



Meeting of the Children and Young People Scrutiny Committee

**Wednesday, 26th, April 2023 at 6pm
Conference Room 9, Saltwells Education Development
Centre, Bowling Green Road, Netherton, Dudley**

Agenda - Public Session (Meeting open to the public and press)

1. Apologies for absence
2. To report the appointment of any substitute members serving for this meeting of the Committee.
3. To receive any declarations of interest under the Members' Code of Conduct
4. To confirm and sign the minutes of the meeting held on 13th March 2023 as a correct record (Pages 5 to 16)
5. Public Forum
6. To consider any questions from Members to the Chair where two clear days-notice has been given to the Monitoring Officer (Council Procedure Rule 11.8).

Under the provisions of Part 2 and 4 of Schedule 12A to the Local Government Act 1972, the Monitoring Officer has decided that there will be no advance disclosure of the following report because the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

7. Resolution to exclude the public and press



Chair to move:

“That the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information under paragraphs 2 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972, as amended, for the reasons stated on the agenda.”

8. **Call-in of the Decision Sheet – The Restructure of the Children’s Services Directorate (Pages 17 to 29)**



Chief Executive

Dated: 18th April 2023

Distribution:

Councillor P Bradley (Chair)

Councillor D Bevan (Vice-Chair)

Councillors C Bayton, H Bills, Cllr D Borley, S Bothul, M Howard, A Hughes, P Lee, K Lewis, A Millward, S Ridney and S Saleem

Invitee: Councillor R Buttery – Cabinet Member for Children and Young People

Co-opted Members with voting rights on matters concerning education: -

C Collins – Special Schools Representative

T Reid – Worcester Diocesan Board of Education Representative

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Submitting Apologies for Absence

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Minutes of the Children and Young People Scrutiny Committee

**Monday 13th March 2023 at 6.00 pm
At Saltwells Education Development Centre,
Bowling Green Road, Netherton, Dudley**

Present:

Councillor P Bradley (Chair)
Councillors C Bayton, H Bills, R Body, D Borley, S Bothul, R Collins, T Creed, P Lee, K Lewis, and S Ridney.

Invitee:

J Griffiths – Healthwatch, Dudley

Officers:

A Cartwright (Head of Service Consultant in Public Health), C Driscoll (Director of Children's Services), K Graham (Service Director of Children's Social Care), S Thirlway (Service Director Education, SEND and Family Solutions) and K Buckle (Democratic Services Officer).

49. Apologies for absence

Apologies for absence from the meeting were submitted on behalf of Councillors D Bevan, A Hughes, A Millward and C Collins.

50. Appointment of Substitute Members

Councillors T Creed, R Body and R Collins were appointed as substitute Members for Councillors D Bevan, A Hughes and A Millward respectively for this meeting of the Committee only.

51. **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.

52. **Minutes**

Resolved

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

53. **Public Forum**

No issues were raised under this agenda item.

54. **Action Tracker/Future Business**

The Chair updated Members in relation to the Action Tracker referring to those items that would be rolled forward to the 2023/24 municipal year.

The visits to the Multi Agency Safeguarding Hub and Family Centre were mentioned and it was noted that further visits would be arranged.

Resolved

That the information contained in the Action Tracker, be noted.

55. **Children's Services Improvement Update**

Members considered a report of the Director of Children's Services updating the Committee on the progress of the improvement actions set out in the 2022/23 Improvement Plan and in the oversight of the Dudley Children's Improvement Plan.

Members were requested to note the outcomes of the Ofsted ILACS inspection from November 2022, that shaped the development of the plan and the recommendations of the Department for Education (DfE) that Dudley Children's Services was no longer in need of support and supervision.

The Service Director of Children's Social Care presented the report submitted referring to the progress made against the five areas of the 2022/23 Improvement Plan that were outlined in the report submitted.

The improvement journey for the authority had been shared with Ofsted during their full inspection in October/November 2022.

Ofsted's findings were published on 13th January 2023 and identified that Dudley was an authority that required improvement to be good. That was in line with the staff-evaluation presented to the inspecting team, who found that the Chief Executive, Lead Members and the children's services leadership team were aware of the challenges faced in ensuring that Dudley's most vulnerable children were remained safe and enabled to thrive.

The work conducted by Dudley alongside Herfordshire County Council was outlined.

The Dudley Children's Improvement Partnership had been overseen by the DfE appointed Improvement Advisor, Alastair Gibbons, and it was noted that at the Partnership meeting on 18th January 2023 the decision to conclude the partnership was approved. This recognised the confidence in the foundations for improvement that had been set across the Directorate, including the commitment to partnership working through the new established Children and Young Person's Board, the Children's Group Safeguarding People Partnership and Family Safeguarding Board.

