

Minutes of the Children's Services Select Committee

**Monday 11th September 2023 at 6.00 pm
In Committee Room 2, The Council House, Priory Road,
Dudley**

Present:

Councillor K Lewis (Chair)
Councillor D Bevan (Vice-Chair)
Councillors C Bayton, H Bills, R Collins, T Crumpton, P Lee, S Ridney, D Stanley, C Sullivan, and M Webb.

Officers:

M Abuaffan (Acting Director of Public Health), T Curran (Complaints Manager), K Graham (Service Director of Children's Social Care), S Thirlway (Service Director Education, SEND and Family Solutions) and K Buckle (Democratic Services Officer).

Also in attendance:

O Topping (Contractor Public Health Trainee)

11. Welcome and Introductions

The Chair welcomed Members and Officers to the meeting and all those present introduced themselves.

12. Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors A Hughes and M Howard; R May and T Reid.

13. **Appointment of Substitute Members**

It was reported that Councillors H Bills and T Crumpton had been appointed to serve as substitute Members for Councillors M Howard and A Hughes respectively for this meeting of the Committee only.

14. **Declarations of Interest**

Councillor P Lee declared a pecuniary interest as he was engaged as a Dudley Foster Carer.

Councillor K Lewis declared a pecuniary interest as an Early Years Provider.

15. **Minutes**

Resolved

That the minutes of the meeting held on 19th July 2023, be confirmed as a correct record, and signed.

16. **Public Forum**

Although no issues were raised by the public under this agenda item, Councillor S Ridley requested an update in relation to reinforced autoclaved aerated concrete (RAAC) materials in schools.

In response the Service Director Education, SEND and Family Solutions confirmed that RAAC had been identified in one school in the borough and that was confined to the boiler area and had not resulted in any students being displaced.

In response to further queries raised by Councillor S Ridley, the Service Director Education, SEND and Family Solutions undertook to consult with the Council's Corporate Landlord Services in relation to schools building condition surveys and the regularity of those being carried out, and in relation to academies he was confident that the construction would not be of a lower standard than those in maintained schools.

Corporate Landlord Services would also be consulted on whether they held any condition surveys for academies.

Resolved

That the Service Director Education, SEND and Family Solutions be requested to consult with Corporate Landlord Services in relation to the regularity of school condition surveys and whether they hold surveys for academies.

17. Children's Services Committee Progress Tracker

The Chair referred to the progress tracker detailing the recommendations and actions from the previous meeting and requested Members to contact the Directorate of Children's Services should they wish to attend any facilities such as the Multi Agency Safeguarding Hub (MASH).

There followed a detailed discussion in relation to Disclosing and Barring Service (DBS) checks with there being a consensus that all Elected Members should have an enhanced DBS check every three years and these should be carried out by the Local Authority.

The Service Director Children's Social Care suggested that it would be useful to invite J Branch, Assistant Director People and Inclusion to a future meeting to determine the position in relation to DBS checks as there were national guidelines outlining when enhanced DBS checks would be required. J Branch could also provide details of the criteria required.

The Chair referred to the future business for 2023/24 and a request was made for an item on how Child Friendly Dudley was progressing to be added to future business.

The Service Director Education, SEND and Family Solutions confirmed that he could feed back some of the narrative and provide an update on Child Friendly Dudley from the current lead, N Burrows and undertook to discuss the possible date that this could be considered at a future meeting with the Chair.

Resolved

- (1) That the information contained in the Children's Services Progress Tracker, be noted.

- (2) That the Democratic Services Officer be requested to invite J Branch to a future meeting of the Committee to determine the position in relation to DBS checks for Members and details of the criteria required.
 - (3) That the Service Director Education, SEND and Family Solutions be requested to discuss with the Chair the possible date of a future meeting to submit a report on Child Friendly Dudley.
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18. **Children's Social Care Complaints, Comments and Compliments Annual Report 1st April 2022 to 31st March 2023**

Members considered a report of the Director of Children's Services on the Annual report for the period 1st April 2022 to 31st March 2023.

It was noted that every Local Authority with a responsibility for Social Care Services was required to provide an annual report in relation to the operation of the complaints and representations procedures.

The statutory process was a three-stage process and for a complaint to be registered under that process certain criteria must be met as set out in the statutory guidance.

Corporate complaints were those that fall outside the statutory process. That was where the complainant would not meet the requirements to be considered under the statutory process. Those cases were registered and processed under the two-stage corporate process.

