

# Agenda

## Children and young people scrutiny committee

Date: **Tuesday 23 November 2021**

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Time: **2.30 pm**

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Place: **Herefordshire Council Offices, Plough Lane, Hereford,  
HR4 0LE**

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Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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# Agenda for the meeting of the Children and young people scrutiny committee

## Membership

**Chairperson**

Councillor Phillip Howells

**Vice-Chairperson**

Councillor Jennie Hewitt

Councillor Graham Andrews

Councillor Toni Fagan

Councillor Helen l'Anson

Councillor Mike Jones

Councillor Jim Kenyon

Councillor David Summers

Andy James

Co-opted Member

Sam Pratley

Co-opted Member

## Agenda

	Pages
<b>1. APOLOGIES FOR ABSENCE</b> To receive apologies for absence	
<b>2. NAMED SUBSTITUTES</b> To receive details of members nominated to attend the meeting in place of a member of the committee.	
<b>3. DECLARATIONS OF INTEREST</b> To receive declarations of interest in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
<b>4. MINUTES</b> To approve and sign the minutes of the meeting of the meeting on 12 October 2021.	9 - 16
<b>5. QUESTIONS FROM MEMBERS OF THE PUBLIC</b> To receive any written questions from members of the public.  <i>Deadline for receipt of questions is 5:00pm on Wednesday 17 November 2021</i>  <i>Accepted questions and answers will be published as a supplement prior to the meeting. Please submit questions to:</i> <a href="mailto:councillorservices@herefordshire.gov.uk">councillorservices@herefordshire.gov.uk</a> . <i>Further information and guidance is available at</i> <a href="http://www.herefordshire.gov.uk/getinvolved">www.herefordshire.gov.uk/getinvolved</a>	
<b>6. QUESTIONS FROM MEMBERS OF THE COUNCIL</b> To receive any written questions from members of the Council.  <i>Deadline for receipt of questions is 5:00pm on Wednesday, 17 November 2021.</i> <i>Accepted questions and answers will be published as a supplement prior to the meeting. Please submit questions to:</i> <a href="mailto:councillorservices@herefordshire.gov.uk">councillorservices@herefordshire.gov.uk</a> .	

<b>7.</b>	<b>ANNUAL INDEPENDENT REVIEWING OFFICERS REPORT</b>	17 - 36
	To receive the Annual Independent Reviewing Officers (IRO) Report for 2020-21.	
<b>8.</b>	<b>CHILDREN IMPROVEMENT PLAN - PROGRESS UPDATE</b>	37 - 42
	To receive an update on the progress of the Children Improvement Plan.	
<b>9.</b>	<b>WORK PROGRAMME REVIEW</b>	43 - 80
	To review the attached work programme for 2021/22 and responses to recommendations previously made by the Committee.	
<b>10.</b>	<b>DATE OF NEXT MEETING</b>	
	Tuesday 7 December 2021 at 2:30pm.	

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- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title. Information about councillors is available at [www.herefordshire.gov.uk/councillors](http://www.herefordshire.gov.uk/councillors)
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**The Seven Principles of Public Life  
(Nolan Principles)**

**1. Selflessness**

Holders of public office should act solely in terms of the public interest.

**2. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**3. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**4. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**5. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**6. Honesty**

Holders of public office should be truthful.

**7. Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.



**Minutes of the meeting of Children and Young People Scrutiny Committee held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Tuesday 12 October 2021 at 2.30 pm**

<b>Present:</b>	<b>Councillor Phillip Howells (Chairperson)</b> <b>Councillor Jennie Hewitt (Vice-Chairperson)</b>
	<b>Councillors: Graham Andrews, Toni Fagan, Helen l'Anson and Mike Jones</b>
	<b>Councillor Diana Toynbee, Cabinet Member for Children and Family Services</b>
<b>Virtual attendees</b>	<b>Councillor David Summers</b> <b>Councillor Jim Kenyon (non-voting member)</b> <b>Mr Andy James – education co-optee</b> <b>Mr Sam Pratley – education co-optee</b>

**In attendance:** Councillors Alan Seldon and Nigel Shaw

**Officers:** Interim Head of Legal Services, Democratic Services Manager, Interim Director of Children and Families and Statutory Director of Children's Services, Interim Assistant Director Quality Assurance, Safeguarding and Partnerships, Children's Commissioning and Contacts Lead, Early Help Service Manager and Children's Joint Commissioning Manager

**33. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

Councillors David Summers and Jim Kenyon, and co-optees Mr Andy James and Mr Sam Pratley attended the meeting remotely and did not vote on the resolutions of the Committee.

**34. NAMED SUBSTITUTES**

There were no named substitutes.

**35. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**36. MINUTES**

**Resolved:** It was resolved that the minutes of 7 September 2021 be approved as an accurate record and signed by the Chairperson.

### **37. QUESTIONS FROM MEMBERS OF THE PUBLIC**

The question and response are attached as a supplementary item to the agenda. The member of the public had been asked whether they would like to submit a supplementary question but felt they had insufficient time to respond. At their request, the Chair read out the comments submitted as follows:

*I am at work - have been since 9am - and now do not have time to read and consider the written response, which I've only just picked up, let alone formulate and submit a supplementary question.*

*Please ensure that at the public meeting it is made clear and recorded on the public record, that I would have liked the opportunity to ask a supplementary question, but the response was sent late and in the middle of a working day and the delay has ensured that I do not have the time to consider and formulate a response and that I do not consider this a fair and proper way to treat the public.*

*Councillor Services has had the question since last Wednesday and from what you say this is the only public question you've had to write a response to. This isn't OK.*

*It is quite clear to me that some parts of the Council are still not keen to engage positively with the public, despite all the loud rhetoric about listening to victims and their families.*

The Committee recommended that a timeline be set for responses to questions that would allow sufficient time for a supplementary to be asked.

### **38. QUESTIONS FROM MEMBERS OF THE COUNCIL**

There were no questions from Councillors.

### **39. PROVISION OF CHILDREN CENTRE SERVICE IN THE BROMYARD AREA**

The Children's Commissioning Manager introduced the report the purpose of which was to consider proposals for the provision of Early Help Children's Centre Service for the Bromyard area from 1 April 2022.

During discussion the following principal points were noted:

- Over the last few years the landscape in which the Council was operating had changed considerably and it had bought about an opportunity to take a more strategic approach to its provision of children's centre services in all parts of the County, not just the Bromyard area.
- The last comprehensive review of Children's Centre Services was nearly a decade ago, in 2012/13.
- Work on a new Early Years Strategy was expected to be completed next year and this would inform the specification for Children's Centre Services in the long term.
- The new national Start for Life policy required that services be co-designed with parents and carers so there would be extensive consultation with them as part of developing the new Early Years Strategy.

The Chairperson read a statement from the local member for Bromyard Bringsty. This queried:

- whether there were any other parties interested in providing the service when the contract was extended;
- the scoring mechanism proposed for the new tender process and whether charitable institutions might be awarded funding to cover their costs in replying to such a tender;
- the cost to the authority in tendering such a small contract;
- whether the actions recommended by the scrutiny committee in January had been followed up and what engagement had taken place with the current provider;
- how the relationship with the current provider would be improved.

The statement also highlighted the local support for the current provider and the range of related services offered. The importance of these services was stressed as being above any uniformity of delivery and contractual process.

The local member for Bromyard West spoke on the proposal and raised the principal points below:

- that it was unclear how the proposal to recommission the services in this way would benefit young families in the Bromyard area;
- that the current provider, with the range of related services provided, brought added value to the contract;
- there appeared to be a lack of research underpinning the proposal;
- it was unclear how the relationship between the commissioning team and the service provider would be improved.

During the debate and in the process of questioning officers in attendance the Committee noted the principal points below:

- Members wanted to know how recommissioning this work was of benefit to the young people of Bromyard as it seemed more focussed on process and aligning with Government policy rather than delivering a service to the people who needed it.
- KPIs were set out in a service specification that sat behind a contract and that was normally published as part of the tender process.
- It was normal procedure to have quarterly contract meetings to ensure that everything was working as it should be and KPIs were being met.
- A distinction was made between the Children's Centre Service which was an early help service delivered where the need was, often in the home or in a community setting, as compared to the physical building that it sometimes operated from.
- There was no proposal to remove the service but the Council was required to go through a tender process because of the Council's own procurement rules, as approved by the Audit and Governance Committee.
- The Council could be subject to challenge from other providers if it did not go through a tender process.
- Members asked whether a further extension to the existing contract would be permitted within the contract procedure rules.
- It seemed to be a retrograde step to throw in, at a difficult point in time for Children's Services, a destabilising process when things were working well with the current provider.
- Any competitive exercise was intended to find the best for the children of Bromyard and was not a reflection on the current provider.
- Current exemptions to the procurement rules, for example extreme urgency or absence of competition, were not applicable in this case.
- Both Early Help and Early Years services operated from the Hope Centre. Early Help was a term used to describe the process of taking action early and as soon as possible to tackle problems and issues emerging for children, young people and their families, and this included the Children's Centre Service. Early Years referred to

children from the ages of 0-5 and their education and included childminders, preschools, nurseries and school reception classes all of which were regulated by Ofsted.

- It was unusual to have such level of involvement from Scrutiny in a commercial and contractual arrangement and the Committee needed to be careful about not getting too involved with who the providers were.

Actions arising:

- The Children's Commissioning Manager to circulate to the Committee the Key Performance Indicators (KPIs) of the Children's Centre Service contracts, with comparisons of the different providers used within the County.
- The Deputy Monitoring Officer to provide the Committee with the current procurement rules, including the guidance on current exemptions to these rules.
- Information on the Friends of Ledbury to be forwarded to the Committee.

The recommendations below were proposed and seconded and carried unanimously.

**The Committee notes the proposals to recommission the provision of the Children's Centre Service in the Bromyard area for two years and makes the following recommendations to enhance the effectiveness of the plans:**

- (a) That the Executive consider if an exemption to the contract procedure rules should be applied for.**
- (b) That the Executive consider whether further market testing should be carried out to evidence if there are any other potential providers and include details of what they will be asked to tender for.**
- (c) That evidence be provided on how discontinuing services from an established provider impacts those currently using the service.**
- (d) The Committee receive testimony from the Hope Centre and consider a visit there to understand the activities provided.**

*The meeting was adjourned and reconvened at 4:20 pm. Mr James and Mr Pratley left the meeting at this point.*

#### **40. EFFECTIVE SCRUTINY OF CHILDREN'S SERVICES: TRAINING AND DEVELOPMENT OFFER**

The Democratic Services Manager and Children's Improvement Advisor from the Local Government Association (LGA) introduced the report the purpose of which was to review and approve the LGA scrutiny training and development offer.

