

Minutes of the meeting of Children and young people scrutiny committee held at Online meeting only on Tuesday 28 July 2020 at 1.00 pm

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

Councillors: Graham Andrews, Paul Andrews, Kath Hey, Phillip Howells and Mike Jones.

Co-optees: Mr James and Mr Pratley.

Officers: Director for children and families, Democratic services manager, Assistant Director Safeguarding and Family Support and Assistant Director Education Development and Skills

57. APOLOGIES FOR ABSENCE

There were no apologies for absence.

58. DECLARATIONS OF INTEREST

There were no declarations of interest.

59. MINUTES

The committee considered the minutes of the previous meeting on 2 June and the addition of wording to the record of the public questions under paragraph 52. It was agreed that the following wording was added to the minutes:

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.

RESOLVED: That the minutes of the meeting on 2 June are agreed as a correct record, subject to the addition of the wording above, and are signed by the Chairperson.

The Chairperson updated the committee on the business for the meeting and apologised that the report concerning the review of historic cases of peer on peer abuse cases had been delayed from the current meeting. It had been requested that the report was brought to the current meeting however due to the involvement of officers in the COVID-19 response and the Leader's desire to ensure content and supporting information in the report was adequate it had not been possible. The circumstances were regrettable but it was explained that the review had been commissioned by the Leader and not by the scrutiny committee; the decision over the timing of the consideration of the report by scrutiny and its publication of the report lay with the Leader. Assurance had been

provided that the report would be available for consideration at the September meeting of the committee and there was a determination that it would not be delayed again.

The Assistant Director Education, Development and Skills confirmed that the report was being finalised and would be ready for the September meeting and advice had been provided that the report should be considered at that meeting.

60. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 15 - 18)

A copy of the public questions received, response provided and the supplementary questions is attached at appendix 1.

61. SCHOOLS UPDATE

The committee considered a report by the Assistant Director Education, Development and Skills (ADEDS) providing an update on the operation of schools during the lockdown and their reopening. The ADEDS introduced the report and raised the points below:

- There was some doubt nationally about attendance and the report provided data concerning attendance at Herefordshire schools and the support in place for those not attending was also covered. The attendance data ended on 1 July but attendance increased throughout July and 24% attendance rates were reached across special, primary and secondary schools;
- Herefordshire had the highest level of attendance in the west midlands with 5,500 children attending towards the end of the term which reflects year groups that government asked to return. A lot of schools took the opportunity to attempt to bring all pupils back into school before the end of the school term.
- It was acknowledged that from the data there had been two-third of pupils who were not attending and support for those pupils came in a range of ways including online resources provided to schools including free software licenses. Some schools were already familiar with the online resources and there had been outstanding performance in some areas but use across the county had been variable.
- Some schools made home visits and undertook virtual contact via video conferencing, phone and social media.
- During the lockdown schools were having to constantly respond to updated and changing government guidance.
- Guidance had been issued to families as to how to support children at home but it was acknowledged that it would have been a challenge for parents and carers who were working from home
- Guidance had been issued to schools on the range of facilities for remote learning and the offer they could make available.
- As the lockdown endured it was acknowledged that support became more variable. As the lockdown could result in children not attending schools for up to 6 months arrangements would be strengthened for the start of the September term. There was the potential for non-attendance to persist into the new school year.
- Social work heads of services had been contacting schools regularly to support children with child protection issues.
- Significant work had been undertaken to keep key worker provision open in early years.
- The impact of the lockdown on pupils' mental health and the educational deficit was still emerging. The report provided the young minds survey which was a national survey but with a relatively small sample. The outcomes state that there

is a variable outcome and there may have been an adverse impact on children with special educational needs in particular during the lockdown. A local survey undertaken in Herefordshire and Worcestershire echoed the national findings. Both surveys had small samples and the methodology was open to challenge but there was anecdotal evidence concerning children who had enjoyed the online opportunity particular from disadvantaged backgrounds and with autism where they could work comfortably from home.

- On return to school in September it is likely that there will be a significant gap between children with special education needs and their peers. The Education Endowment Foundation suggests up to a 50% gap and locally it has been suggested that it will be 30%. Plans were in place to offer further advice and support to schools when pupils return in September.
- The government had announced some initiatives, the detail of which is awaited, including a catch-up programme which would make tutors available and the council is intent on bidding for some of the support offered. It was also anticipated that there would be more help in terms of transport of getting youngsters to schools.
- Planning was taking place for a fully open return in September however advice was still being received including whether secondary school pupils should wear face coverings.
- Early Help had been very busy during lockdown with 500 – 600 contacts every week; these were followed up with about 50 visits.
- Some detail had been issued about what Ofsted would do next term and it was understood that they would make school visits but not write judgmental reports.
- Schools were encouraged to adapt curriculums from September to accommodate some of the catch-up work. If it emerged that some pupils had regressed during the lockdown they may emphasise certain elements of the curriculum. The autumn term would focus on returning to learning and catching-up on numeracy and literacy whilst adjusting to any new national guidance.
- When national guidance was issued in the future which contained an opt-in opportunity for additional support the council would apply and join programmes on offer.

