



# Minutes

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

**MINUTES OF THE EDUCATION, SKILLS AND CHILDREN'S SERVICES SELECT COMMITTEE HELD ON TUESDAY 7 OCTOBER 2014, IN MEZZANINE ROOM 2, COUNTY HALL, AYLESBURY, COMMENCING AT 10.02 AM AND CONCLUDING AT 11.50 AM.**

### **MEMBERS PRESENT**

Margaret Aston, Dev Dhillon (Vice-Chairman), Phil Gomm, 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 Donald McPhail

### **OFFICERS PRESENT**

Trevor Boyd, Michael Carr, David Johnston, Ed Mallam and Chris Munday

### **1 APOLOGIES FOR ABSENCE**

Apologies were received from John Chilver and Michael Moore.

### **2 DECLARATIONS OF INTEREST**

The Chairman made the following statement:

'I was the Cabinet Member for Children's Services from May 2011 to April 2013. I have considered carefully therefore whether I have a conflict of interest for this particular inquiry and have discussed the matter with the Council's Monitoring Officer and the Chief Executive who have advised me to continue in the chair for this item. Since May 2013 my role has been Chairman of this, non-executive Committee, a role I take very seriously.'



INVESTOR IN PEOPLE



The terms of reference for this Inquiry relate to the Ofsted Inspection of June 2014 and the Improvement Plan being developed for the service moving forward. Should any matter arise during the deliberations of this Committee where I feel I do have a conflict of interest I will of course declare it.'

Mr Dev Dhillon declared that he was on the Board of the Farnham Common Children's Centre and Mrs Margaret Aston declared that she was on the Board of the Haddenham Children's Centre.

### **3 MINUTES**

The minutes of the meeting held on 8 September 2014 were confirmed as a correct record.

### **4 PUBLIC QUESTIONS**

The Chairman welcomed Mr Derek Berry from High Wycombe who wished to put a question to the Committee on the subject of the 11+ examination.

Mr Berry advised that he was concerned about the success of the new style 11+ exam which had been introduced in 2013, as he believed that a significant number of Bucks educated children were failing to secure a Grammar School place as a result of the changes. Mr Berry asked what options and powers were available to this Committee and Buckinghamshire County Council(BCC) to evaluate and address the many concerns and question raised about the results of the new 11+ exam that was introduced in 2013 and had just been repeated this year. Mr Berry commented that he believed that some BCC officers had concerns about the new exam as shown in the due diligence report and he was aware that BCC had signed a confidentiality agreement with the Bucks Association of Secondary Heads (BASH) to withhold the results of last year's exam from the public and wondered why this agreement was necessary. Mr Berry wanted to know if the Committee could ensure that the results of the 2014 test would be made available to the public in a more timely manner.

The Chairman welcomed Mr Chris Munday, Service Director, Learning, Skills and Prevention to the meeting. The Chairman advised that Headteachers were attending a meeting of the Committee in November to report on the 11+ results and asked Mr Munday to respond to Mr Berry's questions. Mr Munday agreed to answer the question regarding the powers available to the committee and BCC to evaluate and address concerns, but explained that the further issues raised could be addressed at the November Committee meeting.

In response Mr Munday explained that Buckinghamshire has a selective school system - the School Standards and Framework Act 1998 allowed for schools which were selective in 1997-1998 to continue to select by ability and this was reaffirmed in section 38 of the Education and Inspection Act 2006. Under paragraph 1.31 of the Admissions Code, it states that tests for all forms of selection must be clear, objective and give an accurate reflection of the child's aptitude and ability regardless of sex, race or disability. The admissions authority decides the content of the test providing it is a true test of aptitude and ability. All Grammar schools in Buckinghamshire are now Academies which mean they are their own admissions authorities and are independent of the Council, answerable only to the Department of Education and the Education Funding Agency. BCC had agreed to deliver the 11+ exam for a three year period for practical and logistical reasons. However BCC has no input into the content of the tests which are provided by a third party provider, selected by the Grammar school. BCC agreed to administer the test as BCC wished to work with the Grammar schools to maintain a single test across the county with an 'opt out' rather than an 'opt in' arrangement and to ensure appropriate access to the test for those with disabilities. The Grammar schools have been invited to present the data related to the tests to the Select Committee in November and have agreed to do so.

BCC had no duty or power to alter the Academies' admissions processes. BCC has no input into the content of the test. If members of the public have concerns regarding the 11+ test results or admissions arrangements for Academies then they must raise these issues with the Grammar Schools directly, make a complaint to the Department of Education or refer their concerns about admissions arrangements to the Schools Adjudicator.

