



To be submitted to the Council at its meeting on the 28th September 2023.

CHILDREN AND LIFELONG LEARNING SCRUTINY PANEL

20th July 2023 at 4.30pm

Present:

Councillor Silvester (in the Chair)

Councillors Astbury, Beasant, Boyd, Brasted, Croft, Goodwin, Holland (substitute for Downes), Patrick and Westcott.

Co-opted Member: Reverend Ian Robinson

Officers in attendance:

- Natasha Hilderley (Interim Assistant Director Regulated Services)
- Sally Jack (Assistant Director Education and Inclusion)
- Simon Jones (Assistant Director Law and Governance, Monitoring Officer)
- Guy Lonsdale (Finance Group Manager)
- Joanne Paterson (Scrutiny and Committee Advisor)
- Jo Robinson (Assistant Director Policy, Strategy and Resources)
- Janice Spencer (Interim Director of Children's Services)
- Michelle Thompson (Assistant Director Families, Mental Health and Disabilities)
- Helen Willis (Safeguarding Children Partnership Coordinator)
- Paul Windley (Democratic and Scrutiny Team Manager)

Others in attendance:

- Councillor Cracknell (Portfolio Holder for Children and Education)
- Chris Cook (Chair of Safeguarding Children's Panel Board)

3 members of the press and no members of the public were in attendance.

SPCLL.1 APPOINTMENT OF CHAIRMAN AND DEPUTY CHAIRMAN

It was noted that at the Annual General Meeting of the council held on 25th May, 2023, Councillor Silvester had been appointed the Chair and Councillor Brasted the Deputy Chair of the Children and Lifelong Learning Scrutiny Panel for the ensuing Municipal Year.

SPCLL.2 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Downes for this meeting.

SPCLL.3 DECLARATIONS OF INTEREST

There were no declarations of interest received in respect of any item on the agenda for this meeting.

SPCLL.4 MINUTES

RESOLVED – That the minutes of the Children and Lifelong Learning Scrutiny Panel meeting held on 9th March 2023 be agreed as a correct record.

SPCLL.5 QUESTION TIME

There were no questions from members of the public for this meeting.

SPCLL.6 FORWARD PLAN

The panel received the Forward Plan and members were asked to identify any items for examination by the panel via the pre-decision call-in procedure.

Mr. Windley drew members attention to the Children's Social Care Statutory Complaints and Compliments Annual Report 2022/23 and advised that this was likely to come before the panel in September. Furthermore, Mr Windley highlighted that the Skills Strategy and Action Plan had been considered at a special joint scrutiny panel earlier this week and would be taken forward by Cabinet in August.

The Chair asked that it be noted that the panel review the Skills Strategy and Action Plan in six months' time. Mr. Windley advised that this would be noted on the panel's work programme but would be subject to a further joint panel meeting in six months.

RESOLVED - That the update be noted and the Skills Strategy and Action Plan be reviewed in six months' time.

SPCLL.7 TRACKING THE RECOMMENDATIONS OF SCRUTINY

The panel considered a report from the Statutory Scrutiny Officer tracking the recommendations of the Children and Lifelong Learning Scrutiny Panel.

At SPCLL.9 (provisional financial outturn report), regarding a breakdown of children's education and social care out of area figures, Ms. Spencer advised that this report was on the agenda for today's meeting however it was marked as confidential.

At SPC.12 (special educational needs and disability (SEND) update), it was confirmed that officers were looking to organise a date for the Joint Workshop with Health and Adult Social Care Scrutiny Panel to look at the whole family approach which contributes to the early health and prevention agenda.

At SPCLL.54, Safeguarding Children Partnership Board, Mr Windley advised that the Chair of the Safeguarding Children's Board was here today to present the annual report.

RESOLVED - That the tracking report be noted.

SPCLL.8 PROVISIONAL FINANCIAL OUTTURN 2022/23

The panel received a report from the Portfolio Holder for Finance, Resources and Assets providing key information and analysis of the Council's position and performance at the end of the 2022/23 year. It was noted that this report was considered by Cabinet at its meeting held on 14th June 2023 and was referred to all scrutiny panels.

The Chair reminded members to keep their questions to children's services aspects of this report.

