

Minutes of the meeting of Children and young people scrutiny committee held at Online meeting only on Tuesday 23 March 2021 at 1.00 pm

Present: Councillor Carole Gandy (chairperson)
Councillor Diana Toynbee (vice-chairperson)

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

Co-optees: Andy James and Sam Pratley.

In attendance: Councillor Felicity Norman and Councillor Trish Marsh

Officers: Assistant Director Education, Development and Skills, Assistant Director Safeguarding and Family Support, Deputy Solicitor to the Council, Head of Learning and Achievement, Principal Educational Psychologist, Public Health Specialist, Strategic Business Intelligence Manager, Head of Additional Needs, Schools Capital Investment Adviser, Statutory Scrutiny Officer and Democratic Services Officer

Others in attendance: Rebecca Dwight, Lead for CYP Emotional Health and Wellbeing.
Dr Katie Powell, CAMHS Service of Herefordshire and Worcestershire Health and Care NHS Trust:
Elaine Cook-Tippins, CAMHS.
Sally-Anne Osbourne, CAMHS
Christine Price, Chief Officer, Healthwatch Herefordshire

27. APOLOGIES FOR ABSENCE

There were no apologies for absence.

28. DECLARATIONS OF INTEREST

Mr Andy James declared an interest in the Herefordshire capital investment strategy 2021 – 2030 for specialist settings educating children and young people with special education needs and disabilities item as a parent governor at Westfield School.

During the item Mr James left the committee as an education co-optee and acted as a witness. Mr James left the meeting prior to the vote on the item.

29. MINUTES

RESOLVED: That the minutes of the meetings on 12 January and 19 January are agreed as a correct record and signed by the Chairperson.

30. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 5 - 8)

A copy of the public questions received, responses provided and the supplementary questions are attached at appendix 1.

31. CHILDREN AND YOUNG PEOPLES MENTAL HEALTH

The committee received a report from the cabinet member children and families. The committee received presentations from the children and families directorate, the Herefordshire and Worcestershire Health and Care NHS Trust, Children and Adolescent Mental Health Services (CAMHS) and Herefordshire Healthwatch.

During the debate the points below were raised:

- An updated report on children and young people's mental health to be allocated to the September meeting of the committee in 2020.
- The circulation of the mental health and wellbeing survey to all committee members once completed.
- The work undertaken between the council and the clinical commissioning group to produce a mental health pathway for looked after children.
- The mental health and wellbeing survey and the sharing of school-specific data.
- The resourcing of the educational psychologist team.
- Support for work that focused on healthy relationships particularly within school curriculums.
- The fragmented nature of mental health services for children and young people and mapping work taking place to clarify the responsibilities of local organisations. Work was taking place with the mental health partnership to draft a map of services which would be available on the Wellbeing Information and Signposting for Herefordshire (WISH) website.
- The impact of COVID-19 and the impact on frontline services for children and young people's mental health.
- Support for emotional literacy support assistants (ELSAs) and a recommendation to investigate an increase in the number of ELSAs in schools.
- A phone line for parents to contact with concerns and the early help phone line which would provide this function. Details of the early help phone line would be circulated to members of the committee following the meeting.
- The target waiting times for assessment for the children and adolescents mental health service (CAMHs) and the actual waiting times following the merger of the Herefordshire and Worcestershire Clinical Commissioning Groups (CCG).
- The grading of the eating disorders, the current incidence and the waiting times for treatment.
- The importance of listening to young people and the outcomes from the Healthwatch survey which identified the provision of safe spaces in schools as a priority. A recommendation to encourage schools to look at the provision of safe spaces was proposed.
- The mental health support team in schools and detail of the selection of the four high schools chosen.

The cabinet member children and families explained that it was encouraging that so much good work was in progress.

The recommendations below were proposed by Councillor Gandy, seconded by Councillor Paul Andrews and approved by the committee.

