

MINUTES of the meeting of Children's Services Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday 11 December 2009 at 10.00 am

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

Councillors: WU Attfield, BA Durkin, Brig P Jones CBE, G Lucas, SJ Robertson, RV Stockton, AM Toon, WJ Walling,

Co-opted Members: Mr PF Burbidge, Mr N Parker, Mrs S Catlow-Hawkins, Mrs OR Evans and Mr C Mutton, Mr C Lewandowski.

In attendance: Councillors: PJ Edwards, JA Hyde (Cabinet Member - Children's Services) and AT Oliver

28. APOLOGIES FOR ABSENCE

Apologies were received from Mr M Harrisson, Mr T Leach, Councillor JE Pemberton, Mrs H Tank.

29. NAMED SUBSTITUTES

Mr C Lewandowski substituted for Mr Harrisson.

30. DECLARATIONS OF INTEREST

The following interests were declared:

Name	Interest	Reason
Councillor WLS Bowen	Personal	Governor – Kingsland CE Primary and Luston Primary schools.
Councillor M Cooper	Personal	Governor - John Masefield High School
Councillor B Durkin	Personal	Governor - Kings Caple Primary School
Councillor Brig. P Jones CBE	Personal	Governor – The Minster, Leominster
Councillor G Lucas	Personal	Governor – Brampton Abbots CE Primary School
Councillor SJ Robertson	Personal	Governor - Burghill Community Primary School
Councillor RV Stockton	Personal	Governor - Colwall CE Primary School
Councillor AM Toon	Personal	Governor - Whitecross High School and Trinity Primary School.
Mr PF Burbidge	Personal	Governor – St Mary's RC High School

31. MINUTES

RESOLVED: That the minutes of the meeting held on 28 September 2009 be approved as a correct record and signed by the Chairman.

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

No suggestions for areas of scrutiny were received from the public.

33. SAFEGUARDING AND VULNERABLE CHILDREN SEMINAR TO MEMBERS 9 NOVEMBER 2009

The Committee noted a summary of the Member's seminar held 9 November 2009 concerning Safeguarding and Vulnerable Children and considered issues arising.

The Director of Children's Services presented the agenda report which summarised a number of questions and answers from the seminar. She commented that officers in the Safeguarding Team had worked hard to improve the delivery of service.

Responding to questions on whether there were adequate cross border procedures in place to protect Children in Need when they moved home, the Committee were informed that procedures were in place and no problems were being experienced.

Arising from questions concerning 16/17 year olds looking for housing it was suggested that the Cabinet Member (Children's Service) consider approaching the Registered Social Landlords in Herefordshire to encourage them to further engage in accommodating 16/17 year olds who, for family reasons, cannot live at home.

Questioned on the level of service, number of carers and funding available through the Kinship Care system the Committee agreed to being advised by briefing note.

Responding to questions on Corporate Parenting the Cabinet Member (Children's Services) responded that the Corporate Parenting Panel was being refreshed and further focused work would be undertaken. Continuing the theme it was acknowledged that members may benefit from further training on their Corporate Parenting duties and responsibilities.

Responding to whether the local member should be involved in individual care cases the Director of Children's Services responded that issues arose over confidentiality and whether the child, parent or foster parent wanted the involvement. An opposite view was expressed that members should focus on ensuring that procedures were correct at a strategic level. It was suggested that the parent or carer should be given the contact details of their local member should they wish to contact them.

The Cabinet Member (Children's Service) suggested that if members wanted to meet with local carers then members could be invited to attend the Annual Care Awards.

Questioned on the introduction of ICT enabled mobile working the Committee were informed that currently work was focused on the implementation of the Framework system. The Director reported that further investment across the Council would be required to introduce the technology needed to enable staff to work on-line while away from the office.

The Committee noted that while a good working relationship existed between the various partner child protection teams it was suggested that even greater efficiencies could be obtained through a closer integration of the various teams.

