

Children's Select Committee

MINUTES OF THE CHILDREN'S SELECT COMMITTEE MEETING HELD ON 17 JANUARY 2023 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Jon Hubbard (Chairman), Cllr Jacqui Lay (Vice-Chairman), Cllr Helen Belcher OBE, Cllr Mary Champion, Cllr Carole King, Cllr Kathryn MacDermid, Cllr Kelvin Nash, Cllr Mike Sankey, Cllr Jo Trigg, Dr Mike Thompson, Nikki Barnett and John Hawkins

Also Present:

Cllr Peter Hutton and Cllr Suzanne Wickham

1 **Apologies**

Apologies for absence were received from the following:

- Cllr Antonio Piazza
- Cllr Mark Verbinnen
- Cllr Laura Mayes, Deputy Leader and Cabinet Member for Children's Services, Education and Skills

2 **Minutes of the Previous Meeting**

Resolved

To approve the minutes of the previous meeting, held on 25 October 2022, as a true and correct record.

3 **Declarations of Interest**

Cllr Trigg declared an interest that she was Chair of Governors at John of Gaunt School. She also noted that she was due to become the Vice-Chair of the Equa Multi Academy Trust but was yet to start the role.

4 **Chairman's Announcements**

The chairman, on behalf of the committee, congratulated Cllr Helen Belcher on receiving her OBE. He also made the following announcements:

- The committee would hold an informal meeting on 19 January to discuss aspects of the budget proposals relevant to the committee's remit. The chairman offered to relay any of the committee's queries to the Overview and Scrutiny Management Committee on 24 January.

- The vice-chairman and he would hold their annual meeting with the executive on 25 January to discuss areas of focus for overview and scrutiny for the year ahead.
- The committee would receive an online briefing about the Schools Forum budget on 24 January, as well as in in-person briefing on 31 January about budget pressures. He noted that the annual Schools Forum budget was in excess of £400 million.

The chairman then read out a statement in relation to the item about Wiltshire Council Funded Emotional Wellbeing and Mental Health Services considered at the previous meeting:

Following this [25 October] meeting I have received representation from Barnardo's regarding their Wiltshire Healthy Minds Service. Barnardo's viewed the recording from the meeting and raised what they called "serious concerns and misleading statements" advising that they had submitted the required information via a written report to officers on 6 October. I have raised this matter with the corporate director, who has undertaken an investigation and been in communication with Barnardo's.

Subsequently, officers have apologised and accepted this was unacceptable. In response to Barnardo's concerns the following actions have been agreed;

- *That I will read out this statement to ensure transparency.*
- *That the report Barnardo's submitted on the 6 October is shared with committee members. I understand that this was circulated to all members prior to this morning's meeting.*
- *Create a description box under the select committee recording of 25 October 2022 on the Wiltshire Council website with some details of this issue. I understand that this has also now been completed.*
- *Ensure commissioners fully discuss the detail of select reports with providers ahead of publication.*

Officers accept that this situation was unacceptable, but isolated, and I have asked them to assure me that this situation is not repeated and that this can be mitigated by advising providers when reports are coming to select committee. This will then provide the opportunity to be present at the meeting for discussions.

If I might add on a personal note, I am absolutely horrified that we have had to deal with this issue and I unreservedly apologise to both the committee and our partners that the committee was misinformed in this way, and that subsequently our debate was so negatively impacted by it.

Perhaps though this unfortunate incident does remind us all of one of the most important rules in quality scrutiny work, that we should seek every opportunity to triangulate all information that we receive as councillors.

Members have heard me on many occasions go on about what has led to failures in other authorities, and even our own back in 2011. One of the key failures by councillors in all of these incidences has been that they have accepted at face value all of the information presented without challenge or accepted that they should not be asking the questions they were asking.

Neither of these is acceptable and if there is any learning for members from this sorry episode it is that we should all redouble our efforts in asking questions and not accepting face value answers without double and triple checking.

And for officers, please be mindful that when we as members are challenging answers, it is because of our desire to ensure we are always working with the best, most reliable information possible. It's not that we don't believe or trust you, but it is our jobs to challenge, to probe and to explore and try to make sure we are working with the whole truth.

5 **Public Participation**

There was no public participation.

