



You can view the agenda on the [website](#)  
or use a smart phone camera and scan the code

---

To: The Chair and Members of the Children's  
Scrutiny Committee

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

---

Date: 2 November 2020

Contact: Wendy Simpson 01392 384383

Email: [wendy.simpson@devon.gov.uk](mailto:wendy.simpson@devon.gov.uk)

### **CHILDREN'S SCRUTINY COMMITTEE**

Tuesday, 10th November, 2020

A meeting of the Children's Scrutiny Committee is to be held on the above date at 10.30am to consider the matters below. This will be a virtual meeting, for the joining instructions please contact the Clerk for further details on attendance and/or public participation.

Phil Norrey  
Chief Executive

## **A G E N D A**

### **PART I - OPEN COMMITTEE**

- 1 Apologies
- 2 Minutes  
Minutes of the previous meeting held on 8 September 2020 (previously circulated)
- 3 Items Requiring Urgent Attention  
Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.
- 4 Public Participation  
Members of the public may make representations/presentations on any substantive matter listed in the published agenda for this meeting, as set out hereunder, relating to a specific matter or an examination of services or facilities provided or to be provided.
- 5 Announcements

## **MATTERS FOR CONSIDERATION OR REVIEW**

### 6 Scrutiny Committee Work Programme

In accordance with previous practice, Scrutiny Committees are requested to review the list of forthcoming business and determine which items are to be included in the [Work Programme](#).

The Committee may also wish to review the content of the [Cabinet Forward Plan](#) and the Children's Services [Risk Register](#) to see if there are any specific items therein it might wish to explore further.

### 7 In-year Budget Position (Pages 1 - 4)

Report of the Chief Officer for Children's Services (CS/20/12), attached.

### 8 Improvement Plan - Post Ofsted Improvements to Children's Services (Pages 5 - 12)

Report of the Improvement Director and Independent Chair of the Improvement Partnership (CS/20/13), attached.

### 9 Edge of Care Services (Pages 13 - 20)

Report of the Chief Officer for Children's Services (CS/20/14), attached.

### 10 Support for Families during Pandemic (Pages 21 - 26)

Report of the Chief Officer for Children's Services (CS/20/16), attached.

### 11 Education and Inclusion Services (Pages 27 - 28)

Report of the Head of Education & Learning and Deputy Chief Officer for Children's Services (CS/20/15), attached.

## **MATTERS FOR INFORMATION**

### 12 Children's Standing Overview Group (Pages 29 - 36)

Notes from the Children's Standing Overview Group held on 21 July and 6 October 2020, attached.

### 13 Information Previously Circulated

Below is a list of information previously circulated for Members, since the last meeting, relating to topical developments which have been or are currently being considered by this Scrutiny Committee.

- Ofsted Monitoring Visit letter, October 2020.

[Briefing notes](#)

## **PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PUBLIC AND PRESS**

None

*Members are reminded that Part II Reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). They need to be disposed of carefully and should be returned to the Democratic Services Officer at the conclusion of the meeting for disposal.*

## **MEETINGS INFORMATION AND NOTES FOR VISITORS**

### **Getting to County Hall and Notes for Visitors**

For SatNav purposes, the postcode for County Hall is EX2 4QD

[Further information about how to get to County Hall](#) gives information on visitor parking at County Hall and bus routes.

Exeter has an excellent network of dedicated cycle routes. For further information see the [Travel Devon webpages](#).

The nearest mainline railway stations are Exeter Central (5 minutes from the High Street), St David's and St Thomas. All have regular bus services to the High Street.

Visitors to County Hall are asked to report to Main Reception on arrival. If visitors have any specific requirements, please contact reception on 01392 382504 beforehand.

### **Membership of a Committee**

For full details of the Membership of a Committee, please [visit the Committee page](#) on the website and click on the name of the Committee you wish to see.

### **Committee Terms of Reference**

For the terms of reference for any Committee, please [visit the Committee page](#) on the website and click on the name of the Committee. Under purpose of Committee, the terms of reference will be listed. Terms of reference for all Committees are also detailed within Section 3b of [the Council's Constitution](#).

### **Access to Information**

Any person wishing to inspect any minutes, reports or background papers relating to an item on the agenda should contact the Clerk of the Meeting. To find this, [visit the Committee page](#) on the website and find the Committee. Under contact information (at the bottom of the page) the Clerk's name and contact details will be present. All [agenda, reports and minutes of any Committee are published on the Website](#)

### **Public Participation**

The Council operates a Public Participation Scheme where members of the public can interact with various Committee meetings in a number of ways. For full details of whether or how you can participate in a meeting, please [look at the Public Participation Scheme](#) or contact the Clerk for the meeting.

In relation to Highways and Traffic Orders Committees, any member of the District Council or a Town or Parish Councillor for the area covered by the HATOC who is not a member of the Committee, may attend and speak to any item on the Agenda with the consent of the Committee, having given 24 hours' notice.

