

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

Wednesday, 12 June 2024

6.30pm to 9.26pm

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, Gurung, Hamilton, Joy, Perfect, 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) and Sharon Docherty (Roman Catholic Diocese Representative, Roman Catholic Archdiocese of Southwark)

Added members without voting rights:

Leanna Rogers (Headteacher Representative), MYC Cabinet Member (Medway Youth Council) and Lisa Scarrott (Medway Parent and Carers Forum)

Substitutes: Councillors:
Barrett (Substitute for Lammas)

In Attendance: Maria Beaney, Finance Business Partner, Education
Celia Buxton, Assistant Director, Education and SEND
Kelly Cogger, Head of First Response and Targeted Services
Julia Cox, Head of Children's Partnership Commissioning
Stephanie Davis, Democratic Services Officer
James Harman, Head of Children's Services Commissioning
Alex Kaitell, Head of Corporate Parenting
Rebecca Smith, Lead Education Professional: Quality & Inclusion
Debbie Taylor, Service Manager, Leaving Care

49 Apologies for absence

Apologies for absence were received from Councillors Jackson and Lammas.

50 Record of meeting

The record of the meeting held on 7 March 2024 was agreed and signed by the Chairperson as correct.

51 Urgent matters by reason of special circumstances

There were none.

52 Disclosable Pecuniary Interests or Other Significant Interests and Whipping

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

Sharon Docherty declared that she works at St Mary's School.

Councillor Gurung declared that she works as a member of the Social Work Team in the Independent Fostering Agency.

Councillor Hamilton declared that she was on the Board of Trustees for The Rochester Grammar School and Sir Joseph Williamson Mathematical Grammar School.

Councillor Mandaracas declared that she was an Exam Invigilator at Greenacre School.

53 Medway Youth Council (MYC) Conference Report 2024

Discussion

The Vice-Chair of Medway Youth Council (MYC) presented the report on the annual conference which highlighted issues related to identity with a specific focus on experiences and responses to tackling racism and homophobia. The objectives of the conference were to raise awareness and educate on the impact of these issues to young people.

Members raised several comments and questions which included:

- The work of the MYC was commended as it continued to be inspirational.
- It was vital that we work together collectively to break down barriers.
- The profile of the work done by MYC to be raised by all elected members at every opportunity and to encourage more schools to take part in future conferences.

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- It was encouraging that the MYC continued as it always had done to tackle difficult topics.
- The MYC to be cautious about the resources they signpost young people to due to the controversy surrounding some companies they referred to in the report in recent years.
- It would be valuable to share the report with headteachers of primary schools to raise awareness and tackle issues earlier in the school phase.

Support provided in schools – in response to a question on what support was provided in schools, the Vice-Chair of MYC said that young people of a broad age range experienced the problems highlighted at the conference. Whilst some young people expressed that their behaviour was not always intentional, the impact however, was resounding as it affected all aspects of mental and physical health. There had been some positive feedback from schools on how the information gained from the conference could be utilised in school to tackle issues.

The Assistant Director of Education and SEND added that the Council provided support to schools on Personal Social Health and Economic (PHSE) curriculum and also work with school councils to help address issues. Details of some of the work on tackling racism in schools was presented to the Committee last year.

Officers said that schools were aware of the racial incidence reporting tool where they could clearly record incidences. The support schools received was in line with their curriculum approach and PHSE programmes which was provided through every school phase.

Managing Inconsistencies- concern was raised regarding the amount of young people that stressed the inconsistency in management of the concerns raised and it was asked what could be done to improve training and monitoring. Officers said that schools were responsible for ensuring their staff received the appropriate training to enable them to effectively manage all types of issues. There was national guidance on responsibilities set in school legislation. There was some disparity in what was reported as an official incident and there was work ongoing on identifying where there were consistency issues and challenging schools where appropriate.

If was further asked what the process was once an incident was raised and what could be done to encourage schools to use the reporting tool. The officer said whilst reporting of these incidences could not be mandated, the use of the tool was promoted through the headteachers forums. When an incident is reported, the school make a decision based on their individual school policy on how the situation should be managed and the Council adopts a monitoring role. If a number of incidences were reported in a specific school, conversations would take place and support would be offered.

Raising awareness- in response to a question on how elected Members could assist in raising awareness, the Vice-Chair of MYC said it was important for conversations to take place on problems faced and highlighting that

homophobia and racism do exist in our community. The key was raising awareness of the issues and working to tackle them together collectively.