During discussion the following principal points were noted:

- The training and development offer by the LGA was being trialled by three councils that were on different stages of a Children's Services improvement journey: Medway, Dudley and Herefordshire.

- As a result of discussions with both officers and Councillors and input from the Children's Services Improvement Board there would be bespoke elements for the Herefordshire offer.
- The trial self-assessment tool would enable the Committee to identify areas where specific improvement was needed.
- Core elements of good scrutiny were built into the programme but the sessions would also target those areas identified in the self-assessment.
- Work was also being undertaken with the Centre for Governance and Scrutiny (CfGS) on more general scrutiny training which would dovetail with the LGA's specific offer for Children's Scrutiny.
- The CfGS scrutiny training would look to involve officers so that learning was embedded across the Council.
- The training would require a commitment from the Committee over and above that dedicated to meetings.
- The impact of the training would be reviewed after six months.
- There was excellent practice in other authorities showing how best the voice of children and young people could be captured and this would be shared with the Committee as part of the training.
- Co-optees would be included in the training.

The recommendations below were proposed and seconded and carried unanimously.

That the Committee notes the LGA training and development offer as set out in appendices A-C to the report and makes the following recommendations:

- (a) The Committee agrees to engage with the LGA training and development offer.
- (b) The Chairperson and Vice-Chairperson to draft a response to the self-assessment tool after completing the Leadership Essentials Course and then discuss with Committee members in November 2021
- (c) Notes that the LGA training will dovetail with the offer from the Centre for Governance and Scrutiny

#### **41. WORK PROGRAMME REVIEW**

The Committee reviewed the draft work programme for 2021/22 and discussed priorities for the following two meetings.

During discussion the following points were noted:

- The next meeting on 23 November was designated as an improvement focus meeting and therefore would include an item that arose from the Improvement Board meeting.
- Other items scheduled for the 23 November included the Independent Review Officer (IRO) Annual report and the Carers Portal.
- A workshop on the IROs and the Portal would be held before the next meeting and the date confirmed with the Committee.
- Officers suggested that the Committee give consideration to those items that were more for information or development and which could then be circulated as a briefing note rather than brought to Committee for discussion. If there was anything that arose from the information provided this could then be brought forward as a future agenda item.
- The Deputy Monitoring Officer reassured the Committee that due to additional funding, at present, the Children's Legal Team was adequately resourced and had recently recruited new officers. The level of resource required was regularly reviewed

as it was subject to change dependent on the types of cases that were being advised on.

- Items on dental health and obesity were currently scheduled for the December meeting but this would be reviewed by the Chair and officers and if necessary rescheduled or the information required provided in a briefing note.

### **The Committee**

- a) **Notes the updated recommendation tracker in appendix 1; and**
- b) **Agrees the work programme at appendix 2 with the following amendments:**
  - i. **23 November agenda to include items on IRO, carers portal and exit interviews in children's service**
  - ii. **A workshop be arranged ahead of the 23 November meeting on the IRO service and carers portal**
  - iii. **Consider use of performance challenge sessions to cover information items**

### **42. DATE OF NEXT MEETING**

The date of the next meeting was noted as Tuesday 23 November at 2.30pm.

The meeting ended at 5.28 pm

**Chairperson**

Children and young people scrutiny committee action log

COMPLETED ACTIONS WILL BE MOVED TO THE 'REPORTED COMPLETE' TAB ONCE THEY HAVE BEEN NOTIFIED TO THE COMMITTEE				RED TEXT INDICATES UPDATES MADE SINCE THE LAST MEETING BLUE TEXT INDICATES NEW ACTIONS ADDED FOLLOWING THE LAST MEETING			
Action Number	Meeting Date	Action	Owner	Directorate	Progress Update	Due date	Reported complete
1	07 September 2021	check and confirm if the Human Rights Act is highlighted as a workshop requirement for social workers	Claire Ward	Corporate Centre	Legal services checking	02 November 2021	OVERDUE
2	07 September 2021	provide an example of an induction pack for new starters	Claire Ward	Corporate Centre	Legal services checking	02 November 2021	OVERDUE
3	07 September 2021	seek an update on the schools update briefing promised on 28 July 2020.	Clerk to the committee	Corporate Centre	Updates added to recommendation tracker	02 November 2021	COMPLETED
4	05 August 2021	Advertise and recruit to the Co-optee positions	Clerk to the committee	Corporate Centre	In progress.	01 September 2021	OVERDUE
5	12 October 2021	Circulate to the Committee the Key Performance Indicators (KPIs) of the Children's Centre Service contracts, with comparisons of the different providers used within the County.	Richard Watson		To be completed	07 December 2021	
6	12 October 2021	The Deputy Monitoring Officer to provide the Committee with the current procurement rules, including the guidance on current exemptions to these rules.	Kate Charlton	Corporate Centre	Legal services checking	07 December 2021	
7	12 October 2021	Information on the Friends of Ledbury to be forwarded to the Committee.	Richard Watson		To be completed	07 December 2021	





## **Title of report: Independent Reviewing Officers Annual Report**

**Meeting:** Children and Young People Scrutiny Committee

**Meeting date:** 23 November 2021

**Report by:** Interim Assistant Director Quality Assurance  
Safeguarding and Partnerships

### **Classification**

Open

### **Decision type**

This is not an executive decision

### **Wards affected**

(All wards)

### **Purpose**

To provide the Committee with an overview of the work of Independent Reviewing Officers (IRO) service in relation to Looked After Children

### **Recommendation(s)**

**That the Committee review the information provided and determine any recommendations it wishes to make.**

### **Alternative options**

1. There are no alternative options. Under the provisions outlined in The Children and Young Persons Act 2008, it is a statutory requirement for the IRO Service for Looked After Children to produce an annual report.

### **Key considerations**

2. The Independent Reviewing Officers' (IRO) service regulations are set within the framework of the updated IRO Handbook and linked to revised Care Planning Regulations and Guidance. The responsibility of the IRO has changed from purely the management of the review process to a wider overview of the case, including regular monitoring and follow-up between reviews. The IRO has a key role in relation to the improvement in the quality of care planning for children Looked After and for challenging drift and delay.

3. The Local Authority must provide for the children who are in its care; an allocated Independent Reviewing Officer within five days of them becoming Looked After, a first Child Looked After Review within twenty eight days and a second review within twelve weeks of the first review. Following this each child must have a review chaired by their Independent Reviewing Officer no less than every six months and the IRO should have oversight of the effective implementation of the child's care plan in between these reviews. This presents the IRO service with an independent view of not only each child but the performance of the local authority in its provision of care for Children Looked After.
4. During 2020/21 the monthly average of Children Looked After in Herefordshire was around 335. While the details of the Child Protection Conference Chair aspect of the service will be addressed in a separate report, it is important to note that during 2020/21, IROs were until the end of February 2021 holding combined IRO and CP Chair caseloads. These caseloads had reduced on average by 5 from the previous year due to the reduction in Children Looked After and children subject to Child Protection Plans. It is likely that this contributed to the improvement in performance for timeliness across performance measures and the increase in quantity of IRO oversights.
5. Core activities of the IROs include; preparing for and chairing Child Looked After Reviews, undertaking and recording oversight of cases between reviews with social workers and their team managers, reviewing case files, visits to children in placement, additional consultations with children, parents, carers and other agencies, quality assurance of assessments and plans which contribute to changes in care planning for the child, liaison with CAFCASS Guardians in court proceedings and clarification of legal advice, as well as the escalation of informal and formal disputes to address drift and challenge where there is disagreement in promoting the child's best interests. Covid-19 impacted on the capacity of IROs to undertake physical visits to children in placements, with guidance being that physical visits, as not for safeguarding purposes, were not to be undertaken. However, IROs continued to meet virtually with looked after children to get their wishes and feelings.

### **Community impact**

6. The functioning of the Independent Reviewing Service is a direct response to the number of children becoming Looked after within Herefordshire and is provided across all areas of the authority.

### **Environmental Impact**

7. The service continues to function using technology where this is the most appropriate to meet the needs of children.

### **Equality duty**

8. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The IRO report supports the Council in its overall duty to promote equality. The work of the IRO helps to improve the quality of care planning for Children Looked After to ensure their individual needs are met.

### **Resource implications**

- 9. There are no specific resource implications arising from the report.

### **Legal implications**

- 10. There are no specific legal implications arising from this report.

### **Risk management**

- 11. There are no specific risk implications arising from this recommendation

### **Consultees**

- 12. This is the annual report of the service outlining activity undertaken during the year 2020/ 2021

### **Appendices**

- 13. Appendix A: Annual Report – Independent Reviewing Officer

### **Background papers**

- 14. None identified



## **Herefordshire Council - Children's Wellbeing**

### **Independent Reviewing Officers (IRO)**

#### **Annual Report**

**2020/2021**

**Author: Salwa Farid, Head of Service for Safeguarding, Professional Standards, PSW**

**Date: October 2021**

**The IRO Annual Report 2020/21 will be presented to; Council's Children's Scrutiny Panel, the Corporate Parenting Board and the Herefordshire Children and Young People Safeguarding Partnership**

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## **1. Introduction**

### **1.1 The purpose of the service and its legal context**

**1.1.1** The Independent Reviewing Officers' (IRO) service regulations are set within the framework of the updated IRO Handbook and linked to revised Care Planning Regulations and Guidance. The responsibility of the IRO has changed from purely the management of the review process to a wider overview of the case, including regular monitoring and follow-up between reviews. The IRO has a key role in relation to the improvement in the quality of care planning for children Looked After and for challenging drift and delay.

**1.1.2** The National Children's Bureau (NCB) research 'The Role of the Independent Reviewing Officers in England' (March 2014) provides a wealth of information and findings regarding the efficiency of IRO services. The foreword written by Mr Justice Peter Jackson; makes the following comment:

*"The Independent Reviewing Officer must be the visible embodiment of our commitment to meet our legal obligations to this special group of children. The health and effectiveness of the IRO service is a direct reflection of whether we are meeting that commitment, or whether we are failing."*

**1.1.3** The NCB research highlights where IROs identify barriers to their ability to fulfil their role, or systemic failures in the service to children looked after, they must raise this formally with senior managers. These challenges and the response should be included in the Annual Report.

**1.1.4** The local authority must provide for the children who are in its care; an allocated Independent Reviewing Officer within five days of them becoming Looked After, a first Child Looked After Review within twenty eight days and a second review within twelve weeks of the first review. Following this each child must have a review chaired by their Independent Reviewing Officer no less than every six months and the IRO should have oversight of the effective implementation of the child's care plan in between these reviews. This presents the IRO service with an independent view of not only each child but the performance of the local authority in its provision of care for Children Looked After.

