



# Minutes

## *EDUCATION, SKILLS AND CHILDREN'S SERVICES SELECT COMMITTEE*

**MINUTES OF THE EDUCATION, SKILLS AND CHILDREN'S SERVICES SELECT COMMITTEE HELD ON MONDAY 8 SEPTEMBER 2014, IN MEZZANINE ROOMS 1 & 2, COUNTY HALL, AYLESBURY, COMMENCING AT 2.00 PM AND CONCLUDING AT 4.02 PM.**

### **MEMBERS PRESENT**

Margaret Aston, John Chilver, Dev Dhillon (Vice-Chairman), Paul Irwin, Valerie Letheren (Chairman), Wendy Mallen, Robin Stuchbury, David Watson and Katrina Wood

### **CO-OPTED MEMBERS PRESENT**

David Babb and Monique Nowers

### **GUESTS PRESENT**

Angela Macpherson and Martin Tett

### **OFFICERS PRESENT**

Michael Carr, Sue Imbriano, David Johnston and Yvette Thomas

### **1 APOLOGIES FOR ABSENCE**

Apologies were received from Phil Gomm.

### **2 DECLARATIONS OF INTEREST**

Margaret Aston declared that she was a member of the Fostering Panel.

### **3 MINUTES**

The minutes of the meeting held on 1<sup>st</sup> July were confirmed as a correct record subject to the following amendment:



INVESTOR IN PEOPLE



Under Item 5 Chairman's Report the final sentence was amended to read 'The Chairman had also attended the United Nations Day with school pupils and was planning to visit Thomas Hickman School to learn more about their pupil premium work.'

Mr Stuchbury advised the Committee that he had not yet received a response from Chris Munday, Service Director – Learning, Skills and Prevention to his questions at the last meeting regarding Grammar School admissions.

#### **4 CHAIRMAN'S REPORT**

The Chairman reported that she had met with Mr Donald McPhail, Chairman of the Buckinghamshire Safeguarding Children Board, who was attending the meeting today. The Chairman had also begun some early work ahead of the Children's Internet Safety Inquiry, including meeting with a sixth former.

#### **5 COMMITTEE MEMBER UPDATES**

There were none.

#### **6 THE OFSTED INSPECTION OF CHILDREN'S SERVICES**

The Chairman welcomed Mr Martin Tett, Leader of the Council to the meeting. Mr Tett thanked the Chairman for inviting him to talk to the Committee about this most important and serious topic – the safeguarding of vulnerable children. Mr Tett began by making a statement to members, in which he affirmed his commitment to making the necessary improvements to Children's Services.

Mr Tett reported that at Cabinet this morning, the findings of the Cabinet Member's Task and Finish Group and the Ofsted Inspection were discussed. Care of vulnerable children had been a key priority as set out in the Corporate Plan which was agreed by full Council. But there had been major challenges in this area in recent years. During 2013-14 the number of contacts with social care had increased by 71% and referrals rose by 70%. Just under half of all referrals came from Thames Valley Police (TVP) and Health, with referrals from TVP increasing by 143% and Health referrals increasing by 139%.

In addition to this increase in demand, there had been legal changes and an increased profile on Safeguarding, following media coverage of cases such as Baby P and the historic offences of Jimmy Saville. However from Quarter four of last year the numbers of children in care began to stabilise.

The Cabinet Member's Task and Finish Group undertook a detailed review, particularly focussing on the financial drivers within the service and action was taken earlier in 2014 to introduce additional social worker capacity. The Council had spent significant amounts of money on Children's Services - £38.8million in 2012-13, £42.3million in 2013-14 and today at Cabinet additional spending had been agreed which would equate to £45.8million in 2014-15. Yet the Council's grant from central government has decreased by 44%. These spending levels were indicative of the importance the Council attached to protecting all of the vulnerable people in Bucks. The strategic plan was also amended last year to include an important strategy to combat Child Sexual Exploitation (CSE).

Mr Tett commented that Ofsted had identified areas which the Council already knew about and there were other findings, such as those connected to the Buckinghamshire Safeguarding Children Board (BSCB) which the Council was unaware of. Following a long discussion at Cabinet this morning, it was agreed to recommend to Council to give added emphasis to this priority. £4.5million would be taken from reserves to help Children's Services make

improvements and the £1 million contingency budget already held within the service's budget would be used to fund immediate measures necessary for the Ofsted Improvement Plan.

