

MINUTES of the meeting of Children's Services Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday 6 July 2009 at 10.00 am

Present: Councillor WLS Bowen (Chairman)
Councillor ME Cooper (Vice Chairman)

Councillors: BA Durkin, G Lucas, JE Pemberton, SJ Robertson, RV Stockton, AM Toon,

Co-opted Members: Mr PF Burbidge, Mr N Parker, Mr T Plumer, Mr A Wood, Mrs OR Evans, Mr C Mutton and Mrs D Strutt

In attendance: Councillors: JA Hyde (Cabinet Member - Children's Services), PD Price (Cabinet Member - ICT, Education and Achievement), PJ Edwards, AT Oliver and J Stone

1. APOLOGIES FOR ABSENCE

Apologies were received from Mr T Leach, Councillor WU Attfield and Councillor Brig. P Jones.

2. NAMED SUBSTITUTES

Councillor MD Lloyd-Hayes substituted for Councillor WU Attfield.

3. DECLARATIONS OF INTEREST

The following interests were declared:

Name	Interest	Reason
Councillor WLS Bowen	Personal	Governor – Kingsland CE Primary and Luston Primary schools.
Councillor M Cooper	Personal	Governor - John Masefield High School
Councillor B Durkin	Personal	Governor - Kings Caple Primary School
Councillor G Lucas	Personal	Governor – Brampton Abbots CE Primary School
Councillor JE Pemberton	Personal	Governor – Hampton Dene Primary School
Councillor SJ Robertson	Personal	Governor - Burghill Community Primary School
Councillor RV Stockton	Personal	Governor - Colwall CE Primary School
Councillor AM Toon	Personal	Governor - Whitecross High School.
Mr PF Burbidge	Personal	Governor – St Mary's RC High School
Mr T Plumer	Personal	Governor - Burley Gate CE Primary School
Mr A Wood	Personal	Governor – The Brookfield School

4. MINUTES

RESOLVED: That subject to clarifying in Minute 51 – Revenue Budget Monitoring – that currently there was no specific funding to support gifted and talented pupils, however, under new funding arrangements there would be from 2009/10, the minutes of the meeting held on 30 March 2009 be approved as a correct record and signed by the Chairman.

5. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY

Councillor AM Toon brought to the attention of the Committee national issues arising from new legislation concerning Nursery Education Funding (NEF) and questioned whether the Committee were aware of the implications of NEF funding. The Committee requested that further information on NEF be circulated to Members and a full report be presented to the next meeting.

RESOLVED: That a report be presented to the next meeting on the introduction and implications of NEF funding.

6. PRESENTATION BY CABINET MEMBERS

The Cabinet Member (Children's Services) and the Cabinet Member (ICT, Education and Achievement) were invited to comment on achievements or areas for improvement in the past year in their programme areas as they relate to this Committee, what will need to be addressed in the coming year and issues in which they may wish to involve Scrutiny in the future.

The Cabinet Member (Children's Services) and the Cabinet Member (ICT, Education and Achievement) gave a presentation, the slides for which had been printed in the agenda, together with supporting documents.

Based on the slides the following are the principal points or comments made by the Cabinet Members:

Slide one – based on the APA outcome, there was generally an improving picture. New Heads of Service were in place.

Slide two – an assessment of educational standards and attainment indicated that good progress was being made. Health Care also indicated some good successes. Both Cabinet Members attended the 'Children in Care Council'. Good work was being undertaken on the use, and co-ordination with social care, of Children's Centres.

Slide three – the number of referrals and assessments was being closely monitored. Targeted Youth Support was showing some recovery, however, while limited by budgets the range of support was being looked at. The economic down turn had increased the number of young people in jobs without training.

Slide four – indications were that the 'No Wrong Door' approach to locality working would be a success. The new Children and Young People's Plan, reflecting national and local visions and priorities, had been produced and launched. The scope of the Children's Trust was being reviewed. High level staff recruitment would see a change in the Service from which the schools would also see a benefit, however, time was needed for the changes to bed in. Following a re-fresh the Herefordshire Shadow Children's Board now had an independent Chairman.

Slide five – work and consultation was on-going to implement 'School Passports' and a report was expected to go to Cabinet in autumn 09. Following the transfer of functions from Connexions and the Learning and Skills Council it was acknowledged that the staff pay/conditions of those transferred now needed to be addressed. While the recent bid

under Building Schools for the Future had been unsuccessful the Council now had a robust programme should a further bid be invited. Implementing 'No Wrong Door' approach to locality working and embedding the Common Assessment Framework (CAF) would be issues for the year.

Slide six – the appointment of Every Child Matters (ECM) Link Members will enable Scrutiny Members to build a greater understanding of issues in the Directorate. No new money was available for 'No Wrong Door' and therefore it was essential that existing resources were directed to ensure that the different teams provided a truly integrated service.