The Committee had concerns about the transition procedure to adult care and requested that a briefing note on the procedure be supplied which included details about whether the young person received help in accessing further education and housing.

The Chairman referred to a new CfPS publication entitled 'Safeguarding Children Scrutiny Guide' and requested that the Director of Children's Services provide the Committee with a report answering the 'top 10 questions to ask' contained in the document.

RESOLVED: That

- a) **The Director of Children's Services discuss with the Cabinet Member (Children's Services) whether the Herefordshire Registered Social Landlords (RSL) be approached to encourage their further engagement in accommodation provision for under 18 year olds who cannot live at home.**
- b) **That a report on the programme and timetable to roll out mobile ICT working systems to Social Workers be presented to a future meeting;**
- c) **To enable further efficiencies in working practices The Director of Children's Services consider the further integration of the Police and Social Services Teams;**
- d) **The duties as Corporate Parents be made clear to all Council Members, and further training be carried out;**
- e) **A report responding to the 10 questions set out in the CfPS publication 'Safeguarding Children Scrutiny Guide' be presented to the March 2010 meeting;**
- f) **A briefing note be provided to Committee members on the transition procedures in place, (including their further education and housing opportunities), that ensures that children in need/ vulnerable children undertake an efficient transfer to the Adult Social Care system.**
- g) **A briefing note be provided to Committee members on the Kinship Carers provision including the number of carers and funding thereof.**
- h) **A briefing note be provided to Committee members on the range of services offered to children and families when relationships are at breaking point.**

34. INTRODUCTION AND IMPLICATIONS OF NURSERY EDUCATION FUNDING (NEF) AND SINGLE FUNDING FORMULA

The Committee noted the background information on the scheme for Free Early Education for 3 and 4 year olds – also known as Nursery Education Funding (NEF) and received an update on recent local and national developments.

The Manager Early Years and Extended Services reported that the delivery of Nursery Education Funding was a statutory requirement from the DCSF. Herefordshire was asked to implement additional hours to meet the Extended Entitlement for the 25% most deprived children in Herefordshire from September 2009. The full extension of the extended entitlement from 12 hours to 15 hours will be a universal provision across Herefordshire from September 2010. The introduction of 2 year funding for the 15% most deprived Children, 10 hours per week, was a direct request again from the DCSF, to commence September 2009. This project is funded for 2 years until September 2011. The implementation of a Single Funding Formula is also a statutory directive from DCSF to be in place in all local authorities for April 2010. Herefordshire is also piloting 2 year old funding from September 2009 to the 15 % most deprived children. Funding has also been allocated for a second year 2010/2011. The identified target group for Herefordshire is some 50 places. A place equates to 10 hours per week. It may be that parents do not wish to take up the full 10 hours. In this instance the offer will be available to more than 50 children hence allocated as places. Further detail on the schemes was provided in the agenda report.

The Manager for Early Years and Extended Services reported that the DCSF were concerned about the impact of the new formula on authorities with nursery schools but because there are no nursery schools in Herefordshire she considered that subject to confirmation with Government Office, that the single funded formula was ready for implementation in Herefordshire. The Committee supported it's implementation from April 2010.

Opportunities had been offered for settings to meet and discuss the changes and proposals, however, there had been minimal responses to the third and final full consultation undertaken in October 2009.

The level of funding per setting was dependant on the total number of settings, the figures in the report were indicative only. However, it was highlighted that while the basic 'fixed rate per child' reduced per year this was to a greater degree offset by the application of 'disadvantaged' and 'deprivation' supplements. The Committee noted that settings with high numbers of vacancies would have reduced funding. It was further noted that a number of settings already topped up the funding by seeking other sources of funding.

Noting that the funding was already with the Council as part of the Dedicated Schools Grant (DSG) funding, it was questioned what happened at the end of the two year funding period. The Committee were informed that the current expectation was that funding would continue to be provided through Dedicated Schools Grant (DSG) in future.

A comment was made that if the schemes involved increased levels of administration then settings may not be willing to take up the schemes.