It was noted that Dudley Children's Services had been subject to support and supervision for some considerable time and the decision in relation to formal oversight through support and supervision was a ministerial decision. The DfE had confirmed their recommendation that the intervention through support and supervision should now be ended.

It was reported that the Family Safeguarding model of children's social work included adult facing workers which were also in the team, with expertise in substance misuse, poor mental health, and domestic abuse. This had been developed in Herfordshire, and they were supported throughout the DfE with a national team to facilitate the model across other authorities.

Dudley had previously taken some steps towards multi-disciplinary working in the development of two Family Come First teams, designed to work with families where children were on the edge of care, this had a clear focus on enabling children to remain with their families.

During the work since their inception, the Family Come First (FCF) teams had worked with 219 children and over their first 12 months, the total number of children that needed to become looked after from the FCF teams had been 9, which was a positively small cohort. Of all children identified as being on the edge of care, 93% had not become looked after. This provided strong evidence of the effectiveness of the whole family, multi-disciplinary approach.

The Family Safeguarding model that builds on the multi-disciplinary way of working had been seen to reduce the number of children in need of protection and the number of children who were in need of becoming looked after. It was also attractive to staff and had a good track record in staff retention.

The Authority had provided the financial support to enable the model to be adopted and the DfE had supported the service through the deployment of the Herfordshire team.

In relation to the Forward Plan, Ofsted had set out the five areas of improvement for the authority and these were outlined in the report submitted.

The sufficiency across the children's workforce at the front line remained an area of substantive challenge. The Ofsted report noted the comprehensive workforce development plan but recognised the risk posed in the fragility of the workforce. In January 2023, the Workforce Board noted that there was an 18% social worker vacancy level and a 12-month turnover rate of 19%, which inevitably resulted in a change of social worker for a child and their family.

The deployment of the Market Forces Supplement had delivered impact, but it had not been as effective in the core service area for support and safeguarding, that remained the most difficult area for recruitment.

Recruitment drives were continuing, with Officers attending the Compass Job Fair in March 2023

Work had continued with colleagues in the region in the consistent use of a shared Memorandum of Practice which strengthened the agreement that authorities would not take staff on an agency basis who had resigned from permanent positions in other authorities.

The Workforce Board continued with a sole focus on social work. The development of a social work career path would be investigated. This would enable progression to Advanced Practitioner level in each team.

Recent success had been achieved with a search model for recruitment and working with Human Resources colleagues on maximising each of those opportunities and work continued to support effective and timely deployment, the compliance checks in recruitment, and responsive management tools to support retention. The focus of that work would consist of a whole authority approach.

The workforce development plan continued and more widely, the forward plan was informed but not confined by the Ofsted actions. It was set in the wider redesign and in the implementation of Family Safeguarding.

The three key pillars that set the structure of the next phase of the continued improvement as contained in the report submitted were referred to.

Arising from the presentation of the report submitted, Members made comments and asked questions as follows: -

- (a) The Chair commented positively on the report presented and in response to a question in relation to the Membership of the Children's Group Safeguarding People Partnership, the Service Director for Children's Social Care advised that V Buchanan the Independent Scrutineer in Children's Services chaired the meeting, with other partners from Public Health, West Midlands Police and a school's representative also being members of the Partnership.
- (b) In response to a question from Councillor S Ridney in relation to budget and efficiency savings within the Children's Services Directorate, the Director of Children's Services advised that those savings would not impact upon the pay and conditions of Social Workers.

- (c) The Director of Children's Services, in response to a further question from Councillor S Ridney advised that Connect2Dudley were not responsible directly for referrals into the Local Authority of Social Work staff, however they were the master vendor to connect the Authority with agency Social Workers, and it was accepted that the recruitment of safeguarding and support Social Workers continued to be challenging.

The Service Director for Children's Social Care reported that one of initiatives for the recruitment of Social Workers was to provide them with free car parking.

The Director of Children's Services also reported on the provision of the roll out of hand-held devices to record reporting which had been rolled out in accordance with the Centre for Professional Practice guidelines.