RESOLVED: The committee recommends:

- **That an update report on CYP mental health is presented to the meeting on 14 September;**
- **That the mental health and wellbeing survey is circulated to all members of the committee once completed;**

- **That the executive investigates an increase in the number of support assistants trained in emotional literacy in local schools;**
- **That the executive looks to work with schools to encourage the identification of safe spaces, as raised by Healthwatch.**

32. HEREFORDSHIRE CAPITAL INVESTMENT STRATEGY 2021-2030 FOR SPECIALIST SETTINGS EDUCATING CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES SEND

(Mr Andy James fulfilled the role of a witness and had no vote on this item.)

The committee considered a report from the cabinet member children and families concerning the Herefordshire Capital Investment Strategy 2021-2030 For Specialist Settings Educating Children and Young People with Special Educational Needs and Disabilities SEND. The head of additional needs and the schools capital investment adviser introduced the report.

Mr James spoke as a witness and read aloud a statement from the Westfield Governing Body. He requested that the feasibility study covers 2-16 and 16-19 age ranges and that it is not limited to 2-16 before the consultation concerning the future of the sixth form at Westfield School was undertaken. The wording in the strategy document suggested that the decision had already been made.

The schools capital investment adviser provided detail concerning the proposals in the report concerning the Westfield School and the process undertaken to develop the proposals. She explained that the feasibility study needed to be conducted urgently to avoid losing the funding set aside for this purpose by the Council. She stated that there would be a need to re-apply for funding for the feasibility study if there were to be further delay of the project when everyone agrees that improved facilities are desperately needed. The schools capital investment adviser further explained that the recommendation described in the strategy is based on the information available to date and that officers are recommending a 2-16 age range but the consultation concerning the future of the sixth form at Westfield School will further inform the decision.

Councillor Trish Marsh as the member for Leominster South spoke as the local member to the Westfield School. Support was expressed for the request that the feasibility study covers 2-16 and 16-19 age ranges and that it is not limited to 2-16 before the consultation concerning the future of the sixth form at Westfield School was undertaken.

The schools capital investment adviser explained that it had been already agreed with Westfield School governing body that the age range in the title to the feasibility study (i.e. 2-16 yrs) would be removed and the consultation on the sixth form provision undertaken once the final strategy had been agreed and published.

During the debate the committee raised the following points:

- The fire risk assessment that had been undertaken at Westfield School.
- The lack of detail in the report concerning the change to the age ranges in title of the Westfield School feasibility study.
- The suitability of the current buildings at Westfield School and the restricted nature of the site.
- A recommendation that the capital strategy clarifies that the feasibility study would cover the current full age-range at Westfield and that the consultation regarding the future of the sixth form centre would be separate. Both will inform the final Council decision.

- Detail in the strategy concerning the educational provision for children with autism and a recommendation that further detail is presented to the committee at a later date following discussion with the representatives from the local branch of the National Autistic Society.

Mr James left the meeting at 3.22 p.m.

The cabinet member children and families explained that the strategy was for improvements across the whole of the county covering all types of provision for specialist needs.

Councillor Carole Gandy proposed and Councillor Phillip Howells seconded the recommendations below which were put to the vote and agreed by the committee.

RESOLVED: That the committee supports the strategy but recommends:

- **That the strategy clarifies that the outcomes of the 6th form consultation for Westfield school will inform the scope of the feasibility study; and**
- **Requests that further detail is presented to a future meeting of increasing provision offered for children with autism.**

It was proposed by Councillor Carole Gandy that the remaining business on the agenda be deferred until a later meeting date, to be confirmed. The proposal was seconded by Councillor Paul Andrews and agreed by the committee.

RESOLVED: That the remaining business on the agenda is deferred to a later meeting date, to be confirmed.