During the debate the Committee made the following principal points:

- The survey carried out between Herefordshire and Worcestershire was commended and the number of Herefordshire parents who had contributed. The survey was undertaken early during the pandemic and it was queried whether the exercise would be repeated. It was recommended that the survey was repeated at a later stage in October/November once pupils had returned to school. *The ADEDS explained that it was likely that the survey would be repeated but it had been led by public health rather than education. The Director Children and Families (DCF) explained that an in depth survey from the Children and Young Peoples Partnership was planned in January to cover a number of matters around the lives of young people in Herefordshire. A key part of the survey would focus on wellbeing and mental health and it would contain reflections from children on their state of mind and an assessment of the support they were receiving.*
- It was queried whether private nurseries that were still closed continued to claim the nursery education grant and if the reasons were known why such establishments could not reopen or were unlikely to reopen. It was proposed that a briefing note was provided in November with detail of the number of nurseries that had reopened in September and how many had been able to remain open. *The ADEDS explained that he would need to investigate if the grant was still being claimed but in Herefordshire there were around 170 pre-school settings; during the early stages of lockdown the number that were open dropped significantly. Work was undertaken at that point to ensure that a*

service remained in the county. A number of private nurseries furloughed staff and there is some uncertainty as to the number of children who will return in September. Some establishments were dependent on the continuation of the nursery grant to stay open but if there were insufficient numbers of children the business model may become unviable. Early years settings in schools were not affected as they were funded differently. Around 120 pre-school settings had reopened by the end of the term and they were intending to open as normal in September and to test their business model during the September and October period. Business planning seminars had been hosted for the establishments providing advice on how to manage the reopening.

- There had been some inequality in experience of some young people particularly for children in homes where there were a number of siblings and a lack of access to computers. It was likely that there would be a gap in attainment evident in September and it was important that there was an update on national catch-up programme when details became available.
- Tribute was paid to work of schools and teachers over the period of the lockdown and the work of officers at the council in support of schools.
- The intention to extend the curriculum variety and offer by keeping the blended learning model was queried and what the role of the council was in working with schools to implement the model. *The ADEDS explained that academies could decide their own curriculum but must still pass through an Ofsted inspection and work towards the national testing system. Schools should have been looking at a broader curriculum over the previous 2/3 years following an assessment that there had been too great a focus on preparation for tests in maths and English. The council were part way through adapting the curriculum when the pandemic arrived. Blended learning would continue for some time, during the autumn term it was possible that there would be local school lockdowns. Some courses were not suitable for the blended learning approach, particularly post-16 courses and this needed to be discussed with the colleges. Colleges had been very good at blended learning as they had been prepared prior to the lockdown but in respect of those courses with a vocational element or apprenticeship the online model may not be appropriate. Licenses had been provided to establishments to provide access to resources online. There is a variation among schools with respect to the online models currently being used; the curriculum model was there not as consistent as it could be. Ofsted will be looking at it in the Autumn term; two Ofsted inspectors had been seconded to the council who were commissioned to do a Herefordshire online survey and found that schools were doing well. The choice of different software among schools meant there was a variation in the offer that some schools provided which needed to be looked at in greater detail in the autumn term. The DCF explained that all schools were expected to follow the government's advice on attendance and the expectation was that pupils would physically attend schools. There were some benefits to the blended curriculum but the national approach was that children should be enabled to attend school which the council was working towards for September. There was some national guidance for children of families that were shielding and work was ongoing with schools and public health to see how they could be supported but it was acknowledged that guidance and advice was changing.*
- The Chairman explained that a review of CAMHS was on the committee's work programme and was something that the committee wanted to look at before the pandemic due to the waiting list for referrals to the service. As a result of the pandemic it was anticipated that waiting times would increase. It was proposed that the item was brought forward on the committee's work programme after the annual meeting of Council. The committee noted that there was significant data around children's mental health and a focus was now required on what actions could result, as part of the review of CAMHS it was recommended there was also a review of school pastoral support and a mental health pathway for looked after children. *The ADEDS welcomed the review which should include a review*

of what elements had worked well and how it had been achieved. In particular there should be a focus on the work undertaken by the virtual school; the attendance of looked after children rose from 10% early in the lockdown to almost half as a result of the work of the virtual school.