6 **Roadmap to Excellence**

The Interim Director for Families and Children's Services outlined the key areas of focus to make Wiltshire an outstanding local authority for the delivery for Families and Children's Services, as follows:

1. Deliver consistently good services.
2. Enhance and embed the voice of children, young people and families to inform practice development and service delivery.
3. Achieve a fully staffed permanent workforce through an effective workforce strategy.
4. Partnership development of Family Help (e.g., early help).
5. Improving sufficiency and choice of suitable placements.
6. Good access to mental health support and services for all children and young people.

During the discussions, points included:

- The committee thanked the interim director for the update and welcomed the aspirations set out in the report.
- In response to queries about how the impact of early help interventions were being monitored, the interim director explained that they engaged with different agencies and their work was being reviewed by Oxford Brookes University to ensure that there was a rigorous analysis of 'front door' services. Oxford Brookes had provided positive verbal feedback and their report was expected to be published around the end of January.

- The committee noted that they would welcome further detail about the timelines, as outlined in the service delivery plan, to give them an overview of the progress being made.
- When asked about whether the change to an outreach-based model for children's centre services had led to an improvement in the quality of intelligence being received, the directors stated that they could provide statistical information if required. Overall, they did feel that the outreach model had been more effective at delivering services than model based on a central hub.
- It was noted by members that they would welcome a briefing on the effectiveness of the change to outreach, rather than children's centre, model.
- The Corporate Director People highlighted that information from the Families and Children's Transformation Programme (FACT) had been used to inform a Family Help pilot project. Family advisory boards were also working with parents who had experienced care.
- It was confirmed that Aspire House was not a children's home but was going to be used as part of a tender for a contract to house 12 children in Wiltshire.
- The Interim Director for Families and Children's Services explained that external scrutiny focussed on whether a child was placed within 20 miles of their home address, but the council did also monitor the number of children placed out of county. Chairman of the Corporate Parenting Panel, Cllr Peter Hutton, emphasised that ensuring that placements were safe and stable were the most important considerations.
- The Head of Commissioning for Families and Children's Services confirmed that approximately a quarter of children requiring children's home places were placed in Wiltshire. The committee noted they would welcome further information about the providers of these places and highlighted the importance of their role as corporate parents.
- The committee praised the work of staff and noted that they had noticed an uplift in morale in recent years.
- The Interim Director for Families and Children's Services noted that there was a five percent vacancy rate overall for social workers and that recruitment campaigns were set out in their workforce strategy. She had held a meeting with staff last week and praised them about the great job that they were doing. Deeper analysis of exit interviews for staff leaving the service was also underway.
- The interim director stated that she was happy to amend the wording of sections 4.5 and 4.6 of their plan to aim for 'no', rather than 'fewer', young people being in unregulated, unregistered or temporary accommodation.
- It was noted that a rapid scrutiny exercise was due to take place on 2 and 9 March and that they would report back to a future meeting of Children's Select Committee.

Resolved

1. To receive either a report or a briefing on the effectiveness of the change to outreach, rather than children's centres, model. Final details of the arrangements would be agreed between the chairman, vice-chairman, and senior officers.
2. To discuss at the meeting with the executive on 25 January 2023 arrangements for a briefing to the committee on the whole structure of Children in Care Service, such as the use of foster parents and external providers.

7 **National Review into Safeguarding Children with Disabilities and Complex Health Needs in Residential Settings**

The Interim Director for Families and Children's Services informed the committee about the outcomes and recommendations of the quality and safety reviews of 10 Wiltshire children and young people with disabilities and complex needs. She noted that the review had been requested by the Child Safeguarding Practice Review Panel on 23 August 2022. She was pleased to report that there had been no safeguarding issues or areas of concern identified. However, she did believe that there were opportunities to learn from the study to make the system even more robust. She noted that Regulation 44 visits would be routinely requested and reviewed by commissioning when they had concerns about a provider, such as when their Ofsted rating was requiring improvement.