- (d) In response to a question from Councillor H Bills, the Director of Children's Services referred to the high standards required for children and young people and the need to learn from mistakes, providing support to workforces and continuing to provide rigorous performance management.
- (e) In response to a question from Councillor D Borley, the Director of Children's Services reported that the Hertfordshire model of children's social care work was well reported and those pursuing social worker positions would be familiar with that model of working.
- (f) J Griffiths – Chief Officer of Healthwatch Dudley referred to the possibility of capturing the voices of children, families and carers in order to review services and provide feedback which would both support and improve services and the Service Director of Children's Social Care confirmed that possibilities would be explored further with Healthwatch Dudley.
- (g) In responding to a question from the Chair regarding Social Worker caseloads, the Service Director of Children Social Care advised that there was an average of approximately 24 cases allocated to each Social Worker across the children in care and children in need of protection services. There were approximately 20 to 24 cases allocated to each Social Worker for the children in need of assessment service, however that did not apply to Social Workers who were in their first year of qualification, and there was an overall target of 18 cases per Social Worker.
- (h) In response to a question from the Chair, the Service Director for Children's Social Care reported that there were three young people aged 16 to 17 years who were placed in supported accommodated with care needs, who were reviewed on a weekly basis, which included an updated risk analysis which was required to be signed off by the Director.

- (i) Councillor P Lee raised concerns in relation to those care leavers who were 18 years of age leaving the care system, as he did not believe that they were age appropriate to leave the system and reside on their own. It was suggested that the age limit should increase. Appreciation was expressed for the continued work with children and their families and adopting the Herfordshire model. There was a request that pay conditions be reviewed in order to raise those to an appropriate level.

The Service Director for Children's Social Care reported that all teams working within one building had been beneficial providing child focused work and service delivery for the children of the Borough.

Resolved

- (1) That the contents of the report on the progress of the improvement actions set out in the 2022/23 Improvement Plan, and in the oversight of the Dudley Children's Improvement Partnership, be noted.
- (2) That the outcomes of the Ofsted ILACS Inspection from November 2022, that shaped the next development plan, be noted.
- (3) That the recommendation of the Department for Education (DfE) that Dudley Children's Services was no longer in need of support and supervision, be noted.

56. **Annual Scrutiny Report 2022/23**

Members considered the Annual Scrutiny report for 2022/23.

The Chair presented the report submitted and in doing so suggested that the Special Educational Needs and Disabilities Service report be submitted to the Committee twice each municipal year.

Councillor C Bayton suggested that the Corporate Quarterly Performance reports be submitted to the Committee twice each year in order to provide Members with the most up to date analysis and data.

Councillor R Body requested that an item on home schooling be considered by the Committee. In response, the Chair referred to the report of the Virtual Headteacher that had been submitted to the last meeting of the Committee and Officers undertook to submit that report to Councillor R Body for information.

Councillor C Bayton requested that an item be included on care leavers accommodation and the issues that may pose going forward.

The Chair referred to the meeting of the Scrutiny Committee Chairs and Vice Chairs that was scheduled to take place on 30th March 2023 to discuss the Annual Scrutiny programme further, and confirmed that Members would be consulted further on items that they wished to be considered by the Committee.

Resolved

- (1) That the information contained in the report submitted on the Annual Scrutiny Programme 2022/23, be noted.
- (2) That the following items be rolled forward for inclusion in the draft Annual Scrutiny Programme for 2023/24: -

Corporate Quarterly Performance Reports
Special Educational Needs and Disabilities (SEND)
Children's Services Complaints, Comments and Compliments
Annual Report
Dudley Children's Safeguarding Partnership Annual Report
Independent Reviewing Officers Annual Report
Integrated Early Years, Family Hubs and Start of Life in Dudley
Serious Violence Strategy
Medium Term Financial Strategy
Education Report
Dudley Virtual School Annual Report
Social Care Improvement Updates

- (3) That the following items be included in the work programme for 2023/24: -

Good and innovative practices in other parts of the country, in respect of the long-term strategy to tackle the cycle of poverty embedded in parts of Dudley's Communities to assist with the development of the Dudley Strategy.

The role and responsibilities of the Private Sector Housing Team: what powers of enforcement they have at their disposal and an understanding of how they put the child at the centre of the work they undertake.

The ideas and initiatives Dudley could utilise to develop healthy High Streets and provide advice on whether fast-food delivery organisations require a special license to deliver food.

That Public Health undertake research and benchmark with other Authorities in relation to the Car Free Streets Scheme and provide a report outlining the advantages and disadvantages.

That a further report to review the data and progress made in relation to the Mental Health needs and support for children and young people, be submitted to the Children and Young Peoples Scrutiny Committee in 12 months.

Care Leavers accommodation and issues relating thereto.

- (4) That the Director of Children's Services considers the request to submit reports to the Committee on a half yearly basis in relation to Special Educational Needs and Disabilities and the Corporate Quarterly Performance Management reports.
- (5) That the Democratic Services Officer forward to Councillor R Body the Dudley Virtual School – Summary of Annual Report 2021/22 that was considered by the Committee on 19th January 2023.