The Complaints Manager referred to the headlines contained in the report submitted including the number of complaints received across the 28 teams, and the comparative data for 1st April 2022 to 31st March 2023 and the previous year reporting period.

It was noted that there had been a slight decrease in the number of statutory complaints upheld or partially upheld.

Details of Corporate complaints that fell outside the statutory process were referred to and the two-stage corporate process. The details of Corporate Complaints and the teams to which those complaints related were contained in the report submitted.

It was noted that 22 comments had been received and one complaint had proceeded to stage three.

Details and numbers in relation to Ombudsman cases were noted.

It was reported that in relation to statutory timescales overall 49% of complaints were dealt with within those time scales.

Members also noted that 40 Special Educational Needs and Disability complaints had been received for the current reporting period, compared with 44 for the previous reporting period. 14 were upheld, 12 were not upheld and 14 were partially upheld.

- (a) Councillor C Crumpton although expressing his appreciation for the work of the complaints team referred to page 27 of the report submitted, advising that although the data stated that there had been a decrease in the number of statutory complaints more complaints had been received for the current reporting period than the last.

Councillor C Crumpton referred to page 33 of the report submitted referring to the chart and the number of complaints that had been upheld or partially upheld stating that the figures did not equate.

Page 37 of the report submitted was also referred to and it was stated that although the number of SEND complaints had decreased compared to the previous year, the report stated that complaints had increased. The chart below was also questioned as it was noted that only 28 had been upheld or partially upheld.

Concerns were raised in relation to the proportion of complaints that were either upheld or partially upheld, and the number of Ombudsman complaints that were upheld.

Delays in assessments were a point of further concern and there followed a request for an executive summary of the complaints received, the reasons why and any learning from those complaints and subsequent resolutions.

- (b) Councillor C Bayton supported Councillor T Crumpton's comments asking whether if the complaints received were similar to last year; was there a trend and how was that being addressed.

The Service Director Children's Social Care responded stating that this was a particular area for a statutory requirement to produce the report, however other formats for future reports could be considered and Members may wish to consider a learning report through the Centre for Professional Practice annually to facilitate discussions regarding complaints and practice.

Councillor C Bayton confirmed a learning report would be useful and requested that the report include case studies in order to support future learning and subsequent changes to services.

Resolved

- (1) That the Children's Services Complaints, Comments and Compliments Annual Report 1st April 2022 to 31st March 2023, be approved.
- (2) That the Director for Children's Services be requested to submit annual reports on learning in relation to complaints through the Centre for Professional Practice.

19. **Quarterly Performance Report 2023/24 – Quarter 1 (1st April to 30th June 2023)**

The Service Director of Education, SEND and Family Solutions presented the report submitted referring to the five key indicators for Children's Services contained in the report, with two evidencing that services were travelling in the right direction and one continuing to be maintained.

In relation to the two indicators that were not travelling in the desired direction, in relation to 16 to 18 olds who were not in employment, education or training (NEET) numbers were increasing, however the number of young people formerly on returns was reducing and the increase in numbers was not unusual as young people moved from statutory school age and follow up action was taken to ascertain what the desired destinations were for that cohort of young people.

Those follow up enquiries in respect of NEET's would also identify where there was the need to target interventions to support young people into a positive destination.

Therefore, the current position of the key indicator was not unusual at the current stage in the academic year and that trajectory should start to change as the year progressed.

The Service Director Children's Social Care referred to the Performance Indicator in relation to the percentage of agency social workers reporting on the increase in employing agency social workers in view of the considerable challenge to fill vacancies.

The Local Authority had witnessed a reduction in the number of posts without a social worker from 24.2% in January 2023 to 12.6% in June 2023. That reduction had followed a period in which agency social workers did not wish to work for Dudley.

It was noted that the Director of Children's Services had taken the regional lead for recruitment and retention of social workers and had also taken the lead to hold authorities to account collectively across the region.

- (a) Councillor T Crumpton commented positively on the increase in Social Workers and enquired whether recruitment and retention allowance had resulted in the increase.

The same member referred to the large number of children who remained out of education due to the pandemic who were below the age of 16 and enquired about the numbers of those aged 16 to 18 who had failed to return to education following the pandemic who were now NEET.

The alternative provision provided by Juniper was referred to and it was stated that they had capacity to help with those children post 16 to access alternative provision.

In responding the Service Director Education, SEND and Family Solutions concurred that the pandemic had a significant impact on children struggling to re-engage with education and was a real phenomenon. This remained a national issue and there was increased focus on what was necessary to deal with school attendance issues.