A panel member referred to the children and family services revenue budget variance of £16.2m and asked which direction this was likely to be travelling in.

Mr. Lonsdale noted that the council had seen continued significant demand in children's social care during the year and had invested significant resources into the budget through this process. The council had seen continued progress with the number of children coming into care and also a reduction in agency staff. The council needed to maintain those trajectories to allow it to bring forward a balanced budget.

Ms. Spencer further added that the integrated front door had been reconfigured to allow the correct thresholds to be applied. Work was also underway to exit children from care, and there was additional capacity being put into the system around child safety. Overall, there was significant improvement with reducing the number of children entering high cost provision.

A member asked whether the council could introduce an advertising budget for more foster carers in the borough. Ms Spencer advised that a whole scale review was taking place around how they delivered recruitment and retention.

A member referred to the capital programme and the underspend of £3.6m in education and inclusion and what the implications were. Mr Lonsdale stated the importance of having an accurate profile within the capital programme which in turn informed the cash management and borrowing decisions. Members were referred to the capital programme within the report that showed a more detailed analysis of the re-profiled spend.

A member noted the current rate of inflation at 10.7% and what the implications were for those figures within the capital programme, in particular for schools. Ms Jack noted that whilst they had scheduled in a budget, they would be bringing in additional funding for schools.

A member referred to revenue highlights and the £16.2m variance in children and family services and how this was going to be funded. Mr Lonsdale advised that it had been made clear in the report that the position was unsustainable over medium term. He further explained the position with reserves in more detail.

Members raised further queries around the timing of receiving the councils' financial quarterly reports. Ms Spencer advised of work they were undertaking around information being presented in real time.

The Chair noted that the panel had requested a workshop on budgets and the importance of this being held prior to receiving the next quarterly report.

A member made reference to the reserves figure and why in real terms the council were seeing a reduction in general reserves over its lifespan. Mr. Lonsdale advised that the general fund was set at £8.3m and this was assessed by the council's Section 151 Officer. Currently there were no plans to change this but it would be reviewed as part of next year's budget process.

Members raised further concerns around allowing reserves to reduce as inflation increased. It was noted that assurance had been provided as part of the budget setting process.

Further concerns were raised around the financial sustainability in children's services and the proposed closures of three nurseries. Ms Spencer advised that the process had been halted and the council were looking at a sustainable business plan, although they could not continue to fund provisions that were not financially viable. It was noted that further meetings were taking place over next couple of weeks but the outcome was not likely to be known until at least October this year.

Members were concerned around the lack of awareness of the significant public interest in this matter and suggested a special meeting of scrutiny panel be held regarding this.

It was proposed and seconded that this scrutiny panel look at the nursery closures in its entirety in terms of how this came about in the first instance

including revenue implications, future sustainability of nurseries and the wider public interest and that this be an open public meeting to be convened as soon as possible.

Mr. Jones highlighted that the relevant consultation had now ceased in terms of options for alternative provision and did not consider the wider remit suggested entirely appropriate. Ms Spencer added that an independent review of the consultation process was being commissioned.

A further discussion ensued around any future reviews of this matter and scrutiny's involvement. Members also raised concerns around further consultation and how new information would be brought back to this panel. In response to concerns, it was confirmed that there was no suggestion of further consultation at this stage. Ms Spencer advised that the matter was premature and suggested an independent person may be best placed to review matters.

Mr. Jones highlighted that any decision made by Cabinet gathered the pre decision views of scrutiny. Mr. Jones provided advice around scrutiny's involvement noting that operational meetings were for officers engaging with governing bodies of schools.

A member was concerned around reputational damage to the council and considered a special meeting be called to oversee this and ask all relevant questions. Mr. Jones highlighted that the scrutiny panel's role was to hold Cabinet to account and currently Cabinet had not made any decision. Cabinet only had intelligence around the consultation and this panel had no further remit to go into further operational issues.

RESOLVED –

1. That the report be noted.
2. That a special meeting of this panel be convened to look at the proposed nursery closures in its entirety, in terms of how this came about in the first instance and including revenue implications, future sustainability of nurseries and the wider public interest and that this be an open public meeting to be convened as soon as possible.