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

Question

Councillor C Bayton - I am sure you will be aware of the Ofsted proposals for supported accommodation for care leavers in that they will be required to be Ofsted registered and then as part of that registration there will be a number of requirements that the provider will have to adhere to, increasing the cost of the placement and also changing the ethos of semi supported housing. Now, I fully accept and understand why Ofsted are

looking to bring in measures as for too long we have asked the most vulnerable youngsters in our society to live in the most risky of situations, however these proposals will have the unintended consequence of impacting on the good provision locally we have used for many years. I have attached the Chartered Institute of Housing (CHI) response to the DFE consultation to give additional context to this correspondence.

From a governance perspective i believe it is likely to become law by April 2023 and implemented by Autumn 2023, and this scrutiny committee need to understand the impact for our care leavers if accommodation is withdrawn and the budgetary impact of costs have to significantly rise.

So I am asking that the Director of Children's Services shares the following with this committee:

1. The planning that the authority has undertaken so far on this Ofsted/DFE proposal.
2. The anticipated additional budgetary costs involved and how these will be met.
3. What representation this authority has made to Government on these proposals
4. For a paper detailing this issue to be tabled in the next municipal year's scrutiny programme.

Response

Supported accommodation

1. The planning that the authority has undertaken so far on this Ofsted/DFE proposal.

We recognised at an early stage the need to prepare and support our provider market in anticipation of regulation. Through our existing quality assurance processes we have always expected and held providers to account through a high support, high challenge approach that mirrors the restorative practice model within Children's Services. In this respect, providers supporting Dudley young people have experience of inspection and scrutiny. We have also developed tools/approaches to support providers and partners which will prepare them for a regulatory regime and enable them to feel more comfortable and confident in their ability to operate within a regulatory framework. Particular areas of innovation have included our partnership with the University of East London and St Christophers to co-produce with young people a Dudley Kite Mark for Supported Accommodation. Building on this partnership we have recently developed and rolled out an online training package for community policing

in Dudley focusing on supported accommodation including the shift to regulated provision. This has been received well and work is now underway to roll this out across West Midlands Police.

At a regional level activity is underway to engage and prepare the provider market for these changes. This work is being coordinated by the West Midlands Regional Commissioning Hub and Staffordshire County Council as the lead authority for the West Midlands Supported Accommodation Framework. Dudley Council Children's Commissioning are active contributors to this. An initial event was held in January 2023 with over 100 providers in attendance. A further regional event is planned for the 19th April with the intention to also hold some Dudley specific engagement activities commencing from May. We maintain close links with our local providers/RSLs supporting young people e.g. CHADD and YMCA with providers such as this waiting on the response from Government to the latest round of consultation before confirming their future intentions.

We have approached Supported Accommodation Providers, looking after Dudley children to establish whether they intend to register. So far, 90% have indicated that they intend to register with Ofsted.

2. Anticipated budgetary cost and how this will be met

The registration standards have not yet been published and none of our providers have indicated that they will increase their prices following registration. We continue to keep this under consideration in our discussions with providers.

The Council have allocated additional funding for costs of children in care for 2023/24 of £3.2m for all placements.

3. Representation to Government

We have been proactive in our response and representation to Government on this matter responding to the first national consultation on this issue in 2020, indicating support in principle for the proposals but with a strong desire to influence and shape the detail.

More recently Children's Commissioning has been pro-active in making contact with the DfE representatives leading on the implementation of this agenda. This has resulted in several meetings with DfE, to which Ofsted have also been invited. The Authority's Children's Commissioning are active members of the West Midlands Strategic Commissioning Network and have coordinated wider involvement of other West Midlands local authorities in these meetings including Staffordshire as the lead authority for

the West Midlands Supported Accommodation Framework.

These recent meetings with DfE have enabled us to gain insight into developments not yet in the public domain, including expected timescales for payments relating to additional grant funding and changes that may be set out in the DfE's response to the latest round of consultation, expected to be published at the end of March.

Via this interaction with DfE Dudley Council has also been approached to be a member of the national Steering Group for the Sector Awareness and Provider Preparedness activity, whereby DfE have appointed National Children's Bureau as the lead contractor for this work. This will again ensure that we are at the forefront of shaping developments and can transfer emerging learning and development back to the local context, working to support young people and our partner agencies/providers that deliver care and support services to them.

58. **Closing Remarks of the Chair**

This being the final meeting of the municipal year, the Chair thanked Members for their attendance and contributions to meetings and Officers for their continued support.

The meeting ended at 7.10pm

CHAIR