During the discussion, points included:

- Members thanked the interim director for the update and were pleased to hear that the report did not raise any safeguarding concerns.
- It was noted that the majority of the 10 children were placed outside of the county. Children with special educational needs (SEN) often require specialist care and there are a limited number of locations nationally able to offer this support.
- The Head of Commissioning for Families and Children's Services assured the committee that they had an open-door policy, where they could turn up unannounced at an external provider to complete an inspection.
- The change to Regulation 44 visits being undertaken externally, rather than by an officer and elected member of Wiltshire Council, was praised by the committee.
- The interim director explained that there were no themes in the feedback given by parents, other than that the majority were happy with the care that they were receiving.
- The Corporate Director People confirmed that the implementation of the recommendations in paragraph 25 of the report would not await the outcome of an additional study in 2023 to review similar residential placements for children and young people not in dual registered establishments.

Resolved

1. **To thank the interim director for the report.**
2. **For the chairman and vice-chairman to receive briefings on:**
 - I. **The recommendations agreed by the multi-agency review group.**
 - II. **The progress of the review of similar residential placements for children and young people not in dual registered establishments.**

8 **Shaping the Future Programme with Schools**

The Head of School Effectiveness provided a verbal update on the ramifications of the withdrawal government's Schools Bill. He reported that the requirement for all schools to academise by 2030 had now been removed. Although confirmation was yet to be received, it was anticipated that registrations for local authority established Multi Academy Trusts (MATs) would no longer be progressed.

He reassured the committee that Wiltshire Council continued to advocate the 'family of schools' model for maintained schools in line with the Wiltshire Learning Alliance's strategy. As part of this work the Maintained Architecture Strategy Group, formed of representatives of Wiltshire Council, headteachers and governors, had developed a toolkit to support schools that were looking at academisation or stronger collaborative arrangements. They were also working on an academy prospectus checklist and, from February, academy roadshows. In addition, a revised school improvement framework was being developed and was looking at issues such as best practice and addressing underperformance.

During the discussion, the following points were made:

- Members thanked the Head of School Effectiveness for the update.
- The Director for Education and Skills noted that the verbal update would be followed by a longer, in-depth, session.
- The director spoke about the importance of supporting all schools regardless of their intentions about becoming academies. She emphasised that it was key for schools be able to take well informed decisions and highlighted that Wiltshire Council helped to signpost schools to useful information.
- The director noted that they had been informed verbally that a local authority established MAT would not be progressed but had yet to receive written confirmation. She also clarified that the proposals were for a MAT established, but not run, by the local authority.
- The committee mentioned that they would be interested in understanding the number of work hours and cost of drawing up the proposals for a local authority established MAT.

- Concerns were raised by members about the possibility of smaller schools, predominantly in rural areas, not being commercially attractive to MATs. In response, the Head of School Effectiveness agreed that there were challenges and noted that there was a national working group looking at small rural schools. He highlighted that they engaged closely with schools, including headteachers and governors.

Resolved

To thank the Director of Education and Skills and the Head of School Effectiveness for the update.

9 Outcome of the Rapid Scrutiny on High Needs Block Funding

Cllr Trigg, lead member of the rapid scrutiny exercise, introduced the report. She provided background information explaining that the High Needs Block received £63 million in funding in 2022/23, around 15 percent of the total Dedicated Schools Grant. The demand for Education Health and Care Plans (EHCPs) had increased dramatically in recent years, from 1,992 in 2015 to 4,608 by the end of 2022, equating to around four percent of the school age population. The group welcomed planned changes at Silverwood School, as well as proposals to open resource bases in secondary schools to increase the number of places, provide more options for parents and give greater financial oversight. The group also noted that Wiltshire was one of 55 local authorities with a deficit in High Needs Block funding that were part of a programme to deliver better value in SEND, by looking at ways to improve diagnostics and implementation of plans.

Cllr Trigg explained that the group felt that establishing a task group would be unlikely to be beneficial at the present time as the Department for Education's Delivering Better Value in SEND programme was carrying out an in-depth review of pressures on the High Needs Block budget and timeliness of EHCP assessment. However, the group did come up with a number of recommendations, available on pages 60 and 61 of the agenda pack, which Cllr Trigg outlined in detail.