During the course of debate the following principal points were noted:

- It was asserted that the overall Annual Performance Assessment (APA) grades, set out in the table on agenda page 21, indicated no appreciable improvement over a number of years. In response the Director of Children's Services reported that the Government Office confirmed that progress was being made. She agreed that the Service should not be complacent, however, limited finance and greater expectations by central government increased the pressures on the Service.
- Following a number of high profile cases, nationally it had become difficult to recruit staff to key posts. Herefordshire were employing a number of ways to attract personnel to the County.
- The Children's Advocacy Service continued to provide assistance, particularly to Looked After Children.
- Questioned on the relationship between the Capital Programme and the Task Force Programme the Committee noted that the Building Schools for the Future Programme was a national programme. Bids for funding were made balancing local needs to national targets and the national framework.
- There was likely to be a loss of expectation by the public when the 2 year funding for 'Under 16 Swimming' ceased.

RESOLVED: That the presentations be noted.

7. KINSHIP CARE AND CHILDREN CARED FOR BY UNOFFICIAL CARERS

The Committee were informed of the percentage of children in Kinship Care Placements and the position regarding children cared for by unofficial carers.

The Assistant Director, Safeguarding and Vulnerable Children, reported that there were various arrangements for children in care, one of which was Kinship Care. The directorate was currently working on developing a Kinship Career Policy. Answering the Committees original question she reported that no information was held by the Directorate on children cared for by unofficial carers. She acknowledged that obtaining true statistics on unreported children in care was a national problem and reported that locally information concerning the legal position of being a carer was being distributed via posters and handouts.

A view was expressed that it wasn't uncommon for people in a community to occasionally help by providing short term help and care to children within the community and this shouldn't be discouraged.

The Cabinet Member (Children's Services) agreed that while some kinship relationships e.g. grandparents, were obvious, there were a number of grey areas to the definition.

RESOLVED: That the report be noted and a further update be presented in 6 months.

8. PROGRESS REPORT - DOMESTIC ABUSE

The Committee were informed of progress made in addressing the needs of children affected by domestic abuse, since the last report to Committee in December 2008.

The Assistant Director, Safeguarding and Vulnerable Children, presented the agenda report indicating the national and local position; initiatives and national guidance and highlighted the work of the Multi-Agency Risk Assessment Conference (MARAC).

Responding to questions on the percentage increase in children subject to child protection plans where domestic abuse was a significant factor (40% in 2008/9 to 52% currently, equating to approximately 65 children) the Assistant Director, Safeguarding and Vulnerable Children reported that: information on the percentage of referrals to Social Care in which domestic abuse was a significant factor was not available for 2008-9 or for previous years, as the available management information system had not been capable of collating such data. The new Integrated Social Care Solution, Frameworki, would provide the capacity to report much more accurately and work was underway on the improvement of data quality to enable accurate reporting on this matter for 2009-10. Since the implementation of Frameworki in November 2008, 21% of all contacts to the Referral and Assessment Team had come from the Police, and 25% of all initial assessments had been initiated as a result of referrals by Police. As a result of recent national cases more referrals were generally being reported.

The need for accurate baseline data and indications of trend was emphasised by the Committee and further data was requested.

Various points were made that abuse didn't only relate to abuse to women. The Director of Children's Services reported that while the principal support was provided through West Mercia Women's Aid a range of services were available.

RESOLVED: That the report be noted and further background data including an indication of trend and how factors affect Locality Teams be forwarded as a briefing note to members.

9. UPDATE ON CHILDREN'S SAFEGUARDING

The Committee were updated on recent changes and improvements in aspects of safeguarding young people following on from the independent report of local services by Steve Love in autumn 2008, and also taking account of issues arising from national events after 'Baby P' and the Laming report.

The Director of Children's Services presented the agenda report and highlighted that following the independent review by Steve Love the Herefordshire Safeguarding Children's Board (HSCB) had identified a number of areas for improvement including the integration of various action plans. The HSCB had been restructured to improve strategic leadership and ensure high level commitment from appropriate agencies which had provided a fresh impetus to the Board. A number of high level staff changes had been made in the Department, however, in common with other authorities, there were still recruitment and retention issues around social workers. A high volume of work was involved in Serious Case Reviews (SCR). While the Service had assisted with out of county cases, one case identified in the County was now nearing conclusion. Unfortunately a further in-County Serious Case Review had been initiated. The HSCB ensured that lessons learned from such cases were noted and that action plans were drawn up and local services were improved.

The Committee noted that the HSCB is a statutory body that reported to the Children's Trust. The Scrutiny Committee was able to monitor performance via the Performance Digest (see later Minute 13).