SPCLL.9 QUARTER 4 COUNCIL PLAN PERFORMANCE REPORT 2022/23

The panel considered a report from the Leader of the Council providing oversight of performance against the council plan for the fourth quarter of the 2022/23 financial year. It was noted that this report was considered by Cabinet at its meeting on 14th June 2023 and was referred to all scrutiny panels to consider matters within their terms of reference.

Ms. Robinson introduced the report and highlighted that the council plan had been refreshed and reviewed. Going forward a new integrated finance report would be used for Quarter 1.

A member referred to the Quarterly Performance Report at Appendix A, and highlighted, under health, that the percentage of children and young people receiving treatment by NHS funded community services was 45.9%.

Ms Thompson explained that the breakdown of this data was complex and agreed to provide the panel with the narrative around this.

Under children's social care and early help, a member queried the percentage of audits rated as good or outstanding and asked whether these were increasing or decreasing. Ms Robinson explained this was due to the way in which the statistics were presented live on the council's dashboard at that time. It was noted that further work on the council's dashboard was being undertaken to improve how this information was presented.

In response to a query around the average caseload for qualified social workers, Ms Spencer confirmed that the number of cases had come down which was positive to report. It was also pleasing to report that there were no unallocated cases.

Under public health, a member queried the proportion of children aged 10-11 years classified as overweight or obese being 42.6%. Ms Spencer advised that lots of work was being done around how we influenced parents' behaviour.

The Chair reminded members that a joint workshop with the Health and Adult Social Care Scrutiny Panel was being scheduled in this year, which would help to address this matter.

Another member sought clarification around the percentage of audits rated good or outstanding for March 2023 being 43% and asked how these audits were moving forward and what the percentage of audits across all services was. In response, Ms Spencer explained the Section 47 process and how they worked with the safeguarding children partnership around the improvements that needed to be made.

RESOLVED

1. That the report be noted.
2. That the Assistant Director Families, Mental Health and Disabilities provide a breakdown of the percentage of children and young people receiving treatment by NHS funded community services and the narrative around this to this panel.

SPCLL.10 CHILDREN'S SOCIAL CARE IMPROVEMENT UPDATE

The panel considered a report from the Director of Children's Services providing the panel with an update on the Ofsted Improvement Plan for Children's Services.

Priority A – Planning and Safety

Ms. Spencer advised that it was pleasing to report that although there were a couple of amber and red ratings, overall things were improving. One of the challenges had been the high number of children on a CP (Child Protection) plan however this was now gradually reducing. In terms of child protection visits within timescales, although there had been a dip, officers intended to run a month end report to give the latest position, but overall, it was felt this was going in the right direction.

A member noted that 3 out of 8 measures had red flags and asked what steps were being taken to improve these. In response Ms. Spencer advised that the number of children that were on a CP Plan were being revised, and the council needed to think differently around what intervention was needed.

In response to a query around consistency of performance, the council were on a trajectory going upwards although it was noted that the council had a large increase in demand in June which had been unpredictable.

A member queried the number of children missing from education, and how the breakdown in communication had occurred. Ms Spencer advised that Elective Home Education (EHE) was lawful in England. Also, not all missing children from education needed social care intervention, and further explained how the council developed support around the child. The Safer Community Partnership also did a lot of work around this.

A member asked for a picture around the performance measures at the time of the Ofsted inspection in 2022. Ms Spencer advised that all local authorities had challenges, and it was more about how the authority measured those challenges and risks. Ms. Spencer further detailed the reporting mechanisms currently in place.

Members raised further concerns around insufficient local provision in schools. Officers responded that work was underway with a sufficiency strategy for SEND. Officers outlined work that was being undertaken with the free school bid and the council was working with the Department for Education (DFE) for further provision in schools.

With regards to addressing any misalignment within secondary schools', officers explained how the council had worked to maintain those children with more complex needs in those settings. The launch of 'Delivering Better Value in SEND' had helped to encourage keeping the youngest children in their community provision.

A member was concerned around current financial pressures in terms of keeping children in education and filling school places. Ms. Spencer explained how they would support these children under the council's new provision called Launch Pad, a turnaround provision for children with additional needs.