This demonstrated why it was important for the County Council to protect its reserves, for use only in emergencies. The general fund reserves had been reduced from £31million to £21 million. Once the Ofsted Improvement Plan had been finalised then additional resources may still be required and the Medium Term Plan (MTP) process, whereby BCC sets its budget, would have to reflect this commitment.

In conclusion, Mr Tett stated that he was reaffirming the Council's commitment to Children's Services and he welcomed the focus on the issues from both the Cabinet and this Select Committee. He also paid tribute to the staff working in the service who had coped admirably with a phenomenal workload and their hard work was very much appreciated.

The Chairman thanked Mr Tett for his opening statement and invited members' questions:

**Will this be a priority from now on? The report indicates that shortcomings were known 12 months ago, so why were Children's Services not prioritised sooner?**

All Cabinet Members have their own priorities – for example, for me this includes Broadband and the overall financial context of the Council. The priorities of the Council are set by full Council, with every member involved in writing and reviewing the Plan, so you set the priorities. Two of our eight priorities relate to Children's Services. I won't argue with Ofsted – we need to revisit the priorities next year and should really emphasise protecting the vulnerable, which includes older people and adults with learning disabilities as well as children.

**How can we deal with this when this Select Committee did not know all the facts?**

I have checked back through the minutes of Council and this Committee and the challenges faced by Children's Services have been reported. Also at Cabinet there is a quarterly budget review of each service. A member commented that he was encouraged by the financial commitment which was now being put in place. Historically Bucks had not spent enough on Children's Services but this might have predated Mr Tett's tenure as Leader.

**The Ofsted report criticises senior leaders saying 'there has been too little analysis of where problems lie' which suggests that while issues were identified, they were not analysed effectively. Is this now being done for the Improvement Plan?**

Again, Cabinet was aware of the overspends in Children's Services and usually the overspends were written off and then added into the base budget for the following year, so financially we have responded. But it is very challenging to understand the underlying pressures and we struggled to get an explanation from the service as to exactly what the underlying problems were. This was why Angela Macpherson, Cabinet Member for Children's Services established a Task and Finish Group to look at the context of the continually increasing spend. The increase in referrals and an increasing number of Looked After Children, particularly in their teenage years were interconnected problems. The Council did know an Ofsted inspection was imminent and with hindsight, the Task and Finish Group's findings were reported slightly too late.

**When we ask the public for their views each year, how prominently are Children's Services displayed?**

When you talk to people on their doorsteps they often complain about the state of the roads or pavements. This doesn't mean that Children's Services is not a priority for the Council. This year's budget consultation will emphasise caring for vulnerable people more.

**Recruitment of social workers appears to be crucial.**

I have discussed this issue with other Council Leaders. The shortage of experienced social workers is a national issue, but it is especially difficult in the home counties as there is a danger of getting into a 'dutch auction' in a bid to recruit staff. Although Bucks is a lovely place to live it is very easy for people to live here and work in neighbouring counties or in London, to

secure a London weighting. We need to work with other local authorities to develop a way of growing the overall numbers of qualified staff.

**Although we have heard about issues with staffing, the Select Committee did not get a clear picture of the scale of this issue. I would like to ask what you can do to improve the quality of information which is presented to the Select Committees and the duty of the officers to impart this information to us?**

As you know I support the Select Committee process but you as members need to be proactive. You need to focus on Children's Services and dictate what information you need.

**Apart from committing more resources, what are you as the Leader of the Council going to do differently?**

I will be scrutinising the Ofsted Improvement Plan thoroughly, alongside Cabinet colleagues and this Select Committee and I will keep a close eye on the quarterly budget outturns at Cabinet. I will also propose to the Council's Annual General Meeting to renew the Council's commitment to Children's Services and all vulnerable people in Bucks. I commend the Select Committee for focussing in on the Inspection results and the Improvement Plan going forward.

The Chairman thanked Mr Tett for attending the meeting and answering member's questions. Anne Davies, Head of Legal Services was welcomed to the meeting. Anne Davies reminded members that it was important that their meeting remained focussed on Ofsted. Members were aware that there had been several arrests locally connected to CSE and a preliminary hearing was being held today. Therefore it was important that members did not discuss this matter as it could prejudice ongoing police investigations or prejudice an individual's opportunity for a fair trial. In addition Mrs Davies reminded members that there was a confidential appendix to the report in their agenda packs. She explained that this appendix contained financial information and information from other local authorities which had been given to the Council in confidence and therefore this was an exempt paper, which could not be discussed in public. The Chairman thanked Anne Davies for this guidance.