The Department for Education (DfE) had determined that no further funding would be attached to additional requirements to deal with school attendance, and work was ongoing on how to engage with all schools and provide assurances that those schools were ensuring attendance support and guidance were provided to those children, and responding to families who required support.

In relation to alternative provision undertaking a holistic review would be undertaken as it was recognised that alternative provision should only be used for short periods of time to support children to re-engage with their schools. There was the need to ensure that the correct alternative provision estate was in place to re-engage children back into education.

- (b) Councillor C Bayton referred to the position with agency social workers, confirming that the verbal presentation had put the written commentary into context.

Resolved

That the information contained in the Quarterly Performance Report 2023/24 – Quarter 1 (1st April to 30th June 2023), be noted.

20. **Child Poverty**

The Committee considered a report providing a summary of child poverty in Dudley, and information on initiatives in Dudley to support families living in poverty.

The Acting Director of Public Health referred to the recommendations contained in the report submitted and the current Dudley picture. Families with a relative low income below 60% and those with an absolute low income of below that percentage rate were also referred to.

Members were referred to the ward map and it was noted that the dark areas contained on the map were those of the most deprived areas and the lightest areas were those areas that were the least deprived and it was also noted that St Thomas's ward was the most deprived in the borough.

The cost-of-living crisis in Wales was outlined with poverty being a longstanding issue with almost a third of children living in low-income households and it was estimated that 45% of households were experiencing fuel poverty.

The report highlighted three areas of good practice with targeted interventions being developed including Leeds City Council and Havering Council.

Dudley's Strategic Mitigating Poverty Group coordinated the system wide action to prevent and mitigate poverty and in relation to child poverty local coordination of national initiatives currently supported the following initiatives: -

- Free School Meals
- Holiday Activity and Food
- The Household support Fund
- The Black Country Food Bank
- The Brierley Hill Baby Bank
- Dudley Cost of Living Hubs

A Child Poverty Needs Assessment had been undertaken which focused on prevention.

The Family Hubs provided support for the start of life of a child, school readiness and reducing teenage pregnancy.

There was a focus on providing non-accredited employment skills, improving the possibility of obtaining employment for those engaging with those courses.

The three-point plan to mitigate poverty was outlined.

It was noted that the percentage of those living in poverty in each ward had been calculated from national data, from the census and any prevention work would take five to seven years to impact and provide long term sustainable results.

- (a) Councillor C Bayton asked whether much more granular information was generated.

The Acting Director of Public Health advised that to provide super outputs would require further consultation with the intelligence team to ascertain the possibility of obtaining that more detailed information, as that information could involve personal data.

- (b) Councillor D Stanley referred to the need to investigate how positively to deal with the high figures referred to in the report submitted and the need to target those individual wards. Concerns were expressed in relation to the high numbers of children living in low-income households in the St Thomas's ward and whether schools were consulted in relation to any concerns with families.

The Acting Director of Public Health agreed with the observations made above and advised that work had commenced in schools in relation to poverty proofing schools to provide mentoring skills and intervention. However, there was the need to ascertain the most appropriate way to approach those who were not adaptable to change, and an action plan was to be produced to focus on those high priority areas.

- (c) Councillor D Stanley expressed the need to address families' immediate problems.

The Acting Director of Public Health stated that the Needs Assessment would produce details of general trends in relation to immediate needs.

- (d) Councillor S Ridney expressed concerns in relation to the percentage of children living in low-income households in all wards in the borough and expressed the need to work with health and housing partners to provide more contextual information. Concerns were also expressed for those families that were just above the benefits threshold who were struggling financially.

In relation to Pupil Premium, it was stated that the Premium contained caveats as to what it could be utilised for and who could access it.

- (e) Councillor H Bills referred to a six-week uniform exchange programme that had taken place in her ward and expressed concerns in relation to the escalating number of families accessing the service during the current year as opposed to the previous year. She also expressed the need to work with schools to limit the cost of school uniforms and enter into more uniform exchange programmes.

Concerns were also raised that the Housing Support Fund was never available, with the funding being exhausted almost as soon as it was available.

The Acting Director of Public Health agreed with the comments and observations made and the need to influence and work with schools requiring a whole systems approach.

The Service Director for Education, SEND and Family Solutions agreed with the sentiment, however advised that schools could not be directed by the Local Authority, but assurances were provided that schools continued to be engaged with and that included school governors. Work was continuing on how schools were taking into account poverty and the impact that was having on families, with the response to child poverty involving a whole skills workforce, working with employers, colleges and universities providing a systemic and localised response.