Priority B – Childs journey through the system

Ms. Spencer advised that officers were working with families to provide a universal offer. Further developments included the launch of the new early help assessment, which had made a significant change to children's lives, and it was pleasing to report on this excellent piece of work.

It was further reported that the number of contacts into integrated front door had increased, however this was due to capturing all of the necessary information. It was noted that the number of referrals had increased due to a spike in demand. However, the percentage of re-referrals had decreased and now the council was seeing less children come through the system and work was underway to sustain that change.

A member asked how this council was performing in comparison to our neighbouring authorities. Ms Spencer commented that although this council was not far off, there was still some way to go.

In response to queries around contacts into the integrated front door and the fact these had increased. Ms Spencer advised that the old electronic form would cease and instead the service was being improved to include more detailed telephone consultations.

Priority C- homes and families for children who are looked after.

Ms. Spencer noted that real improvements had been made here. However current challenges were around the number of children in care and those in the correct placements. Officers had identified a number of children that could be safely exited from care.

In terms of the number of children entering care, this had increased in June although it was hoped this level would balance out. It was noted that there would be opportunities going forward to reconfigure services the focus being on managing risk in the community. Also, the number of children leaving care had started to reduce, there were still more children who left care than entered care, this being an achievement.

A member queried the increase in the number of Looked After Children (LAC) over the last month. Ms Spencer explained that this was about managing risk and how action was taken.

Members explored whether there were any seasonal changes that affected these demands, Ms Spencer confirmed they saw an increase at the end of terms and a peak at Christmas.

In response to further queries, Ms Spencer explained the reasons why children came into care which was predominantly due to domestic abuse. Work was underway to re-commission the council's domestic abuse services which would include a new programme around 'safer and together'.

Members queried the number of CLA (Children Looked After) this being 558 and also the Number of CiC (Children in Care) being 588 at month end. In response, Ms. Spencer noted that they had re-set the tolerance so that less was more and further explained how this worked.

Priority D, People and Workforce

Ms. Spencer noted that there was a number of measures that were amber and noted that the permanent workforce had increased by 62% an improved position. She further added that the average caseloads had also reduced, with 16 being average.

Ms. Spencer reiterated the importance of supervisions in timescales, it was pleasing to report that this figure had increased significantly from previously. With regards to the council's residential homes, a massive improvement had been made with only three now requiring improvement. Ms Spencer highlighted the checks they were doing around fostering including a 'deep diver' fostering provision.

A member asked how the council were adjusting the workloads for the South African social workers. Ms. Spencer confirmed most were doing really well, however, some required additional support.

A member asked when the social workers were likely to take on full time workloads, and what action was being taken to ensure the council's residential homes were fully occupied. It was about ensuring the council were supporting staff correctly with the focus being able to understand the children needs. It was confirmed that the council only had 2 vacancies in residential provision and the council were reviewing all children in residential provision.

A member asked about training for social workers in their daily roles. Ms Spencer advised that a practice improvement assessment supported their employment and there was also a 3-year training programme.

In response to a query around permanence of the workforce in terms of retention, there was now much better staff morale.

A further discussion ensued around what was required to receive a 'good' inspection rating within the residential homes. It was noted that residential homes were fully inspected once a year and those that were underperforming had now a much healthier and stronger workforce to meet the needs of children in these provisions. Also, it was encouraging to see that Ofsted recognised that journey of improvement in terms of strong management and leadership.

A Member commented on the residential homes that were now closed and whether these would be replaced. It was confirmed that there were two homes de-registered, and both would be used for wrap around support and were going through the relevant processes.

A Member asked about the Foster Care Recruitment Programme. It was noted that there was a huge piece of work underway with the council's sector led improvement partners to look at how best to promote and recruit foster carers.

A member queried the national shortage of foster carers. Ms Spencer considered this council had not been as proactive as it could have been and considered wrap around support needed to be improved.

The Chair was pleased with the improvements being made.

RESOLVED - That the report be noted.

SPCLL.11 UPDATE ON DEVELOPMENTS WITH THE SAFEGUARDING CHILDRENS ARRANGEMENTS

The panel received the Annual Safeguarding Report from the Chair of the Safeguarding Childrens Panel. Mr. Cook highlighted an error within his report noting that the annual report was for the period 2021-22 and not 2022-23. Mr. Cook introduced the report and proceeded to deliver a presentation to members.

