

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

Tuesday, 5 December 2023

6.30pm to 9.20pm

Record of the meeting

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

Present: Councillors: Howcroft-Scott (Chairperson), Mandaracas (Vice-Chairperson), Animashaun, Campbell, Gulvin, Jackson, Jones, Perfect, Shokar, Spring and Mrs Turpin

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

Lenny Williams (C of E Diocese Representative, Rochester Diocesan Board of Education), Sharon Docherty (Roman Catholic Diocese Representative, Roman Catholic Archdiocese of Southwark) and Georgina Bentaleb (Parent Governor Representative)

Added members without voting rights:

Victoria Aspin (Teacher Representative) and Oliver Tomlin MYC Cabinet Member (Medway Youth Council)

Substitutes: Councillors:
Lawrence (Substitute for Lammas)
Nestorov (Substitute for Hamilton)

In Attendance: Keith Clear, Medway Parents and Carers Forum, Medway Parents and Carers Forum
Maria Beaney, Finance Business Partner, Education
Celia Buxton, Assistant Director, Education and SEND
Kelly Cogger, Head of First Response and Targeted Services
Steve Dickens, Democratic Services Officer
Katey Durkin, Chief Finance Officer
Lee-Anne Farach, Director of People and Deputy Chief Executive
James Harman, Head of Children's Services Commissioning
Andy McNally-Johnson, Head of Corporate Accounts
Michelle Pink, Customer Relations Manager
Simon Plummer, MSCP Business Manager
David Reynolds, Head of Revenue Accounts
Sandy Weaver, Complaints Manager for Social Care

Children and Young People Overview and Scrutiny Committee, 5 December 2023

412 Apologies for absence

Apologies for absence were received from Councillors Hamilton, Lammas and Pearce.

413 Record of meeting

The record of the meeting held on 5 October 2023 was agreed and signed by the Chairperson as correct.

414 Urgent matters by reason of special circumstances

There were none.

415 Disclosable Pecuniary Interests or Other Significant Interests and Whipping

Disclosable pecuniary interests

Councillor Gulvin declared an interest in agenda item 5 (Draft budget 2024-25), the report referenced potential changes to Council Tax which may affect private landlords which would include Councillor Gulvin. However, as the report noted this was a recommendation previously agreed by Cabinet, he undertook not to speak on the issue of Council Tax and remained in the meeting and took part in the discussion.

Councillor Mrs Turpin declared an interest in agenda item 5 (Draft budget 2024-25), the report referenced potential changes to Council Tax which may affect private landlords which would include Councillor Mrs Turpin. However, as the report noted this was a recommendation previously agreed by Cabinet, she undertook not to speak on the issue of Council Tax and remained in the meeting and took part in the discussion.

Other significant interests (OSIs)

There were none.

Other interests

There were none.

416 Meeting Theme: Finance

Discussion:

The Committee received a presentation from the Finance Team, the presentation highlighted the budget for different services within the Department,

Children and Young People Overview and Scrutiny Committee, 5 December 2023

the capital and revenue budget position for the current financial year and the proposed draft budget 2024/2025.

The Chief Finance Officer informed the Committee that the draft budget reflected a new approach where each directorate would operate within an agreed budget and savings would need to be found from within that budget allocation. The overall budget gap for 2024/25 was £35m with £22.6m of savings to be found within the Children and Adult Directorate.

The Head of Corporate Accounts highlighted that the Capital Programme would invest more than £43m to provide more school places in both mainstream and SEND provision and enhance the learning environment. There was a forecast an underspend of £5,000 in relation to Children and Adults programme.

The Head of Revenue Accounts highlighted the current budget position, which represented a forecast overspend of £12m in round 2 for the Council overall. Within the remit of this Committee there was a forecast overspend of £1.9m. This was an improvement of £1.5m from round 1. The majority of the additional spending was in place to support existing packages and placements for young people. The other major pressure related to unaccompanied asylum seeking children. There was an underspend in staffing due to vacancies.

The Education budget currently projected a £1.7m overspend, due primarily to the increased cost of SEND Transport.

The Council was part of the Safety Valve Intervention Programme to support the Council to reduce the deficit reserve in Education which arose following the SEND reforms. The Council's current deficit reserve was £21.4m and the deficit recovery plan aims to reduce that to £19.3m by the end of the current financial year and to remove the deficit entirely by 2025/2026. The Council has been required to earmark £3m in reserves to insure against any under-delivery of the deficit recovery plan.