The meeting ended at 4.37 pm

Chairperson

Supplement – schedule of questions received for meeting of children and young people scrutiny committee – 23 March 2021

Agenda item no. 5 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Ms Shore, Bartestree	The Fertile Heart", RSE curriculum at St Mary's RC High School in Lugwardine, teaches that men were "created to initiate sexual relationships" and women to be "receiver responders". This normalises a dangerous gender power imbalance in sexual relationships with the message that women are passive recipients of male sexual acts. This both undermines equality and the importance of understanding consent in sexual relationships. Would the committee agree that this teaching puts both young women and men at risk and is in fact a safeguarding issue that requires Children's Services to act accordingly?	Chairperson of Children's Scrutiny

Response from Assistant Director Education, Development and Skills

We are aware of the programme of study called Fertile Hearts. To the best of our knowledge the school is teaching the programme as recommended by the Archdiocese of Cardiff. It is part of the Catholic education programme and the Archdiocese is responsible for the content of the programme, not the school and not the Local Authority. The school is responsible for how it is taught. We have been advised that it has been implemented in accordance with all required consultations. As such we (as in the Local Authority) cannot prevent its use. Some council members have significant reservations about the programme which has attracted media coverage and the content of the programme is under review. We have been reassured that the Archdiocese keep all new programmes under review, including this one, and will take account of the feedback they have received. We will maintain a contact with the Archdiocese. The programme does not of itself breach Equalities Act legislation but we will seek to be reassured that the way it is used is in line with all relevant legislation.

The Local Authority does not have the power to intervene or challenge the Archdiocesan policy on this programme. The mechanism of challenge to the operation of the policy exists by either parents, pupils, or staff claiming discrimination under the Equality Act 2010, and to the policy itself through the overview provided by the schools' Inspectorate or the Secretary of State.

The policy meets current DFE requirements and as such it allows for the teaching of different faith based perspectives and enables and encourages discussion and debate on such issues.

There have been external evaluations, including inspections and a section 48 (Diocesan inspection) and Ofsted in recent years, neither of which have highlighted any concerns with the wider safeguarding issues raised above. That said, as a consequence of reservations about the content, we will seek to ensure the Archdiocese does keep the content and way of teaching it under review.

Response from the Chairperson of the Children and Young People Scrutiny Committee

Officers have outlined above how the Council has very limited influence in respect of the curriculum that is taught in local faith schools and I recognise how frustrating and difficult it is for some residents to understand. I myself before becoming involved in Children's Services did not appreciate this. I know there is concern regarding relationship and sex education taught through the 'a fertile heart' teaching material, I understand that concern and the cabinet member children and families has previously commented on the use of the resource. When the council is informed of safeguarding concerns involving children it will investigate and as a committee we retain an oversight of the performance and effectiveness of those safeguarding services that respond to

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such reports. With respect to the issue you raise I will remain in contact with the cabinet member to understand and question how the council may be working with the Archdiocese of Cardiff to explore the concerns that have been raised. If there is any role for the scrutiny committee to play this can be considered for inclusion on the committee's work programme however I do reiterate that the Council has no power over what schools under the Archdiocese of Cardiff choose to teach within Herefordshire.

Supplementary Question

Thank you for your full reply to my question. I welcome your shared concerns about this RSE programme. In the current context where safety of women and girls is at last receiving long needed attention, the content of this programme is indeed extremely concerning. While I would welcome detail about "all the required consultations" and about what is meant by keeping the programme under review, my question is about how you propose to "maintain a contact with the Archdiocese". It is my understanding that the Archdiocese has consistently refused to meet with the Cabinet member. Can you explain how exactly you are maintaining contact? Is there in fact any dialogue with the Archdiocese, or is the Council the email recipient of empty assurance and platitudes? If so, what action is the Council taking to bring about a meeting?

Response from Assistant Director Education, Development and Skills

After a delay contact had been made with the Archdiocese by telephone and email about the issue. It was intended that there would continue to be contact and clarity would be sought concerning the review of the teaching programme by the Archdiocese.

Response from the Cabinet Member Children and Families

A meeting was being arranged with the school at which a representative of the Archdiocese would be present. Once the meeting had taken place outcomes could be shared.