**1.1.5** This provides the Independent Reviewing Service with the opportunity to identify where care plans are not being implemented to meet the child's needs or where proposed care plans might conflict with the best interests of the child and escalate this to ensure the child's needs are met. It also provides the chance to identify good practice.

**1.1.6** In addition to the review of individual children, the IRO Service is also in a position to identify and escalate systemic issues which result in the local authority not fulfilling its duties to children Looked After.

## **2.0 Report summary**

### **2.1 IRO perspective on the performance of Herefordshire local authority related to its care of Looked After Children in 2020/21.**

**2.1.1** The IRO Service undertook 1,111 Child Looked After Reviews (an average of more than three a year per child) and recorded more than 2,750 'IRO Oversight' in between these reviews during 2020/21. The IRO will monitor the child's record in between statutory reviews to ensure that actions are being progressed at a timely pace. As a result of this activity, 120 'informal' and 'formal' disputes were raised recording concerns about unacceptable drift and delay in completing actions or disagreement about the best interests of children when social work teams proposed changes to care plans.

**2.1.2** By far, the largest area of escalation was there being no care plan presented for the Independent Reviewing Officer to review. This accounted for 30% of all disputes. The lack of no written care plan to review means the IRO cannot undertake their role and the local authority is failing to meet its regulatory duties.

**2.1.3** Systemic issues identified, escalated and addressed through joint working with the Children Looked After Service included drift in assessments to establish whether a child could be matched long term with their foster carers and delays in the completion of Life Story Books for children with plans of adoption.

**2.1.4** There continues to be barriers for children and young people accessing CAMHS or other therapeutic support and counselling. Some of this is due specifically to the provider wanting them to be in a stable placement before the work starts, capacity and in some Instances not agreeing that the resource sought is the correct one. While IROs are identifying referrals are appropriately made by social workers, the non-acceptance of referrals by health services does not then result in exploration of other pathways to meet these needs or use of the multi-agency professional disagreement process to challenge such barriers.

### **2.2 IRO Service Performance**

#### **Quantitative performance targets achieved, practice quality requires improvement.**

**2.2.1** The data received for this annual report records continuing progress in completing work in timescales, a significant increase in the frequency of recording IRO oversights recorded and an all-round picture of a service moving towards a quantitative performance culture.

**2.2.2** During 2020/21 the monthly average of Children Looked After in Herefordshire was around 335. IRO raised 120 formal and informal disputes related to looked after children's care plans.

**2.2.3** The implementation of Signs of Safety went live in February 2021 and as such, the impact of the practice model cannot be evaluated until the report for 2021/22. However, the Safeguarding

and Review Service undertook significant amounts of preparatory work during 2020/21, including 2 and 5 days' training for each IRO/CP Chair, an additional days' training on chairing Conferences through Signs of Safety and another day training on the use of Signs of Safety documentation within Conferences and Child Looked After Reviews.

### 3.0 Report

#### 3.1 A review of IROs' core activities and additional tasks. There is a need to establish whether IROs' additional activities compromise independence or capacity.

**3.1.1** While the details of the Child Protection Conference Chair aspect of the service will be addressed in a separate report, it is important to note that during 2020/21, IROs were until the end of February 2021 holding combined IRO and CP Chair caseloads. These caseloads had reduced on average by 5 from the previous year due to the reduction in Children Looked After and children subject to Child Protection Plans. It is likely that this contributed to the improvement in performance for timeliness across performance measures and the increase in quantity of IRO oversights.

	Monthly average of Children Looked After	Monthly average of children on a Child Protection plan	Average combined IRO caseload
2019/20	347	139	65
2020/21	333	117	60

**3.1.2** The IRO Handbook requires the IRO Annual Report to consider if additional activities of IROs compromise either their independence or their capacity to function as IROs. The reduction in caseloads of both children 'Looked After' and children subject to a Child Protection Plan during 2020/21 meant additional activities did not compromise independence or capacity during this year.

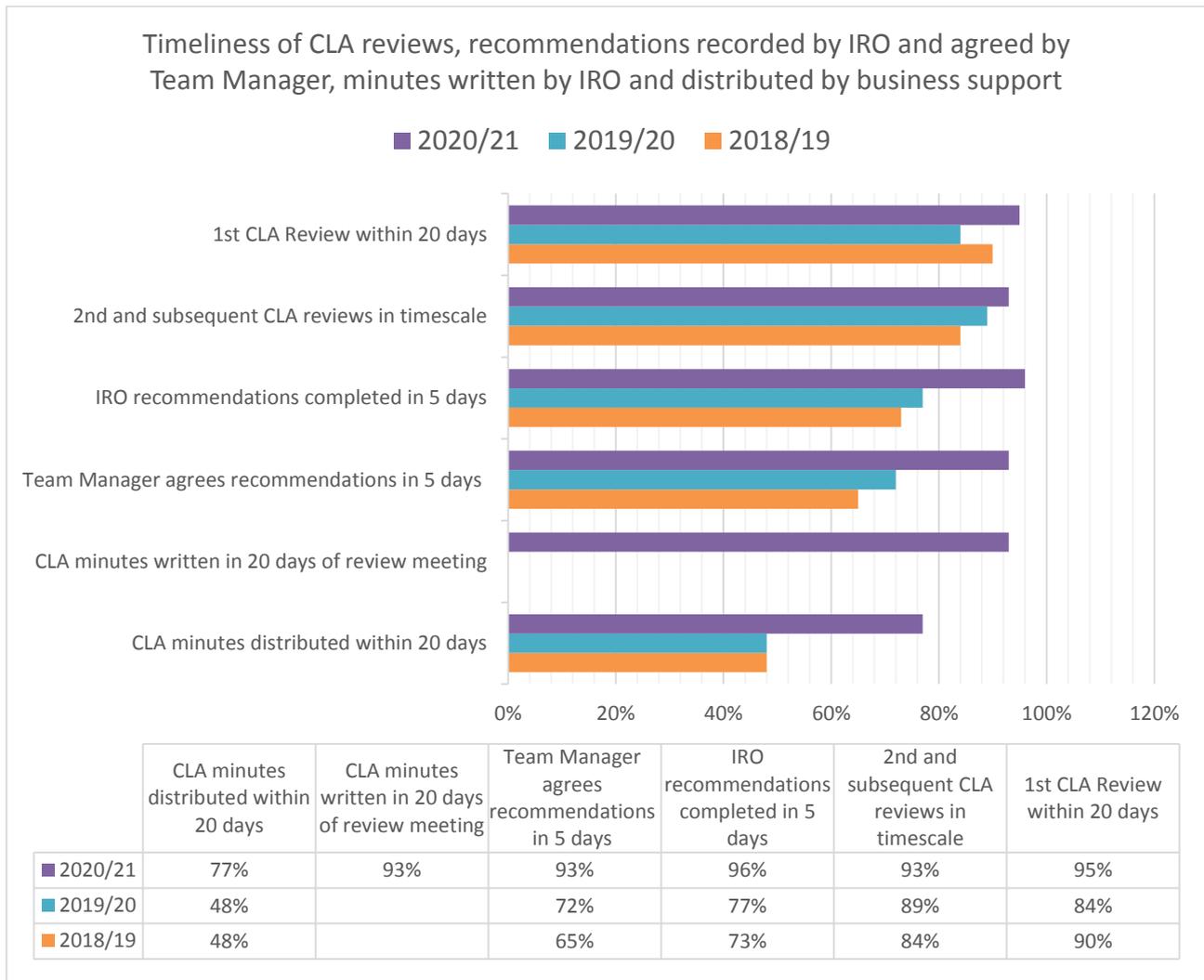
**3.1.3** Core activities of the IROs include; preparing for and chairing Child Looked After Reviews, undertaking and recording oversight of cases between reviews with social workers and their team managers, reviewing case files, visits to children in placement, additional consultations with children, parents, carers and other agencies, quality assurance of assessments and plans which contribute to changes in care planning for the child, liaison with CAFCASS Guardians in court proceedings and clarification of legal advice, as well as the escalation of informal and formal disputes to address drift and challenge where there is disagreement in promoting the child's best interests.

Covid-19 impacted on the capacity of IROs to undertake physical visits to children in placements, with guidance being that physical visits, as not for safeguarding purposes, were not to be undertaken. However, IROs continued to meet virtually with looked after children to get their wishes and feelings.

### 3.2 Child Looked After Reviews

**3.2.1** There were a total of **1,111 CLA Reviews** undertaken in 2020/21 by 7.5 IROs who were also, at this time, undertaking Child Protection Conferences. The breakdown of this activity is as follows;-

1st Child Looked After Review	74
2nd Child Looked After Review	84
Subsequent Looked After Review	953



**3.2.2** Data identifies improvement in all areas of process compliance related to Children Looked After Reviews. Internal audits also identified that the quality of CLA Review minutes was good in all cases audited in November 2020, providing ‘clear focus on how children and young people will maintain links with their birth families and people important to them.’

**3.2.3 Total IRO oversights** in 2020/21 for Children Looked After as at 31.03.21 = **2,754** (additional oversights were recorded on children and young people who ceased to be Looked After during

2020/21 although these are not captured in the data as reporting covers children who are currently Looked After). There is further work required to ensure that the quality of the IRO monitoring is robust and impacting on children’s outcomes reducing drift in care planning. Although the process of monitoring is embedding in the practice this, as yet, is not translating into reduction of drift for children.

	2018/19	2019/20	2020/21
Child has minimum 2 or more IRO oversights	83%	84%	100%
Child has minimum 4 or more IRO oversights	Not counted	Not counted	96%

### 3.3 Raising concerns and disputes

As identified in the summary of this report, the use of effective challenge to address drift and delay remains an area requiring improvement. There is evidence through the increased use of informal and formal dispute resolution processes that more challenge is being undertaken, but equally there is evidence from dip sampling completed by the Principal IRO that 15% of IRO oversights were inadequate because they did not address identified drift or missed a bigger issue, 39% required improvement because they lacked purpose to the oversight or consideration of what the issue meant for the child and 46% were good in being purposeful, addressing delay with timescales set or considered different perspectives or alternatives for the child or analysing good assessments and plans as right for the child.

The Formal Dispute process has a maximum period of twenty working days for the Service Managers / Heads of Service to respond and resolve the matter from the date of notification, with a formal dispute meeting taking place by day 15 if the matter appears intransigent or there is no response received. Within this twenty days, depending upon the urgency of the matter, the IRO can set shorter deadlines and can undertake external escalation at any point. The IRO Handbook regulations set out the duty of the IRO to make external escalation if necessary by referral to CAF/CASS.

