

MINUTES of the meeting of Children's Services Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday 14 June 2010 at 9.30 am

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

Co-opted Members Councillors: AW Johnson, Brig P Jones CBE, G Lucas, JE Pemberton, SJ Robertson, RV Stockton, WJ Walling, JD Woodward,
Mr PF Burbidge, Mrs S Catlow-Hawkins, Mrs OR Evans, Mr M Harrisson, Ms H Tank

In attendance: Councillors PJ Edwards, JA Hyde (Cabinet Member - Children's Services), TM James, JG Jarvis, MD Lloyd-Hayes, AT Oliver and PD Price (Cabinet Member – ICT, Education and Achievement)

1. APOLOGIES FOR ABSENCE

Apologies were received from Mr T Leach; Mr N Parker; Mr T Plumer; Councillor AM Toon.

2. NAMED SUBSTITUTES

Councillor AT Oliver substituted for Councillor AM Toon.

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 Brig. P Jones CBE	Personal	Governor – The Minster, Leominster
Councillor G Lucas	Personal	Governor – Brampton Abbotts 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
Mr PF Burbidge	Personal	Governor – St Mary's RC High School

4. MINUTES

RESOLVED: That the minutes of the meeting held on 19 March 2010 be confirmed as a correct record and signed by the Chairman.

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

No suggestions for scrutiny were received.

6. IDEA SAFEGUARDING PEER REVIEW UPDATE

The Committee were informed of the outcome of the IdEA Peer Review into Safeguarding Children in the County.

The Interim Director of Children's Services reported that the IdEA had been invited to undertake a 'critical friend' review of Safeguarding in the County. The review team had now reported back their findings, the headlines being:

Strengths:

- Vision and aspirations for children are clear;
- Strong political and senior managerial leadership;
- Performance has improved significantly over the last two years;
- Outcomes for Looked After Children & Young People are positive;
- The commitment and enthusiasm of frontline staff is impressive;
- Rapidly increasing use of CAF;
- Herefordshire Safeguarding Children Board has strong sense of renewal;
- Education attainment of LAC is strong.

The Peer Review Team had highlighted Areas for Improvement as:

- The children's voice in practice appears to be less well developed;
- To learn from Serious Case Reviews, the organisation needs to change the way staff behave to address the outstanding themes;
- SMART planning needs consistent application;
- Learning lessons from audit is in the early stages of development;
- Children's Trust role, structures and membership not fully developed;
- Clarity needed about the distinctive roles of the Children's Trust and Herefordshire Safeguarding Children Board;
- Ensure your reports acknowledge your positive achievements.

The Peer Review Team had also highlighted the following priority areas:

- Relationship between the Children's Trust and Herefordshire Safeguarding Children's Board – delivery v scrutiny and monitoring;
- Child's voice – systems for capturing;
- Data analysis – performance management, scrutiny, quality assurance;
- Developmental issues – inter-agency working, training, serious case reviews.

In relation to the areas for improvement / priority areas he commented that the 'children's voice' would be developed through the Children and Young Peoples plan; improvements would be made to the way staff work within multi-agency teams; while planning was at 80% a more consistent approach would bring the service closer to 100%; developments through the Children's Trust were already underway, and he acknowledged that positive achievements needed to be celebrated.

Responding to how the 'children's voice' would be developed the Cabinet Member (Children's Services) commented that the Child Care Council had refocused its efforts to encompass the views of all children. The Interim Director of Children's Services reported that a range of methods would be used to encourage children, not just looked after children, to voice their opinion on service provision and delivery. Further effort was need to ensure that the views were included from hard to reach children.

RESOLVED: that the Committee recommend that the Cabinet Member(s) concentrate on the priority areas identified by the Safeguarding peer review and report on progress to the Committee in 6 – 9 months time.

7. ANNUAL REPORT BY CABINET MEMBERS

The Committee received a presentation by the Cabinet Member (Children's Services) and the Cabinet Member (ICT, Education and Achievement) reviewing past performance, identifying key issues and commenting on future plans.

The Cabinet Member (ICT, Education and Achievement) commented that Herefordshire was lucky to have the services of a top quality Interim Director of Children's Services pending a permanent appointment later in the year. The restructure of the Directorate would have an important impact for the future. Against the background of falling rolls and reducing budgets the recommendations of the Schools Task Group were out for consultation and this was an opportunity for schools, local communities and Councillors to look at, and debate, the future of the children, not just school buildings, in their area. While attainment in Early Years was improving, performance at Key Stages 1 & 2 was declining and this had to be addressed. Key Stage 4 was improving but below target. He questioned the necessity to narrow the attainment gap by comparing children from different social, economic and geographic areas of the county as different children had different motivations, desires and expectations.