Questioned why Herefordshire paid one of the highest sessional rates for NEF the Committee were informed that the payment level was historical and that it had been agreed with Schools Forum to reduce the payment so that it would be comparable with neighbouring authorities.

RESOLVED: That

- a) **The report be noted and based on the information presented the Committee supported the introduction of the funding schemes detailed;**
- b) **The Committee considered that the administration of the schemes, especially for schools, be made clear and as efficient as possible.**
- c) **Schools be reminded that other funding sources may be available.**

35. HEREFORDSHIRE SCHOOL TASK GROUP CONSULTATION - UPDATE

The Committee were appraised of progress with the work undertaken by the Herefordshire Schools Task Group (HSTG) and noted the decision of Cabinet on 26 November 2009.

The Director of Children's Services reported that the HSTG, under an independent Chair, had been established to recommend to the Council a set of criteria to underpin the future of education and learning provision in the County, providing a framework within which decisions will be made. On 28 November Cabinet considered a report, a copy of which had been included in the agenda, setting out the feedback from the HSTG formal consultation and a number of recommendations for consideration. She reported that Cabinet had approved the recommendations contained in the report as presented.

The Director of Children's Services commented that the HSTG had considered future housing issues as part of its deliberations. Further work was needed to produce a more detailed analysis of a 'small school by design'. Against the challenging circumstances of the future economic climate and schools with falling rolls the productive dialogue established between the various parties needed to be continued.

Work would continue to consider facts and data against which further proposals would be formulated and a further report would be presented to Cabinet in September 2010.

The Chairman highlighted that this work would guide major changes to the way education was provided in the County and this message needed to be emphasised to schools and cluster groups. He also emphasised to the Cabinet Members that the Executive and Scrutiny needed to work together on this important issue.

The Committee were assured that monitoring was in place to ensure that capital investment in school sites was linked to future planning needs. Certain funding from government could only be used for specific projects and the Council had been successful in a number of funding bids. Sharing resources was an important factor in reducing costs and schools themselves should take the lead in this. A point was made that greater use of school premises by other services could make a school viable.

The Committee congratulated the Schools Task Group for the clarity of its report.

RESOLVED: That

- a) **The Schools Task Group be commended for their work and the clarity of their report;**
- b) **The Cabinet Members be encouraged to work closely with Scrutiny concerning future proposals in this matter;**
- c) **The Cabinet Member (ICT, Education and Achievement) encourage schools and cluster groups to be innovative in their working and approach to the future of education and learning provision in the County.**

36. CAPITAL BUDGET REPORT 2009/10

The Committee considered the capital budget position for 2009/2010 for the Children and Young People's Directorate.

The Schools Planning & Access Manager presented the agenda report and highlighted that the overall capital programme was being delivered on time and to budget. The final business case for The Hereford Academy had been approved. Herefordshire had negotiated a further £419,000 to deliver accommodation for alternative provision in each of the 14 High Schools. Details of other capital projects were set out in the report.

On scrutinising the report the following principal points were noted:

- That learning points encountered from working with the National Academies Framework would be fed back to the Partnership for Schools. Issues had arisen around the wording of the contract and, as a consequence, this had delayed contractors getting on site.
- Questioned on parking arrangements at the Hereford Academy the Committee were informed that residents had been consulted on the whole project, however, attendance at meetings had been poor. The inclusion of a 6th Form had been a mandatory condition of getting an academy.
- The Head of Access and Capital Commissioning confirmed that a further £102,000 developer contribution had been received from the Bradbury Lines development which was ringfenced for schools in the local area. Responding to

criticism about the time taken in using the Sec 106 monies the Director of Children's Services commented that schemes needed to be assessed against the priorities set out in the Asset Management Plan and it was anticipated that proposals on the use of the funding would be put to the Cabinet Member in the near future.