The Chairman welcomed Mrs Angela Macpherson, Cabinet Member for Children's Services, Mrs Sue Imbriano, Strategic Director, Children and Young People and Mr David Johnston, Service Director, Children and Family Service to the meeting. The Chairman outlined that members would first like to ask questions relating to the Ofsted Inspection report and then move on to ask about the Ofsted Improvement Plan. The Chairman hoped that the draft Improvement Plan could be presented at the Committee's next meeting at 7<sup>th</sup> October to allow members an opportunity for feedback.

Mrs Macpherson began with a brief statement on the background to the Ofsted inspection. As Mr Tett had outlined, Children's Services had been hit by what could be described as 'a perfect storm' – a combination of a dramatic increase in referrals, Child Protection plans increased by 38% and increasing number of children, particularly teenagers coming into care, whilst also introducing changes to the structure of the service through the Munro programme. In addition it had been difficult to recruit experienced social workers. At the end of 2013, additional resources were put in place, including recruiting David Johnston to lead improvements in practice, but Ofsted correctly identified that the pace of change was not quick enough. The outline Improvement Plan would be focussing on the areas of staffing and quality – it was vital to secure a stable workforce.

The Chairman invited members' questions:

**When you say experienced social workers do you mean length of time in the role or the breadth of their experience?**

Both really, but we are particularly looking for management skills alongside experience in social work practice. David Johnston added that across the UK, not just in Bucks, social workers want to see opportunities for career progression. Whilst salary package is important,

manageable workloads, training and support from colleagues are also crucial in attracting new staff and were also important in retaining the experienced staff we have.

**Sue Imbriano had told us that she was visiting frontline staff following the inspection – what is the mood?**

It is important that we attract additional social workers to Bucks but I have been visiting existing staff to ask what would make a difference to them. Also I wanted to thank them for their loyalty and commitment and their openness in talking to me. Frontline staff were concerned about high caseloads and want to feel supported by managers. I remain confident that our staff are dedicated and loyal.

**The new Ofsted regime is very stringent. A lot of other local authorities have also been found to be ‘inadequate’.**

This is true and under every other inspection we have been found to be ‘good’ or better, but this is not an excuse.

**The Ofsted report highlights fundamental weaknesses in the management of the service (paragraph 58) – what is the Cabinet Member’s response to this?**

Management weaknesses and variance in the quality of practice were issues that I identified in my first six months as Cabinet Member. David Johnston has been looking across teams to instigate a quality assurance approach. The management issues also need to be addressed, but you cannot change everything at once otherwise you risk destabilising the whole workforce.

**I was aware that some frontline staff were unhappy with the structure changes that were part of the Munro programme. Social work is such a demanding role and their caseloads have been high – were you aware that staff were unhappy?**

It has been physically impossible for social workers to meet all the demands in Bucks over the past year. This portfolio needs investment and commitment and any change needs to be sustainable. The budget cannot be ‘salami-sliced’ back again during the MTP process.

Bucks introduced changes following the Munro report and we spent a lot of time engaging with staff. Some staff did leave following the implementation of the new system and with the issues with recruitment and increasing demand arising at the same time, it was harder to implement the Munro changes effectively. Staff needed training but they simply had no time. However children and their families have given feedback to Ofsted which indicates that the new system works if social workers have a lower caseload and some staff are now saying that they have found the new Munro system invigorating.

**With approximately 50% of our Looked After Children placed outside Bucks, could some of the extra resources be used to place children nearer to home?**

As you know there are some special cases where young people must be placed elsewhere for example, we have no secure accommodation in Bucks and often children might be placed just over the county border. We need to attract additional foster carers and this is high on the agenda for Corporate Parenting Panel. Sometimes our foster carers move away and take the children with them.

**The Ofsted report highlights significant failings – did internal audits or Independent Reviewing Officer’s highlight these issues and if so, why were they not acted upon? Also what is being done to improve partnership working?**

Independent Reviewing Officers (IROs) have also been under significant pressure. With the increased numbers of Looked After Children, pressure on IROs became greater and the team was understaffed. They were also due to be cut further under MTP plans – this is not an excuse, simply fact. Last Autumn, a complete review of our performance management system was commissioned. This was not timely enough in terms of the inspection, although it should help members in future.