The Cabinet Member (Children's Services) commented that improvements in safeguarding and the timeliness of initial assessments would continue; there would be a strengthening of support for children in care. The Children in Care Council had been revamped to ensure that children were happier to contribute their views. While the County had an excellent team of foster carers, more needed to be done to encourage younger people to become foster carers. In the next few years budgets would be even tighter and therefore spending would need to be further focused to ensure greater value for money. The membership of the Herefordshire Children's Trust had been refreshed and the priorities refocused with more accountability and challenge provided through the Herefordshire Safeguarding Children Board. Greater emphasis would be placed on multi-agency working to ensure the best use of limited resources.

During debate the following principal points were noted:

- Following the government's announcement to allow schools to apply for academy status and whether any local interest had been expressed, the Committee noted that a number of schools, including a special school, had expressed an interest but no decisions had yet been made. Officers were looking at the possible implications for the schools and the county.
- Difficult financial times were ahead and the Interim Director of Children's Services commented that some difficult decisions would need to be taken to ensure that all sections worked closely together, made best use of resources and provided a better service.
- Responding to comments on the financial limitations on the authority and on the range of specialist services needed e.g. providing for children with autism, the Interim Director of Children's Services responded that schools were obliged to provide a limited level of support, however, the more complex needs had to be met. Limitations on local provision meant that to some degree all local authorities had to make use of out of county facilities which came at a cost. It was therefore important to ensure that the correct level of support came at the right price and that this was constantly reviewed.
- The Committee sought further information and statistics on incidents of both child and parent abuse.

- Where appropriate, current Key Stage 1 & 2 pupils were receiving additional tuition to help them improve. High schools were achieving good attainment based on previous years but targeted investment in Key Stage 3 pupils was now on stream to drive further improvements.
- A criticism was made that while the 'No Wrong Door' initiative had started well the views of the 3rd sector were now being lost. The Cabinet Member (Children's Services) was concerned about this comment and requested that specific matters be brought to her attention.
- Responding to whether performance in GMVQs were reported the Committee were informed that a range of learning statistics were captured and consideration would be given to how captured data was reported.

The Chairman thanked the Cabinet Members for their presentations and for answering the many questions. He commented that the next few years would be difficult financially and the long term view had to be taken to ensure that the best could be provided for children in the County. The Council should also celebrate its successes.

RESOLVED: that

- 1. the presentation by the Cabinet Member Children's Services and the Cabinet Member ICT Education and Achievement be noted ; and**
- 2. a Member Briefing note be produced setting out the statistics on children at risk from parents and parents at risk from children.**

8. SCHOOL SWIMMING - UPDATE

The Committee were informed of how swimming tuition for schools had developed over the last 6 months.

Mr J Argent, Chief Executive, and Mr S Gwynne, Hereford Pool Manager, Halo Leisure, informed the Committee that Halo worked with the vast majority of primary schools throughout the county to deliver swimming lessons for their pupils. The total number of school swims p.a. by facility was: Ledbury – 11,080; Ross – 11,450; Leominster – 22,220 and Hereford – 33,685. This compared to the total number of swims p.a by facility: Ledbury – 98,783; Ross – 100,105; Leominster – 117,372 and Hereford 273,761. Swimming and water safety are statutory activities for schools at Key Stage 2. Since September 2009 Halo had accommodated the displaced schools following Cabinet's decision not to reopen the LEA Pool. All schools were invited twice per year to a Headteacher's Forum to discuss issues and subjects already discussed have been: registration for swimmers and records for the future; Top-up swimming; ASA support; Swimming Teacher Training; and operational problems to be resolved. It was highlighted that Halo had accessed top up funding from government to provide more instructors during school lessons specifically targeted at children who cannot swim and those that cannot achieve 25m. Access had also been made to funding for disabled swimming tuition and funding from the ASA to provide a subsidised summer activity programme.

In summing up Mr Argent remarked that schools that used Halo managed facilities were now all working within a consistent and integrated learn to swim programme across the county which met best practice nationally and was delivered by specialists. Halo were pleased to develop the partnership working with schools though accessing funding for teacher instruction and improving communication through regular dialogue at forums. Halo were working well with the Sustainable Communities Directorate and the Environmental Health Team on a commissioning framework and he encouraged the Children and Young People Directorate to engage in this process so that pupil attainment at KS2 could become a prioritised outcome.

During discussion the following principal points were noted:

- Responding to how Halo were managing complaints about the conflict between public and school pool access time it was reported that while there had been complaints they had been relatively few.
- Along side Key Stage 2 swimming Halo were offering ASA Lifesaving courses.
- The achievement by pupil and school across the whole county was recorded making benchmarking and the targeting of schools possible.
- The introduction of free swimming had increased the attendance numbers with approximately three quarters of the increase being young people. Statistics could be provided if required.
- It was noted that Halo had received a number of national awards including achieving ASA Aqua Mark status.
- It was confirmed that Halo were working with the Planning Services to ensure that facilities would be available in response to the anticipated housing growth.

