

Medway Council
**Virtual Meeting of Children and Young People Overview
and Scrutiny Committee**

Thursday, 1 October 2020

6.35pm to 10.08pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Kemp (Chairman), Opara (Vice-Chairman), Ahmed, Carr, Cooper, Hackwell, Johnson, Purdy, Thorne and Mrs Elizabeth Turpin

Co-opted Members with voting rights on educational issues only:

Clive Mailing (Roman Catholic Church representative) and Fay Cordingley (Church of England Representative)

Added members without voting rights:

Archie Bean (Medway Youth Council Chair), Oliver Branch (Medway Youth Council Vice-Chair), Nicola Forrest (Head Teacher Representative), Geoffrey Matthews (Teacher Representative) and Margaret Cane (Healthwatch Medway CIC Representative)

Substitutes: Lisa Scarrott (Substitute for Michelle Dewar - Medway Parent and Carer Forum)

In Attendance: Lee-Anne Farach, Assistant Director - Children's Social Care
Sameera Khan, Assistant Head of Legal Services
Chris Kiernan, Interim Assistant Director, Education and SEND
Daniel Ratcliff, Skills and Employment Programme Manager
Teri Reynolds, Democratic Services Officer
Ian Sutherland, Director of People - Children and Adults Services
Wendy Vincent, Head of Integrated 0-25 Disability Services
Sandy Weaver, Complaints Manager for Social Care

284 Apologies for absence

During this period, it was informally agreed between the two political groups, due the Coronavirus pandemic, to run Medway Council meetings with a reduced number of participants. This was to reduce risk, comply with

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Government guidance and enable more efficient meetings. Therefore, the apologies given reflects that informal agreement of reduced participants.

Apologies for absence were received from Councillors Aldous, Barrett, Sylvia Griffin, Howcroft-Scott, Osborne, Chrissy Stamp and from Michelle Dewer (Medway Parent and Carer Forum), Akinola Edun (Parent Governor representative) and David Lane (Parent Governor representative).

285 Record of meeting

The record of the meeting was agreed by the Committee and signed by the Chairman as correct.

286 Urgent matters by reason of special circumstances

There were none.

287 Disclosable Pecuniary Interests or Other Significant Interests and Whipping

Disclosable pecuniary interests

Councillor Opara declared a DPI in item 5 (Update on Children who are not in Employment, Education or Training (NEET)) as she ran a provision for NEETs in Medway. She left the meeting for the discussion and decision on this item.

Other significant interests (OSIs)

Councillor Mrs Elizabeth Turpin declared an OSI in item 6 (Update on Special Educational Needs and Disabilities (SEND) Capital Programme and Future Provision in Medway) as she had a child attending one of the schools referred to in the report who would benefit from the proposed expansion. She left the meeting for the discussion and decision on this item.

Other interests

Clive Mailing (Southwark Diocese representative) declared an interest in item 6 (Update on Special Educational Needs and Disabilities (SEND) Capital Programme and Future Provision in Medway) explaining that he was a member of the Schools Forum and its High Needs Sub-Group, therefore he would not participate in the discussion or decision on this item.

288 Update on Children who are not in Employment, Education or Training (NEET)

Discussion:

The Committee considered a report which provided an update on the current situation with young people who were not in education, employment or training (NEET) or whose destination was unknown to the Council.

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Members raised the following comments and questions:

- **Door knocking** – in response to a comment about whether door knocking to establish the activity of Medway’s unknowns, could continue in the current social distancing measures, officers confirmed that this was a last resort method which had been fully risk assessed to ensure it was covid safe.
- **Employment Task Force** – in response to a question about the task force’s remit, officers confirmed that it had its inaugural meeting earlier that day and it would initially be focussing on the impact of covid-19 and how the collective task force partners could respond by identifying and maximising opportunities for work and work experience.
- **Brighter Futures event** – confirmation was given that this did include care leavers and the event was in fact being highly publicised to this cohort of young people who were keen to engage in the event. An update on post 16 activity for Medway’s care leavers was recommended to be presented to the Corporate Parenting Board.
- **Increasing provision** – in response to questions about what was being done to address the provision deficit, officers confirmed they were working closely with Mid Kent College to seek opportunities to increase resource for provision of courses that were not currently part of the college’s prospectus and would be attractive to NEETs who may have considered that traditional college was not for them. Officers were also working closely with the Department for Work and Pensions to explore further opportunities as well as funding resources. Loss of ESF funding had impacted on provision in Medway, particularly more recently as accessing the available funding had become more difficult due to targets attached to the funding which were very difficult to achieve but officers were focussed on trying to address this.
- **Information Advice and Guidance service reduced capacity** – officers confirmed that the reduced capacity had been as a result of staff leaving, but that the team was now back up to capacity and therefore the deficit of action to identify unknowns was not anticipated to occur this year.