The presentation set out the context to the North East Lincolnshire Safeguarding Children Partnership (SCP) and included details around the SCP Local Arrangement Plan, performance statistics, SCP priorities, the focus for 21-22, achievements, areas for improvement, identified risk and finally areas for priority in 2023-24.

Members were invited to ask questions.

In response to queries raised, Mr. Cook assured members that in terms of the partnership he had engaged with education colleagues and the voluntary sector within North East Lincolnshire and this looked positive moving forward.

RESOLVED – That the report and presentation be noted.

SPCLL.12 CHILDREN'S EDUCATION AND SOCIAL CARE OUT OF AREA FIGURES

The panel received a report from the Assistant Director Education and Inclusion on the above. Ms Spencer explained that the report was in fact confidential and would be considered further down the agenda under the exclusion of press and public.

It was noted that the information for this item was circulated after the agenda for this meeting had been issued, and due to its confidential nature, it was agreed by the panel that this matter would be considered following exclusion of the press and public.

RESOLVED – That the report be considered following exclusion of the press and public.

SPCLL.13 CHILDREN AND LIFELONG LEARNING SCRUTINY PANEL WORK PROGRAMME – REVIEW 2022/23 AND WORK PROGRAMME 2023/24

The panel considered a report from the Statutory Scrutiny Officer (Assistant Chief Executive) summarising the panel's agreed 2023/24 work programme and the timetable of activities to undertake this work. The panel also considered any issues it may wish to retain in or add to its work programme for 2023/24.

Mr. Windley reminded members that an informal workshop had been held to consider items for this year's work programme. It was noted this was a flexible work programme and that some topics had been included in the schedule for the coming year.

Mr. Windley advised the panel to focus on its priorities, and keep the agendas focused on key items. It was recognised that additional topics would need to be added to the panel's programme in due course.

It was noted that nominations for member champions for the children's homes were to be sent through to Mr Windley to make the necessary arrangements.

The Chair highlighted the timescales for the SEND item which was currently scheduled for the November meeting. Ms Spencer confirmed that this was achievable in terms of timelines, providing it was outside school hours.

Some new members on the panel expressed an interest in visiting the integrated front door services. Members were asked to register their interest with Democratic Services.

RESOLVED – That the report be noted.

SPCLL.14 QUESTIONS TO PORTFOLIO HOLDER

There were no questions for the Portfolio Holder for Children and Lifelong Learning at this meeting.

SPCLL.15 CALLING IN OF DECISIONS

There were no formal requests from Members of this panel to call in decisions of recent Cabinet and Portfolio Holder meetings.

SPCLL.16 URGENT BUSINESS

A member of the public took the opportunity to raise concerns about how his correspondence with the council had been handled. Mr. Windley noted that this was subject to a formal complaint and agreed to speak to the resident outside of the meeting.

SPCLL.17 EXCLUSION OF PRESS AND PUBLIC

RESOLVED - That the public and press be excluded for the following item on the grounds that discussion of the following business was likely to disclose confidential information within paragraphs 1 and 3 of Schedule 12A of the Local Government Act 172 (as amended).

SPCLL.18 CHILDREN'S SOCIAL CARE IMPROVEMENT

The panel were provided with an opportunity to discuss any confidential matters of concern with the Director of Children's Services. No such matters were raised.

SPCLL.19 CHILDREN'S EDUCATION AND SOCIAL CARE OUT OF AREA FIGURES

The panel received a report from the Assistant Director Education and Inclusion on the above and as referred to at item SPCLL.12.

A member asked what the council were doing to reduce out of area placements. In response, Ms. Spencer detailed the work that had been undertaken to reduce out of area places and how the council would work to bring children back into this area.

In response to a concern around commissioning, Ms. Spencer provided reassurance around the way forward.

Members were concerned around how children were placed based around their preference, officers confirmed that a more family network approach was now being taken.

With regards to the cost of external education placements, officers confirmed what work was being undertaken to bring children back into the borough through specialist school provision (Launch Pad).

RESOLVED – That the report be noted.

There being no further business, the Chairman declared the meeting closed at 7.10 p.m.