

CHILDREN'S SERVICES SCRUTINY COMMITTEE

Thursday, 13th September, 2012 at 6.00pm
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor S Turner (Chair)
Councillor Boleyn (Vice-Chair)
Councillors Arshad, Attwood, Mrs Billingham, Bills, J Jones, Marrey,
Mrs Simms and Mrs Walker; Mr Bruton, Mrs Coulter, Mr Songole, Mr Taylor,
Mrs Verdegem and Reverend Wickens.

OFFICERS

Assistant Director of Adult, Community and Housing Services (Health Reform Programme Lead) – Lead Officer to the Committee; Director of Children's Services, Assistant Directors of Children's Services (Children and Families) and (Quality and Partnership), Divisional Manager and Service Manager (Children's Specialist Services/Children's Resources), Divisional Manager (Children's Disability Team), Education Improvement Advisor, School Development Advisor, Lead Consultant for Elective Home Education/Gypsy Roma Traveller (School Improvement Team) and the Democratic Services Manager.

11 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors Casey and Crumpton, Mr Ridney and Mrs Ward.

12 **DECLARATIONS OF INTEREST**

Councillor Mrs Simms declared a non-pecuniary interest in Minute No. 16 in view of her employment with Barnardos.

Councillor Mrs Walker declared a non-pecuniary interest in Minute No. 15 as a member of the Adoption Panel.

13 **MINUTES**

RESOLVED

That, subject to the inclusion of Mr M Lynch in the list of those present and Mr S Taylor in the list of apologies for absence, the minutes of the meeting held on 21st June, 2012 be approved as a correct record and signed.

ELECTIVE HOME EDUCATION REPORT FOR THE ACADEMIC YEAR 2011/12

The Committee received a report of the Director of Children's Services on the work undertaken in relation to Elective Home Education (EHE) for the academic year 2011/12. The report set out information on parental and local authority responsibilities and statistical information regarding children on the EHE register/database. The report included details of the work of the Children's Services Directorate, in collaboration with other directorates and agencies, and the local authority support given to Elective Home Education children.

The Committee recognised the importance of this service and the support structures to promote safeguarding and the welfare of children. It was noted that whilst education was compulsory, schooling was not. The local authority had no legal right of access to individual homes regarding educational provision and working conditions.

Specific reference was made to funding that could be obtained to support children with Special Educational Needs (SEN) who required access to the services of speech and language therapists at home.

The Committee analysed the reasons given by parents for electing to educate their children at home. Concern was expressed regarding the requirements of the Education and Inspection Act 1996 which placed duties on the Council to make arrangements to identify children not receiving a suitable education, however, parents were not required to register a child as being home educated unless they left a school's roll. The Director of Children's Services reported on all reasonable efforts made by the Council to track children in early years provision and schools were specifically required to notify the local authority if a child was taken out of school.

The Committee commended the work of the Team and stressed the ongoing importance of this work to maintain the Council's safeguarding priorities in the context of the overall financial position. The Committee also stressed the importance of monitoring trends and developments in future years.

The Director of Children's Services also emphasised the considerable activity undertaken by the Directorate in working with schools and parents to tackle allegations of bullying both generally and on a case-by-case basis.

Officers gave additional information concerning Fair Access Protocols, which were the subject of ongoing discussions with schools to minimise any delays in children receiving education that suited their needs.

Reference was made to cases where a child was withdrawn from a school and the length of time the place was kept open before being reallocated to another pupil. Whilst concern was expressed that 20 days may be too short in some cases, officers emphasised the importance of first visits being undertaken as soon as possible.

The Committee also discussed the financial implications when a child was withdrawn from a school if the parents elected for home education. In particular it was noted that, in line with national requirements, a school would retain funding for SEN pupils. The school would, however, work with the local authority to provide any necessary outreach support to an individual child.

RESOLVED

- (1) That the report be noted and the work of the Team in connection with Elective Home Education be commended.
- (2) That the comments of the Committee, as set out above, be reported to the Cabinet Member for Integrated Children's Services.
- (3) That the officers concerned be thanked for their attendance at the meeting and responses to questions from the Committee.

15 ANNUAL REPORT OF THE DUDLEY LOCAL AUTHORITY ADOPTION SERVICE 2011/12

The Committee received the annual report of the Dudley local authority Adoption Service for 2011/12. The annual report included details on the range of services provided by the Team together with performance and activity levels and service developments for the year.