RESOLVED: That

- 1. Halo Leisure be invited to give a further update on school swimming performance in one years time;**
- 2. It is recommended that Halo continue to compile a database on pupil/ school swimming attainment;**
- 3. It is recommended that Halo continue to expand the training of teachers to assist in giving swimming lessons; and**
- 4. A Members briefing note be provided on the take-up of free swimming and outline how Halo have managed the increase in patronage.**

9. REVENUE BUDGET MONITORING REPORT 2009/10

The Committee considered a report on the outturn of the Children's Services revenue budget for 2009/10. The report included comparisons to the 2008/9 budget and outturn so that the Committee could assess and comment upon the budget management of Children's Services.

The Assistant Director, Planning, Performance and Development reported that the actual outturn for 2009/10 was an over spend of £137k. This comprised an over spend of £889k on Safeguarding which had been largely offset by savings made within Planning, Performance and Development (PPD) and Improvement and Inclusion. The reduction of £166k from the revised March projection of £303k was largely due to work to utilise available grants wherever appropriate and capitalisation of ICT equipment and office furniture. Although the actual outturn showed a significant improvement on earlier projections it should not detract from the significant pressures facing Children's Services particularly within the Safeguarding area. The draft budget for 2010/11 for Children's Services recognised the increasing pressures and had allocated additional funds to cover court costs and the cost of caring for homeless 16/17 year olds. A central provision had also been made for the increasing cost of front line Safeguarding pressures, which continued to face pressures and would be closely managed throughout 2010/11. Other budgetary changes were detailed in the agenda report and appendices. Following the change in government announcements were being made almost on a daily basis e.g. de-ring fencing and reductions to the Area Based Grant, and therefore officers were closely monitoring the situation.

On scrutinising the report the following principal points were noted:

- As Herefordshire repeatedly pointed out that it was underfunded, Members expressed their disappointment that some elements of unused grant funding would need to be repaid and questioned whether adequate resources had been put in place at the start to ensure that the relevant project could proceed effectively.
- The budgets of a number of schools were being effected e.g. by falling rolls, and therefore a recovery plan would be agreed with those schools entering a deficit position.
- Questioned whether the savings made within Planning & Performance and Improvement & Inclusion would impact on future performance the Committee were informed that the financial position affected all sections and this would be addressed through re-shaping the directorate.
- The Committee noted there were currently 3 social worker vacancies. 10 social workers had recently been employed and were gaining experience.
- A briefing note was sought clarifying the financial position following government announcements, particularly in relation to changes in 'ring-fencing' of grant funding.

RESOLVED: That

- 1. it is recommended the Cabinet Member(s) take steps to ensure that all grant funding obtained is fully utilised and that it is done in an efficient, effective and timely way to ensure there is minimal repayment to the grant making body; and**
- 2. a Member briefing note be provided setting out those funding streams or projects that are ring-fenced and the effect of the recent announcements from national government.**

10. CAPITAL BUDGET REPORT 2010/2011

The Committee considered the capital budget position for 2010/11 for the Children & Young People's Directorate.

The Head of Access and Capital Commissioning presented the agenda report and highlighted that the overall capital programme was broadly on budget and to timescale. The agenda report provided an update on all major funding streams and capital developments.

On scrutinising the report the following principal points were noted:

- the Riverside Primary school performance bond, put in place to mitigate against the developer being unable to deliver the scheme had now gone to adjudication. It was confirmed that the Council had funded the payments to the subcontractors when the main contractor had gone into administration and this was being reclaimed through the performance bond.
- Feasibility work had commenced under the 14-19 and Special Needs Grant and it was acknowledged that development at Barrs Court School was constrained due to its site.
- The completion of the Earl Mortimer College (formerly The Minster College) was now in its final stages and a local member commended all concerned in the project. It was also confirmed that the funding package for The Minster College had not included funding for the local youth service.
- Progress was being made in prioritising and allocating income through Section 106 (developer contributions) to various schemes and it was anticipated a report would soon be made to the Cabinet Member with proposals.
- Concern was expressed regarding how a number of the Council's major school building projects had been administered e.g. Riverside Primary School, and it

was suggested that Overview and Scrutiny Committee should receive a report on the Council's Project Design and Development Management methods to ensure that good practice was being incorporated.

- Questioned on the criteria for selecting schemes under the Capital Maintenance Programme, Members were reminded that this was administered by the Council's Asset Management and Property Service (AMPS) in accordance with predetermined criteria, the details of which had been set out in a briefing note to Members in March 2010.