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

Savings - in response to a query how £22.6m in savings could be made without impacting services, the officer informed the Committee that the £22.6m gap was based on a number of projections of future costs, those costs were currently being reviewed. Additionally, that the Council may be a more attractive place for social workers following the good Ofsted rating, which may assist in reducing reliance on agency staff and create savings, however, addressing the gap remained a challenge.

The Director of People and Deputy Chief Executive added that Children Services had faced significant challenges in its improvement journey, and it had been difficult to recruit staff to an authority which had been judged inadequate. There would be savings available, though this may be limited due to the market. The Committee was informed that there had been positive interest a recent recruitment campaign and the impact of the Ofsted judgement of good was now being positive.

Children and Young People Overview and Scrutiny Committee, 5 December 2023

Provider Uplift – in response to a question how the proposed provider uplift of 5.4% had been calculated, the Committee was informed that the Council shared information with other Councils and agencies in regional forums and all packages and placements were made with a clear understanding of costs and expectations of service. The costs were broken down into its service elements to arrive at a calculation and 5.4% was broadly the middle ground of where Councils were likely to provide an uplift.

Placements - in response to a question whether the Council could be sure it received value for money from placements the officer explained that residential placements were regularly reviewed, and the Council robustly challenged any provider that was not meeting the required standard. Eden House Management Team was in place, and it was scheduled to open by the end of the financial year and would provide additional provision.

International Social Workers – in response to a question on whether the change in Government visa rules had adversely affected recruitment, the Director of People and Deputy Chief Executive stated that the change had been made only recently and it was too early to note an impact.

Safety Valve Programme – in response to a question regarding the position of the Safety Valve Programme, the officer stated that the programme was on track. The shortfall had occurred due to an increased student population, this would, however, be reflected in additional income next year. It was queried whether schools would receive additional funding following the increased student population, the officer explained that schools where bulge classes had been in effect would be in receipt of additional funding.

Social Work Apprenticeships - in response to a question how many social work apprenticeships were accepted, it was explained that four were appointed this financial year and four would be appointed next year.

The Committee was further informed that there was a structured approach with a career pathway to social work for current staff.

Reinforced Autoclaved Aerated Concrete (RAAC) - in response to a question whether any additional budget pressure was faced by schools due to the RAAC issue which forced the partial closure of Gun Wharf, the officer informed the Committee there were no budget pressures related to RAAC in schools.

School Improvement – in response to a question whether there had been any negotiation with Academy Trusts in relation to school expansion and building improvements, the Assistant Director Education and SEND explained the responsibility for provision of school places lay with the local authority to provide, so capacity was a matter for the Council.

Budget overspend - a Member commented that an overspend had been forecast at round 2 monitoring for several years so this was not unknown to the

Children and Young People Overview and Scrutiny Committee, 5 December 2023

Council. The Chief Finance Officer acknowledged this, however, in the last financial year the Council had used £16m in general reserves and those levels of reserves were no longer available and the position was therefore more challenging.

SEN Transport - in response to a question whether the Council had considered investing in after school clubs which could result in savings if it assisted parents to provide transport, the officer informed the Committee that whilst a range of options were under consideration to reduce SEND transport costs, this did not currently include after school clubs to facilitate parents providing transport. The officer undertook to add this to the potential range of options to be considered.

a **Draft Capital and Revenue Budgets 2024/25**

Discussion:

Discussion of this Item can be found at minute number 416.

Decision:

1. The Committee noted that Cabinet has instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2024/25.
2. The Committee noted the proposals outlined in the Draft Capital and Revenue Budgets in so far as they relate to the services within the remit of this Committee, and feed this back to the Business Support and Digital Overview and Scrutiny Committee in January.
3. The Committee noted that the Cabinet agreed to recommend to Full Council that in February 2024 when setting the Council Tax, the following changes are applied to Council Tax premia in line with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, as set out in paragraph 9.18 of this report:
 - the 100% premium for long-term empty properties may be brought forward so that it can commence after being empty for one year rather than two with effect from 1 April 2024; and
 - a 100% premium may be charged for properties that are unoccupied but furnished (known as second homes) with effect from 1 April 2025.
4. The Committee noted that the Cabinet agreed to recommend to Full Council that in February 2024 when setting the Council Tax, the following changes are applied to the Council Tax discretionary discounts, as set out in 17 Agenda Item 5 paragraph 9.18 of this report:
 - reduce the discount in respect of class C to 0% from the day on which a property becomes vacant, and
 - reduce the discount in respect of class D to 0%.