- The committee heard from the education co-optee from the Diocese of Hereford who explained that there were 78 church schools in the Diocese. Attendance had been very high during the lockdown. Tribute was paid to the head teachers and teachers for opening schools and coping with changing advice and guidance. In the report there was detail that attendance on a Friday tended to be low; some schools were choosing to close on a Friday and a greater consistency in the opening of schools would be welcomed. Where schools were struggling to open or to remain open there should be targeted support and an insistence that they open. *The ADEDS explained that the low attendance on a Friday had been a national issue and among explanations was that schools used the Friday as preparation for online work but a main reason was that schools were halving class sizes, especially in primary schools. It was acknowledged that needed to work in September to ensure that all children were back as soon as possible in all schools.*
- It was explained that the surveys were important but it was questioned what tangible actions would be put in place to respond to the outcomes? *The ADEDS explained that where young people had experienced adverse mental health impacts it was understood that there would be funding available, including for counselling support, to assist schools.*
- It was queried whether the number of laptops that had been issued had been sufficient, from where the request had emerged and whether additional support in the provision of broadband had been required. *The ADEDS explained that the number was provided by the Department for Education from a survey conducted in January each year. The council bid for and received the maximum number it was eligible for which was almost 400 laptops. About 20 dongles were allocated to provide a broadband service. Some laptops were received late but all were circulated before the end of term. The provision of the laptops was a greater challenge than access to broadband. Schools commented that a single laptop in a house with multiple children was a challenge. A number of schools reported struggling families who would have welcomed the equipment; some schools had been able to provide their own laptops. A survey has been conducted based on schools requests for more equipment and it would be reassessed in the autumn term.*

The cabinet member children and families explained that it was pleasing to hear the positive comments about the work of officers and schools during the lockdown. There was reference to the children's commissioner's report Teenagers Falling Through the Gaps and the local concern to this issue. Work was being undertaken with partners to identify where the gaps existed and identify actions to address those gaps; a statement would be released shortly which would outline how the council was addressing the concerns of the community. *The DCF explained that work was being undertaken to develop an approach to support children in education, training and employment. The approach would be the responsibility of the whole council, to address the economic situation where possible. Education training and employment figures for looked after children and care leavers had improved and was above national and statistical neighbours. It was however acknowledged that the challenges associated with employment opportunities and moving into adulthood would be significant for vulnerable children and children in general. There was a need to work closely with partners on the challenges.*

The debate continued as below:

- The variation of mental health services across Herefordshire and Worcestershire and the availability of services during the lockdown, as evidenced in the survey, was queried and what assessment could be drawn. It was important to understand the impact on mental health services during the lockdown and it was recommended that further work was undertaken on this area. *The ADEDS explained that under the lockdown face to face mental health services would have become virtual and people may have opted in or out of such new arrangements. It would be useful to look at the survey again to try to understand why people thought that the mental health offer had changed. The early help service was busy during the lockdown and with a potential second spike of infections the service was keen to maintain virtual visits. The DCF noted the responses to the survey which showed an absence of concern about the lack of exercise and lack of access to mental health support. There was a need to understand such feedback in light of the significant concern held by professionals around these issues. During the lockdown Herefordshire successfully bid for support for mental health teams in schools and a briefing note would be circulated to the committee. Further information had also been sent out to families regarding the support that could be provided through school nursing. A session had been held with Early Help and an outcome had been that there was felt to be a gap in emotional wellbeing support for primary aged children which could be a topic for scrutiny to look at; relevant agencies and professionals recognised that this was an area where further work was required. During the development of the children and young people plan it was acknowledged that there were low targets nationally for children to receive CAMHS support after diagnosis. The low target was a concern particularly in consideration of the potential effects of lockdown.*
- The committee heard from the parent governor co-optee from Westfield School who explained that there were between 10 – 15 % of pupils in school over the lockdown period due to the status of vulnerable children or children of key workers. There was a move to reintroduce pupils to school later in the term. It was felt that there had been a lack of guidance for special needs schools nationally given the additional per pupil staffing levels that are required and the education of non-verbal children and those with an ASD diagnosis. There was great gratitude for the efforts of the staff and leadership team throughout the lockdown who had made significant efforts to keep pupils in bubbles in school; although they had concerns regarding coping strategies with a lot of social care support withdrawn. The leadership team attempted to support staff mental health issues through internal/parental questionnaires and staff meetings. Children not attending were provided with relevant subject work and supported remotely with regular telephone contact where appropriate. Some children were supported with home visits once PPE had become available. The procedure for the new term in September would include: the possibility of alternate days and remote support; transport assistance would be sought from parents to avoid children travelling together; temperature checks would be undertaken on arrivals; and there would be a focus on maintaining bubbles. *The ADEDS explained that weekly telephone calls took place with head teachers of the three multi-disability special schools. There was concern around the lack of PPE in the initial phase of the lockdown. In September one special school will stagger the start in the first weeks back following consultation with parents and families.*
- The impact of the lockdown on the anxiety of pupils on the autistic spectrum was raised and special consideration would need to be given to how this could be managed in schools. There was also concern for the support available for children who had experienced domestic abuse, family breakdowns and increasing financial pressure. Potentially a lot of young people could be falling through the gaps.

The Chairperson proposed and Councillor Paul Andrews seconded the recommendations below which were approved unanimously.