The report referred to national changes including the response to the Government action plan to reform the adoption system. New statutory guidance and Regulations had been issued with effect from 1st September, 2012. The primary change was that the Adoption Panel would no longer be involved in the agencies process of deciding whether a child should be placed for adoption when the court was involved in the decision. The Adoption Panel would still be required to consider places and make recommendations where the child's parents consented for the child to be placed for adoption. Where the child's parents were not prepared to consent, where proceedings were ongoing or where the child had no parents, the case must be directed to the agency decision maker. In Dudley, this was the Assistant Director of Children's Services (Children and Families).

The Committee undertook a detailed discussion on the annual report. Reference was made to the options considered before the adoption route was pursued, including opportunities for the birth family and the extended family in individual cases. In all cases, however, the Committee recognised that the child's best interests were of paramount importance.

In relation to staffing levels, the Committee noted that the Senior Practitioner was supported by experienced staff. Concern was expressed that the Adoption Service was working at or beyond capacity. The potential risks of delays in undertaking assessments were mitigated by officers prioritising workloads as necessary. The breakdown rate for adoption placements had been zero over the past three years. The importance of maintaining and monitoring performance information and trends was also acknowledged.

The Committee commended the work of the Adoption Service and the Adoption Panel, particularly in the context of the challenging circumstances and difficulties encountered in this sensitive area of work.

RESOLVED

- (1) That the annual report of the Adoption Service for 2011/12 be received and noted.
- (2) That the comments of the Committee, as set out above, be reported to the Cabinet Member for Integrated Children's Services.

FOSTERING SERVICE ANNUAL REPORT

The Committee received a report of the Director of Children's Services on the Fostering Service in Dudley for 2011/12. The annual report included details of levels of service, placement activity, key achievements and future service developments.

The report covered the legislative framework and the comprehensive range of fostering service provision, in consultation with social work teams, to secure appropriate placements for looked after children. Reference was made to the role played by the Fostering Service in discharging the Council's corporate parenting responsibilities.

The Service also provided 'family finding' for children who required permanent foster placements; recruited, trained and supervised mainstream foster carers and Family and Friends foster carers and facilitated carers support groups and groups for young people in care and birth children of families who provided fostering. The Service also delivered a specialist foster care therapeutic treatment programme known as Flipside.

Information was also submitted on the total funding for the Fostering Service in the 2011/12 financial year.

The Committee referred to the continuing efforts to encourage foster carers to undertake training and development and provide support wherever possible. Members welcomed the statistic that no children or young people had changed educational placement or school because of a foster placement change during the period covered by the report.

It was noted that the Council did not provide a short-term break service as this was offered by Barnardos. A member queried the number of places provided in relation to short term breaks for looked after children. The Director of Children's Services undertook to provide a written response, for circulation to the Committee, to include the number of contracts and the monitoring/review arrangements.

The Committee also noted that the number of looked after children as included in the report (678) was not a static figure and the Council undertook early years intervention support to return children to their birth parents where this was possible and appropriate.

In regard to the statistical information provided, the Director of Children's Services undertook to annotate future reports where a 'not applicable' return might be more relevant than zero, however, this was not a matter for local discretion.

A member referred to the provision of trending information from previous years concerning allegations of misconduct against foster carers. The Director of Children's Services undertook to provide a written response. Reference was also made to potential links to allegations of misconduct and concerns resulting in a referral to the Child Protection Team, including the outcome of such referrals. The Director of Children's Services clarified that there was no direct link between these two separate items, however, this would be clarified in a written response.

The Committee referred to the issue of child trafficking and issues associated with looked after children. It was noted that this was closely monitored through existing systems. Members also noted that incidents of children/young people who went missing primarily related to periods of 24 hours or less. Pre-placement agreements made provision for the authority to be notified without delay should a child be reported as missing.

RESOLVED

- (1) That the annual report of the Fostering Service for 2011/12 be received and noted.
- (2) That the comments of the Committee, as set out above, be reported to the Cabinet Member for Integrated Children's Services.
- (3) That the issues of safeguarding and sexual exploitation be included in the future work plan of this Committee.
- (4) That the Private Fostering Report be included on the list of information items for the next meeting of the Committee.

ACTION PLANS IN RESPONSE TO THE OFSTED INSPECTION OF SAFEGUARDING AND LOOKED AFTER CHILDREN

The Committee considered a report of the Acting Director of Children's Services on the progress of work in connection with the Ofsted inspection of Safeguarding and Looked After Children Services that had taken place in 2011.