Children and Young People Overview and Scrutiny Committee, 5 December 2023

b Capital Budget Monitoring- Round 2 2023/24

Discussion:

Discussion of this Item can be found at minute number 416.

Decision:

1. The Committee noted the results of the second round of capital budget monitoring for 2023/24 and the management actions to resolve the projected overspend in Children's and Adults.
2. The noted the changes made to the capital programme as set out in 8.1 to 8.2 to this report.

c Revenue Budget Monitoring 2023/24 - Round 2

Discussion:

Discussion of this Item can be found at minute number 416.

Decision:

1. The Committee noted the results of the second round of revenue budget monitoring for 2023/24.
2. The Committee noted that the Cabinet instructed the Corporate Management Team to implement urgent actions to bring expenditure back within the budget agreed by Full Council.
3. The Committee requested the Assistant Director, Education and SEND to review whether investing in the provision of after school clubs could assist to reduce the SEND Transport budget pressure.

417 Complaints and Compliments Annual Report 1 April 2022 to 31 March 2023

Discussion:

The Manager for Social Care Complaints introduced the report which provided information of Children Services complaints 2022-23.

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

Service Provided – it was noted that the complaints had been resolved quickly and satisfactorily in most cases and this was a positive report. In response to a question about why the level of service provided was the highest cause of complaint the Manager for Social Care Complaints explained that this would be for a variety of reasons. Social Workers made difficult decisions and

Children and Young People Overview and Scrutiny Committee, 5 December 2023

communication was important. Some families may feel a social worker was too direct or there may be cultural differences.

Response to Complaints – in response to a question whether feedback from the complaints process was provided to social workers, it was explained that there were compulsory workshops and training for managers and staff, the biggest theme for those workshops was effective communication.

The Head of First Response and Family Solutions added that Managers spend time with their team reviewing feedback from complaints and it was an important part of service improvement.

Trigger for Complaints – a request was made for further information in relation to whether only formal complaints were considered and how negative feedback was dealt with. The Committee was informed that where negative feedback was received it would be labelled as a concern and the Council would attempt to resolve the issue at the earliest stage possible prior to it becoming a complaint. Concerns were logged and were dealt with in the same way as complaints.

The Committee was further informed that it was important that service users had the opportunity to raise concerns and if it looked like a complaint, it would be treated as one, this may cause higher levels of reporting however this would show that the Council was transparent, responds to complaints quickly and sought to learn from them.

Training - in response to a question whether the training identified in the report relating to the needs of a child with autism and ADHD had taken place, the Committee was advised that the issue related to a specific case, however, work was being undertaken with the disabilities team and partners to build staff knowledge and ensure the family's needs continued to be met. A Member commented that it was frustrating for young people to have to retell their story to different members of staff, the Head of First Contact and Family Solutions agreed and said that this was being addressed through recruitment of permanent staff.

Adolescent Team – in response to a question why complaints were higher in the adolescent team the Head of First Contact and Family Solutions explained that this reflected difficulties within the team at that time and work had been undertaken to remedy that including permanent recruitment.

Decision:

The Committee noted the report.

418 Medway Safeguarding Children Partnership (MSCP) Annual Report 2022-23

Discussion:

Children and Young People Overview and Scrutiny Committee, 5 December 2023

The MSCP Business Manager introduced the report which set out the work of the partnership in the last year including key achievements and case review work.

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

Links with Community Safety Partnership (CSP) – in response to a question whether the partnership could consider improved links with the CSP on issues such as trafficking and county lines, the MSCP Manager informed the Committee that some work on a joint protocol was planned for 2024.

HMP YOI Cookham Wood – in response to a question whether the previously close links between Cookham Wood and Medway Council should be revisited the Director of People and Deputy Chief Executive stated that although young people were detained at Cookham Wood they remained the responsibility of their respective local authority. Additionally, it was vital to retain effective boundaries of responsibility between Cookham Wood and Medway Council.

Views of children and families – it was commented that it was disappointing the partnership had not been able to ascertain the views of children and families, the officer explained the partnership's ambition was to develop a communications strategy to better understand the views of children and families and would be promoting Child Friendly Medway.

Identifying outcome and impact – it was noted that the partnership had undertaken work to identify its impact and outcomes and a request was made that this be included in future reports. The officer explained that the partnership had a business plan which outlined activities and outcomes and was reviewed by the Executive Board on a regular basis. This would be included in a future report but acknowledged that it was a challenge for Safeguarding Children Partnership's nationally.