The issue of partnership working has been raised and this will be taken up by the Buckinghamshire Safeguarding Children's Board (BSCB). The issues are not the same with each partner. I have written to schools about their confidence in referring to social care and BSCB are working on a threshold document for partners.

**How optimistic are you that the introduction of the Multi Agency Safeguarding Hub (MASH) will be able to stem the tide of new referrals coming from the Police and Health?**

We have to be optimistic – I hope this might address the current re-referral rate of 34%. We need partners to sign up to the Threshold Document and to fully understand what the thresholds mean. Often in September we see a rise in referrals with children going back to school and the recent coverage around CSE in Rotherham may also lead to an increase in enquiries. With this in mind we need to ensure that our front door is organised and improved.

Early help is also a key area because youngsters who do not meet social care's threshold can be referred for other services and support. There was clearly a need for greater partnership working but Police and Health were also under financial pressures as well.

**I am concerned about the effect of high caseloads on our social workers. Also Ofsted commented on the number of children who did not have an allocated social worker.**

The number of unallocated cases was very concerning. We knew we had a backlog and this has now been cleared by a specialist team. Fewer than 10% of children were unallocated. The First Response team had some sickness which exacerbated this issue.

**How strong are social care's links to schools? With the increased publicity around Child Protection you may see an increase in referrals if teachers seek to 'cover their own backs'.**

We need to create a system where people are confident to refer to social care and know how to support our children.

The Chairman thanked everyone for their contribution to the discussions and advised members that they would now turn their attention to asking questions on the Improvement Plan.

***Ofsted Improvement Plan***

**How is work going on the Improvement Plan?**

The report which went to Cabinet this morning outlined six workstreams which will form the basis for the Improvement Plan.

**Will the £1million contingency and the additional £4.8million increase discussed at Cabinet be sufficient to deliver the Improvement Plan?**

The £4.8million will cover the projected overspend at the end of the year and the £1million contingency will be used immediately to implement improvements requested by Ofsted. Additional resources may also be needed, perhaps around the IT improvements.

We have 70 days from 8<sup>th</sup> August to develop an Improvement Plan. We are meeting with the Department of Education (DofE) tomorrow which will give us more clarity around the process as they could ask for an Improvement Board to be put in place. The Chairman asked if the draft Improvement Plan could be presented at 7<sup>th</sup> October Select Committee meeting. The Cabinet Member advised that this would need to be confirmed following the meeting with the DofE. If the full 70 days is needed to draw up a robust plan then we must take it.

**Will there be clear measures in the Plan to demonstrate the level of benefit for children as a result of the improvements?**

Yes – performance indicators such as length of time to initial assessments, length of time to an agreed Care Plan and indicators around the attainment of Looked After Children would be incorporated, so that better outcomes for children could be clearly demonstrated.

**When can early intervention really make a difference?**

I am very committed to early intervention projects but it can be a minimum of five years before you see results. Our CATCH teams have kept children out of care and these results can be clearly demonstrated.

**I believe that Children's Centres are very important for early intervention work.**

I agree that Children's Centres are vital for early intervention but they do not fall into my portfolio. It is important to ensure that the people who really need them are using them. The services offered should be well thought out and directed to those in most need.

**I have concerns that the Future Shape initiative might distract Children's Services from addressing the issues raised by Ofsted.**

We need to discuss Children's Services in relation to Future Shape as there may be an argument that one size does not fit all and we must not lose sight of this going forward.

**Ofsted raised issues with Adoption, which was flagged as a weakness during the 2011 inspection, even though overall we received a Good rating. What is being done to improve performance in this area?**

We are working on further improvements. In 2011 we were criticised for not meeting the timelines. Now through improved systems we have speeded up the process but have not met the targets in terms of numbers. Sue Imbriano explained that there are issues with matching prospective adopters to children. It is vital to get this process as right as adoption breakdown is very traumatic, so this is the focus going forward.

**I am aware that the paperwork for Adoption Panel has sometimes been criticised.**

Detailed Adoption reports are now only being written by our most experienced social workers and extra staff have been brought in to assess potential adopters, so Adoption Panel should be busier in future.

**In my role as a Child Protection governor at a school, I have come across some referrals to social care that have not been dealt with for a period of four months, what is being done to improve response times?**

First Response processes have been tightened – they should now respond to 'triage' a referral within 24 hours and they may need to refer the individual on to partner agencies or continue with a social care assessment.