- The handover of the Riverside Primary School was due to take place on 15 December 2009 ready to accommodate pupils in the spring term.
- Questioned on the use of spare capacity or staff resources at high schools, particularly at the Minster College, Leominster, and a suggestion that it could have been used to provide post 16 diploma courses, the Director of Children's Services commented that the County had been slow over the 14-19 agenda and agreed more work was needed in this area. The capacity of the new high school at Leominster had been set by the DCSF.
- In relation to the capital maintenance programme the Committee questioned the methodology for assessing school property and the likely cost of the identified maintenance. The Head of Access and Capital Commissioning reported that these details were identified through the Condition Survey, Schedule of Works and Asset Management Strategy. The Committee requested a briefing note covering the above issues.
- Members requested to be kept informed of the location of the second Hereford City co-located Children's Centre site north of the river.

RESOLVED: That

- a) The report be noted and a briefing note be provided to Committee Members on the condition of school properties (as identified through the Condition Survey, Schedule of Works, Asset Management Strategy) and an indication be given of budget requirement / allocation to meet maintenance needs.**
- b) Members be kept informed by briefing note of progress concerning the location of a co-located Children's Centre north of the City.**

37. REVENUE BUDGET MONITORING REPORT 2009/10

The Committee considered the Children's Services revenue budget for 2009/10 for the period to the end of quarter two. The Committee were provided with comparisons to the 2008/9 budget and assessed and commented upon the budget management for Children's Services.

The Assistant Director Planning, Performance and Development, highlighted that the projected overspend of £755k, reported to the September meeting, had been reduced to a projected overspend of £533k. The Directorate Leadership Team had actioned several cost saving measures largely responsible for reducing the over-spend being projected. Despite escalating pressures within safeguarding services further cost saving measures to minimise the impact whilst not jeopardising service delivery had been introduced. Work was progressing on the detailed review of current services and staffing requirements for the Directorate. Further budgetary details were provided in the report and appendices.

On scrutinising the report the following principal points were noted:

- Questioned on the expenditure of circ £95k for providing Bed and Breakfast to homeless 16/17 year olds the Committee were informed that Children's Services were working with a range of officers and service providers to address the issue, however, the service was responsible for the expenditure, an issue that would also need to be addressed in next years budget. The Committee requested a briefing note on how the various providers were addressing the accommodation issue.

- Responding to a question on the budget for 'staff severance costs' the Committee were informed that the budget was for meeting the cost of redundancies in schools and this was the council's responsibility. The Director of Children's Services warned that in a time of falling pupil numbers some schools may face closure and this budget would inevitably incur additional costs.
- Following the bringing 'in-house' of the Travellers Children Team, formerly provided regionally by the West Midlands Traveller Service, concern was expressed that these children may be being neglected. The Director of Children's Services informed the Committee that a better service could be given, and financial savings made, by bring the service back within the Council. She assured the Committee that the service to these children was not being neglected. The Committee requested that a report be made to a future meeting on how this service was now being provided.
- Concern was expressed that if savings were being made in swimming (LEA pool £26k) the Committee requested assurances that adequate provision, particularly for Key Stage 2 pupils, was being provided by Halo. The Committee requested a briefing note on the level of support provided by the Council through Halo to pupils achieving Key stage 2 swimming.
- Noting the projected budget deficit in the Music Service the Chairman reported that Herefordshire Schools Forum had been given the opportunity to address a number of strategic issues, this being one, through their consideration of how to use the underspend on the Dedicated Schools Grant. In his view the Forum had missed an opportunity to address a number of strategic issues instead of deciding to allocate the underspend to school on a per pupil basis.

