

Minutes of the meeting of Children and young people scrutiny committee held at Hereford Town Hall, St Owen Street, Hereford, HR1 2PJ on Thursday 20 May 2021 at 2.00 pm

Present: Councillor Diana Toynbee (vice-chairperson)

Councillors: Paul Andrews, John Hardwick, Kath Hey, Phillip Howells and Mike Jones

Co-optees: Mr Sam Pratley

In attendance: Councillor Felicity Norman, Cabinet Member Children and Families

Officers: Solicitor to the Council, Interim Director Children Services, Interim Head of Legal Services, Senior Solicitor and Senior Solicitor

39. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Graham Andrews, Councillor Carole Gandy and Mr Andy James.

40. NAMED SUBSTITUTES

Councillor John Hardwick acted as a substitute for Councillor Graham Andrews.

41. DECLARATIONS OF INTEREST

There were no declarations of interest.

42. MINUTES

The minutes of the meeting on 23 March were put to the vote and agreed by a simple majority of the committee.

RESOLVED: That the minutes of the meeting of 23 March are agreed as a correct record.

43. UPDATE ON CHILDREN'S LEGAL TEAM

The Vice Chairperson of the committee referred the committee to the report published in the supplement on 14 May and explained that the Chairperson of the committee had agreed to the late circulation of the report in line with paragraph 4.2.13 (b) of the Council's constitution. Due to the current pressures experienced by Legal services the report was not available at the time of despatch but the Chairperson determined that it should be considered as a matter of urgency to provide an update on measures being implemented rapidly in response to the recent court judgement.

The report was introduced by the interim Head of Legal Services and the Solicitor to the Council.

During the course of the debate the committee raised the following principal points:

- The issues in the report concerning the incorrect provision of legal advice were highlighted.
- The effective hand-over of information to newly appointed staff working on cases.
- Resources in the Legal Team and difficulties concerning recruitment of staff.
- The timescales that would be applied to achieve improvement and the involvement of the Department for Education (DfE) adviser in setting the timescales.
- An invitation to attend a forthcoming meeting of the scrutiny committee would be extended to the DfE adviser.
- Details of the 'Red Book' and its importance to legal services officers.
- The role of internal audit to track progress with the implementation of recommendations leading to improvement.
- The use of external consultants and advisers to assess the suitability of protocols and procedures established to realise improvement.
- The difficulty of delivering documents and papers to the court and the disclosure protocol.
- The access of social work staff to solicitors for advice and to raise concerns.
- The morale of staff in children's and legal services.
- The service level agreement (SLA) between legal services and children's services.
- The importance of relationships between staff and the balance with processes implemented to ensure effective working.
- The care concern line and the number of cases that were being followed up was queried. It was agreed that the email address for the care concern line would be added to the improvement board papers to ensure it was further promoted.
- The committee noted that the report provided useful background information concerning the work of legal services within the children and families directorate. The assessment in the report of the challenges to legal services and the objectives for improvement would assist the committee in its scrutiny of the progress of the improvement journey.

The cabinet member children and families explained that an improvement in the co-ordination of legal and children's services was required. The notice of improvement from the DfE had now been received and the improvement board was being set up.

The recommendations below were proposed by Councillor Phillip Howells and seconded by Councillor Paul Andrews. The recommendations were agreed unanimously by the committee.

RESOLVED: That:

- **A scrutiny panel is established to monitor recommendations arising from notable cases and their implementation and to have an overview of care concern cases;**
- **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**
- **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.**

44. WORK PROGRAMME REVIEW

The committee received and noted the work programme 2021/22 subject to the addition of: the establishment of a scrutiny panel for notable cases and; a report to the July meeting providing a project plan with timescales of all legal services teams actions, required as part of the overall improvement plan considerations, and a breakdown of the resources available/tasks required.

The meeting ended at 3.28 pm

Chairperson