Decision:

The Committee noted the report and recommended that an update on provision of post 16 activity be presented to the Corporate Parenting Board.

In accordance with Council rule 12.6, Councillors Cooper and Johnson requested that their votes in favour be recorded.

289 Update on Special Educational Needs and Disabilities (SEND) Capital Programme and Future Provision in Medway

Discussion:

The Committee considered the report which provided an update on the proposed capital programme for SEND provision, the purpose of which was to increase the number of specialist places in state schools in Medway. The Assistant Director, Education and SEND, explained that invitations for expressions of interest in hosting a resourced unit had been sent to all Medway secondary schools, with a deadline of 9 October 2020 to respond. It was hoped to deliver 123 places for children with social, emotional and mental health difficulties and 98 places for children requiring a specialist autism provision.

Members then raised a number of comments and questions, which included:

- **SEND in primary schools** – officers explained that primary resourced places were broadly in line with the national average of children accessing resourced places within mainstream schools. However, in Medway there were too many pupils unable to continue in mainstream resourced provision when transitioning from primary to secondary, where the figure was 35% short of the national average and addressing this shortfall within mainstream secondary schools was therefore the priority at this stage.
- **Specialist school provision** – officers explained that the planned expansion of Abbey Court was anticipated to begin shortly, subject to full Council approval for the funding and it was therefore anticipated that spaces for current year 6 children at Abbey Court would be available as they transition to Year 7 in September 2021. The opening of the free school at the Cornwallis site would be longer, largely due to Department for Education timescales but it was anticipated this would be ready around September 2023.
- **Resourced units** – in response to a question about how resourced units within mainstream schools operated, officers explained there were various models. One example could be that a school had pupils within post 16 provision that have social and emotional mental health needs. These children would register within and be part of a form and would learn within mainstream classes where they were able to cope but would have access to the specialist resource provision when they needed it. An alternative model could be that children be on roll at a specialist school but attend classes at a mainstream school.
- **Impact of the deficit in high needs block** – officers confirmed that the overspend on the high needs block of the Dedicated Schools Grant was

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a significant revenue problem but explained the plan in place to address this. If the Council was successful in the provision of an additional 315 specialist school places and 221 resourced places, it would recover approximately 80% of the current spend, equating to a saving by 2029/30 of £8.5million in specialist provision and nearly £3million in resourced provision. In addition, quality of education for the young people would be better, with all specialist and secondary schools in Medway being good or outstanding. This plan estimated that the debt would be recovered by 2025/26 or 2026/27, where spend would then become contained within the high needs grant.

- **Grammar school provision** – officers confirmed that there were no difficulties in placing children with EHCPs who had been deemed selective in grammar schools in Medway.
- **Levels of SEN and subsequent support in Medway** – officers confirmed that Medway had 15% more pupils with an EHCP than the national average and was the most or second most overspent on its high needs grant. This did not indicate that Medway was a low spending local authority in relation to its SEND provision but a rebalance was needed in addressing the high level of spend on independent school provision.
- **Expression of interest** – officers undertook to update the Committee members on the outcome of the expressions of interest in mid-October. It was added that the Regional Schools Commissioner was supportive of this work, recognising that inclusion in Medway secondary schools needed to be improved.
- **Location of Abbey Court expansion** – it was confirmed that the secondary phase of Abbey Court would be located adjacent to the primary phase at Cliffe Road. The Rede Court site would continue to be used for sixth form specialist provision.
- **SEND inspection and improvement** – following the initial inspection, there had been a revisit in December 2019, where Ofsted and CQC released Medway from five of the initial eight areas of concern. A monitoring meeting had taken place in August, from which positive feedback had been received and a further monitoring meeting was due to take place at the beginning of December.

Decision:

The Committee noted the report and welcomed the update from officers on the expressions of interest received relating to resourced provision in secondary schools.

In accordance with Council rule 12.6, Councillors Cooper and Johnson requested that their votes in favour be recorded.

290 **Complaints and Compliments Annual Report 1 April 2019 to 31 March 2020**

Discussion:

The Committee considered the annual report of children's social care complaints and compliments which covered the period 1 April 2019 to 31 March 2020.