RESOLVED: That

- 1. The Committee recommend that a full report on how major school building projects had been administered e.g. Riverside Primary School be considered by the Overview and Scrutiny Committee to ensure that learning and good practice was being incorporated into future projects.**
- 2. The Committee recommend to the Cabinet Member(s) that the feasibility work being undertaken to provide Blackmarston and Barrs Court Special Schools with additional accommodation be progressed as quickly as possible; and**
- 3. In view of the national budget on 22nd June which it is anticipated will have implications for capital budgets a Member briefing note be provided setting out the major changes and their likely effect on projects.**

11. PERFORMANCE DIGEST - YEAR END 2009/2010

The Committee considered the Performance Digest for Children's Services for the end of year 2009-2010.

The Head of Performance presented her report which drew Members attention to a number of key areas for consideration based on each of the Every Child Matters outcome areas and she highlighted the following issues:

Be Health

- The Be Healthy Outcome Group of the Children's Trust was coordinating Herefordshire's multi agency activities to improve children and young people's health and reduce the levels of obesity;
- The CAMHs service (mental health services for children and young people) had achieved 15 /16 in 2009/10;
- Assessments under the Common Assessment Framework (CAF), were well above target;

Stay Safe

- 75.9% of initial assessments were completed in 7 working days (NI 59) which represents a significant improvement in performance against the previous year's outturn of 37.4%.
- At 31 March 2010, there were 147 children subject to a child protection plan, a significant rise from the same time last year when it was 104. The timeliness of reviews of child protection cases was impacted by the bad weather in the early part of 2010.
- Robust measures were in place to monitor newly qualified social care staff.

Enjoy and Achieve

- There had been an improvement in achievement across the Early Years Foundation Stage. Key Stages 1 and 2 showed a continuing downward trend.

The Inclusion of the results for the two Academies had impacted on the results for the percentage of pupils achieving 5 or more A*-C GCSEs (NI 75).

Make a Positive Contribution

- In relation to re-offending (NI 19), the data for the year end was still not available; however, the positive trend reported in previous quarters was expected in the year end outturn.
- Young people's participation in positive activities (NI 110) is measured through the annual Tellus survey and in 2009/2010, 79.6% of young people reported participating in activities run by adults. In that year, the percentage was disproportionately high compared with other authorities giving a target for 2010/2011 of 94%. This year's results are more robust and although below the target, were 14 percentage points above national figures and 11 percentage points above statistical neighbours.

Achieve Economic Wellbeing

- The percentage of young people who are not in education, employment or training (NI 117) was 5.9% for 2009/2010 which is the same outturn as the previous year. Due to the impact of the recession and general downturn in the economy it was unlikely that the 2010/2011 target of 4.7% would be achieved.

Concern was expressed that the outstanding requirement under NI51 that a 24/7 emergency telephone response for the CAMHS service be provided by December 2010 was unacceptable and that an earlier implementation date be achieved.

As a Link Member Councillor Robertson was impressed with the work being done in relation to Making a Positive Contribution.

Members were pleased to note that no families were currently in Bed and Breakfast accommodation.

The Interim Director of Children's Services commented that the Performance Digest could indicate some areas that scrutiny may wish to investigate further and suggested that while child obesity was of concern the broader health issues could be looked at in collaboration with Health Scrutiny e.g. alcohol / lifestyle / housing / CAMHS/ Psychology Service.

RESOLVED: That the report be noted and the Committee recommends:

- 1. that Cabinet Member(s) consider an earlier implementation date for the 24/7 emergency telephone response required to meet National Indicator 51; and**
- 2. that closer working arrangements be brought about between the CAMHS and child psychology service.**

12. COMMITTEE WORK PROGRAMME

The Committee considered its work programme as set out at Appendix 1 to the report and noted the status of previous recommendations set out at Appendix 2.

The Chairman reported that following discussion with the Interim Director of Children's Services he had decided to add an extra meeting specifically to consider:

- a paper on primary school performance;
- a report on the Herefordshire Task Group, due to be considered by Cabinet on 21st October and Cabinet's response to it.

The Interim Director of Children's Services suggested the following issues for consideration:

- a progress report arising from the Safeguarding Peer Review discussed earlier.
- concerns arising from the Make a Positive Contribution ECM key area including links to NEETs (Not in Employment or Training)
- the reorganisation of the Directorate including an update on Locality Development.
- Early Years and Primary School performance.
- New policy developments from the national government and how to respond to them as a Local Authority and as a family of schools.

RESOLVED: that following consultation with the Interim Director of Children's Services the Chairman and Vice Chairman consider the suggested items and determine the work programme for the Committee and recommend it to the Overview and Scrutiny Committee for approval.

The meeting ended at 12.55 pm

CHAIRMAN