Officers said that there was a challenge in Children's Social Care on what their response should be on tackling issues of homophobia and racism and as a result had undertaken to work on better understanding of these issues and stigma. The message in the report would be utilised to inform how children in care could be better supported. Further exploration of the education safeguarding role would also be undertaken.

It was further asked if Children in Care and Foster Carers were aware of the MYC. Officers said that Children in Care were aware of MYC, and the service worked closely with strengthening the relationship. They also explored how to utilise the MYC to upskill the Children in Care Council but acknowledged that more needed to be done to better understand and respond to particular issues and experiences.

Outcome of conference – it was asked if the outcome of the information gathered from the conference has been shared with schools and how their views were being captured. The Vice-Chair of MYC said that the report had been sent to all schools that took part, but it was unknown what actions the schools would take regarding the information presented. It was hoped that the report would be shared with pupils and that some feedback could be gathered and shared with the MYC.

Home Education – concern was expressed that the experiences of young people could lead to an increase in elective home education. Officers agreed that the snapshot was concerning, and this would be presented to the headteachers forum for robust discussions to take place on the seriousness of the issues and the importance of tackling them.

It was commented that schools needed to be challenged to think about their curriculum and how to tackle discriminations in all subjects and not just through PHSE.

Decision:

1. The Committee noted the Medway Youth Council (MYC) Annual Conference Report 2024.
2. The Committee recommended that officers present the report at the headteachers forum.
3. The Committee recommended that the report be shared with Foster Carers, Children in Care, and all Primary Schools in Medway.
4. The Committee requested that a report be presented to the Committee in a year on tackling issues of racism and homophobia in schools.
5. The Committee suggested that officers explore how schools and social work teams can further support young people with their experiences.

54 Care Experience as a Protected Characteristic

Discussion:

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The Head of Corporate Parenting and the Service Manager Leaving Care introduced the report and gave a presentation which gave some background and context as to the reasoning behind the proposals for Medway to join the over 90 Local Authorities that had agreed to add care experience as a protected characteristic.

A consultation has taken place with Medway's Care Experienced Young People to capture their voice on this matter and an overwhelming proportion agreed with the recommendation for care experience to be protected in local policies for Medway.

As a result, recommendations for change were made and would be presented to the Council meeting of 18 July 2024 to join the National campaign with other Local Authorities (LA) to agree to make being care experience a protected characteristic in policy.

Members raised several comments and questions which included:

- The proposals were welcomed and highlighted the collective and high aspirations for Children In Care (CIC). The continuous work to improve life chances for the young people of Medway was commended as well as the current good practice of the Leaving Care Team.
- It was acknowledged that Councils may not necessarily know what this would look like long term but all Councils that had come together to have care experience as a protected characteristic were commended.
- It was important that this be used as a tool for young people to direct what they want and for additional or further stigma not to arise as a result of this. It was encouraging that Medway officers as well as other LAs were mindful of any unintended consequences.

Practicality of care experience- in response to a question on what care experience as a protected characteristic meant practically for young people, officers said that outside on the national collective campaign on this matter, and locally, for Medway having been asked by CIC what it would mean for them, it was about recognition, listening to young people and working to eradicate stigma and discrimination of being care experienced. Initially it would mean Medway reviewing its Council policies and for care experience to be recognised as equally as other factors such as age, gender or race. Having care experience as a protected characteristic would be used as a tool to enable conversations to take place and raise awareness which would result in reduction of stigma with the longer-term aim of it being normalised.

Budget implications – it was asked what budget implication would be associated with changes to Medway's policies on this matter, officers said that they may be minimal and would be different for every department. At this stage if Medway decided to agree the recommendations the only impact envisaged would be in updating of policies at this stage and would incur minimal financial implications

Medway CIC in other Local Authorities – it was asked what this would mean for Medway children placed outside of Medway, officers said that each LA has priorities and financial pressures. Medway service provision would be for Medway young people and leaving care duties would not change, but the goal was for care experience to be recognised in equality law and that if it were protected nationally, all needs would be applied to legislation regardless of where the child or young person resides.