Child Exploitation Review – a request was made that the Committee be given the opportunity to consider the report which reviewed the current multi-agency response to Child Exploitation. The officer undertook to include a summary in the next update report to the Committee.

Family Assessment – further information was sought on the changes made following the multi-agency audit in September 2022 which showed some cases had been stepped down without a full child and family assessment. It was explained that assessments may be stepped down where full information had not been available, and caseloads were now lower, and assessments improved.

Headteacher representatives – it was commented that the partnership does not have a head teacher representation from a SEND provider, the Assistant Director Education and SEND undertook to consider adding representation from that sector.

Children and Young People Overview and Scrutiny Committee, 5 December 2023

Risk to LGBT young people – a Member noted the positive work undertaken on the risk of suicide and children with additional needs and asked if the partnership could also consider the LGBT young people who may be at risk of hate crime. The officer explained that learning arose from a specific review and no specific work had been undertaken relating to the risk of LGBT young people being subject to hate crime, he undertook to consider this potential line of enquiry.

Hospice Care – it was commented that one child had passed away in a hospice during the year whilst seventeen had passed away in hospital, and it was asked that the partnership consider whether parents had been effectively signposted to the availability of the hospice.

Decision:

1. The Committee noted the annual report and the effectiveness of local services in keeping children safe.
2. The Committee requested the partnership consider whether to bring forward the investigation and briefing reports to future meetings of the Committee.
3. The Committee requested future reports to highlight the impact of work undertaken by the partnership.
4. The Committee requested the partnership consider the inclusion of headteacher representation from a SEND provisions.
5. The Committee requested the partnership consider the risk of young LGBT people to hate crime.
6. The Committee requested the partnership to consider whether parents were being effectively signposted to the availability of hospice care.

419 Council Plan Performance Monitoring Report & Strategic Risk Summary Quarter 2 2023/24

Discussion:

The Director of People and Deputy Chief Executive introduced the report, she explained that there were an increased number of red indicators, however, the reporting period was during an ILAC inspection during which she had issued a directive to staff to ensure the high quality of reports. It was expected that there would be a rise in improvements in those indicators during the rest of the year.

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

NEET Care Leavers – in response to a question on why there was a discrepancy in the percentage of care leavers who were NEET between reports provided to the Children Partnership Board and this Committee, it was

Children and Young People Overview and Scrutiny Committee, 5 December 2023

explained that the figure would fall during the academic year. The relatively low number of care leavers meant that percentages varied significantly due to a small change in the overall number of young people who were NEET.

Education attainment Key Stage 2 – concern was expressed at the performance of children in reading, writing and mathematics at Key Stage 2 with nearly half of the children not meeting the required standard. It was explained that the figures were provisional, however, it was acknowledged that there had been a decline in performance since the pandemic. A literacy strategy was in development and would be considered by the Committee at a future meeting.

A Member commented that many schools were not under the auspicious of the local authority and the Committee should be able to question the regional director's office. The Chairperson stated an invitation was sent to the schools' regional director's office which unfortunately no response of acceptance was received. A letter would be sent to the Minister for Education.

ILAC percentage of audits graded good or outstanding - it was commented that the performance of Children Social Care audits considered as outstanding had remained low for some time and further information was requested as to the cause. The Director of People and Deputy Chief Executive commented that the measure had been part of the improvement journey, however, it lacked nuance and could be better worded to reflect priorities when performance monitoring priorities were reviewed.

PH14 Excess Weight - in response to a question whether the figures showed a link between excess weight and deprivation, the officer confirmed the data could be broken down into output area level and nationally there did appear to be a link between deprivation and childhood obesity.

Decision:

1. The Committee noted the Q2 2023/24 performance against the measures used to monitor progress against the Council's priorities (Appendix 1).
2. The Committee noted the Q2 2023/24 Strategic Risk Summary (Appendix 2).
3. The Committee to write to the Minister of Education on a cross group basis to seek the attendance of the Schools Regional Commissioner at a future meeting of the Committee.

420 Work programme

Discussion:

Children and Young People Overview and Scrutiny Committee, 5 December 2023

The Democratic Services Officer introduced the report and highlighted the scheduled next data workshop which would be held on 9 January 2024 via MS Teams on the subject of schools' performance data.

Decision:

1. The Committee noted the report and agreed the work programme as set out at Appendix 1 to the report, subject to accepting the proposed changes, outlined in italic text on Appendix 1.
2. The Committee agreed to consider ways in which it may actively engage the views of young people.

Chairperson

Date:

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