It is recognised within the IRO service and across the system as a whole that there is more work to be undertaken to ensure that the process is effectively addressing delays in children’s planning. There are too many cases where responses are outside of the timeframes leading to further escalation. This is an area of work that will be focused on during 2021/22 to ensure that we see improved performance and timeliness in responses impacting on outcomes.

#### 3.3.1 Escalated to CAF/CASS

In 2020/21 one child’s case was externally escalated to CAF/CASS Legal by their IRO following the dispute process not achieving resolution; the same as the previous year. The matter was successfully resolved when legal letters were sent from CAF/CASS.

### 3.3.2 Informal disputes

'Informal disputes' case notes began to be captured in data reporting from September 2020, therefore, there was no data available for 2019/20. These are in addition to the 'IRO oversights' recorded. In the eight months recorded, there were 91 informal disputes raised:

#### Informal dispute case notes – type

Care Plan / Pathway Plan not written - cannot review	23
Care Plan / Pathway Plan not authorised by manager	7
Delay in issuing legal applications once decision made	15
No placement plan / delegated authority	9
Assessments not completed *	10
Assessments not to standard / does not address risks	6
No allocated social worker	2
No Safety Plan	2
Delay in asylum application / appeal	1
Drift in progressing plan for adoption	2
Drift in Life Story Work	1
Delay in health actions	1
Other	12
Total	91

\* includes Child and Family assessments and assessments of Family Time, sibling relationships, Placement with Parents, psychological assessments of parents and / or children and EHC assessments

### 3.3.3 Formal Disputes

There were 29 Formal Disputes recorded between May 2020 and April 2021, which was the same number within 2019/2020.

#### Formal dispute case notes 2020 / 21 – type

Care Plan / Pathway Plan not written - cannot review	5
Care Plan / Pathway Plan not authorised by manager	0
Delay in issuing legal applications once decision made	0
No placement plan / delegated authority	3
Assessments not completed	15
Assessments not to standard / does not address risks	1
No allocated social worker	1
No Safety Plan / Support Plan	1
Delay in asylum application / appeal	1
Drift in progressing plan for adoption	2
Drift in Life Story Work	0
Delay in health actions	0
Other	0
Total	29

### **3.4 Independent Legal Advice**

**3.4.1** Independent legal advice was sought on two occasions by separate IROs. One was an IRO who considered application to court for a group of children with disabilities who were already subject to S20 voluntary arrangements was not required and would put families through unnecessary legal action. The local authority went ahead with the applications in relation to these children and the Judge fed back to the local authority that such cases did not need to come to court. The other was an IRO seeking legal advice prior to making the above external escalation to CAFCASS.

### **3.5 Compliments and complaints related to Independent Reviewing Officers**

**3.5.1** There were seven complaints dealt with relating to IROs in 2020/21, largely relating to allegations of poor practice of social workers not being picked up by IROs. In some complex cases where the challenge was directed at both the IRO and the social worker, the evidence did not back up significant poor practice of the social worker on these cases so the complaints in relation to the IROs were not substantiated. However, where practice did fall short of good, these aspects were acknowledged in the complaints responses and learning passed on to IROs to maintain their positive regard, reflective practice and ensure they have a clear perspective on the experiences of the child and their family in their interactions with the local authority as corporate parent. One complaint against an IRO was raised by a parent who assaulted their ex-partner with a weapon brought with them to the review. Their complaint was that they had not received enough communication, and this was not substantiated.

**3.5.2** There were eight compliments for the Independent Reviewing Officers formally recorded by the officer responsible for collating compliments in 2020/21, from social workers, parents, carers and schools. One parent commented in their feedback "Thanks for all your help and support. It is really good to know I can talk over any issues I have with you. Many Thanks."

### **3.6 Consultations, participation in reviews, advocacy and Independent Visitors**

#### **3.6.1 Consultations with Children**

'Consultations with children' record when the child or young person has met with their IRO prior to the review meeting. The data also includes when a child or young person has been contacted and invited to meet with their IRO but has declined. As such the figures includes all children who had direct consultation with their IRO and those children who were given the opportunity to meet with them but it was the child's choice not to meet with their IRO. Noticeable in 2020/21 was the decrease in children attending their review. With Child Looked After Reviews all being 'virtual' during 2020/21 the value of attending their reviews may well have decreased for children and young people. IRO feedback is that whilst more older teenagers are happy to use this medium and attend their reviews, younger children find it less appealing. It is proposed that as the situation progresses

in 2021/22 the service will monitor how best we manage reviews to ensure that we maximise children’s involvement depending on their age and wishes.

	2018/19	2019/20	2020/21
Consultation with child before their review		84%	96%
Participation - Child attends or wishes conveyed by other person / medium	96%	90%	89%

### 3.6.2 Advocacy

Herefordshire children social care has a 30 hours per week contract with the Advocacy service that is managed by the Complaint department. IROs check at each Child Looked After Review if there are any issues which the child or young person would like the help of an advocate to raise for them on their behalf. One example of this was a referral made for a young person to provide them with an independent voice for an assessment of whether they should live with their sibling following a respite period of living apart. The advocate enabled their voice to be heard, the young person emphasising it was 100% better than before and it would not be right to change it, and that their teachers were recognising what a difference living apart had made. The other child had a slightly more ambivalent view of being apart and the words of both children contributed to the decision making as well as assessment of their individual needs, input from parents, carers and schools in resolving this complex question. During 2020-21 there were 46 pieces of advocacy work commissioned for Children Looked After, the majority of which were under the category of ‘promotion of wishes and feelings for review’.

### 3.6.3 Independent Visitors

The Independent Visitor Service was impacted significantly by the restrictions on visiting arising from Covid-19 and it is understood that recruitment for this volunteer service during this time was particularly problematic. Nevertheless virtual contact was maintained in most cases by the 14 existing Independent Visitors. IROs raise the question at reviews as to whether an Independent Visitor is appropriate for children who have little or no contact with their family members or live in residential environments where continuity through independent visiting can be more constant than social workers or IROs and is a valuable adult in their lives. The role of the Independent Visitor is explained and if the child / young person wants to have an Independent Visitor then the referral is made by the social worker. The service has been limited in its offer in previous years with waiting lists for the small number of Independent Visitors available. However, young people who have had a long standing relationship with their Independent Visitors have now reached adulthood and there is now increased availability. The number of referrals however remained low during 2020-21, with only 7 requests for Independent Visitors made; this likely due to the periods of lockdown and restrictions on visiting arising from the pandemic. It is an area that the IRO’s will continually promote during 2021/22 as this ensures children have positive adult connections and monitoring of demand against capacity will be part of the processes put in place.

## 3.7 Communication with parents

**3.7.1** IROs clarify prior to each review if parents have been included on **the invitations** on the convening document and if not, why not. This is hampered however on a few occasions when social workers do not complete the convening documents for business support to arrange the meeting

and this means the absence of an invitation to parents only becomes evident at the meeting itself. This then requires either follow up phone calls or a second meeting being arranged. Unfortunately there is no data to identify the frequency of social workers arranging meetings rather than completing the convening forms, but feedback from IROs is that this happens infrequently. Improvement will be reported in 2021/22 report.

**3.7.2** There are processes to improve parental **participation** within the review yet these were impeded by social workers not undertaking designated processes. A problem particularly evident when there is a high turnover of staff and when more children are becoming Looked After at the point of involvement with MASH and Assessment Teams rather than the CP and Court Teams who have more experience of the 1<sup>st</sup> CLA processes. In 2020-21 the parental consultation form was sent out to parents' addresses on the convening forms, but again this required the convening forms to be completed in timescale. Business Support send two reminders to the social worker but if they do not receive the convening form more than 10 days before the review, they do not convene and the social worker has to arrange the meeting. Improvement will be reported in 2021/22 report. This has impacted on overall performance of the service in this area of practice.

## **4. Wider issues**

### **4.1 Court judgements and external audits**

**4.1.1** The court judgement of Justice Keehan in March 2021, following on from previous judgements by the same High Court judge, has had a seismic impact on Children's Services within Herefordshire.

**4.1.2** The local authority also accepted that "It has not been sufficiently rigorous and consistent, throughout its involvement with the children, in ensuring that staff and carers fully understood, and complied with, the limits of shared or delegated parental responsibility and the need to recognise rather than compete with the birth parents rights." The IRO role over the years should have asserted that it is the care plan which defines where decision making could and could not be delegated to the foster carers. Matters of Life Story Work, Family Time, the children's identity and education were clearly set out in the care plan and not for the foster carers to direct or impede. When this proved to be the case, there should have been assertive challenge and clarity made through the placement plan and the delegated authority agreement and this re-enforced by the fostering supervising social workers and through the annual foster carer's reviews. To address this, the new role of Fostering IRO will be in place from April 2021, their remit being to chair annual 'home reviews' independent from the Fostering Service and be line managed within the Safeguarding and Review Service. Where there are issues in carers not following delegated authority agreements, these can be highlighted and dealt with formally if necessary in the carer's reviews.

**4.1.3** Within the judgement there was significant criticism of the process, practice and quality of the Special Guardianship Assessment and how conflicting opinions were not enabled to be heard openly or resolved fairly within the Fostering Service. An independent audit will be completed in April 2021 and referred to in the IRO report 2021/22.

**4.2 Where IROs identify barriers to their ability to fulfil their role, or systemic failures in the service to looked after children, they must raise this formally with senior managers. These challenges and the response should be included in the Annual Report.**

**4.2.1** Barriers to fulfilling the role of the IRO include Care plans and Pathway Plans frequently not being written for the IRO, children and their families, carers and other agencies to consider before the review meeting or sometimes even at the review meeting. This issue was the subject of multiple Formal Disputes in 2020/21. The matter has been raised with senior managers in 2020/21 but with the turnover of staff, this issue will continue to be raised.

**4.2.2** Virtual meetings, while required in 2020/21 due to Covid-19 restrictions, impacted on the human interactions that are an essential part of social work. Parents largely rang in with no video, in part due to technical issues but more often than not because they preferred the detachment. While this can be enabling, it can also impede interaction and raises issues of confidentiality when others may be present without the knowledge of the chair.

**4.2.3** Systemic failures identified by the IRO Service to senior management in 2020/21 included the identification of drift and delay in establishing long term placements for children with a care plan of long term foster care. Seventy cases were identified by the IRO Service of children with a plan of long term foster care for twelve months or more yet who had not had a long term placement identified or been formally matched.

**4.2.4** IROs are spending too much time re-scheduling or having two or more separate meetings. The additional meetings are not those arising out of reviews where separate consultations with children and parents are necessary but because assessments are not presented or completed to inform changes of care plan.