- (f) Councillor T Crumpton welcomed the initiative in relation to the Brockmoor and Pensnett ward involving the Dudley Group of Hospitals NHS Trust to upskill people in that area, advising that some areas had an extremely low level of housing stock and there was the lack of communication with some wards. There was also a lack of youth workers.

The Acting Director for Public Health referred to the need to learn how to interact with communities which would result in an in-depth approach to influence communities. In the Lye area there was a desire to address community cohesion and tension in the first instance and to develop skills that would require proceeding through the equal opportunities process.

An evaluation would take place in relation to the Brockmoor and Pensnett and Brierley Hill Ward project.

- (g) Councillor D Stanley referred to previous work conducted by the St Thomas's Network which made a small impact on the local area and the Wheels-on-Wheels project for young people and the need to investigate past experiences and the impact those projects had.

Resolved

- (1) That the information contained in the report submitted on child poverty, be noted.
- (2) That the development of a system wide strategy be supported.
- (3) That the encouragement of system participation in the strategic mitigating poverty group be supported.

21. **Children's Services Phase Two Redesign.**

A report of the Director of Children's Services was submitted updating Members on the proposals put forward in relation to Children's Services Phase Two redesign.

The Service Director Education, SEND and Family Solutions presented the report submitted referring to the two-stage process of the Children's Services re-design with phase one being completed in June and subsequently going live in July 2023, which implemented the new safeguarding family arrangements.

Phase two concerned education, SEND and family solutions. A consultation had commenced with all staff on the morning of the committee and the report submitted would provide members with the opportunity to comment and reflect on the changes proposed across children's services, and the direction the services are continuing in relation to their improvement journey.

The re-design would provide the best possible outcomes for children and although it was acknowledged that there were financial pressures the re-design was not solely in relation to reducing staffing resources but to re-apply and ensure services were best positioned to provide positive outcomes for children and young people.

The focus on workforce planning and development assurances as contained in the report submitted were referred to.

It was stated that the education outcomes support was not purely regarding academic outcomes but to provide a broader approach to delivering services, with consideration taking place on how to amend and adapt some services. A review was also underway on how the Connexions service worked.

The review would also be reflective around attendance at school duties that were now in place.

In terms of services for SEND re-amalgamation with disability services would be implemented with one head of service.

In relation to re-issuing Education and Health Care Plans (EHCP's) more posts were to be created to better manage that capacity.

Also, by transitioning into SEND, children with disability services would provide more coherent management by transitioning that to the responsibility of the Service Director for Education, SEND and Family Solutions.

It was reported that Family Solutions would focus on the implementation and delivery through Family Hubs ensuring it was a community-based service. There would also be management of a high-quality youth service along with Family Hubs.

There would be no change to the Virtual School whilst continuing to respond to national changes.

Alongside the vision that 'the child would be at the heart of everything we do' that would continue to be developed along with the Child Friendly Dudley programme.

Changes were proposed in the volumes of roles in different areas with some staff being placed at risk of redundancy. Moving forward staff would continue to be supported either into other roles or in terms of re-deployment within the Local Authority.

There were 31 staff at risk of redundancy however it had become apparent that some would be assimilated into new roles.

It was reported that following the implementation of the phase one re-design only two members of staff were made redundant through their own choice and there was confidence that the implementation of phase two would see a similar outcome.

As part of the consultation there would be individual service meetings with staff placed at risk of redundancy. The consultation would run for 30 days until 11th October 2023 during which time staff could raise comments, questions, and queries. There was the aim to implement the new arrangements in December 2023.

Staff had also been signposted to other support services, as it was recognised that staff and the skills, they had were the Directorate's greatest asset.

The Service Director Education, SEND and Family Solutions confirmed that the only change to the Tipton Road facility was in leadership management.

- (a) Councillor P Lee referred to the staff that were at risk of redundancy, raising concerns in relation to the impact that would have on the remaining staff.

In response the Service Director Education, SEND and Family Solutions advised that the current consultation exercise would result in some level of anxiety, however support for staff had been offered from the outset and it was right and proper to alert those staff of the possibility of redundancy whilst providing support and guidance to those staff.

Resolved

That the report submitted on the Children's Services Phase Two Redesign, be noted.

22. **Questions from Members to the Chair under (Council Procedure Rule 11.8)**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.05pm

CHAIR