The Director of Children's Services reported that following the Laming Report and arising out of SCRs the reinforcement of effective information sharing practices had been identified and a protocol would be drawn up with appropriate training to ensure all staff were familiar with the requirements. The Committee requested to be kept informed of progress with the protocol and expressed a view that improved data sharing should be a priority and needed a speedy resolution. The Cabinet Member (ICT Education and Achievement) commented that a degree of information sharing was possible at the moment, however, not all ICT systems could be configured to share with each other. A Member commented that the Council's Data Sharing Policy lacked clarity.

Concern was expressed that two actions were marked 'no data' (para 16 in the report) However, the Committee noted that one quarters data had been unavailable due to staff changes within the new team.

Responding to questions on the implementation of Criminal Records Bureau (CRB) checks (referred to at agenda page 76 - action 3.3 – Safeguarding Action Plan) the Director of Children's Services reported that a phased approach was underway to check and update staff/Members CRB checks. A new national system obviating the need for multiple checks to be undertaken was expected to be introduced in the autumn.

The Director of Children's Services reminded the Committee that the Comprehensive Area Assessment (CAA) was due later in the year and that annual, unannounced safeguarding visits to local authority contact, referral and assessment centres could take place any time soon.

RESOLVED: That

- a) **the report be noted and Members be informed by briefing note of progress in drafting a Locally Agreed Protocol on Information Sharing;**
- b) **a briefing note be circulated updating on how the phased approach to undertaking CRB checks was progressing; and**
- c) **the ease and security of information sharing between key partners in the County should be a priority and needs a speedy resolution and the Chairman and Vic-Chairman be kept informed of progress.**

10. CONTINUUM OF PROVISION FOR CHILDREN & YOUNG PEOPLE WITH AUTISM SPECTRUM CONDITIONS IN HEREFORDSHIRE

The Committee considered the current provision for children and young people with Autistic Spectrum Conditions (ASC) in Herefordshire and action plans for the development of further provision.

The Assistant Director, Improvement and Inclusion, presented the agenda report which set out the current policy together with accepted definition of ASC, national and local statistics, and current and future provision.

Questioned on the current policy the Assistant Director, Improvement and Inclusion, responded that work on updating the policy would start in autumn 2009 and would be linked to the 'centre of excellence' work undertaken by Birmingham University.

It was noted that recent government funding had been targeted to dyslexia and aimed at improving staff recognition of conditions.

Consideration was being given to setting up a multi agency team which could also assist parents in negotiating the necessary procedure for diagnosis and would provide a more robust system of identification and recording.

The accuracy of the figures quoted in table 3 were questioned (agenda page 88). The point was made that either Herefordshire was very fortunate in having such a low incidence percentage or the data was incorrect. The Committee suggested that the robustness of the data used in table 3 be re-examined.

RESOLVED:

- a) **the report be noted and the Committee suggests that the robustness of the data for Herefordshire contained in Table 3 to the report be re-examined; and**
- b) **the Committee requested sight of the new policy for Additional Needs when drafted.**

11. CAPITAL BUDGET MONITORING

The Committee considered the capital budget position for 2009/10 for the Children & Young People's Directorate.

The Schools Planning & Access Manager presented the agenda report and highlighted that, as part of the Government's drive to stimulate the economy Herefordshire had received a proportion of next years funding (2010/11) to spend in this financial year (2009/10). This early funding would principally be used towards projects at The Minster, Leominster; Hereford Academy, and the replacement of the Infant and Junior schools at Leominster. Details of other capital projects were set out in the agenda report.

Questioned on the status of the Section 106 developer funding the Committee were informed that references in the report referred to funding that had actually been received. It was further noted that the Council intended to appoint a Section 106 Officer to co-ordinate the approach and use of Sec 106 funding.

Referring to capital funds for Voluntary Aided schools a member expressed a view that the 10% funding to be found by VA schools for maintenance or improvement scheme should not be waived.

The Committee noted that no Private Finance Initiatives (PFI) were included in the Capital budget as major projects were now undertaken through the 'Building schools for the Future One School Pathfinder' scheme.

RESOLVED: That the Capital Budget report 2009/10 be noted.

12. CHILDREN AND YOUNG PEOPLE'S DIRECTORATE REVENUE OUTFURN REPORT 2008/09

The Committee considered the outturn report covering Children and Young People's Services for 2008/9.

The Finance Manager presented the agenda report and reported that Appendix 1 to the report had been presented to Cabinet on 4th June and represented the position reported to this Committee in March. The outturn represented a net underspend of £567,000. He highlighted that £217k of general Sure Start grant, which had not been planned for when the budget had been set, had been used to support the Early Years budget.