## **5. Progress as to plans for 2019 – 2020**

### **5.1 Safeguarding and Review Scorecard**

**Completed.** The work in regard to confirming the scorecard for the service is completed with the performance team. Only two points are on the waiting list to be reported on, the oversight of permanency planning by IRO, and CP Chair oversight and escalation

### **5.2 Develop a child friendly “Care Plan”**

**Partly completed.** The IRO completed the design of the child friendly care plan, and now are working with the Participation team to complete the work.

### **5.3 IRO Oversights**

**Completed.** By the 31<sup>st</sup> March 2021, 96% of children looked after had a minimum of 4 IRO Oversights recorded on their case record within the preceding 12 month period.

### **5.4 Improving the quality of Children Looked After Review Minutes**

**Completed, and ongoing.** The feedback received from the two independent audits advised that the quality of the IRO letters to children following their reviews is good and child friendly. However, this will continue to be monitored to ensure consistency in practice.

### **5.5 Distribution of Child Looked After Review Minutes**

**Partly completed.** Some work was completed between the IRO service and Business Support service to ensure that Looked After Children review minutes are distributed within 20 working days. 93% of review minutes were distributed within 20 working days of the review for 2020/21. We will continue to work with the Business Support service to achieve 100%, however, the reduction in the number of business support has impacted negatively on the progress.

### **5.6 Review the way the Safeguarding and Review Service manages its workload**

**Completed.** The service now has two work streams, IRO and CP Chairs with their perspective managers.

## **6. Moving forward**

### **6.1 Structure and profile of the IRO Service**

**6.1.1** Throughout much of 2020/21, the IRO Service was constituted of six full time and three part-time IROs who undertook dual roles of IRO and CP Conference Chair. The service was split in the middle of February 2021 into two areas, with three full time and three part time IROs within the new IRO team. The combined IRO / CP Chair Service of nine staff was line managed by the Principal IRO up until June 2021 when an additional agency Principal IRO was brought in to manage the Child Protection Chairs. It is proposed this be a permanent change to continue to enable more direct management oversight of IROs in line with manageable supervising responsibilities.

**6.1.2** The current IRO Service has four full time IROs and two part time IROs. One full IRO is scheduled to retire at the end of September 2021, and their position will be open to recruitment.

**6.1.3** The regulations require IROs to have at least five years' qualified Social Work experience and be an authoritative professional with at least equivalent status to an experienced Children's Social Work Team Manager. This is not the case in Herefordshire and has not been the case for at least the last five years. IROs are employed at a pay grade below Team Managers, despite this having been raised repeatedly with Directors of Children's Services since 2016 as being contrary to regulations. It has been raised again with the Director of Children's Services within an all staff meeting. Assurance has been given that all roles are being subject to re-evaluation and this will be addressed as part of this process.

**6.1.4** All current IROs are permanent and there were no agency IROs required in 2020/21. This stability has enabled consistent peer support during the most testing of years for everyone, albeit via video calls. A Team Building Day, physically meeting up together with the other areas of the Safeguarding and Review Service will take place at the beginning of July 2021 to enable some positive development work and team building.

**6.1.5** Line Management of the IRO Service in 2020/21 was undertaken by the Principal IRO who from March 2020 was on a fixed term contract. Prior to this the Interim Head of Service had also been covering the Principal IRO role for three months. The fixed term contract Principal IRO also covered for two months in October and November 2021 for the Interim Head of Service role prior to the current Head of Service for Safeguarding and Review joining the local authority in late November 2020. The current Principal IRO returned to Herefordshire after a six month break at the end of March 2021 and is a permanent member of staff.

## **7.0 Next step for the IRO Service 2021-2022**

**7.1** The Improvement plan for Herefordshire Children’s Safeguarding includes a development plan for the Independent Reviewing Officers with a six part training programme beginning on the 11<sup>th</sup> August 2021. This training will cover the areas of the independent role of the IRO, positive challenge, rights and participation of children, legislative framework and effective chairing skills. This will be delivered by our external colleagues from the Independent Audit Group and include local authority solicitors for the legislative framework session. **Nov 2021**

**7.2** To undertake a 360 degree feedback on how the IRO Service is experienced, IROs will be distributing after meetings short feedback emails to all attendees of Children Looked After Reviews from the beginning in August 2021, to gain the perspective of children and young people, parents, carers, social workers and attendees from other agencies such as education and health. These will be returned to the Principal IRO with responders choosing whether their feedback remains anonymous or not. The process of sending out consultation forms to children, parents and carers is too dependent on other processes to trigger this work and more fail safe methods will be explored with the Head of Service for Safeguarding and Review and business support to maximise opportunities for pre-meeting consultations. **Aug 2021**

**7.3** Recent proposed changes to panels means oversight of court proceedings, permanence plans (for adoption, matching long term foster placements, progression to special guardianship and reunification with parents), step-downs from residential care and the provision of complex services for complex needs will be subject to additional tracking and scrutiny. The Principal IRO will be attending four of these panels. **Jul 2021**

**7.4** The Principal IRO will continue to observe the practice of IROs at review meetings and audit the quality of Children Looked After Review Reports. There will continue to be monthly dip sampling of the quality of IRO Oversight to ensure they are focused and purposeful, set out the views of the IROs on the progression of the care plan and where required identify issues in practice. **Ongoing**

**7.5** Monthly meetings with Looked After Children Service will take place to review all open formal and informal dispute to ensure that drift and delay identified by the IROs services are dealt with in a timely manner. **June 2021**

**7.6** IROs will continue to contribute to their own and service development through reflective group supervisions, recommencing after the fortnightly training programme concludes in October 2021. These are additional to the monthly Team Meetings. A further two Team Development Days will also be scheduled, the first meet up for this year in August having focused on enabling the voice of

the child, with work being shared with the Participation Group and awaiting direct feedback from children and young people. **July 2021**

**7.7** IROs will continue to monitor children's permanency plans, and refer children to permanence panel for oversight where there is an identified drift or delay. A new scorecard point to be developed to monitor practice. **Nov 2021**

**7.8** IROs will work with the participation team and children council to produce child friendly care plans. **March 2022**

**7.9** Confirm the permanent establishment for the IRO service. **March 2022**





## **Title of report: Children Improvement Plan - Progress Update**

**Meeting:** Children and Young People Scrutiny Committee

**Meeting date:** Tuesday 23 November 2021

**Report by:** Director Children's Services

### **Classification**

Open

### **Decision type**

This is not an executive decision

### **Wards affected**

(All Wards);

### **Purpose**

Children and Families Strategic Improvement Plan – progress update.

### **Recommendation(s)**

**That the committee:**

- a) **Reflect on progress following receipt of the non-statutory Improvement Notice in May 2021; and**
- b) **Consider areas of work for further scrutiny activity, reflecting priority actions.**

### **Alternative options**

1. The Committee could choose not to review the progress of the Children's and Families Improvement Plan delivery but this is not recommended as the Scrutiny Committee has an important role in exploring pressures and dependencies relating to priority actions, and in identifying and reviewing mitigation for any risk and issues which might work against the council delivering improvements.

## Key considerations

2. The [18 May 2021 DfE non-statutory notice to improve](#)
3. The [28 October 2021 Cabinet decision](#) to endorse the Children and Families Strategic Improvement Plan v1.0
4. Progress made since the [last report to this committee on 7 September 2021](#)

### Improvement Board update:

5. The Improvement Board continues to meet on a monthly basis, the most recent meeting being on Monday 8 November, and the next being on Monday 13 December 2021.
6. At the meeting on 8 November the Director Children's Service (DCS) updated on progress against the plan in his Director's Report, also shared with Members via briefings on 11 and 19 November 2021.
7. The service is developing a series of "Measures that Matter", ie. performance and outcome measures which will give an indication of the progress and impact of the improvement activity. These will be brought back to the next Improvement Board in December.
8. At the 8 November meeting the Board heard from the Staff Reference Group which has now met for the second time with increased cohort membership.

### Governance:

9. Programme structure: A clear board hierarchy and associated reporting process is now in place.
  - The Improvement Board continue to ensure compliance with the non-statutory notice issued by the DfE.
  - The Chief Executive Officer (CEO) remains responsible for making the changes necessary to improve the services with support from the DCS.
  - Management Board continue to provide a check and balance to the plan and are advised of progress.
  - The Resources Board continues to be in place to monitor spend and value for money.
10. Cabinet: It has been agreed that progress against the Improvement Plan will, from January 2022, be reviewed by Cabinet on a quarterly basis. Cabinet are responsible for overseeing the plan and ensuring the progress is made as set out in the improvement notice.
11. Cabinet briefing: Cabinet members will be briefed informally as part of the normal cycle of portfolio and cabinet briefings.
12. Scrutiny: It has been agreed that progress against the Improvement Plan will, from November 2021, be reviewed by the Children and Young People's Scrutiny Committee every two months.
13. Full Council: Reporting of progress against the Improvement Plan will come to Full Council in March, July and October 2022.

### Outcome of recent Ofsted focused visit:

14. Following the planned focused visit by Ofsted on 7 July 2021, and subsequent focussed visit outcome letter [50167833 \(ofsted.gov.uk\)](https://www.ofsted.gov.uk/publication/50167833) published on 17 August 2021, a revised Operational Plan v.04 is due to be submitted to Ofsted on 18 November 2021.

### **Community impact**

15. The notice requiring improvement will have a direct and indirect effect on the lives of both current and future children and families in Herefordshire.
16. Keeping children safe is one of the most important things this council does and the details in this report support whatever action is required to ensure children and families receive the services they deserve.
17. The County Plan 2020-24 includes the ambition to '*strengthen communities to ensure everyone lives well and safely together*', specifically the Council aims to:
  - Ensure all children are healthy, safe and inspired to achieve;
  - Ensure that children in care, and moving on from care, are well supported and make good life choices; and
  - Protect and improve the lives of vulnerable people.

### **Environmental Impact**

18. There are no specific environmental impacts arising from this report.
19. The work of the committee will be undertaken with consideration to minimise waste and resource use in line with the Council's Environmental Policy.

### **Equality duty**

20. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

  - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
21. The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine protected characteristics: Age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; and sexual orientation. In particular, the council must have due regard to the public sector equality duty when taking any decisions on service changes.

## Resource implications

22. There are significant revenue resource implications for the improvement work required. There are no expected capital resource implications.
23. The resource implications are not included in the base budget.
24. An additional resource of £5.2m across all services has been approved to fund both direct Children Services and Corporate Support Services.
25. An additional £1.7m DfE grant was approved in October 2021 to fund specific pieces of work in Children's Services to be delivered by 31 March 2022.
26. The Improvement Board will receive monthly reports to monitor spend incurred as part of the monthly DCS update.