RESOLVED – That:

- **The committee recommends that a further survey is undertaken concerning children’s mental health and schooling arrangements during the pandemic;**
- **A briefing note is circulated providing details of the number of private nurseries that have opened in September 2020 and stayed open in October and November;**
- **An update is provided regarding the national catch-up programme;**
- **The work on children’s mental health is prioritised by the committee and includes a review of school pastoral support and a mental health pathway for looked after children;**
- **Further detailed examination of the outcomes of the survey is undertaken to determine how the provision and effectiveness of mental health services were impacted during the lockdown;**
- **An update is provided regarding the attendance rates after the return to school in September.**

62. CORPORATE PARENTING STRATEGY 2020-2023

The committee considered a report from the Head of Looked After Children (HLAC) to undertake pre-decision scrutiny on the Corporate Parenting Strategy 2020 – 2023, the Care Leavers Covenant and the Fostering and Adoption annual reports. The report was introduced by the Head of Looked After Children who outlined the following in her presentation to the meeting:

- The refreshed strategy would be taken to cabinet in September following the end of the previous strategy which had been felt to be a success
- The corporate parenting strategy had been developed with the corporate parenting panel and each of the priorities in the strategy was led by a panel member working alongside your voice matters.
- Young people were a part of developing the strategy
- The strategy has been reduced in size to focus on important elements and those which will make a difference to children and young people. It is a responsibility of all councillors and officers as well as partner agencies to deliver on the corporate parenting expectations as set out in legislation.
- The care leavers covenant is a new initiative and was contained in the DfE’s keep on caring policy to promote five key outcomes for care leavers. Herefordshire had been identified as a trailblazer local authority and therefore it was important that the council lead by example. Through the care leavers covenant the objective was to work with local businesses, agencies and the third sector to encourage a commitment to the care leavers covenants. Such local bodies would be approached to see what more they could do to support young people to establish themselves as young adults.
- The fostering and adoption annual reports detailed the achievements and areas for development and improvement for each of the services over last year and priorities for the current year. The adoption service was provided by Adoption Central England (ACE) which was a regional adoption agency (RAA) led by Warwickshire but with Herefordshire, Worcestershire, Coventry and Solihull. The Assistant Director Safeguarding and Family Support explained that she was the chair of the ACE executive board and would represent strongly the interests of Herefordshire. Membership of the RAA had brought a number of benefits which had strengthened the adoption of children from the county. ACE provided skills and expertise in the recruitment of adopters who were then well supported and assisted the placement of children in a timely manner where adoption was the plan approved by the court. It was likely that evidence of good performance in this area could be brought to the committee shortly.

The following points were raised in the debate:

- The new format of the corporate parenting strategy was commended.
- The difficulty for care leavers to get jobs and training as a result of the pandemic was explained and it was behoven on all to help where possible. Partner organisations such as Halo, Hoople and Balfour Beatty should commit to the care leavers covenant, large contractors engaged by the council to undertake large infrastructure projects in Herefordshire should also commit.
- The 16+ champion was queried and when a member would be appointed to the role. *The cabinet member children and families explained that she understood that two volunteers had put themselves forward and that governance would be taking this forward shortly.*
- School performance at key stage 1 to key stage 4 was queried and the reasons why it appeared to be a low performance. *The HLAC explained that looked after children were a relatively small cohort within each year group and there could be great variation in educational outcomes for children. However this should not be used as an excuse and the data should be interrogated further.*
- The implications of the reduction of Herefordshire Intensive Placement Support Service (HIPSS) providers was queried. *The HLAC explained that there had been a reduction during the year despite an objective to increase the number. There had been significant difficulty in attracting new carers to the scheme. The carers did tend to suffer from fatigue due to the intense support that was required. Some HIPSS carers had committed to providing permanency to children who had stepped down from residential placements to HIPSS which was viewed as success. This has however reduced the number of carers. Work to attract carers had been investigated and it had been agreed that a different approach would be undertaken. New carers would continue to be sought but also HIPSS placements would be offered; to allow existing, approved carers to offer a placement for a young person who was in a residential setting. A potential reason people were dissuaded from being a HIPSS carer was that there was a perception of a lack of choice concerning which child would be placed even though this was always subject to suitability matching. 16 children and young people had been identified that were currently in residential settings and would be suited to a fostering family. Carers who felt they would be capable of working with HIPSS would be engaged and spoken to regarding the children who had been identified for a step-down from residential settings and it would be possible to determine if any were a good match. The same allowance for HIPSS carers would be provided to foster carers providing a HIPSS placement. The same support package would also be provided which it was hoped would broaden the opportunities to step children down from residential placements.*
- It was noted that in the last plan there had been an intention to improve retention of foster carers by providing a better offer. It was understood that this should have been completed before the pandemic but was now not possible until the end of the year. *The HLAC explained that the retention of foster carers had been a priority for a number of years. A strategy had consisted of increasing investment in training and the financial support provided to carers. It was important that training of foster carers was interesting, diverse and adaptable and an investment of £11,000 had enabled the purchase of an online training package specifically for foster carers. This had resulted in an increase in training particularly of secondary carers in a household. It had been particularly important during the pandemic as the face to face training offer was paused; one outcome of the online training had been an increase in the amount of training being completed. Alongside the online training offer there was also work to develop more bespoke face to face training and how it can be delivered over conference call software. Preparation courses have continued to be delivered through such software during the pandemic with good feedback. The intention to*