During the discussion, points included:

- The committee welcomed the recommendations and thanked the rapid scrutiny group for the report.
- In response to a query about unmet demand for EHCPs, the Director for Education and Skills explained that children identified with additional needs would already to have a support plan and the assessment would decide whether an EHCP was needed.
- When asked whether Wiltshire had the capacity to support all of the children currently waiting for an EHCP assessment, the director explained that government funding was based on the historical pupil numbers.
- It was confirmed that Wiltshire's School Effectiveness Team had specialist SEN officers that worked with all schools to provide training

and assist with annual reviews. Work was also ongoing to develop Ordinarily Available Provision for All Learners (OPAL) setting out expected levels of support for children with SEN in mainstream educational settings.

- The director noted that Wiltshire worked closely with other local authorities to provide support for children educated outside the county, but that the expansion of Silverwood and the SAIL School in Salisbury would improve flexibility and could help to manage transport costs.
- The director also explained that waiting time for Education, Health and Care Need Assessments was a priority and they were regularly recruiting education psychologists to carry out assessments.
- As the rapid scrutiny group had highlighted concerns about how performance assurance could be provided to the council without creating extra bureaucracy for schools, the chairman suggested that the vice-chairman and he could receive a briefing on the methodology being used to monitor wider performance measures (excluding costed provision maps). The committee agreed to add this to the nine recommendations made by the rapid scrutiny group.
- It was noted that a pre-committee briefing would be held on SEND provision scheduled for 14 March 2023.

Resolved

1. To approve the establishment of a rapid scrutiny exercise or short-term task group (as two meetings may be required) to collect information on local authorities who have managed to avoid a deficit for their High Needs Block. Once that information is collected it should enable the committee to decide whether or not further scrutiny of Wiltshire Council's approach regarding its High Needs Block deficit would be beneficial.

The task group recommends that the Cabinet Member for Children's Services, Education and Skills and / or the Cabinet Member for Adult Social Care, SEND and Inclusion:

2. To consider offering a place for an overview and scrutiny member on the council's governance body linked with the "Delivering better value in SEND" Department for Education-led programme.

3. Ensure that the issue of timeliness for EHCP and Education Health Care Needs Assessment is regularly reviewed by the relevant performance and outcome board and to ask officers to provide a briefing for the chair and vice-chair of the Children's Select Committee in 6 months-time (June / July 2023) on improvements made to timeliness. Members of the rapid scrutiny exercise would also be invited to the briefing. Based on information provided at the briefing a decision could then be made on the benefits of further scrutiny of this particular issue.

4. Raise Wiltshire Councillors' awareness of the lobbying tools available for the young people and school(s) in their division as well as encourage councillors to explore how inclusive the school(s) in their division are.

This could be a light touch approach through the regular communications to councillors or via the Councillors' Hub.

5. Ensure that the High Needs Block deficit and risks associated to it are brought to councillors' attention when they receive information and / or training on the budget, as well as when the budget is presented. Consideration could be given to a standalone page, with an explanatory note, as part of the budget papers.

6. Provide an update to the Children's Select Committee in June / July 2024 on the success of resource bases in secondary schools (as started in September 2023).

7. Consider investing more officer time into the roll-out of costed provision maps to enable these to be undertaken for all EHCP within a reasonable timeframe. This may be an "invest to save" approach as it should provide better monitoring of impact and performance.

8. Provide a briefing for the chair and vice-chair of the Children's Select Committee in 6 months-time (June / July 2023) on the roll-out of costed provision maps. Members of the rapid scrutiny exercise would also be invited to the briefing. This could be part of the same briefing as proposed in recommendation 3.

9. Use one of the regular updates from Schools Forum to the Children's Select Committee to provide further information on the High Needs Block working group, including terms of reference and membership.

10. For the chairman and vice-chairman (or the committee) to receive a briefing on the methodology being used to monitor wider performance measures.

10 Regular updates

Members were reminded that they had the opportunity to submit questions in advance of the meeting.

10a Update from Wiltshire Youth Voice Representative

Officers were thanked for the report. A request was made that the document linked to via the report in the online agenda pack could be made available to the committee.

10b School Ofsted Judgements

The committee welcomed the change in the Ofsted rating of Matravers and Melksham Oak schools going from 'requiring improvement' to 'good'.

10c DfE Changes - Update from Department for Education

Officers were thanked for the report.

11 **Working together to improve school attendance**

It was noted than an update would come to a future meeting.