Members raised a number of questions and comments, which included:

- **Care Leaver placements** – reference was made to a complaint made by a care leaver who had been placed in bed and breakfast accommodation. Officers confirmed that the local authority should have done more to support this care leaver, who should not have been placed in such accommodation. It was confirmed that the young person was now doing well and that no children were placed in bed and breakfast.
- **Benchmarking** – it was asked whether any benchmarking would be possible to enable the Committee to carry out informed scrutiny about Medway's performance. Officers explained that it was very difficult to benchmark against other authorities but based on professional experience officers considered that performance was in line with average, and the next annual report was expected to demonstrate great improvement. Officers also confirmed that less complaints were referred to the Local Government and Social Care Ombudsman than the national average.
- **First Response Team** – reference was made to the high levels of complaints relating to this team, particularly in relation to behaviour and communication. Officers explained that this was expected, given that this was usually a family's first interaction with social care, where there was often shock, vulnerabilities and no established relationship, so a common reaction by families was often to complain.
- **Upheld complaints** – reference was made to 50% of complaints being upheld in some areas. Officers emphasised that the period during which the complaints covered was when Medway received its inadequate Ofsted judgement. It was envisaged that the annual report covering the current year (2020-21) would demonstrate a much improved picture.
- **Dealing with concerns that are not complaints** – reference made to the 120 concerns detailed at section 9.3 of the report, which could not be taken under the statutory children social care complaints procedures. Assurance was given that these concerns were logged and considered to ensure issues were still learned from, even though they may not have formed part of the statutory complaints process. Officers explained they would seek to provide further detail on these issues in future reports.

- **Timescales** – a question was asked about how expectation was managed for timescales in responding to complaints when delays occurred. Officers confirmed that holding letters are sent to keep the complainants informed.

Decision:

The Committee noted the report.

In accordance with Council rule 12.6, Councillors Cooper and Johnson requested that their votes in favour be recorded.

291 Report on Ofsted Monitoring Visit

Discussion:

The Committee considered a report which updated the Committee on the outcome of first Ofsted monitoring visit. The Chairman confirmed that the letter from Ofsted had been published by the Council and was available on the Council's website.

Members then raised a number of questions and comments, which included:

- **Increase in social workers and reduction in caseloads** – reference was made to the additional 35 social work posts that had been created across the service and the impact this had had on reduced caseloads, which was welcomed. Officers added that recruitment and retention was an improving picture, with below 30% of staff being from agency. It was added that the first two of 10 international social workers were also now in Medway.
- **Quality of practice** – officers confirmed that the quality and consistency of assessments was the next area of focus and from that would come improvements in planning and permanency for children and a quality of service for children and their families. It was added that the moderation of audits was found to be effective and sound, which was a significant positive outcome. However, the first line of auditing was sometimes considered to be overly optimistic and that was therefore a gap that was being worked on to narrow. Furthermore, as quality of practice improvement was continued, re-referral rates, which was still a concern, should reduce.
- **Voice of the child** – reference was made to the commentary in the letter around ensuring the voice of the child is heard in assessments. Officers confirmed that this largely relevant to two issues. One related to cases where there were issues of domestic abuse and/or substance misuse and social workers were overly focussed on the parental behaviour and not giving the impact on the child enough consideration. The other

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related to cases involving multiple children, where a particular issue related to one child, there was not enough consideration of the impact on the other children within the family.

- **Child's journey** – officers undertook to share a document that had been produced for the Corporate Parenting Board, which detailed information about the whole journey for children within children social care.
- **Health partners contribution** – reference was made to the comment within the letter about there being some issues with the contribution of health partners in some cases. Officers confirmed that this related to a small number of cases which had been an impact of the covid-19 pandemic and NHS colleagues being redeployed. As those colleagues returned to their substantive posts, engagement was improving.
- **Consistency of practice** – officers confirmed that the Assistant Director and Principal Social Worker met monthly with team leaders to ensure consistency of practice and added that stabilising the workforce was key to embedding consistency of approach. It was added that phase 2 of the improvement journey was focussing on practice and making sure that changes implemented were sustainable.
- **Pace of improvement** – in response to a question about whether the pace of improvement was supported by Ofsted, officers explained that there needed to be a balance between pace and sustainability and although Ofsted had not been explicit about this, the dramatic reduction in caseloads which had given social workers the space to carry out better quality work had been a huge improvement factor. Officers also confirmed that the Children's Commissioner, the Independent Chair of the Improvement Board and the Department for Education had all indicated that the letter from Ofsted had demonstrated a very satisfactory result of a first monitoring visit and it was also highlighted that no children were identified to be at risk of harm by Ofsted.
- **Ofsted's next interaction with Medway** – in response to a question about when the next interaction from Ofsted would be, officers confirmed that Ofsted would be undertaking assurance visits to local authorities, regulated services and schools for the next six months. This was causing a further delay in that the second monitoring visit would not take place until the assurance visit in Medway was completed, which would be early 2021 at the earliest.
- **Impact on action plan** – officers confirmed that Medway's improvement action plan was dynamic and flexible and would inevitably be reviewed and modified, although much of the findings from Ofsted were already identified and being addressed in the action plan.