He further reported that total rate rebates of £1,054,205 had been received for charitable rates relief for voluntary aided schools covering the period back to 2000. The £186k relating to 2008/9 had been carried forward as part of the Dedicated Schools Grant (DSG) underspend, with the remaining £868,537 being carried forward as a reserve. Following discussion with the Department for Children, Schools and Families legal opinion had been sought on how the rates underspend could be used. The Committee wished to be kept informed of the outcome of the legal opinion.

The budget position concerning the School Music Services was noted and the Director of Children's Service agreed that while it was a valuable service it had to be provided within budget.

Members questioned the clarity of budget reporting, particularly concerning the over or under spend in SEN provision. The Assistant Director, Performance, Planning and Development, responded that the report format would be further developed for greater clarity.

RESOLVED: That the revenue outturn report 2008/9 be noted.

13. COMPREHENSIVE AREA ASSESSMENT AND PERFORMANCE DIGEST – YEAR END 2008/2009

The Committee were advised of the final proposals for assessing Children's Services under the Comprehensive Area Assessment (CAA) and considered the Performance Digest for Children's Services for 2008/09.

The Assistant Director, Performance, Planning and Development, presented the agenda report and highlighted that the Council, its partners and schools, would be judged under the CAA. In addition to the statutory education targets there are six children related indicators in the Local Area Agreement (LAA). Aside from the LAA indicators, other performance in each outcome area was set out in the Performance Digest 2008-9 Year End, which had been issued with the agenda.

The Committee questioned whether the target number of social worker posts was likely to be achieved. The Director of Children's Services responded that the directorate had an action plan to tackle the recruitment and retention issue which included recruitment from overseas and the further training of existing staff. Recent advertising via a County-wide leaflet drop, had produced little response.

The Assistant Director, Performance, Planning and Development highlighted that in the current economic climate NI117 (Percentage of 16-18 year olds who are not in education, employment or training (NEET)) would be a challenging target.

Questioned on the input of views to consultations the Committee expressed a view that greater use should be made of both Schools and Youth Councils.

The Committee questioned whether services, including the third sector, were working together as, it was alleged, the 'Wheels to Work' programme lacked sufficient bicycles to meet the need.

The Committee requested clarification of the terms 'short term' and 'long term' sickness absence with a breakdown of the directorate sickness absence figures.

RESOLVED: That the report be noted and the Committee suggests that greater use be made of both School and Youth Councils when undertaking consultation to ensure that young people's views are included.

14. SWIMMING AT KEY STAGE 2

The Committee were informed of the swimming requirements as part of the National Curriculum at Key Stage 2.

The Assistant Director, Improvement and Inclusion, reported that swimming was one strand in the County's Sports Strategy and was commissioned through HALO. In response to the question raised at the March meeting she informed the Committee that the local authority did not keep records of pupil achievement for swimming at Key Stage 2. Schools kept a range of pupil data and therefore further data should be capable of being obtained.

The Committee requested that further data be obtained e.g. covering the last two years, and that a baseline be established against which future years can be monitored. A number of Members suggested that a scrutiny review be held into Key Stage 2 swimming attainment. It was suggested that the Committee await the results of the data, however, the Committee agreed to initiate a review immediately. The Cabinet Member (ICT, Education and Achievement) cautioned that the review should only consider data and not hearsay evidence.

RESOLVED:

- a) **that the report be noted and the requested data on pupil achievement for swimming at Key Stage 2 be sought; and**
- b) **A scrutiny review be undertaken into pupil achievement for swimming at Key Stage 2 to establish base line data against which any future trend can be compared.**
- c) **Councillors: WLS Bowen (Chair), MD Lloyd-Hayes; SJ Robertson; and AM Toon be appointed Members of the Scrutiny Review Group.**

15. COMMITTEE WORK PROGRAMME

The Committee considered its work programme.

The following items were suggested:

1. Looked after children placement costs
2. That regular updates on 16-19 transition be provided to the committee.
3. How the Common Assessment Framework (CAF) compared with the 'Child Concern Model'
4. Accountability, and access to minutes of, the Children's Trust.

The Director responded that information on the above issues can be supplied to the Committee by means of an e-mail briefing note. The minutes of the Children's Trust are available on the web site and members will be provided with the web address.

Referring to Member Training events the Director of Children's Services reported that a training event on safeguarding was planned for autumn 2009.

RESOLVED: that subject to adding the items identified earlier in the meeting namely:

- a) **the introduction and implications of NEF funding in relation to nursery school sector.(Minute No. 5)**
- b) **a further update on Kinship Care and Children Cared for by Unofficial Carers (Minute No.7) and**

- c) the work programme be approved and reported to Strategic Monitoring Committee.

The meeting ended at 1.30 pm

CHAIRMAN