

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

Present:	Councillor Phillip Howells (chairperson) Councillor Jennie Hewitt (vice-chairperson)
	Councillors: Graham Andrews, Toni Fagan, Helen I'Anson, James, Mike Jones, Jim Kenyon, Pratley and David Summers Councillor Diana Toynbee, Cabinet Member for Children and Family Services
Virtual attendees	Councillor David Summers Councillor Jim Kenyon (non-voting member) Mr Andy James – Education Co-Optee Mr Sam Pratley – Education Co-Optee

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 Contracts 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 sought 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