Decision:

The Committee noted the report and welcomed the receipt of the document relating to the child's journey and a future report on quality assurance.

In accordance with Council rule 12.6, Councillors Cooper and Johnson requested that their votes in favour be recorded.

292 Council Plan Performance Monitoring and Risk Register Review Quarter 1 2020/21

Discussion:

The Committee considered a report which provided the Committee with a summary of performance in Quarter 1 of 2020/21 on the delivery of the two priorities relevant for this Committee; people and growth.

Members then raised a number of questions and comments, which included:

- **Children not in education, employment or training (NEET)** – in response to this measure, Members asked that the narrative be clearer in that the number of NEETs was increasing because of the work being done in identifying unknowns. Officers explained that NEETs performance did need improving but added that the significant danger relating to those whose destination was unknown, had improved.
- **Contextual Safeguarding** – reference was made to a video available on YouTube which explained contextual safeguarding and it was recommended that the link to this be sent to Members for information and that contextual safeguarding be incorporated within a future report on the Adolescent Team.
- **Adoption** – reference was made to the measure relating to adoption and that although performance still needed to be improved, the point was made that the number of disruptions of adoptive placements were few. Officers acknowledged this and that the trends against this measure demonstrated an improving picture. They added that the Regional Adoption Agency, which was due to go live on 1 November 2020, would also create more opportunities for improved performance in this area.
- **Relationship with schools** – in response to a concern raised that it could be premature to remove the risk relating to this, officers explained that relationships with schools had begun to improve before the covid crisis, which had then resulted in further improvement through strong partnership working. It was felt relationships were established enough on a number of areas and were now practical and assertive.

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- **Benchmarking caseload data** – in response to a question about whether it would be possible to provide benchmarking data for caseload information across various teams, officers explained that caseload figures were not validated published data and that, together with the fact that different authorities structure their social care in different ways, made it difficult to benchmark against. However, officers undertook to liaise with other authorities to seek benchmarking opportunities.
- **Recruitment and retention** – concern was raised about the ongoing poor performance relating to recruitment and retention of social workers. Officers explained that the additional 35 posts equated to approximately a 20% increase of the entire workforce and added that there had been a steady improved position on this, which officers were optimistic about.
- **School absence** – in response to a question about how the authority and schools were addressing school absences post lockdown, officers confirmed that attendance was at 94% in primary school, therefore very close to the average attendance. It was anticipated that many of the children persistently absent or late, were children who had attendance issues pre-covid. Schools were now advised to take a measured approach and be sympathetic and supportive where families had good reasons, but to be assertive where there were not and refer where necessary. It was added that the law on attendance had now returned to that in force pre-emergency legislation relating to the pandemic.

Decision:

The Committee noted the report.

In accordance with Council rule 12.6, Councillors Cooper and Johnson requested that their votes in favour be recorded.

293 Work programme

Discussion:

The Committee considered its work programme and raised the following issues:

- **Out of area placements** – officers confirmed this would be circulated to the committee imminently.
- **Provisional funding formula** – concern was raised that this was routinely an item where call-in was waived. Officers confirmed that this was usually due to timings of the consideration by the Schools Forum and then deadlines for submission to the Department for Education. Officers undertook to explore the possibility of appending information on this to the draft capital and revenue budget report scheduled for the December meeting.

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- **Improvement journey** – suggestion was made to a themed report regarding quality assurance and audit activity. It was also suggested that the Independent Chair of the Improvement Board be invited to the meeting for this item.
- **Recruitment and retention report** – it was suggested that this be brought to the Committee via a briefing note instead. Members could then scrutinise issues further under council plan monitoring visits. It was anticipated this briefing note could be circulated in approximately one month.

Decision:

The Committee agreed the work programme, subject to the additions detailed above.

In accordance with Council rule 12.6, Councillors Cooper and Johnson requested that their votes in favour be recorded.

Chairman

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