increase allowances for foster carers had been a significant piece of work and draft proposals were being finalised for approval in the next couple of months by Cabinet. Consultation was still required with foster carers. Foster carers were paid in two separate parts, an age related allowance was paid, the minimum level of which was set by the DfE, and a fee was paid at a level which was commensurate with the skill and experience of the foster carer in line with common practice. The fee element of the council's offer had fallen behind what some other local authorities were paying which needed addressing through the Cabinet decision.

- *It was noted that the number of sleepover carers had reduced. The HLAC confirmed that five carers had been lost from the scheme over the last year for a number of reasons including some carers moving into the main fostering pool and others who decided it was not right for them. The scheme had suffered due to the lack of a coordinator in post for much of the last financial year. The post has now been filled and it is a priority to promote the scheme and recruit new carers. Communication had been impacted by a turnover of staff in the fostering service; relationships were important to foster carers and having a consistent social worker was desirable. Due to the staffing turnover there had been a reallocation of foster carers to social workers some of whom have had several changes. Agency workers had been used for a time and several changes of worker has impacted upon communication and consistency with some foster carers. The team was fully staffed again with permanent staff members and where new foster carers were recruited they were allocated a permanent member of staff and a family support worker*
- *It was noted that as a result of the pandemic the service had managed to clear the backlog of life story books and it was hoped that there would not be such a backlog in future. The HLAC confirmed that there had been a significant backlog which had been almost cleared and almost no children awaiting adoption were waiting for the work; all children who had been adopted had a completed life story book. It was important that the position was not lost and a system was in place to track children when the work was completed and ensure a backlog did not emerge again. It also formed part of performance reporting for the service.*
- *It was noted that there was an intention to develop a mental health pathway for children in care and their carers and surprise was expressed that one was not already in existence. This was felt to combine with the recommendation of the committee in respect of mental health.*
- *The penultimate bullet point of the care leavers covenant was not felt to be clear and it was requested that it was reworded. The HLAC would look at the wording and confirmed that it was attempting to convey that the council uses its commissioning and procurement opportunities to incorporate improvement and added value for looked after children and care leavers within its contracts. A meeting had been undertaken with the Head of Procurement to discuss how it could be implemented at the council. Part of the opportunities involved working with Balfour Beatty and Hoople to ensure there were employment opportunities. Other examples included getting good deals for care leavers on mobile phones or laptops as the council was procuring large supplies of such products.*
- *The councillors mentoring scheme for looked after children was queried as each councillor had something to offer to support young people. It was understood that looked after children wanted councillors to consider the impact their decisions had on them. The HLAC explained that it had been very difficult to match care leavers to a member. A new councillors offer had been developed at the previous meeting of the corporate parenting panel which would be shared over the summer. The new offer provides options for a councillor to select that they would be willing to undertake. Looked after children wanted to know that councillors were interested, they cared and they were doing what they could in their role to help support them. The DCF explained that it was important that*

councillors considered in all their work how their actions could benefit looked after children.

- *The role of the council and councillors to signpost looked after children to apprenticeship opportunities at local organisations was also raised. It was queried whether the council offered apprenticeship opportunities. The HLAC explained that there had been some apprenticeships for older looked after children and care leavers; in the last financial year there had been three. It was recognised that the young people needed a lot of support and work was required to determine how the service could work with them to support applications and ensure that they have the opportunity to do the job and be successful. The feedback and experience of staff members who had worked with care leavers was that they had underestimated the level of support that was required. Advance notice of apprenticeship notices were provided to the service to enable the 16+ team to talk to young people who were potentially suitable for the posts. Very few went on to apply for suitable posts therefore work was required to address the confidence and employability skills of care leavers.*
- *It was noted that the number of people now in suitable accommodation was an impressive increase over a four year period.*
- *The proportion of children coming into care against local and national trends was stark and the trajectory of the trend was observed as steeper than other areas. There had not been a discussion of why it was happening and if there was more that could be done to prevent children becoming looked after. The HLAC acknowledged that the number of children in care was higher than statistical neighbours which is the result of excess children coming into care and insufficient numbers leaving care. The council was addressing the issue and in the previous financial year the numbers of children coming into care had reduced. The council was more in line with statistical neighbours but there was more room for improvement. A new edge of care team had started work recently and there were some indicators to suggest that it was assisting the prevention of children coming into care. This was particularly the case for older children where domestic conflict had caused family breakdown and where such children were not best served in residential care, most likely out of county, away from family, friends and educational settings. More work was required around the numbers leaving care and it was acknowledged that the service had been too risk averse. An attitude had existed whereby conditions had to be perfect to allow a return to the family environment. There was a need to change this culture and accept that children belong in the family environment and unless it was very unsafe they should be with their families with support from the council. Those young people who were settled in care with foster carers would be supported to leave care through a special guardianship order (SGO) and there had been a number of successful applications. There were currently 36 applications in court for either SGO or discharge of care order due to children returning home to live with parents. The orders were likely to be granted and more applications would be made in the forthcoming months. The edge of care team were supporting children to return home and had started working with children and families. When proceedings were initiated officers were investigating whether children needed to stay in care or if there were family arrangements that could safely care for children if they were unable to return home. Plans for adoption were also pursued.*