## Legal Implications

27. The Council was issued with a non-statutory improvement notice by the Department for Education on 18 May 2021. To comply with this notice, the Council must adhere to a number of measures, which include
  - Secretary of State appointment of an Improvement Advisor. The Council will work with the adviser for a minimum of 12 months, and until such time that the Secretary of State is satisfied this is no longer required.
  - Implementation of an Improvement Plan.
  - Establishment of an Improvement Board with an independent Chair (to be set up and chaired by the DfE Improvement Adviser).
  - Officials or advisers from the DfE will undertake reviews of progress against the Improvement Plan at least every 6 months and more regularly where appropriate.
  - The DfE will offer dedicated improvement support through its Partners in Practice arrangements and may consider additional requests for support as part of the review process.
  - The Improvement Adviser will provide, to the DfE, 6 weekly reports of progress or concern against the areas set out in this notice; and progress against the improvement plan; and any other such information relevant to the improvement journey:
28. The notice sets out that the council should aim for actions included in the Improvement Plan to be delivered by the end of April 2022 or sooner, where appropriate. If there is a failure to comply with this notice, ministers may choose to invoke their statutory powers of intervention (s497A Education Act 1996) to direct the council to enter into an appropriate arrangement to secure the improvements required in children's services, potentially resulting in the establishment of a Trust.

## **Risk management**

29. The improvement notice is clear that, should the council be unwilling or unable to comply with this improvement notice, or should ministers not be satisfied with the Council's progress at any stage, ministers may choose to invoke their statutory powers of intervention (s497A Education Act 1996) to direct the council to enter into an appropriate arrangement to secure the improvements required in children's services.
30. Statutory improvement notices could be issued and more critical or enduring underperformance may necessitate the use of Statutory Directions compelling the Council to take certain actions. In extreme cases the DfE can direct partial or complete outsourcing of Children Services to a third party or the establishment of a Children's Trust.

## **Consultees**

31. The arrangements for governance of the improvement process, including the various individuals and bodies that will be briefed, are set out in the key considerations section above.

## **Appendices**

None

## **Background papers**

None

## **Glossary**

DfE Department for Education  
DCS Director Children's Services  
CEO Chief Executive Officer





## Title of report: **Work programme review and tracking of recommendations**

**Meeting:** Children and Young People Scrutiny Committee

**Meeting date:** Tuesday 23 November 2021

**Report by:** Democratic Services Officer

### **Classification**

Open

### **Decision type**

This is not an executive decision

### **Wards affected**

(All Wards);

### **Purpose**

To review progress against previous recommendations, review the work programme for 2021/22 and agree any necessary updates.

### **Recommendation(s)**

#### **That the committee:**

- a) Notes the updated recommendation tracker in appendix 1;
- b) Reviews the work programme at appendix 2 and discusses any additional items of business or topics for inclusion in the work programme.

### **Alternative options**

1. It is for the committee to determine its work programme to reflect the priorities facing Herefordshire. The committee needs to be selective and ensure that the work programme is focused, realistic and deliverable within existing resources. The committee needs to develop a manageable work programme to ensure that scrutiny is focused, effective and produces clear outcomes. Topics selected on the work programme should reflect issues of current importance facing children's services at Herefordshire Council.

## Key considerations

### Tracking of resolutions made by the committee which require a response or action

2. A schedule of recommendations previously made by the committee which require a response or action is appended to this report as appendix 1.
3. Key changes since the last meeting include:
  - Addition of recommendations arising from meeting on 12 October;
  - An action tracker has been appended alongside the minutes of the previous meeting. Actions arising from meetings will be recorded and reported on this document with the recommendation tracker focused on recommendations to the executive.

### Forward plan

4. The constitution states that scrutiny committees should consider the forward plan as the chief source of information regarding forthcoming key decisions. Forthcoming decisions of the children and families directorate will be highlighted by the clerk to the committee as part of the work programming item at each committee meeting.
5. Suggestion for scrutiny from members of the public
6. Suggestions for scrutiny are invited from members of the public through the council's website, accessible through the link below. There have been no suggestions for scrutiny received from members of the public since the previous meeting of the committee.

[https://www.herefordshire.gov.uk/info/200148/your\\_council/61/get\\_involved/4](https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved/4)

### Work Programme

7. The work programme needs to focus on the key issues of concern and be manageable allowing for urgent items or matters that have been called-in. The work programme will be reviewed at each meeting of the committee and may be amended as required.
8. The latest agreed work programme for 2021-2022 is attached at appendix 2.
9. Should committee members become aware of any issue they think should be considered by the committee they are invited to discuss the matter with the chairperson, vice chairperson and the statutory scrutiny officer.

### Budget setting 2022/23

10. It has been suggested that it would be beneficial for the scrutiny committees to review proposals for the 2022/23 budget earlier in the consultation process. This would be in addition to the usual scrutiny activity which is currently scheduled for January 2022. The committee is invited to consider if and when it would wish to undertake additional scrutiny of budget proposals.

## Constitutional Matters

### Task and Finish Groups

11. A scrutiny committee may appoint a task and finish group for any scrutiny activity within the committee's agreed work programme. A committee may determine to undertake a task and finish activity itself as a spotlight review where such an activity may be undertaken in a single session;

the procedure rules relating to task and finish groups will apply in these circumstances but the review is likely to be attended by all members of the committee and chaired by the chairperson.

12. The scrutiny committee will approve the scope of the activity to be undertaken by a task and finish group, the membership, chairperson, timeframe, desired outcomes and what will not be included in the work. A task and finish group will be composed of a least 2 members of the committee, other councillors and may include, as appropriate, co-opted people with specialist knowledge or expertise to support the task. The committee will appoint the chairperson of a task and finish group.
13. The committee is asked to determine matters relating to the convening of a task and finish group including the scope of the review to be undertaken, the chairperson, membership, timeframe, desired outcomes, what will not be included in the review and whether to co-opt any non-voting members to the group. Such co-optees could consist of individuals with valuable skills and experience that would assist a task and finish group to undertake a review (see co-option below).

### **Co-option**

14. A scrutiny committee may co-opt a maximum of two non-voting people as and when required, for example for a particular meeting or to join a task and finish group. Any such co-optees will be agreed by the committee having reference to the agreed work programme and/or task and finish group membership.
15. The committee is asked to consider whether it wishes to exercise this power in respect of any matters in the work programme.

### **Community impact**

16. In accordance with the adopted code of corporate governance, Herefordshire Council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development and review. Topics selected for scrutiny should have regard to what matters to residents.
17. The term 'corporate parent' means the collective responsibility of the council, elected members, employees, and partner agencies, for providing the best possible care and safeguarding for children who are looked after by the council. Being a good corporate parent means we should; accept responsibility for children in the council's care; make their needs a priority; and seek for them the same outcomes any good parent would want for their own children. The committee should be mindful of these responsibilities when undertaking scrutiny work.

### **Environmental Impact**

18. Whilst this is an update on the work programme and will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the council's Environmental Policy.

### **Equality duty**

19. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
20. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this report concerns the administrative function of the children and young people scrutiny committee, it is unlikely that it will have an impact on our equality duty.

### **Resource implications**

21. The costs of the work of the committee will have to be met within existing resources. It should be noted the costs of running scrutiny can be subject to an assessment to support appropriate processes.
22. The councillors' allowance scheme contains provision for co-opted and other non-elected members to claim travel, subsistence and dependant carer's allowances on the same basis as members of the council. If the committee agrees that co-optees should be included in an inquiry they will be entitled to claim allowances.

### **Legal implications**

23. The Council is required to deliver a scrutiny function. The development of a work programme which is focused and reflects those priorities facing Herefordshire will assist the committee and the council to deliver a scrutiny function.
24. The Scrutiny Rules in Part 4 Section 5 of the Council's constitution provide for the setting of a work programme, the reporting of recommendations to the executive and the establishment of task and finish groups, as below.
25. Paragraph 4.5.28 of the constitution explains that the scrutiny committee is responsible for setting its own work programme. In setting its work programme a scrutiny committee shall have regard to the resources (including officer time) available.
26. Under section 4.5.10 of the constitution a scrutiny committee may appoint a task and finish group for any scrutiny activity within the committee's agreed work programme. A committee may determine to undertake a task and finish activity itself as a spotlight review where such an activity may be undertaken in a single session; the procedure rules relating to task and finish groups will apply in these circumstances. The relevant scrutiny committee will approve the scope of the activity to be undertaken, the membership, chairperson, timeframe, desired outcomes and what will not be included in the work. It will be a matter for the task and finish group to determine lines of questioning, witnesses (from the council or wider community) and evidence requirements.

27. Under section 4.5.19 of the constitution task and finish groups will report their findings/outcomes/recommendations to the relevant scrutiny committee who will decide if the findings/outcomes/recommendations should be reported to the cabinet or elsewhere.

## **Risk management**

Risk / opportunity	Mitigation
There is a reputational risk to the council if the scrutiny function does not operate effectively.	The arrangements for the development of the work programme should help mitigate this risk.

## **Consultees**

28. The work programme is reviewed at every committee meeting. Additional formal or informal work programming sessions may be arranged as necessary during the year. The work programme may also be reviewed during business planning meetings between the chairperson, vice-chairperson and statutory scrutiny officer.

## **Appendices**

Appendix 1 – Recommendation tracker  
Appendix 2 – Work Programme 2021/22

## **Background papers**

None identified



**Children and Young People  
Scrutiny Committee**

**Work programme**

**23 November 2021**

# Work programme rationalisation and prioritisation

- Potential items of business have been identified previously and other items may be proposed. These need to be rationalised and prioritised, reflecting the time and resources available.
- Should this go on the work programme?

## Yes, if...

- ✓ the issue is strategic, county-wide and not limited to just a few communities...
- ✓ scrutiny is being proactive, able to make a difference at the right time...
- ✓ additional transparency and influence can be added to the topic at hand...
- ✓ there is considerable public interest in scrutiny lifting the lid.