The Chairman thanked Angela Macpherson, David Johnston and Sue Imbriano for attending the meeting. The Committee extended their thanks to Sue Imbriano for all her hard work in the post of Director of Children's Services as she would shortly be leaving the Council. David Johnston reminded members that Corporate Parenting training was taking place on 9<sup>th</sup> October and he encouraged all members to sign up for a place.

***Buckinghamshire Safeguarding Children's Board***

The Chairman welcomed Mr Donald McPhail, Chairman of the Buckinghamshire Safeguarding Children's Board (BSCB) to the meeting. The BSCB had been inspected by Ofsted and had been deemed to be inadequate. Mr McPhail had agreed to answer members' questions in relation to Ofsted's findings about the Board.

**Do you feel the Ofsted report is a fair one?**

I agree with the priority actions for BSCB as they tie in with the BSCB's own Business Plan, but I do not necessarily agree with all the analysis. I do feel the actions are appropriate ones.

We are holding a workshop to work on the Improvement Plan and it had been agreed that the Chairman and the Policy Officer could attend as observers. BSCB and the local authority would submit a combined response to Ofsted.

### **What are the main reasons for BSCB failing?**

The main issue is capacity – in both the sense of limited finance and the capacity of staffing within individual agencies which are members of the Board. The BSCB wanted to undertake a scoping exercise of Early Help outside of the local authority offer but there was no capacity to do this.

The workshop will consider two things – firstly how to rework the BSCB Business Plan in light of the Ofsted findings and secondly where will we find the capacity to undertake the necessary work.

### **Could the meetings be restructured in any way in order to achieve better outcomes?**

We discussed the number of people at the meetings at my last visit to the Select Committee. It is the Sub-Committees of the BSCB which undertake most of the work and the seven Chairs attend the main Board meetings. The agenda for the main Board meetings are set at a Co-ordinators meeting which comprises of myself, Coral McGookin, the Business Manager and the seven Chairs of the Sub-Committees, so no raw data comes to the Board, only recommendations from the Sub-Committees.

For many years, all agencies involved in the Board have been operating under similar financial constraints. I wanted an Early Intervention Sub-Committee but was told unanimously that there was no capacity. The members of the Board are concerned about committing the resources of their own organisation. At our last meeting, following the Ofsted report I asked for renewed commitment.

### **Who funds the BSCB?**

The local authority, Police, CAF/CASS, Probation and Health all contribute. Historically Children's Services and Education funded the Board and the local authority was the biggest contributor. The statutory guidance states that the Board should be funded proportionally but the local authority has reduced its funding.

### **Paragraph 160 of the report states that the Board has 'not been effective or robust' which is very damning. What staff do you have to support the BSCB?**

I commit to four days per month and there is a full time Business Manager, a full time Training Manager for this year only and an administrative team of four people. The Sub-Committees undertake work often using agency staff.

### **The Ofsted report mentions that the governance arrangements of the Board and how the Board relates to other strategic bodies, such as the Health and Wellbeing Board need to be looked at – what is your view on this?**

BSCB does have a protocol in place with the Health and Wellbeing Board and although Ofsted criticised us for a lack of strategic relationships between the Boards, it did later give an example of where BSCB had asked the Health and Wellbeing board to develop a Suicide Prevention Action Plan.

In terms of moving forward the action points Ofsted have given to BSCB are not too difficult. The risks lie in a lack of capacity, either in financial terms or the capacity of the Board to be able to deliver the required improvements in a timely manner.

The Chairman thanked Mr Donald McPhail for attending the meeting.

Members had a short discussion regarding an Inquiry to look at the Improvement Plan and members present unanimously expressed an interest in taking part in the Inquiry. Mr Michael



Carr, Policy Officer – Scrutiny referred members to a draft outline plan for such an Inquiry and reiterated the aim and objectives.

**RESOLVED**

**That the Outline Plan for a Post-Ofsted Inspection Inquiry be agreed.**

**7 DATE OF NEXT MEETING**

To note the next meeting of the Education, Skills and Children's Services Select Committee on Tuesday 7<sup>th</sup> October 2014 at 10am in Mezzanine Room 2.

**8 EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED**

**That the press and public be excluded for the following item which is exempt by virtue of Paragraph 3 of Part 1 of Schedule 12a of the Local Government Act 1972 because it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)**

**9 THE OFSTED INSPECTION OF CHILDREN'S SERVICES**

Committee members took the information from the confidential appendix into account when discussing the main report under Item 6.

**CHAIRMAN**