The Assistant Director Safeguarding and Family Support provided an update on the actions undertaken in the last 12 months in relation to a whole service approach to prevent children becoming looked after:

- *There was an updated procedure for the pre-birth approach which was devised in consultation with Health. There were a number of cases where women were pregnant and had previously had children removed. The policy*

and approach to this cohort was not felt to be as good as it could be; the new approach ensured intervention at an earlier stage to work with, support and assess with an intention to keep the child with the mother and family where possible.

- *The family support service had been reconfigured; nine of the family support workers who sat in court and CP section had been relocated to sit with the assessment service to enable support into families at the earliest opportunity. Child in Need work was now kept in the assessment service to assist intervention at the lowest level to help families achieve change. There had been investment in early help and family support team; from September there would be an Early Help hub working alongside the MASH to ensure cases where early help was required would be referred directly to the hub. The domestic abuse hub had just been updated and reviewed which was with the safeguarding partnership and was a multi-agency approach to intervening at an early stage with families with lower level incidences of domestic abuse. Three additional family workers had been added to the child protection court teams to ensure they could work with extended family members during proceedings to facilitate potential SGOs; currently at the end of proceedings children might get kinship carers but under reg 24 where they are classed as foster carers the service is required to return to court to apply for an SGO. Judge Plunkett has explained he would be content to make SGOs at the final hearing with evidence that child and carer had been prepared for the placement and a good support plan was in place for the special guardian. Initial permanence planning meetings were undertaken upon issuing and entering into proceedings to ensure family members could offer a permanent home to a child if the child cannot be maintained with the parent. At every looked after child review the question is asked whether the child could return to the home; the question had not been put frequently enough and being taken into care did not mean that a child should remain in care in the long term. Family circumstances change which might enable the child to return home. Significant work had been undertaken at all parts of the system to support the prevention of children coming into the care system or to facilitate children to leave care if safe. Therefore it was not just the Edge of Care/Home (ECHO) service working to reduce the number of looked after children but a whole system approach involving a number of other teams. MASH assessment, CP court and the Looked after service had received additional family support resources. ECHO was working with around 20 children; despite the service commencing during lockdown, this had not prevented work with a number of families to prevent admission to care or to enable children to return home.*
- *Priorities 4 and 5 in the corporate parenting strategy: to be physically and emotionally healthy; and enjoy a range of play, sport, leisure and cultural opportunities, were raised by the committee. It was noted that the priorities linked to the committees concerns regarding mental health. With respect to strategic partners identified under priority 5 there was no mention of market towns and the organisations locally who could provide support and opportunities to looked after children. The range of organisations currently in the document appeared Hereford-centric and it was queried if reference to market towns and local communities across Herefordshire could be incorporated. It was felt that mention of the youth games which took place in Herefordshire each year should also be included in priority 5. The HLAC explained that the priorities interlinked and the involvement of organisations in all local communities to provide opportunities for looked after children was sought. It was important that foster carers were aware of the opportunities that existed for looked after children such as the youth games.*

- The distribution of looked after children across the county was queried and whether they were concentrated in Hereford. *The HLAC confirmed that looked after children lived across the county with fostering families.*

The cabinet member children and families explained that the intention was for all looked after children to have positive outcomes and to have the same opportunities as children across the county. It must also be recognised that they had difficult and traumatic backgrounds in many instances which demonstrated the importance of engaging and listening to looked after children and respond to their comments, interests and feedback. The changing nature of the support provided by councillors was as a result of listening to looked after children. The role councillors could play in signposting to opportunities for work experience or apprenticeship would be very important. An element of the feedback received from looked after children was a desire to contribute to and be respected by their local communities. In the past it was felt that looked after children were not given the same opportunities as children within their own families and the council was seeking to address and resolve this issue and remove restrictions to such opportunities. It was important to work with partners who were on the corporate parenting board including health and education to explore the opportunities they could offer. To have the wellbeing and opportunities for looked after children in mind when undertaking council business or taking decisions was now fundamental to the work of the council.

The Chairperson proposed and Councillor Graham Andrews seconded the recommendations below which were approved unanimously.