- How can the issue be dealt with most efficiently and effectively?
  - a briefing note
  - a seminar / workshop
  - an agenda item
  - a task and finish group

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# Annual reports

The following reports are recommended to be considered by the committee on an annual basis:

1. Independent Reviewing Officer (IRO) and Child Protection (CP)
2. Adoption Service
3. Fostering Service
4. Principal Social Worker
5. Local Authority Designated Officer (LADO)
6. Health & Wellbeing
7. Herefordshire Children's Safeguarding Partnership
8. Corporate Parenting
9. Youth Justice Plan
10. Complaints/Compliments and Comments

# Agreed meeting dates

**Thursday 5 August 2021 – mainstream agenda**

**Tuesday 7 September 2021 – improvement focus**

**Tuesday 12 October 2021 – mainstream agenda**

**Tuesday 23 November 2021 – improvement focus**

**Tuesday 7 December 2021 – mainstream agenda**

**Tuesday 11 January 2022**

**Tuesday 22 March 2022**

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# Agenda items

Thursday 5 August 2021, 2:30 pm

Publication deadline: 28 July  
Questions deadline: 30 July

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Youth Justice Plan  [Pre-decision call-in of Policy Framework item]	Standard annual item to endorse the current plan for approval by Council and consider any comments to inform the production of the plan for the next financial year.	Keith Barham, Head of Service, West Mercia Youth Justice Service	Agenda published 28 July.  Due to covid-19 there was no Youth Justice Plan for 2020/21.  Draft plan 21/22 due to be considered by Cabinet in September 2021 and by Council in October 2021.
Co-optees report	Following a <a href="#">resolution at Council on 28 May 2021</a> a report to be presented setting out how co-optees, including the additional representative of the teaching sector, are to be appointed.	Claire Ward, solicitor to the council	Agenda published 28 July.
Work programme	To review and approve the updated work programme.		To approve the latest version of the work programme.

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# Agenda items

**Tuesday 7 September 2021, 2:30pm**  
**Improvement Focus**

**Publication deadline: - 27 August**  
**Questions deadline: - 1 September**

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
<p>Improvement Plan timescales report                      [Performance review]</p>	<p>The committee received a report on 20 May 2021 on developments in the children’s legal team. It was requested that the following be added to the work programme for the July meeting:</p> <p>To receive a project plan with timescales of all legal services teams actions, required as part of the overall improvement plan considerations (e.g. new escalation protocol and end of life protocol). As part of the project plan, a tasks vs resources available breakdown be produced to identify who does what to show 1) where resources and gaps existing; and 2) the actions and timescales to address them.</p>	<p>Cath Knowles, Interim Director for Children and Families</p> <p>Kate Charlton, Interim Head of Legal Services</p>	<p>Deferred from 27 July meeting.</p>

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# Agenda items

7 September cont.		Publication deadline: - 27 August Questions deadline: - 1 September	
Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Update on the children services improvement journey –including director’s update report [performance review – improvement]	Agreed at committee 5 August 2021, linked to projected cycle of improvement meetings.	Cath Knowles, Interim Director for Children and Families	Delivered

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# Agenda items

**Tuesday 12 October 2021, 2:30 pm**

**Publication deadline: - 4 October**  
**Questions deadline: - 6 October**

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Children's Centre services, Bromyard [Pre-decision scrutiny]	The committee undertook pre-decision scrutiny on 19 January 2021 on Provision Of Children Centre Service In Bromyard Area. It was resolved that the committee undertake a detailed scrutiny exercise on the proposal involving evidence from service users.	Richard Watson, Childrens Joint Commissioning Manager	A decision was taken on 19 February 2021 to extend the current contract for the delivery of children's centre services in the Bromyard reach area to no later than 31 March 2022. A further decision on the future of the contract beyond March 2022 will need to be taken in the autumn of 2021 and is proposed to be subject to pre-decision scrutiny.
Effective scrutiny of children's services: training and development offer		John Coleman, Democratic Services Manager	

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# Agenda items

**Tuesday 23 November 2021, 2:30pm**  
**Improvement Focus**

Publication deadline: - 15 November  
Questions deadline: - 17 November

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Update on Children's Services Strategic and Operational Improvement Plan		Darryl Freeman	Scheduled
57 Independent Review Officer Report		Matthew Sampson	Scheduled
Carers Portal		Matthew Sampson	Will discuss in briefing

# Agenda items

**Tuesday 7 December 2021, 2:30 pm** **Publication deadline: - 29 November**  
**Questions deadline: - 1 December**

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
<p>Public Health – Dental Health and Childhood Obesity [Performance review]</p>	<p>Current work programme.</p> <p>To provide a report on the high-level action plan for improving oral health in Herefordshire and details of any progress against the recommendations in the oral health needs assessment.</p> <p>To provide an update on work of the council to address childhood obesity.</p> <p>To provide detail regarding the Public Health England better start in life (BSIL) Programme.</p>		<p>Discussion to be had on whether this is an information item that can be better covered by a briefing note or during a performance challenge session</p>

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# Agenda items

**Tuesday 7 December 2021, continued**

Publication deadline: - 29 November  
Questions deadline: - 1 December

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
<p>Health and wellbeing [Performance review – annual report] To include mental health in schools</p>	<p>Standard annual item  Requested to schedule for December at meeting on 7 September 2021.</p>		
<p>Holiday activities provided by schools during covid With a focus on contextual safeguarding</p>	<p>Requested at committee meeting 7 September 2021.</p>		

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# Agenda items

**Tuesday 11 January 2022, 2:30 pm**

**Publication deadline: 3 January 2022**

**Questions deadline: -5 January 2022**

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Budget and Medium Term Financial Strategy (MTFS) [Pre-decision call in / policy review and development – Annual Report]		Andrew Lovegrove, Acting Deputy Chief Executive - Chief Finance Officer  Josie Rushgrove, Head of Corporate Finance	Arrangements for consideration of the budget may change following outcome of re-thinking governance.

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# Agenda items

Tuesday 22 March 2022, 2:30pm

Publication deadline: 14 March  
Questions deadline: 16 March

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Work programme 2022/23	Standard annual item - to agree the work programme and meeting dates for the 2022/23 administrative year	Clerk to the committee	

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## To be scheduled and prioritised or removed (1/4)

Potential agenda items			
Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Corporate Parenting Strategy [Performance review – Annual Report]	Standard annual item. Also focus on leaving care and preparing for adulthood	Andrews Osei, Interim AD Corporate Parenting Children in Care and Fostering and Adoption	Deferred from 27 July meeting
Adoption Service and Fostering Service annual reports [Performance review – Annual Report]	Standard annual item.	Andrews Osei, Interim AD Corporate Parenting Children in Care and Fostering and Adoption	Deferred from 27 July meeting.
Principal Social Worker [Performance review – annual report]	Standard annual item		
Complaints, compliments and comments report. [Performance review – annual report]	Standard annual item		

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## To be scheduled and prioritised or removed (2/4)

Potential agenda items			
Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Independent Reviewing Officer (IRO) and Child Protection (CP) report [Performance review]	Performance Review – annual report		
Herefordshire Safeguarding Children Partnership (HSCP) annual report [Performance review]	Performance Review – annual report	Andrews Osei, Interim AD Corporate Parenting Children in Care and Fostering and Adoption	
Local Authority Designated Officer (LADO) annual report [Performance review]	Performance Review – annual report		Query if this should come alongside IRO / CP report?

## To be scheduled and prioritised or removed (3/4)

Potential agenda items			
Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Funding routes to schools and governance around schools funding			Requested at committee meeting 30 April 2021
Early years intervention and prevention			Requested at committee meeting 30 April 2021
Progress report on savings proposals relating to foster carers and sufficiency strategy			Requested at committee meeting 30 April 2021
Mental health [Performance review]	The committee received a report on 23 March 2021 on Children and Young People's mental health. It was requested that an update report be presented at the September meeting.	Ceri Morgan, Assistant Director Education Development and Skills  Public health	Deferred from agenda for October meeting during discussion of the work programme on 5 August 2021.

## To be scheduled and prioritised or removed (4/4)

Potential agenda items			
Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Paediatric therapies T&F Report [Task and Finish Group]			Scoping document approved at committee meeting 30 April 2021. Timescales for reporting back to be agreed.
Autism provision and nurture hubs [tbc]	<p>The committee received a report on 23 March 2021 on the Capital Investment Strategy 2021-2030 For Specialist Settings Educating Children And Young People With Special Educational Needs And Disabilities SEND. It was requested that further detail be presented to a future meeting of increasing provision offered for children with autism.</p> <p>It was agreed at the committee meeting 30 April 2021 that this be listed as an item to be allocated.</p>		

## Workshops / seminars

Topic:	Origin:	Lead officer(s):	Current position:

## Task and finish groups

Topic:	Origin:	Lead officer(s):	Current position:
Paediatric therapies			Scoping document approved at committee meeting 30 April 2021
Not in Education, Employment or Training (NEETs)			T&F proposed

## Briefing notes (1/1)

Topic:	Target date:	Lead officer(s):	Current position:
Outcome of the audit of the reduction in child protection plans	Summer 2021		
Kick Start Programme	June / July 2021		Requested at committee meeting 30 April 2021. To be produced and circulated prior to the item on the impact of the pandemic
NEETs project	September 2021		
Impact of pandemic on opportunities for school and care leavers	12 October 2021	Ceri Morgan, Assistant Director Education Development and Skills	Agreed to receive as a written briefing in discussion of the work programme at meeting 5 August 2021. (Was previously on the agenda for Sept / Oct committee meeting)
Elective Home Education and current trends	November 2021		



## Children and Young People Scrutiny Committee, schedule of recommendations and responses

28 July 2020		
Item	Recommendations	Executive responses / update
Schools Update	<ul style="list-style-type: none"> <li>• The committee recommends that a further survey is undertaken concerning children’s mental health and schooling arrangements during the pandemic;</li> <li>• 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;</li>   <li>• An update is provided regarding the national catch-up programme;</li>   <li>• 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;</li>   <li>• 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;</li>   <li>• An update is provided regarding the attendance rates after the return to school in September.</li> </ul>	<p>This was undertaken in partnership with public health.</p> <p>Updates were provided at intervals throughout the year. A summary will be produced and circulated.</p> <p>We are awaiting further clarity on the national programme. Schools can access a database of consultants approved by the Department for Education and get funded accordingly. We do not have data at present as to how successful this is seen by schools.</p> <p>Completed. Item scheduled for 7 December 2021 meeting on Health and Wellbeing to include mental health in schools.</p> <p>This is provided monthly.</p>

19 January 2021		
Item	Recommendations	Executive responses / update
Provision of children centre service in Bromyard area: pre-decision scrutiny	<p>1) Has significant concerns about the timing of the proposed decision during the current pandemic and the implications for services users. The committee recommends deferral of the decision and extension of the current contract up to 12 months to enable:</p> <ul style="list-style-type: none"> <li>• A comprehensive consultation with the local community, service users and voluntary sector organisations;</li> <li>• Engagement with the HOPE Family Centre to ensure that the Council has necessary evidence to conduct a full and detailed evaluation of the service provided by the HOPE Family Centre and how it compares to the in-house service;</li> <li>• Greater exploration of alternative options including a potential tendering exercise for a commissioned service;</li> <li>• Work to ascertain what staffing arrangements would be put in place to ensure existing HOPE Family Centre staff have a greater degree of understanding about their future roles within the service; and</li> <li>• The committee to undertake a detailed scrutiny exercise on the proposal involving evidence from service users.</li> </ul> <p>2) Recommends that in future the committee is made aware of issues of a sensitive and emotive concern to local communities as potential items for scrutiny.</p>	<p>A <a href="#">decision</a> was taken on 19 February 2021 to extend the current contract for the delivery of children’s centre services in the Bromyard reach area to no later than 31 March 2022.</p> <p>The decision also confirmed that further analysis would be provided regarding the benefits and risks of the different options for the future delivery of children’s centre services and that further community engagement would be undertaken to explore the different options for the future delivery of children’s centre services.</p> <p>A further decision on the future of the contract beyond March 2022 will need to be taken in the autumn of 2021 and is proposed to be subject to pre-decision scrutiny.</p> <p>The forward plan will be monitored for forthcoming items and regular liaison will take place between the chair / vice-chair and cabinet member.</p>

