report and on recommendations proposed during the debate to: add an item to the work programme for a report from the prevent and disrupt group; and a briefing note on the current risk of child exploitation in Herefordshire. The recommendations and proposals were agreed.

RESOLVED: That the committee agrees:

- **The report and recommendations of the child exploitation task and finish group be submitted to the executive;**
- **The addition of a report from the prevent and disrupt group to the work programme of the committee; and**
- **The circulation of a briefing note on the current risk of child exploitation in Herefordshire.**

56. WORK PROGRAMME REVIEW

The committee considered the work programme 2020-21 and received an update from the DCF regarding the gradual reopening of schools in Herefordshire.

The items below were proposed for inclusion in the work programme:

- It was proposed that a report be presented to the next meeting of the committee on 28 July providing an update on the reopening of schools. The report should include detail of the number of children who had returned to school and the known situation of the mental health impact and educational deficit experienced by pupils during the lockdown. It was also requested that detail was made available of how schools would continue to support those children who had not returned to school. An assessment of the mental health effects of social distancing on young children and how schools were seeking to mitigate this impact was requested within the report.
- It was proposed that a report was added to the 15 September meeting of the committee concerning how the council was intending to address the impact on school leavers and care leavers of the potential economic downturn and reduced employment opportunities caused by the COVID-19 pandemic.
- Childhood obesity had been shown to increase risks associated with COVID-19 and it was proposed that in 2021 the committee consider a report into the issue. It was proposed that the report provide detail as to how the council was taking forward the work presented to the spotlight review concerning childhood obesity in 2018.
- Concern about the financial viability of children's care companies, caring for looked after children from Herefordshire, was raised as a potential item for the work programme. *It was confirmed that a briefing note would be circulated to all members and a decision could be taken at a later meeting as to whether a fuller report would be required.*
- It was proposed that the committee consider Public Health England's modernisation of the healthy child programme through the best start in life (BSIL) programme. It was agreed that a briefing note would be circulated.

RESOLVED: The committee agrees that:

- **A report is added to the work programme of the committee for the meeting on 28 July concerning the reopening of schools, covering the details outlined above;**
- **A report is added to the work programme of the committee for the meeting on 15 September regarding the potential economic downturn and the impact on opportunities for school leavers and care leavers;**
- **A report is added to a meeting of the committee in 2021 concerning work to address childhood obesity;**
- **A briefing note is circulated concerning the financial viability of children's care companies caring for looked after children from Herefordshire; and**
- **A briefing note is circulated concerning the Public Health England's BSIL programme.**

The committee received the response of the executive to the report and recommendations of the spotlight review concerning peer on peer abuse in schools. It was noted that recommendation (ix), concerning a resource pool for schools to access

when addressing complex cases of peer on peer abuse, had been partially agreed and it was queried whether the nature of the resources proposed by the recommendation had been understood. The resources proposed concerned support beyond financial means and included advice, guidance and tools available from schools and the council. It was requested that an update on the response to the recommendation be provided to the next meeting of the committee.

The meeting ended at 3.40 pm

Chairperson

Supplement – schedule of questions received for meeting of children and young people scrutiny committee – 2 June 2020

Agenda item no. 5 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Name and address supplied	<p>While I was a student at a school in Herefordshire I was the subject of the most serious form of peer-on-peer sexual abuse. I reported the incident to the police at the time. However my school expected me to return to classes with my abuser. This was wrong.</p> <p>I wanted lessons to be learnt so that no other child should have to face their abuser in school. My parents raised these concerns on my behalf with the Council.</p> <p>In April 2017, the Council commissioned and funded an investigation into the handling of my case, which produced a report containing clear recommendations about shielding a victim from their abuser and a pro-forma risk assessment to help schools keep victims safe.</p> <p>The recommendations - if implemented - would have prevented other children being put back into school with their abusers.</p> <p>But the Council didn't share the recommendations or risk assessment with Scrutiny or schools and has just produced a report which fails to mention the clear guidance received in April 2017. Why?"</p>	Chairperson of the Children and Young People Scrutiny Committee

Response:

I accept it would have strengthened our approach in supporting schools if we had shared the risk assessment form with all schools and this was a missed opportunity. The council did not produce a specific policy at that time but undertook briefing sessions that included a focus on peer on peer abuse. This included the promotion of the use of the Brook Traffic Light Tool that supports professionals to assess and work with presenting sexual behaviours of children and also the NSPCC preventing abuse “Let’s Talk Pants Campaign”.

The Council did brief chairs of governors and schools in the May 2017 briefings on peer on peer abuse, including reflecting on learning and continued to do so in regular briefings thereafter. Scrutiny was not advised of the report because it was not a matter identified by officers or members as a piece of work requiring further investigation for the scrutiny work programme.

The MASH audit report benchmarks the advice given to schools against the national guidance as that is what the council has worked to. The council did reflect on the 2017 report to inform our advice to schools regarding peer on peer abuse, and continued to advise schools on peer on peer abuse at chairs of governors briefings, head teacher briefings and designated safeguarding leads briefings.