Schools – it was asked what work was being done by schools' in understanding the impact of stigma for CIC and what support was being offered to tackle issues. It was vital for virtual schools to emphasise the importance of supporting CIC in addressing the stigma faced in schools. Officers said that Virtual Schools undertake training as part of the statutory support provided to schools. Schools work on a trauma informed approach but there was more that could be done. Medway schools were committed to being trauma informed and a high proportion of schools had completed the training programme.

Meetings in schools – it was asked what was being done to address the concerns raised by children about professional meetings taking place in schools. Officers said that this information was gathered from the older cohort, and they were actively listening to children that did not want meetings to take place during school time. They were in the process of introducing an electronic Personal Education Plan (PEP) which would enable children to complete their sections after school.

Supporting aspirations – it was asked what was being done regarding the 18 plus pathways for young people in care and if there was a work experience pathway within the Council for young people. Officers said that as corporate parents, the Council was invested in supporting aspirations of its CIC/Care Leavers. Post 16 and 18 conversations commenced as soon as a young person became a CIC (age appropriate). An aspiration officer monitors and track outcomes and works closely with colleges with their retention rates of pupils. Care Leavers were automatically shortlisted for interview for any jobs applied for at the Council.

It was added that the Council had recently been successful in their bid for funding from Department for Education for a residential apprenticeship programme to train up to 12 care experienced people. Many young people were keen to give back and there was now a work based route for them to receive practical training at places such as Eden house and Parklands, and gain qualifications in residential work.

The aspirations for CIC/Care Leavers were embedded into the work of the Council and young people who were care experienced were actively encouraged to come and work on teams and projects for young people. Young people were encouraged to become ambassadors with the possibility of future job opportunities.

Officers were asked to share details of how many young care experienced young people had received work and training opportunities from the Council.

Decision:

- 1) The Committee noted the report
- 2) The Committee agreed that an updated report once recommendations are agreed by Council, be presented to a future meeting.
- 3) The Committee recommended that officers work with schools on what further support could be put in place to address issues experienced by children in care.

55 Member's Item: Early Years/Pre School-Funding Rates April 2024-25

Discussion:

The Lead Education Professional: Quality & Inclusion, introduced the report which provided a service response to the questions raised regarding the Early Years/Pre School-Funding Rates April 2024-25

Members raised several comments and questions which included:

Rates of funding – concerns were raised regarding the funding allocation and the pressures this caused on financial resources of nurseries, their ability to pay staff, maintain overheads and the viability of continuing their businesses. There was a distinct disparity between the funding rates for Medway in comparison to London and other parts of the country's pre-school provision.

The Finance Business Partner said that funding was received from Central Government who allocated funding based on detailed formulae. Medway distributed 95% of the funding received to providers as part of the 2024/25 early years formula.

Responses to consultation - in answer to a comment that responses to consultations were poor, officers acknowledged that the figures were low but were informed that there had been some changes as a result of feedback received, in particular the top slicing on the two year old funding to allow for a SEND inclusion fund similar to the fund on the three year olds.

The Lead Education Professional: Quality & Inclusion added that part of their role was to support providers, recognise that they were independent business and the challenges faced in relation to the ratio of funding received. There was an Early Years Forum which has been in place for a number of years which brought together providers to air concerns, explore solutions and respond to consultations. A recent survey about sufficiency strategies for staffing had received approximately 110 responses to date which was positive. The Forum would continue to be used to reach out to providers and encourage them to share responses to national issues.

Special Educational Needs and Disability (SEND) - it was asked why just 1% of the funding was retained for SEND given the rise in number of SEND children, including in early years, many of whom had experienced a distinct rise in SEND children in their settings. The Officer said that they attempted to strike a balance between what providers were given for SEND and what was required

for base rate funding. The higher the percentage set aside for SEND, the lower the base rate funding becomes. The formula must also allocate as a minimum, the unit cost that any provider received in the previous year. Whilst all attempts were being made to increase the SEND allocation, it had to be done in a fair, transparent, and gradual way.

The Lead Education Professional: Quality & Inclusion added that there was a team of early years SEND advisors in place to help identify training needs that providers engaged well with and to assist them to differentiate between a developmental delay and a SEND to ensure that they were able to respond to needs appropriately and effectively.

Decision:

The Committee noted the Director's comments in response to the Member's Item.