A member expressed disappointment that Mr Munday would not answer all of Mr Berry's points in the interests of being open and transparent but Mr Munday explained that he needed to gain further information to enable him to respond properly. The Grammar schools would present their data to Committee in November and they are responsible for the test now. The Grammar schools need to be held to account for the 11+ tests. A member asked if BCC had considered making any representations to the Schools Adjudicator in relation to the new 11+ tests and Mr Munday confirmed that BCC had not. Mr Berry commented that he had wanted to ask his additional questions in preparation for the November meeting when the 11+ would be discussed in more detail.

## **RESOLVED**

**That the Secondary Transfer Exam results and analysis will be considered in detail as the next meeting on 4<sup>th</sup> November 2014 and on 19<sup>th</sup> November 2014, when the Committee would be receiving evidence from Buckinghamshire Schools. \*\***

*\*\*[Subsequent to the meeting it was agreed that the item on Secondary Transfer Exam Results would be presented at the 19<sup>th</sup> November meeting.]*

## **5 CHAIRMAN'S REPORT**

The Chairman reported that she had attended an LGA conference on Ofsted Inspections. It was reported that 75% of local authorities (LAs) that had been inspected under the new regime had been rated as inadequate or needing improvement and the conference was helping LAs to understand how to improve.

The Chairman reminded members that Corporate Parenting training was taking place on Thursday 9<sup>th</sup> October in Great Missenden and also some members were visiting Bletchley Park on 21<sup>st</sup> October in connection with the Committee's Children's Internet Safety Inquiry.

## **6 COMMITTEE MEMBER UPDATES**

Mr Stuchbury and Mr Irwin reported that they had learned a lot at the first meeting of the Children's Internet Safety Inquiry and were looking forward to finding out more about the issues.

## **7 QUESTIONS TO THE CABINET MEMBER FOR CHILDREN'S SERVICES**

The Chairman welcomed Mrs Angela Macpherson, Cabinet Member for Children's Services and Mr David Johnston, Service Director, Children and Family Service to the meeting. Mrs Macpherson thanked the Chairman for highlighting the forthcoming Corporate Parenting Training session for members and senior officers of the Council. Mrs Macpherson advised that she had sent a letter to all attendees asking them to think of an individual pledge they could make in support of Looked After Children.

The Multi-Agency Safeguarding Hub (MASH) had launched on 22<sup>nd</sup> September. It was envisaged that this would help to speed up assessments through multiagency working. The MASH is permanently based at the Police Station. Mrs Macpherson also reported that BCC had just launched another fostering recruitment campaign specifically targeting carers who might look after difficult teenage children and she asked members to spread this message.

The Chairman invited members' questions.

**I have concerns about the number of looked after children being placed outside of Buckinghamshire – what are you doing to address this?**

The level of out of county placements is a concern and this is part of our Improvement Plan. Some of the Looked After Children placed out of county are often near to our borders, but others are some distance away, often because they need specialist services or secure accommodation which is not available in Bucks. This is an issue that we are mindful of and we do need to find more placements in Bucks.

Sometimes a child from High Wycombe could be placed in Slough which is actually nearer to their home than if they were placed in the North of the county. There are other issues with out of county placements too, for example, arranging health assessment can be more difficult, but historically foster carer recruitment in Bucks has been difficult and not just for BCC but also for independent fostering agencies.

**Cabinet have agreed an additional figure of £4.8million for Children's Services and allowed you to use your £1million contingency budget following the Ofsted Inspection. After the meeting, can you provide the Committee with a breakdown of how this money is being spent and what money is being used for new services, as opposed to covering the predicted overspend? I would also like to see a breakdown of care leavers and where they end up after leaving our care.**

Mrs Macpherson and Mr Johnston agreed to supply this information.

**Action: Cabinet Member & Service Director, Children and Family Service**

**Sometimes children with complex needs require very specialist placements – can we have the costings of these residential placements and how can we ensure that the placements are suitable?**

It is very important to get the right placement for the individual and to ensure that services are provided according to their needs. Often specialist residential placements are a long distance from Bucks, but these placements are continuously reviewed and hopefully children will make progress. If they make sufficient progress they might then be able to be accommodated nearer home in a different type of placement. It was agreed that Mrs Macpherson and Mr Johnston would provide costings for residential care placements.