### **Webcasting, Recording or Reporting of Meetings and Proceedings**

The proceedings of any meeting may be recorded and / or broadcasted live, apart from any confidential items which may need to be considered in the absence of the press and public. For more information [go to our webcasting pages](#)

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Filming must be done as unobtrusively as possible without additional lighting; focusing only on those actively participating in the meeting and having regard to the wishes of others present who may not wish to be filmed. Anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance.

Members of the public may also use social media to report on proceedings.

### **Declarations of Interest for Members of the Council**

It is to be noted that Members of the Council must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

### **WiFi**

An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall.

### **Fire**

In the event of the fire alarm sounding, leave the building immediately by the nearest available exit following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings; do not use the lifts; and do not re-enter the building until told to do so. Assemble either on the cobbled car parking area adjacent to the administrative buildings or in the car park behind Bellair.

### **First Aid**

Contact Main Reception (Extension 2504) for a trained first aider.

### **Mobile Phones**

Please switch off all mobile phones before entering the Committee Room or Council Chamber

### **Alternative Formats**

If anyone needs a copy of an Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Customer Service Centre on 0345 155 1015 or email: [committee@devon.gov.uk](mailto:committee@devon.gov.uk) or write to the Democratic and Scrutiny Secretariat in G31, County Hall, Exeter, EX2 4QD.