56 Medway SEND Local Area Partnership (LAP) Improvement Plan 2024-2025

Discussion:

The Assistant Director Education and SEND introduced the report on the improvement plan, following the SEND inspection in February 2024. The inspection resulted in a Good grading and highlighted the strengths of the service as well as the areas for improvement. As a result of the inspections the Local Area Partnership (LAP) Improvement Plan was developed and had been approved by Ofsted.

Members raised several comments and questions which included:

Support for families- it was asked what was in place to assist families in understanding and navigating through the system. The officer said that availability of message was highlighted as an improvement and as a result, through revision of the local offer, they had launched inclusion teams (May 2024) at local hubs where families and carers could attend drop-in sessions to obtain support to navigate the system. Families and carers were also able to access support through their schools and health care providers. There was however more to be done on how information was sent directly to parents and carers.

Support for schools - members were informed that there was programme of training for schools, including the trauma informed training and they were able to access various online training tools around pedagogy and need. There was outreach support available for schools who wanted specific advice and guidance on particular issues. Top-up payments were made to school notional budgets when they were identified as having a higher proportion of pupils with Education Health and Care Plan (EHCP) needs who were on waiting list for assessments.

It was further asked in relation to nurseries what was being done to educate early years settings to enable EHCP conversations to take place at an earlier

stage. The officer explained that there was a range of training in place for providers on identifying need. The challenge was when there was not an obvious need or diagnosis, then a graduated approach needed to be implemented for those children. The officer confirmed that they do work rapidly to provide support for children with clear needs but in instances of complex needs, support was deliberately staggered to ensure they correct course of action was taken to address needs.

Communication – in response to a comment on how communication with families could be improved and ensuring that information received was inclusive, the officer said that accessibility was a fundamental part of the work being undertaken, not just for children with SEND but for all children and ensuring there was a wraparound service.

Benchmarking – in response to a question on benchmarking against outstanding Local Authorities, the officer said that they took on learning from other Local Authorities, by exploring what was being implemented and utilising examples of good practice.

SEND Reports – it was commented that parents were waiting for a long time for reports which impacted the wait time for support. The officer said that a number of strategies had been put in place including the imminent publication on use of Independent Representatives for reports. In the past, the service did not accept reports from Independent Representatives, but a decision had been made to trial this for a year. An Independent Psychologist would review the assessment report and if there was enough information gathered the report would be used as the basis of assessment and this would reduce the number of people on wait lists. Additionally, schools were due to be consulted regarding top up funding without an Education Health and Care Plan (EHCP) due to the wait time of 40 weeks for assessment.

There were concerns raised that acceptance of independent reports would create a tiered system that would further adversely affect families that were already from disadvantaged and deprived groups of the community as many families were not in a position to pay for an independent report. The officer said that this had been taken into consideration and it was recognised that there may be a disparity caused but this was one of the methods being utilised to clear the significant backlog which if used by some families would reduce wait times. This was not a long term proposal, but it was acknowledged that it was vital that this process be managed carefully.

It was commented that there was a worrying variance in quality of reports and often when ECHP's were submitted, the educational psychology reports often had to be recommissioned which meant the EHCP often had to be resubmitted. The practice in some Local Authorities was if there has been an educational psychologist report written in the 12 months of the submission of the EHCP, to use that report. This was currently not the process in Medway and should be explored as a viable option.

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A comment was made that parents that wanted to pay for diagnosis and independent reports should be given the opportunity to do so given the delays with wait times for assessments, but it was acknowledged that the Local Authority needed to do more to address issues with wait times in a way that did not disadvantage any groups of the community.

Delays – it was commented that there were some instances where there had been delays in access to services for children who had an EHCP, due to conflict of who would fund the provision needed and it was asked how that could be addressed and if there was a responsible offer to oversee processes to ensure delays were not extended. In particular, moving at pace for children who may also have terminal health conditions as its important for needs to be addressed as quickly as possible. The officer said that the responsibility for funding of services were clear in the EHCP, there were some small number of cases that went to a complex case panel to explore who would be responsible for funding for various parts of their care and may need tri part funding from education health and social care.

It was commented that this may have been an historical issue, but legislation was now clear, and it was written in the EHCP who was responsible for paying for a service need.