**Action: Cabinet Member & Service Director, Children and Family Service**

**Ofsted commented on the quality of our social workers, what are your views on this issue?**

Mr Johnston was brought in to improve the quality of social work practice at Bucks. He has already been making improvements but there is still work to be done.

**As Children's Services has been historically underfunded are we at risk of a Rotherham situation here in Bucks? What assurances do we have to ensure that this will not happen here and do we go back to speak to care leavers about their experiences?**

Child Sexual Exploitation (CSE) has been in the news but this was agreed as an additional Council priority last year and additional funding was used for the R U Safe? project run by Barnardo's, who work with those at risk of sexual exploitation and also work closely with the Police if children go missing. I have asked David Johnston to develop an Action Plan to address CSE using the 15 points which were identified from Rotherham. On a positive note, Ofsted found that the processes we had in place around CSE in Bucks were robust and we do take this issue very seriously.

David Johnston commented that it was very important to work closely with other agencies especially schools, as they are likely to spot behaviour changes associated with CSE. We are checking that our arrangements are robust enough.

The Chairman suggested that it might be useful to have a fuller report on CSE, to consider the issue in more depth, at a future meeting of the Committee. It was agreed that this would be a future agenda item.

**Action: Policy Officer-Scrutiny/Democratic Services Officer**

**Do we have a lot of Looked after Children from other local authorities (LAs) placed within Bucks and could we have figures for this?**

Yes we do have some children from other LAs placed in Bucks and the placing authority is responsible for advising us of the placement. It was agreed that David Johnston would provide these figures.

**Action: Service Director, Children and Family Service**

**What is morale like amongst Social Workers at the moment? Are we managing to retain our workforce?**

I attended two staff meetings last week, one for frontline staff and the other for managers. Inevitably staff are deflated following the Inspection results but people did come up to me to say that they are committed to BCC and that they enjoyed the team working here, so this was positive. Social Workers will need help and there may need to be an injection of resource in order to retain them.

**I didn't get an answer to my question about keeping in touch with care leavers...**

We do provide support for care leavers and we need to make it as easy as possible for people to come back to us to share their stories if they wish to.

The Chairman thanked Mrs Macpherson and Mr Johnston for answering members' questions.

## **8 CHILDREN AND YOUNG PEOPLE'S SERVICE PORTFOLIO PLAN**

The Chairman welcomed Mr Ed Mallam, Head of Children's Partnerships to the meeting. Mr Mallam joined the Cabinet Member, Mrs Angela Macpherson and Mr David Johnston, Service Director, Children and Family Service in answering questions on both the Children and Young People's Service Portfolio Plan and the Children and Young People's Plan, as there were synergies between the two.

The Chairman invited members' questions.

**Will you modify the Portfolio Plan in light of Ofsted?**

This is a shared Portfolio Plan and many elements of work sit beneath this, so it is not necessary to modify it. There are clear links between current existing work and the Ofsted Improvement Plan.

**Please can you provide the Committee with an update on the Families First programme?**

Around 700 families have been involved to date and BCC recently submitted an additional payments by results claim. The success of this initiative should help to keep children with their families rather than coming into care. 72-75% of families have met their targets within the agreed timescales.

**Mr Mallam, please can you explain to members how the Children and Young People Performance Scorecard works.**

This is a very detailed performance monitoring system which focuses not just on targets but also finance and staffing etc. Page 43 of the agenda papers shows the front page of the scorecard and page 45 shows the screen behind which allows you to drill down to further details by clicking on the relevant data buttons.

Mrs Macpherson suggested that it might be useful for members to have a training session and access to the system once it was all fully up and running. She reported that she had asked for some additional indicators, including number of social workers a looked after child has and the number of care leavers who are NEET (Not in education, employment or training).

**I am intrigued by the happiness measure – how do you measure this and how do you rank the different indicators around living a fulfilling life?**

In terms of assessing children and young people's emotional health and wellbeing, colleagues in Public Health provided us with a series of questions to include in our Children and Young People residents survey which takes place every two years, but I agree it is a very challenging thing to measure.

**I would like to know how we can monitor how effectively children move from Children's Services to Adults and Family Wellbeing, as this transition has been problematical in the past.**

I know that Transitions can be difficult. A crucial issue is that the criteria for support for children with disabilities is very different to the criteria for adults with disabilities, so children reaching adulthood might not automatically qualify for the same levels of support.

Members thanked Ed Mallam for explaining the scorecard and made two suggestions – firstly that it should be clearly marked as to whether a high figure or a low figure is a positive indicator and also that it might be useful to include national high and low figures as a comparison. Mr Mallam agreed to take these suggestions back to his team.