RESOLVED - That:

- **The wording of the bullet point in the care leavers covenant concerning commissioning and procurement required clarification;**
- **A role for members of the council in respect of assisting looked after children could include the signposting of children in care and care leavers to local organisations offering work experience and apprenticeship opportunities; and**
- **Priority 5 of the corporate parenting strategy should include mention of market towns, the involvement of local communities and the youth games.**

63. WORK PROGRAMME REVIEW

The committee received and noted the work programme attached to the agenda with an addition agreed at the current meeting to reflect the prioritisation of the children's mental health review.

The committee received an update from Councillor Diana Toynbee on her visit to the supported accommodation in Widemarsh Street for young adults with complex need.

The clarification contained in the Chairperson's response to the supplementary question concerning peer on peer abuse cases and the minutes of the previous meeting was raised. The committee voted to confirm that the clarification provided by the Chairperson, concerning the use of the terms substantiated and unsubstantiated, would be appended to the minutes of the current meeting of the committee; 28 July 2020.

RESOLVED – That:

- **The 2020/21 work programme of the committee is agreed subject to a change to reflect the prioritisation of the review of CAMHS and children's mental health; and**

- **The clarification provided by the Chairperson concerning the use of the terms substantiated and unsubstantiated cases to be appended to the minutes of the current meeting of the committee; 28 July 2020.**

The meeting ended at 3.20 pm

Chairperson

Supplement – schedule of questions received for meeting of children and young people scrutiny committee – 28 July 2020

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

Question Number	Questioner	Question	Question to
PQ 1	Mrs Steel, Hereford	<p>Para 53 of the Minutes records a request from the Chair of the Committee that in the next version of the report into historic cases of peer on peer sexual abuse, the committee is told whether cases involved rape or sexual assault and whether cases were substantiated or not.</p> <p>Why were these requests made?</p>	Chairperson of the Children and Young People Scrutiny Committee
<p>Response: In scrutinising the response of the Council to historic cases it is felt important to establish if there was a consistency of advice provided and actions taken irrespective of whether the cases were substantiated or unsubstantiated and whether they were rape or sexual assault.</p>			
<p>Supplementary Question:</p> <p>My original question asked “Why” the request was made by the Chair of the Committee that in the revised report into historic cases of peer on peer abuse, the report should distinguish between substantiated and not substantiated cases, and between rape and sexual assault cases.</p> <p>The response given to my question does not attempt an explanation as to why the requests were made.</p> <p>I assume that the Chair of the Committee who made the requests now recognises how deeply inappropriate and unhelpful it was to ask for that information to be included in a report about safeguarding children after disclosures of sexual assault, given how many victims of all ages choose, for very good reasons, not to report an assault to the police or pursue a case through the criminal courts.</p> <p>Can the Monitoring Officer’s team now assure concerned members of the public that a post-meeting note can be inserted into the minutes in Para 53 in order to ensure that anyone who subsequently reads those minutes is reassured that the request that was made at the last meeting has been recognised by this Council as deeply inappropriate and that the request has been formally withdrawn or rejected?</p>			
<p>Response to supplementary question:</p> <p><u>Chairperson of the children and young people scrutiny committee:</u></p> <p>It was important to distinguish between substantiated and not substantiated cases of rape and sexual assault when assessing the response of schools and the local authority to cases on peer on peer abuse. It is not correct for the local authority or for schools (having received guidance from the local authority) to treat substantiated cases of peer on peer abuse (i.e. case which have supporting evidence whether that be by a witness account, violence on the part of the perpetrator or the accused admitting to the offence) any differently with regards to the guidance to a case where the event has taken place and the evidence is not available and where it is one persons word against another, as happens in a number of peer on peer abuse cases. With regards to those who choose not to report to the police or pursue a case through the courts or where police are likely to say there is insufficient evidence it is considered</p>			

unsubstantiated. However it should be addressed in the same manner by the school and local authority in accordance with the guidelines. Similarly where a case in which the victim does not want a case to be taken forward as a legal case that case will have been brought to the attention of the school who will have reported it to the Multi-Agency safeguarding Hub who should provide the same guidance to the school and treat the case in the same manner.

The use of the terms substantiated and unsubstantiated refers to all cases of peer on peer abuse and whether those are cases that go through the legal process, cases where someone chooses not to take the case forward, cases where the police choose not to pursue the case, cases where there is no supporting evidence. All cases should all be treated the same, the guidance should be the same, the schools should deal with them in the same way and it is important to ensure that the report that goes to the September meeting does differentiate to ensure that the committee can be certain that substantiated cases are not given preference or treated differently or as more important than unsubstantiated cases.

With respect to the question concerning a post-meeting note:

The committee voted to confirm that the clarification provided by the Chairperson, concerning the use of the terms substantiated and unsubstantiated, would be appended to the minutes of the current meeting of the committee; 28 July 2020.