PQ 2	Ms Liddle, Hereford	<p>In November, Cabinet Members were alerted to NEW concerns from the public about the safeguarding of victims of peer-on-peer rape; concerns were expressed that not all victims were being shielded from the alleged perpetrator in school.</p> <p>Despite knowing these concerns, Officers have refused to undertake a review of the 2020 alleged rape cases to ensure that no child has been left in class with someone they have identified as the rapist. An FOI request has now established that there were 2 alleged peer-on-peer rapes reported in 2020, suggesting that a review could be completed swiftly.</p> <p>Can the Cabinet Member children and families shed any light on what, to members of the public, seems to be an extraordinarily negligent position taken by Officers and a distressing repetition of the mistakes of the past?</p>	Cabinet Member Children and Families
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Response:

We do apologise that we will not be able to provide details about the two incidents you referred to in order to protect the confidentiality of all children concerned. In the 2 cases, the local authority looked thoroughly with key partners, and we were assured that safeguarding measures were put in place in the two occasions in a timely and appropriate manner.

We assure you that we were not aware of any referral from internal or external organisations, or individuals with regard to alleged peer on peer rape or sexual assault for children living in Herefordshire that haven't been looked at and responded to appropriately. We would like to remind all individuals and organisations that it is a legal requirement to report any serious safeguarding concern as soon as they become aware to the Multi-Agency Safeguarding Hub (MASH) in order that pupils may be safeguarded quickly.

Supplementary Question:

We are not seeking details about the two incidents or the children involved, we are asking the Officers to contact the school/s where the incidents have occurred and establish whether or not the victims/s are being shielded from their alleged perpetrator/s. Why has this not been done, why have we instead been mis-directed into a spurious argument about confidentiality, and when will it be done?

Response from the Cabinet Member Children and Families

It was important that confidentiality was maintained. Contact with the schools had been made and there was assurance that the matters were being dealt with appropriately.

Response from the Assistant Director Education, Development and Skills

Contact had been made with the schools and appropriate action had been undertaken. Confidentiality was important to avoid the chance that children might be identified.

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PQ 3	Name and Address supplied	<p>In September 2020, Councillors praised the work of families who have been raising awareness of peer-on-peer sexual abuse since 2016. Apologies were made for the failure to take seriously warnings of the risks to children. Officers promised to listen to the voices of victims through a process of reconciliation. Six months on there is still no process underway.</p> <p>Furthermore, some gaps in systems/practice identified by families in 2019 when they met the Director of Children's Services and Cllr Norman have not been plugged; two years on there is still no model guidance for schools, no guidance on the rights of victims under the HRA1998 and EA2010 and no written guidance for schools educating a sex offender.</p> <p>The families are distressed by empty promises and critical gaps in guidance which leave children at risk. How are the Committee feeling?</p>	Chairperson of Children's Scrutiny
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Response from Assistant Director Education, Development and Skills

The draft model guidance for schools was completed in the autumn term and was shared with the University of Bedford, the national lead institution for peer on peer abuse in the UK. The guidance was returned by the University of Bedford in the New Year with a number of recommendations for making what they described as a very good document even better. This work has necessitated officers to gain further input from a wide range of agencies which has been time consuming. I am aware of the frustration this will cause and I apologise for that but we were keen that the process was completed with diligence and full process. The guidance has been out for consultation with education providers and once that process is complete it will be shared with families who have been involved as agreed by scrutiny previously. The final guidance will be officially launched by Herefordshire Council starting next month with a number of training events for education and multi agencies providers led by officers and the University of Bedford.

Response from the Chairperson of the Children and Young People Scrutiny Committee

Officers have outlined above updates on the implementation of the recommendations from the peer on peer abuse review. I appreciate that there has now been some time since the scrutiny committee considered the outcomes of the peer on peer abuse review in September 2020 and I like you am concerned that despite our recommendations there appears to have been little progress in their implementation. When the work programme is considered, later on in this agenda, I will propose that the committee receives a full update on progress made, to be scheduled at the next meeting on 1 June.

Supplementary Question:

This family asks whether this Committee will support their call for the immediate implementation of a process of truth and reconciliation overseen by someone the families trust?

Response to Supplementary Question:

A written response would be provided.