The Chairman thanked Mr Mallam, Mrs Macpherson and Mr Johnston for their contributions.

## **9 UPDATE ON THE CHILDREN AND YOUNG PEOPLE'S PLAN**

This item was considered together with Item 8.

## **10 PERFORMANCE REPORTS - CHILDREN'S SERVICES PORTFOLIO - QUARTER 1**

Mrs Angela Macpherson, Cabinet Member for Children's Services, Mr David Johnston, Service Director, Children and Family Service and Mr Ed Mallam, Head of Children's Partnerships took questions on the Children's Services Performance Report for Quarter 1 2014-15.

**What is the current situation with agency staff in the service? What is your overall staffing establishment?**

We still have a high proportion of agency staff but this varies from team to team. Currently 23-24% of the workforce are agency staff but previously over 80% of the First Response team were agency staff which was not ideal and we have tried to move more permanent staff into this team. We do have teams where all staff are permanent staff. I am uncertain of the establishment figures but can provide this information after the meeting, both Full Time Equivalents (FTE) and number of staff. Sickness levels are also high in some areas currently.

**Action: Service Director, Children and Family Service**

**How do you know that we have enough social workers when demand for the service appears to be very unpredictable?**

It is important that all agencies clearly understand the new Threshold Document so that unnecessary referrals might be diverted elsewhere. Also we need to have flexibility to move staff to deal with extra pressures for example, CSE issues or a serious child injury case, to be able to demonstrate to other agencies, members and the public that we are able to cope I have presented at both the Health and Wellbeing Board and the Buckinghamshire Safeguarding Children Board (BSCB) and partners have been very supportive. This week the Leader and the Cabinet Member for Children's Services are meeting with the Police and Crime Commissioner.

**I am very concerned about the spending on agency staff, what is the difference in their remuneration?**

We pay 30% more for agency staff. But we have proposals to improve a retention package for permanent staff and some agency staff have indicated that they would consider joining BCC on a permanent basis. We are working on a number of strategies including recruitment but workforce stability is very important for our children.

**Do BCC offer further training opportunities?**

Yes but we do need to recruit people with appropriate skills. Also our structure is very flat so we need to create alternative ways of rewarding staff as opportunities for promotion to a management role is limited. Therefore we need a number of offers, there is not one simple answer.

**Have you modified your performance targets at all in light of the Ofsted report?**

No, but we are developing a new performance framework. Where there are significant differences between the target and current performance, we would like to introduce stepped targets and monitor this very closely to ensure that changes initiated through the Improvement Plan become embedded.

**Has any work been done with our Client Transport department as I have concerns over issues of taxi drivers and our vulnerable children. This issue has also been raised by the Leader of the GNB.**

When I report on CSE I will be able to demonstrate the discussions that we have had with the district councils around this and the safeguards that we have put in place.

**Would you like to make any comment about the number of repeat referrals?**

Obviously a lower figure is better – the target is 25% and we are currently running at 32%. We are undertaking analysis of why we are getting repeat referrals. I hope that the MASH and the strengthening of the First Response team will lead to a drop in re-referrals. This could also reflect the general increase in the total number of referrals and perhaps indicate that the initial assessment has not been done as thoroughly as it could be.

Another issue is that a partner agency, such as a school, may refer a child to us due to concerns and we will then direct them to services elsewhere. Later on the school may still be concerned and will therefore re-refer. It is important that we provide feedback to agencies that refer into social care. It is about improving the quality of practice and instilling confidence in our partners.

**What are the average caseloads like for social workers at the moment?**

The Children in Need teams average 15-18 cases per worker, Looked After Children teams have caseloads ranging from the high teens to early twenties and Children with Disabilities teams sometimes have slightly higher caseloads. The First Response team is a bit more difficult to manage caseloads as it depends on the number of referrals.

**But does every child now have an allocated social worker?**

Yes I checked this yesterday afternoon.

**Are assessments now being completed within the 45 day timescale?**

We have now added in a mini target of 10 days and progress is being made. Achievement of this target relies on increasing staff in the First Response team and having the correct skills there. Also we need IT recording to be tighter. This is very important – I want to see that assessments are being completed in a timely manner.

**How many Looked After Children do we have currently?**

438.

**How can we ensure that other agencies refer to social care correctly and not in reaction to recent media coverage or due to concerns about being seen to do the right thing?**

All agencies have agreed the Threshold document and will be delivering training to their staff on this. We also need to ensure that our First Response team are clear on the thresholds and encourage them to signpost to other early help services if appropriate.