16

PQ 2	Ms Shore, Hereford	<p>At the last meeting, the written answer to the public question was supplied too late for a supplementary question to be submitted.</p> <p>The question concerned the failure to learn lessons about the handling of peer-on-peer sexual assault disclosures. The answer was concerning: firstly it quotes two projects which focus on prevention rather than dealing with disclosures. Secondly, the answer stated that the Council "did brief chairs of governors and schools in the May 2017 briefing on peer on peer abuse including reflecting on learning and continued to do so in regular briefings thereafter"</p> <p>Given that in November 2019 the Monitoring Officer identified that Chris Baird's understanding of the guidance on safeguarding in peer-on-peer assault cases was flawed in two material respects, how much confidence does the committee have in the quality of the briefings given to schools before November 2019?</p>	Cabinet Member Children and Families / Chairperson of the Children and Young People Scrutiny Committee
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Response:

Cabinet Member Children and Families response:

I regret that the written answer was sent too late for the supplementary question to be submitted.

Your first point was that the briefings focussed solely on prevention rather than dealing with disclosures. I can confirm however that the various briefings and shared resources over time have included details on dealing with disclosures appropriately. This effort was supported by expert sessions at conferences and corroborated by an Ofsted visit in December 2019.

I have been provided with the answers to questions which the monitoring officer advised Cabinet of in November last year.

One of the questions the monitoring officer considered related to a query arising from an email sent by the Director. The monitoring officer found that a paragraph in the email sent by the Director could have been better drafted. It does not say that the Directors understanding was flawed.

An independent review by Ofsted which confirmed the quality of the work being done and the fact that many briefings (in particular a full conference day in November 2019) were conducted by national experts would support our view that we do have confidence in the objectivity and content of the briefings given to schools. For example, several schools presented their experience at the Spotlight review which were well received. I am also happy to share the content of the conference which reassures that the quality and impact of the training sessions and briefings were strong. Please find below a link to the spotlight review papers:

<http://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=1087&MId=7561&Ver=4>,

I believe that the quality of the contributory sessions evidence here supports the view that the briefings are accurate and of high quality. I therefore have confidence in them.

Chairperson of the Children and Young People Scrutiny Committee response:

In December 2019 the committee held a Peer on Peer Abuse Spotlight Review to which a significant number of teachers attended and provided us with a presentation on the process they had adopted when dealing with Peer on Peer Abuse cases. Those teachers present were of the view that following National Guidelines produced in Dec 17 they were able, with the support of the Local Authority to deal with such cases whilst recognising that prior to Dec 17 this had been more challenging. They did however feel that the National Advice concerning the separation of victim and alleged perpetrator when both remain at the same school following an incident was still unclear.

The committee was reassured that following the National Guidance produced in Dec 17 that schools were receiving adequate support and briefing from the LA but took on board the teachers concerns raised about the clarity of some of the guidance. The Scrutiny Committee wrote to the DfE in April 2020 requesting that they review the information provided to schools with regard to the separation of the victim and alleged perpetrator when both remain at the same school. A response was received and conveyed to the committee in June 2020.

Supplementary question:

The long answer to my question intentionally or unintentionally misrepresents my question and fails to address the core point. The core point is the concern that, as a result of flawed advice in the past, victims of sexual assault continued to be in school with their abuser.

We do not know whether there are children who are still in this situation today. This was supposed to be the focus of the urgent review Everything in the answer which refers to actions post November 2019 is irrelevant and only serves to obscure the core concern.

Does the Cabinet Member for Children and Young People accept:

- i) That the review commissioned by David Hitchiner into the safety and wellbeing of victims of peer on peer sexual assault prior to November 2019 was necessary and urgent to ensure children's safety
- ii) That an eight month delay into an urgent safeguarding review is not acceptable.

With the results of the review still outstanding, when will the cabinet member be able to guarantee there are no children in this position now?

Response to supplementary question:

Cabinet member for children and families:

The delay to the review was very unfortunate and was regretted. It had been unavoidable and there had been a desire to ensure that the report was correct to address all aspects of the issue with a number of views incorporated into the report. It is a valuable report and it will be helpful to assist the council to ensure that children are safe and looked after.

There was confidence in the practices currently in place, the advice provided to schools and the ongoing training and conferences meant that every school knows how it should be responding and supporting children who have suffered peer on peer abuse. It is not possible to guarantee that these practices are followed-through but we are absolutely certain that every school is aware of how the guidance is implemented.

We all care for the safety and wellbeing of children and we are all concerned when things go wrong and we all want to do our best for children.

Assistant director education, development and skills

I believe that the schools are now fully aware of what is required in terms of their responsibilities with regards to children not having contact with their abuser or alleged abuser. They do now know what actions should be taken and they have had a range of training and guidance that has been issued for some time now in conferences and briefings. As a consequence I believe that children are safe and protected in schools but ask if people have concerns that they contact me. I am also confident that the range of guidance and advice that has been issued is of a reasonable quality as it has been led by national experts in the field and it does take account of previous advice and guidance which has been incorporated into the most recent advice and support to schools.