RESOLVED: That

- a) the report be noted; and**
- b) a report be provided to a future meeting concerning the provision to Travellers Children following the bringing 'in-house' of the service from the West Midlands Traveller Service**
- c) A briefing note be provided to Committee members on how RSLs, the Council's Housing Team and HomePoint were providing accommodation for under 16/17 year olds who cannot live at home;**
- d) A briefing note be provided to Committee members on the level of support provided by the Council through Halo to pupils in achieving Key Stage 2 swimming.**

38. PERFORMANCE DIGEST - QUARTER 2 2009/2010

The Committee considered the performance Digest for Children's Services for the second quarter of 2009/10 (April – September 2009)

The Director of Children's Services circulated a copy of a letter from Ofsted indicating the Children's Services annual rating. She was pleased to report that the Service had recorded a third year of improvement and was now rated as 'performs well'. Full detail of the rating and commentary about the Service was contained in the letter, a copy of which has been placed with the agenda papers. She emphasised that while pleased with the rating the Service could not be complacent and would be striving for further improvement.

The Head of Performance presented her report and highlighted that the time taken to complete initial assessments had significantly improved; in overall terms exam results had improved but were below local targets, and educational attainment of looked after

children had shown good performance. Further performance detail was provided in the agenda report and separate Performance Digest.

Strategic Monitoring Committee on 2 December 2009 had considered the Integrated Corporate Performance Report and had expressed concern over National Indicators 72, 73, 75, 99 and 100 which related to Children's Services.

The Primary School Improvement Manager responded that:

- NI 72 – Although not achieving target, 45.8% represented a significant improvement on the 2008 outturn of 42%. The performance gap between boys and girls had closed and now reflected the national average.
- NI 73 – This was a new benchmark. This unvalidated outturn for 2009 had not achieved target and was 2% below the 2008 outturn. Results in Key Stage 2 had shown a continuing downward trend over the last three years and targeted improvement work was underway with schools. She reported that results from the two Academies (Hereford and Steiner Academies) were now included in the local authority results; as pupils/parents at the Steiner Academy had boycotted the examinations there was an inevitable impact on the overall results.
- NI 75 – Unvalidated results showed the same achievement as the 2008/9 outturn. She highlighted that while this cohort had a high number of boys, good progress had been made. Targeted work was underway in schools to address this outturn. As with NI 73 this included results from the Steiner Academy.
- NI 99/100 – These outturn results involved looked after children and consequently referred to a very small cohort. Schools were mindful of the needs of these children.

Questioned on why some indicators still had no targets, the Committee were informed that this may relate to new indicators where the targets had not been set until a baseline had been established. In some instances data was compiled from surveys that were only undertaken every other year in which case an indication of the outturn had been given.

RESOLVED: that the Performance Digest report be noted and the Committee approved of the efforts of the Director of Children's Services and her staff in achieving a level 3 (performs well) in the Ofsted Children's Services annual rating.

39. COMMITTEE WORK PROGRAMME

The Committee considered its work programme.

Arising out of the external health check of the scrutiny function Strategic Monitoring Committee requested that this Committee give priority to the scrutiny of Safeguarding Vulnerable Children and Youth Provision which had been identified from the Herefordshire Quality of Life Survey 2008. It had also requested that all the scrutiny committees re-examine their work programmes to ensure that matters listed for future consideration remain appropriate.

The Committee considered that Safeguarding Vulnerable Children was being addressed through the seminar, committee report and the request for further information noted in Minute No 33. Any concerns regarding Youth Provision would be addressed through the Member seminar scheduled for 28 January 2009 and subsequent report to Committee.

RESOLVED: That

- a) **As noted in Minute 33 a report on the programme and timetable to roll out mobile ICT working systems to Social Workers be presented to a future meeting;**

- b) A report responding to the 10 questions set out in the CfPS publication 'Safeguarding Children Scrutiny Guide' be presented to the March 2010 meeting (see Minute No 33)**
- c) as noted in Minute No.37 a report setting out the changes to the provision of services to Traveller Children be added to the work programme.**
- d) A further update on the future of education and learning provision in the County (the Schools Task Group Consultation) be reported to an appropriate future meeting. (see Minute No. 35)**
- e) Subject to the above the work programme be approved and reported to Strategic Monitoring Committee.**

The meeting ended at 12.54 pm

CHAIRMAN