**Will the change from Special Educational Needs (SEN) statements to Educational Health and Care Plans impact Social Care?**

This will provide us with a new framework for working with schools and we will need to establish a common professional arrangement. The SEN teams sit in the Learning, Skills and Prevention side of the portfolio.

**When a child comes into care, if it is then agreed that they should be put forward for adoption this does seem to take a long time. Please can you explain where delays may occur in the adoption process?**

We are achieving the required 6 months Public Law Outline (PLO) target set by Government but there are delays in finding suitable matches and it is crucial to get that right. We are now averaging 223 days from start to finish which is better than highlighted in the Ofsted inspection report. If we run campaigns for prospective adopters we have to ensure that we have the staff and capacity in the process. Also if one child has complex needs and takes a long time to place this will impact on the average time which is recorded in the performance report.

The Chairman thanked all contributors.

**11 EDUCATION, SKILLS AND CHILDREN'S SERVICES SELECT COMMITTEE WORK PROGRAMME 2014-15**

Mr Michael Carr, Policy Officer, Scrutiny advised the Committee that he felt it would be useful to amend the Committee's annual workplan in light of the Ofsted Draft Improvement Plan which had recently been received by members.

**RESOLVED**

**That the Committee's Work Plan be updated to reflect the key priorities outlined in the Buckinghamshire Children and Young People's Services Improvement Plan.**

**12 CHILDREN'S SERVICES DRAFT IMPROVEMENT PLAN**

The Chairman welcomed Mr Trevor Boyd, Interim Strategic Director for Children and Young People who joined Mrs Angela Macpherson, Cabinet Member for Children's Services and Mr David Johnston, Service Director, Children and Family Service for the presentation of the draft Children's Services Improvement Plan.

The Chairman began by stating her disappointment that the draft Improvement Plan was not made available to members of the Committee until late Friday evening via email. If information was not made available in a timely manner then the Committee was unable to do its job in providing effective challenge and holding decision-makers to account. Also because the Plan was confidential, the Committee was unable to discuss the detail in public at today's meeting, which further undermined the Committee's ability to support transparency and public accountability.

The Chairman requested that in future papers should be provided to meet the statutory five working days deadline and she hoped that the Committee would be provided with full information on the timetable for the plan, draft project plans for each workstream and full costings information. The Committee members really wanted to contribute to the development of the Draft Improvement Plan.



In response, Mr Trevor Boyd expressed regret that the Draft Improvement Plan had not been available to members any earlier but he had explained to Mr Carr, Policy Officer, Scrutiny that the statutory deadlines could not be met on this occasion. This was mainly because events were being held with staff last week to enable their contributions to be included in the draft and officers were still working very hard to confirm the final costing information, which is why there were no costs outlined in this version. Mr Boyd was confident that the costings element would be finalised by the end of the week and he was happy to work with the Committee to ensure that they could have further sight of the draft once the costings were agreed.

The Chairman asked Mr Boyd for a clear outline of the timetable for agreeing the Improvement Plan prior to the submission of the final version to Ofsted. Mr Boyd explained that unfortunately the political timescales never quite match the practicalities. The final Improvement Plan had to be with Ofsted by 14<sup>th</sup> November but ideally BCC wished to submit it ahead of this date and were currently aiming for the end of October. The draft plan with full costings was due to be presented at Cabinet on 20<sup>th</sup> October and the supporting papers must therefore be circulated by Monday 13<sup>th</sup> October at the very latest. The draft the Committee had before them today was therefore very close to the final version.

The Chairman asked how the Committee were meant to have a meaningful input prior to the final version of the Improvement Plan being presented to Cabinet. It would mean having to call another meeting of the Select Committee at very short notice. Members were very concerned that they would not be able to scrutinise the final version of the Improvement Plan and called for a further meeting to be arranged as soon as possible, in order to facilitate this.

### **13 BUCKINGHAMSHIRE SAFEGUARDING CHILDREN BOARD**

As the Buckinghamshire Safeguarding Children's Board's Improvement Plan was included in the Children's Services Draft Improvement Plan which was confidential, this item was discussed under Item 15, following the Exclusion of the Press and Public.

### **14 DATE OF NEXT MEETING**

To note the next meeting of the Education, Skills and Children's Services Select Committee on Tuesday 4<sup>th</sup> November 2014 at 10am in Mezzanine Room 2

### **15 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)**

**CHAIRMAN**