Achieving best outcomes - it was asked what was being done to remain as aspirational as possible for children with SEND, ensuring the best outcomes were being achieved in adulthood. The officer said this was part of the SEND Strategy, ensuring the best outcomes for SEND children when they left school. In terms of academic outcomes, SEND performance was below their peers nationally. Extensive work had been undertaken with independent school provision to ensure a robust quality assurance framework was put in in place that was not just focus on social care, but included quality of education, commissioning teams, quality of contracts and monitoring of KPI's. There were many children in independent provision that had aspirations after taking their GCSE to go onto studying A levels. The strategy had a strong focus on development of post 16 provision and also entry level 1 and 2 modes of further education.

Decision:

1. The Committee noted the findings of the February 2024 Joint Area Inspection and the Joint Area Improvement Plan coproduced by the Joint Area SEND Partnership which includes health, social care, education and Medway parents and carers.
2. The Committee recommended that future report be more user friendly and contain a glossary.

57 Council Plan Performance Monitoring Report and Strategic Risk Summary - Quarter 4 2023/24

Discussion:

Members raised several comments and questions which included:

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- The Midwifery Team at Medway Hospital past and present, Dr Soe and the team at the Oliver Fisher Special Care baby Unit were commended for all the work they do.
- It was suggested that the KPI's for breastfeeding should be focussed on breastfeeding on a long term basis rather than a target that reflected the situation immediately following birth.
- Officers acknowledged that the ILACS 7 target of 80% was an aspirational target and what the actions and data shared was the developments in areas that were marked as requires improvement and enabled deep dives to take place in areas marked as inadequate. To achieve this target, the priority for the service was embedding of good practice, recruitment and retention of staff to ensure consistency of good practice and improved performance figures.
- Further information was requested on what was being done to increase the uptake of breastfeeding and the outcome of discussions of the infant feeding strategy group meeting that took place in May. Additionally costs of the Councils advertising policy on healthy eating. The Democratic Services officer undertook to obtain a response from the Public Health Team.

ILACS 5 – in response to a question on how long before the attainment of the 65% target, which was in relation to the percentage indicators for children in long term fostering and where children had agreed placement. Officers said that a lot of work had been undertaken on permanency plans that link to permanency and stability, some of the work that needed to continue was on accuracy of recording and ensuring the use of the correct codes. There was now a permanency dashboard in place which provided the ability for weekly tracking. There had also been an appointment of permanency workers who would bring more focused targeted work on at risk placement moves and would ensure that reports were provided to fostering panels in a timely matter.

Child protection plans- clarification was sought on the increase in the number of children child protection plans, with a rise from quarter 3. The officer said that the report showed that there was a peak in February, however this had now decreased. There was a slight increase overall, and this may continue due to the extensive work being undertaken to ensure that children were on the right plans.

School performance and attainment 8 score -the red indicators were highlighted as a concern and the officer said that the challenges with key performance indicators was that they were updated in line with exam and national data. The Medway Education Partnership, schools and headteachers groups had this as a priority and the remit of the regional groups and teaching schools on improvement within academy schools.

School performance – it was asked what involvement there was with the two inadequate secondary schools in Medway. The officer said the two schools were academies, they had been supported with development of their improvement plans, but their progress was the responsibility of the Academy

Trust. A risk assessment and categorisation of schools was however undertaken for all schools with support was offered to all schools.

Exclusions – it was commented that three schools accounted for 45% of exclusions in Medway and it was asked what support was offered to the schools to address this. The officer explained that exclusion data fluctuates through the year but there had been a reduction in permanent exclusions. The inclusion team worked extensively with the schools, one of which was LA maintained, but all three schools worked well with the inclusion team. All three schools were on an improvement journey and there had been progress since the data referred to was published.

Decision:

1. The Committee noted the Q4 2023/24 performance against the measures used to monitor progress against the Council's priorities.
2. The Committee noted the Q4 2023/24 Strategic Risk Summary.

58 Work programme

Discussion:

The Democratic Services Officer introduced the report and drew the Committee's attention to the two recommendations mentioned in the report.

Members expressed the importance of the Local Plan being discussed at a Committee meeting to ensure that the plans were child friendly and incorporated factors such as access to education and open spaces.

Suggestions were made to add child mental health, a report on M-PACT Moving Parents and Children Together and also a report on DoLS to the work programme.

Decision:

1. The Committee agreed that a report on the Local Plan be presented to the Committee meeting of 1 August 2024.
2. The Committee agreed the suggestions made for topics to be added to the work programme.

Chairperson

Date:

Stephanie Davis, Democratic Services Officer

Children and Young People Overview and Scrutiny Committee, 12 June 2024

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