The Committee received two action plans to address specific issues in the inspection report relating to:-

- (a) Ensure timely access to emotional and mental health services for women who required additional support prior to and following the birth of their children.
- (b) Develop explicit joint protocols between Children's Services, Health and Adult Social Care to ensure that older young people and those at points of transition received appropriate, timely and continuous services to meet their assessed needs.

In relation to (a) above, it was noted that health representatives were unable to attend this meeting and this action plan would be resubmitted to the next meeting. Members were assured that key positions had been recruited to and the work set out in the document was taking place.

The Committee recorded its concerns that a senior health officer was not in attendance and recommended that these concerns be reported to the Cabinet Member and the Clinical Commissioning Group (CCG) to ensure the correct level of representation at future meetings. The Chair would write to the key individuals concerned to convey the views and concerns of the Committee.

In relation to (b) above, the Committee was informed that the draft protocols had been produced and these continued to be developed in consultation with the relevant agencies.

The Committee received assurances that the work was progressing and the 'red' ratings in the document were moving to 'amber' and 'green'. There was commitment from the various agencies to work together, share information and reduce any potential for duplication.

RESOLVED

- (1) That the action plans presented to the meeting be noted and that further action plans and progress information be reported to future meetings of the Scrutiny Committee.
- (2) That the Chair convey the views and concerns of the Committee to the Cabinet Member and the CCG relating to the attendance of senior officers representing health services at this and future meetings of the Scrutiny Committee.

- (3) That in future, officers ensure that the information and timescales in the action plans are updated and include realistic programmed completion dates as far as possible.
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18 'TROUBLED FAMILIES' IN DUDLEY

The Committee received a report of the Director of Children's Services on the Department for Communities and Local Government 'Troubled Families' initiative and its implementation in Dudley. The Lead Officer reminded the meeting of his direct involvement in this project funded by the Department for Communities and Local Government.

The Committee noted the ongoing work on this initiative. Further reports would be submitted in due course to this and other Committees as well as other partnership groups in view of the complex, corporate and multi-agency nature of the project.

The Committee referred to ongoing support for families, the sustainability of the three-year project and capacity issues. Many issues were subject to clarification in the context of reward funding, service/system redesign to generate reinvestment and potential additional sources of income. Most of these issues could not, however, be precisely quantified at this time. It was noted that the success of the project was heavily dependent on support from other agencies, in particular the police and health services.

The Committee welcomed the principles of the project to assist families subject to targeted criteria and focussed objectives and outcomes. The Council had some discretion over the local criteria and it had been proposed to include 'children on the edge of care'. With regard to the criteria for children not in school, it was clarified that this related to children who were on a school roll but did not attend school.

A total of 740 families had been identified for support over the three-year project period, however, it was recognised that some may not co-operate. The grant funding was not ring fenced and could be carried forward from year one into future years.

The Committee recognised the size and complexity of the project and the need to deliver this from within existing staffing resources. Considerable work was already in progress and key workers would be in post as soon as possible. The Committee supported the opportunities to build on the work already undertaken, to redeploy resources in the most effective way and to invest in early intervention.

RESOLVED

That the report be noted and a further progress report be submitted to a future meeting of the Committee.

19 YOUTH OFFENDING SERVICE INSPECTION

The Director of Children's Services reported that the Council had not yet received the Inspector's final report. This item was deferred until the next meeting of the Committee.

20 QUESTIONS UNDER COUNCIL PROCEDURE RULE 11.8 AND
INFORMATION ITEMS

There were no questions asked under the provisions of Council Procedure Rule 11.8.

In connection with the information items, the Director of Children's Services circulated additional information, including provisional data concerning examination results. Reference was made to celebrating the achievements of Looked After Children and recognising the achievements of the Virtual School, including the Head and his Team. The Chair noted that the information on school examination results and performance statistics would be the subject of a separate report to a future meeting of the Committee.

The Lead Officer drew attention to the draft Joint Health and Wellbeing Strategy and indicated that any additional comments on the document would be welcomed.

At the conclusion of the business, the Chair thanked all those present for their attendance and contributions to the discussions of the Scrutiny Committee. He also congratulated Jane Porter on her recent appointment to the post of Director of Children's Services.

The meeting ended at 8.30 pm

CHAIR