**23 March 2021**

Item	Recommendations	Executive responses / update
Children and Young People Mental Health	<p>That an update report on CYP mental health is presented to the meeting on 14 September;</p> <p>That the mental health and wellbeing survey is circulated to all members of the committee once completed;</p> <p>That the executive investigates an increase in the number of support assistants trained in emotional literacy in local schools;</p> <p>That the executive looks to work with schools to encourage the identification of safe spaces, as raised by Healthwatch.</p>	To be picked up as part of Health and Wellbeing report in December 2021.
Herefordshire capital investment strategy 2021-2030 for specialist settings educating children and young people with special educational needs and disabilities SEND	<p>The committee supports the strategy but recommends:</p> <p>That the strategy clarifies that the outcomes of the 6th form consultation for Westfield school will inform the scope of the feasibility study; and</p> <p>Requests that further detail is presented to a future meeting of increasing provision offered for children with autism.</p>	<p>The strategy was approved at Cabinet meeting on <a href="#">22 April 2021</a>. Requested clarification was included in the final version of the strategy.</p> <p>It was agreed at the committee meeting 30 April 2021 that this be listed as an item to be allocated.</p>

20 May 2021		
Item	Recommendations	Executive responses / update
Update on children's legal team	<p>A scrutiny panel is established to monitor recommendations arising from notable cases and their implementation and to have an overview of care concern cases;</p> <p>A project plan with timescales of all legal services teams actions, required as part of the overall improvement plan considerations be produced for the July meeting of CYPSC. (e.g. new escalation protocol and end of life protocol); and</p> <p>As part of the project plan, a tasks vs resources available breakdown be produced to identify who does what to show: 1) Where resources and gaps exist; and 2) the actions and timescales to address them.</p>	<p>An update on the Children's Legal Team Improvement Plan was presented to the committee on 7 September 2021. This included a copy of the resilience and improvement plan and internal escalation policy.</p> <p>The resilience and improvement plan includes details of activities with lead officers within legal services, target dates and current RAG rating.</p>

<b>1 June 2021</b>		
Item	Recommendations	Executive responses / update
Children's Services Improvement Plan	<p>That the improvement notice is noted</p> <p>That Jane Ellis, Director of Healthwatch Herefordshire be invited to join the improvement board.</p> <p>That the chairperson of the children and young people scrutiny committee attend the first meeting of the improvement board and that a decision be taken at a future meeting as to whether they should be a permanent member of the board, considering advice from the improvement advisor.</p> <p>That additional meetings of the committee be added to the work programme to deal with improvement board matters.</p> <p>That details be provided to the committee of other authorities who could act as examples of good practice.</p> <p>That the improvement advisor be invited to attend a future meeting of the committee.</p>	<p>Noted.</p> <p>This was discussed at the improvement board meeting of 9 August 2021. Healthwatch will be invited to take a seat on the operational group to be convened by the interim director for children and families.</p> <p>The chairperson attended the improvement board held on 14 June 2021. Membership of the board was discussed at the improvement board meeting of 9 August 2021. It was agreed that the chairperson of the scrutiny committee should not be a permanent member of the improvement board to maintain independence and enable the committee to undertake scrutiny of the activities of the work of the board.</p> <p>Work programme updated with additional improvement focus meeting for September 2021. Requirement for additional meetings to be reviewed as part of work programming.</p> <p>The improvement advisor, Gladys Rhodes-White, attended the work programming session on 16 July and will be invited to attend future meetings of the committee on appropriate occasions.</p>
Looked After Children Performance Report	<p>That the work programme be updated to include a report on corporate parenting and a report on the independent reviewing service and that these should be included in training.</p>	<p>Added to work programme as agenda items for scheduling.</p>
Update on Peer on Peer Abuse Recommendations	<p>An update on the investigation into the historic lack of sharing by the council, including the terms of reference, be shared with the committee by the July meeting.</p>	<p>Terms of reference shared with committee members 28 July and briefing provided to committee members by Natalia Silver.</p>

	<p>That consultation take place with families ahead of the signature of the contract for the mediation service.</p> <p>A quarterly update on peer on peer abuse be shared with the committee, ahead of the July meeting if possible.</p> <p>A list of consultees and approvals be included in the final guidance to schools and included as standard in any similar documents produced in future'</p> <p>That the offer from a member of the public to share their understanding of the Human Rights Act be reviewed at the next committee meeting.</p>	
<p>Report of work of prevent and disrupt group to address child exploitation and the current risk of exploitation in Herefordshire</p>	<p>The committee recommends that arrangements for future meetings and sessions of the prevent and disrupt group that committee members could attend should be advised to the committee.</p>	<p>Invite to Serious Organised Crime Professional Development day (SOCJAG Training) held 2 July 2021 circulated to all councillors.</p>

5 August 2021		
Item	Recommendations	Executive responses / update
Youth Justice Plan 2021-2022	<p>The committee endorse the Youth Justice Plan 2021-2022 for presentation to Council.</p> <p>A written briefing be provided on diversionary schemes and activities.</p> <p>A copy of the national standards and improvement plan be shared with the committee.</p> <p>For the 2022/23 iteration of the plan the committee recommends the inclusion of:</p> <ul style="list-style-type: none"> <li>• increased evidence of consultation with young people and the wider public;</li> <li>• evidence on staff consultation; and</li> <li>• more information on progress on county lines, exploitation and peer on peer abuse.</li> </ul>	<p>Noted. Presentation of the plan to Cabinet for recommendation to Council has been delayed.</p> <p>Briefing received and circulated to members of the committee.</p>
Co-optee membership of scrutiny committees	<p>The process for the appointment of co-optees set out in appendix one is adopted.</p> <p>The process is used to appoint one representative from the teaching sector.</p> <p>The term of service of co-optees be reviewed with a view to making appointments for more than one year and up to four years, linking to the election cycle.</p> <p>The process is used to recruit an adult representative of families who are or have been supported by social workers and Council be asked to appoint an additional co-optee at its next suitable meeting.</p>	<p>Noted.</p> <p>Drafting of advertisement underway.</p> <p>To be reported to the next Annual Council meeting in May 2022.</p> <p>Drafting of advertisement underway.</p>

	<p>The induction of co-optees be more structured and include safeguarding training.</p> <p>Consider how the participatory officer could bring the voice of the child to the committee as and when needed.</p>	
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7 September 2021		
Item	Recommendations	Executive responses / update
<p>Children's services improvement journey</p>	<p>That progress on development with heat maps be shared with the committee by 23 November 2021</p> <p>That development sessions include members of children's services legal team as well as social workers</p> <p>That the committee review all the challenges identified in the report with a view to identifying areas where scrutiny can contribute</p> <p>That examples of audit documentation be shared with the committee by 23 November 2021</p> <p>That a link to relevant information on the council website be provided to the committee</p> <p>That the voice of the staff be captured in an appropriate form as evidence for external review and the scrutiny committee</p>	
<p>Update on children's legal team improvement plan</p>	<p>The committee notes the progress made to date and the plan to continue with improvements in the Children's Legal Team</p> <p>Further updates on the legal team improvement plan be presented to the committee bi-monthly, with evidence in the next meeting (23 November</p>	<p>Noted.</p>

	<p>2021) on the service level agreement, knowledge and understanding of when to access legal services by middle managers</p> <p>Add more clarity on the status of HRA cases and include evidence of training / workshops of areas of concern</p> <p>Post court proceedings meetings be required rather than optional (Q7 in Children's Legal Team Improvement Plan relates);</p> <p>A review of the escalation process be undertaken in relation to decision making by senior officers within the escalation process and support for them, including the criteria under which a second opinion is sought</p> <p>Training be provided to councillors to help them be confident in instigating the call in procedure</p>	
Work Programme Review	<p>Agrees the work programme at appendix 2 with the following amendments:</p> <p>A report on health and wellbeing be scheduled for the December meeting, to include mental health in schools</p> <p>A report on holiday activities provided by schools during covid be scheduled for the December meeting, with a focus on contextual safeguarding</p>	Added to work programme for December 2021.

12 October 2021		
Item	Recommendations	Executive responses / update
Provision of children centre service in the Bromyard area	<p>The Committee notes the proposals to recommission the provision of the Children's Centre Service in the Bromyard area for two years and makes the following recommendations to enhance the effectiveness of the plans:</p> <ul style="list-style-type: none"> <li>(a) That the Executive consider if an exemption to the contract procedure rules should be applied for.</li> <li>(b) That the Executive consider whether further market testing should be carried out to evidence if there are any other potential providers and include details of what they will be asked to tender for.</li> <li>(c) That evidence be provided on how discontinuing services from an established provider impacts those currently using the service.</li> <li>(d) The Committee receive testimony from the Hope Centre and consider a visit there to understand the activities provided.</li> </ul>	
Effective scrutiny of children's services: training and development offer	<p>That the Committee notes the LGA training and development offer as set out in appendices A-C to the report and makes the following recommendations:</p> <ul style="list-style-type: none"> <li>(a) The Committee agrees to engage with the LGA training and development offer.</li> <li>(b) The Chairperson and Vice-Chairperson to draft a response to the self-assessment tool after completing the Leadership Essentials Course and then discuss with Committee members in November 2021</li> </ul>	<p>Noted.</p> <p>Completed</p>

	(c) Notes that the LGA training will dovetail with the offer from the Centre for Governance and Scrutiny	Noted.
Work Programme Review	<p>Agrees the work programme at appendix 2 with the following amendments:</p> <p>23 November agenda to include items on IRO, carers portal and exit interviews in children's service</p> <p>A workshop be arranged ahead of the 23 November meeting on the IRO service and carers portal</p> <p>Consider use of performance challenge sessions to cover information items</p>	<p>IRO report scheduled. Briefing note to be provided on Carer's Portal</p> <p>Scheduled</p> <p>Noted</p>