12 **Schools Forum**

The chairman highlighted key items from the last meeting of Schools Forum and encouraged members to attend briefing sessions about their budget, the first of which would be held online on 24 January.

12a Corporate Parenting Panel

Chairman of the Corporate Parenting Panel, Cllr Peter Hutton, welcomed the feedback of Children's Select Committee's Standing Task Group on their annual report.

13 **Directors' update**

Corporate Director People

- The corporate director reminded the committee that an independent national review of children's social care had taken place. She had recently spoken to a minister about the government's response and Wiltshire Council was currently reviewing the recommendations. A report would be bought to a future meeting of the committee.
- The chief executive and she had spoken to other local authorities about their use of agency workers.
- She confirmed that the was yet to be notified that any of Wiltshire Council's social workers were taking industrial action.

Education and Skills

- The Director for Education and Skills explained that they would be issuing guidance to schools about National Education Union strikes scheduled for 1 February, 2 March and 15-16 March.
- She reported that Ofsted and the Care Quality Commission had published the inspection framework for SEND for the local area inspection in Wiltshire, which would also look at alternative provision.
- She noted that the council's SEND Strategy was due to expire in 2023 but was likely to be extended for a further year. Detailed consultation was underway with partners about a replacement strategy to be implemented from 2024.
- The recent good Ofsted inspection of Wiltshire's Family and Community Learning Service was praised by the director.

- She then took the opportunity to pay tribute to Emma Russell, the former headteacher at Kennet Valley School, who had sadly passed away, praising her passion for her school and community.

14 **Cabinet Member and Portfolio Holders' update**

The Chairman of Corporate Parenting Panel informed the committee that two events had been held at County Hall before Christmas, each of which was attended by 50 young people. He praised the officers, and Father Christmas, for supporting the event.

Portfolio Holder for SEND and Inclusion, Cllr Suzanne Wickham, congratulated five additional Wiltshire schools on achieving the Dyslexia Friendly Quality Mark, two of which were secondary schools. She was also pleased to report that she had attended an event held by the Rise Trust on 16 January about unpicking blocks in Education Health and Care Plans.

15 **Chair's update**

The chairman noted that his update would be covered under items 16 and 17.

16 **Overview and Scrutiny Activities Updates**

The chairman and the senior scrutiny officer gave an overview of the activities of recent task groups and rapid scrutiny exercises. Key points included:

- The Sanding Task Group had considered the annual report from Traded Services and were pleased with the robust governance and progress made. The Head of Traded Services thanked the task group for their feedback.
- The Standing Task Group were also very pleased with the Corporate Parenting Panel Report. They did note that they would welcome a one-page overview to improve public awareness of the panel's work.
- Volunteers were sought for the forthcoming task groups on post-16 provision and mental health for children and young people.

Discussion then turned to how the committee might supervise the budget major contracts awarded by the council to support children's services. The chairman reported that a recent review by the Overview and Scrutiny Management Committee's Finance Task Group had recommended that each scrutiny committee play a more in-depth role in scrutinising major contracts. The suggestion of setting up a standing task group to scrutinise these contracts was endorsed by the committee. The chairman reported that the vice-chairman and he would take the feedback to their meeting with the executive on 25 January.

Resolved

1. **To note the update on task group and rapid scrutiny activities provided.**

2. To agree for the **Standing Task Group** to consider the next annual report for **Traded Services**, at which time a decision can be made on further scrutiny.
3. To approve the membership for the following task groups:
 - **Mental Health for Children and Young People**
 - **Youth Provision and Youth Service Funding**
 - **Post-16 Provision**
4. To seek members for the vacancies on:
 - **The Mental Health for Children and Young People Task Group**
 - **The Post-16 Provision Task Group**
5. To indicate the committee's preferred approach, a standing task group, to overview and scrutinise budgets and major contracts.

17 **Forward Work Programme**

The chairman asked the committee whether there were any items that they would like to be added to their forward work programme.

18 **Date of Next Meeting**

The date of the next meeting was confirmed as Tuesday 14 March at 10:30am. The chairman also noted that there was a possibility that the date for the committee's meeting, scheduled for 20 September, could be moved.

19 **Urgent Items**

There were no urgent items.

20 **Glossary**

(Duration of meeting: 10.30 am - 1.15 pm)

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