**Induction Loop available**





## **In Year Budget Position – Children's Services**

Report of the Chief Officer for Children's Services

Recommendation: that the Scrutiny Committee is asked to note the service update and financial forecast as at month 6 (September).

~~~~~

### **1. SUMMARY**

The report sets out the key budget issues for Children's Services, identifies risks and actions to mitigate.

### **2. KEY BUDGET ISSUES 2020/21**

- 2.1 As at September 2020 the forecast position for Children's Services, including PHN is an over spend of £30.9m which includes a funding shortfall for the Dedicated Schools Grant of £27.8m.

Pressures from the impact of COVID lockdown on children coupled with the need to deliver accelerated improvement following ILACS 2020 inspection are anticipated. The greatest cost pressures relate to more children coming into care, placement mix and the SEND High Needs Block.

Members know that the budget for Children's Services has been increased year on year; partly in response to the growth in demand/unit costs and partly to enable important developments. The adverse Ofsted outcome in March 2020 led the Council to allocate a further £2.2m in 2020/21 (£1.1m one off and £1.1m recurrent) to support improvement. Scrutiny has been examining the recruitment and retention of social workers, and is recommending action to make us competitive with neighbouring authorities, to reduce our dependency on agency staff, to build a permanent workforce which is both cost effective and will deliver improved service quality and improved outcomes for children.

- 2.2 At the time of writing, the High Needs Block of the Dedicated Schools Grant is projecting a cumulative funding gap for the end of the financial year of £47.7m. The Council (and Government) recognises the national context of rapidly escalating demand and a legal framework that drives demand without the corresponding investment

The Council, per DfE guidance for 2020/21, held the SEND funding gap on the balance sheet rather than showing it as an overspend. This is in recognition that the Dedicated Schools Grant (DSG) is not part of the

# Agenda Item 7

Council's revenue budget and therefore should be dealt with differently. We have had sight of a draft Statutory Instrument which suggests that the deficit is held until April 2023 within the balance sheet separate to the Local Authority's budget. It is also designed to allow national and local government time to tackle and resolve the fundamental drivers of SEND demand. The risk for the Council is that national government decision making could leave Devon County Council holding responsibility to close at least part of the funding gap.

There are multiple activities designed to reduce the pressure on SEND costs in Devon, not least capital investment to increase special school places and the transformation plans for SEND. Following the SEND inspection in December 2018, members are receiving regular updates on progress with SEND improvement plans.

The risks in the area of SEND are very significant. Historically schools in Devon, while not contributing to the Early Help budget, have discharged their responsibility for the delivery of the Early Help offer for children and families, very fully. The pressures on schools in this phase of COVID are profound and the resource they would have used in Early Help is fully committed delivering the requirements of COVID secure education. The Early Help system is showing the highest level of demand and unmet need relates to families struggling with ASD related challenges. If, as a system, we are unable to respond to these needs at an Early Help level, we will almost certainly find that demand is directed into the statutory SEND system. Early Help using a model of graduated response, is absolutely the right solution for most families.

School transport continues to be an area of significant pressure.

- 2.3 Children's Social Care has seen a sustained increase in the number of children in care. This builds on increases in 2019/20 and adolescent care entry continues as a persistent challenge. There are three main reasons for the increase

- Improvement work has driven a firmer and more timely practice response in neglect cases, eliminating the drift identified by Ofsted in ILACS 2020
- COVID lockdown has increased pressure on families and reduced their resilience particularly where adult mental health is a factor
- Courts in COVID have delayed hearings, including final hearings, leading to a delay in those children exiting care through Adoption, Special Guardianship or other family-based outcome.

In response to the budget pressure in 2019/20, Children's Services delayed the implementation of the Edge of Care project. Implementation is underway now and **Members may want to see an update on its progress.** The increase in the number of children in care coupled with placement mix (the balance of children in higher, medium and lower cost provision) account for most of the reported pressure in the in-year budget. Residential and supported accommodation is forecast to be over by £1.1m although favourable variances across other placement types mean this is being managed back to just over £250,000. The full year cost of children who have come into care as a result of the effect of the Pandemic is £1.6m -these costs



are recorded against the COVID budget held corporately. Plans to ensure that children are in high quality, value for money placements that are close to home where possible continue and all high cost placements are under review to test their continuing necessity and effectiveness. **Members may want to receive an update on the Sufficiency Strategy.** Legal disbursements in care proceedings continues to be an area of significant pressure, though management actions to reduce are underway.

Members have a good understanding of the challenges of delivering needs-led statutory services.

- 2.4 The Public Health Nursing Service (PHN) was in-sourced in 2019, a move that was warmly supported across the Council. The Council last year supplemented the Public Health Grant allocation to PHN with an additional £1m. The challenges of recruitment in PHN have not been fully resolved in 2020 though we can report an improving position, and we expect that this will be resolved in 2021/22.

ILACS 2020 reported positively on our approach to and our outcomes from Early Help. PHN is a key component of Early Help and strategic leadership rests with the Head of PHN. The end of year budget forecast position for PHN in 2020/21 is satisfactory. The £10m grant allocation is ring-fenced but a contribution from the £1m additional allocation is likely to be considered as a saving if the pressures in Children's Services, as currently projected continue.

- 2.5 The Early Help budget make up is complex: there is grant income of £1.7m supplemented by matched revenue funding and previous years carry forward giving an overall budget of almost £5m. This does not include the Local Authority's investment in Children's Centres, Education's Early Help Services and Early Help Services for disabled children.

Trouble Families grant income has not yet been confirmed for 2021/22 posing a risk to current service delivery.

- 2.6 Members will be mindful that any budget changes related to increasing effectiveness in the deployment of our resources (for example ensuring that children who don't need to enter care, don't enter care and that children, who can be helped in early help, are helped in early help rather than in the statutory services, SEND and social care), are to be welcomed.

### 3 OPTIONS/ALTERNATIVES

This paper is designed to set out the issues for Children's Overview and Scrutiny, it isn't making firm proposals at this stage, hence options and alternatives are still under active consideration

### 4. LEGAL CONSIDERATIONS

The vast majority of Children's Services are statutory and those, where the associated costs are escalating and/or projected to increase most, are the most highly regulated.

# Agenda Item 7

Should the Council want to consider any changes to services, the legal implications and risks will need to be very clearly spelled out.

## **5. EQUALITY CONSIDERATIONS**

Children's Services are very strongly correlated to deprivation. The public sector duty to promote equality and eliminate inequality is fundamental. Any savings will need to consider the Council's responsibilities under the Equality Act 2010

## **6. SUMMARY/CONCLUSIONS**

Children's Services has very significant pressures in SEND and in social care in relation to increased number of children in care and a higher cost placement mix.

Jo Olsson  
Chief Officer for Children's Services

[Electoral Divisions: All]

Cabinet Member for Children: Councillor James McInnes

Chief Officer for Children's Services: Jo Olsson

The above mentioned Reports are published on the Council's Website at:  
<http://democracy.devon.gov.uk/ieDocHome.aspx?bcr=1>

## POST OFSTED IMPROVEMENTS TO CHILDREN'S SERVICES

### Report of the Independent Chair of the Improvement Partnership and the Improvement Director

#### 1. SUMMARY

This report is to provide an update on the response to the Inspection of Local Authority Children's Services (ILACS) undertaken in January 2020 where the Council was judged to be inadequate.

#### 2. INTRODUCTION

- 2.1 In January 2020 Devon County Council's Children's Services were judged to be inadequate following inspection by Ofsted. Ofsted found that senior leaders did not know about the extent of the failures to protect some of the most vulnerable children and young people from harm. They were unaware that a very small minority of their care leavers were or had been living in tents on the streets. These were not judged to be isolated incidents. In general, care leavers with the greatest needs, including struggles with their mental health, were found to be left in unsuitable accommodation for too long because their corporate parents do not step in and act.
- 2.2 Overall Ofsted identified eight areas for improvement, including the concerns about care leavers, these are outlined below. The Council immediately prioritised a response to ensure that children and young people were safe and that concerns identified by Ofsted were addressed.
- 2.3 The inspection report was due to be published in late March, at the same time as the Country went into lockdown as a result of the CV-19 pandemic. As a result, the approach to improvement has taken two key phases to date;
  - **Phase 1 (April – July):** an approach to improvement which was focused on addressing the context of the pandemic, ensuring vulnerable children, young people and their families were safe and supported appropriately and addressing the priority areas for improvement. During this phase the governance of improvement sat with the Devon Children and Families Partnership Executive.
  - **Phase 2 (July – November);** a more comprehensive improvement plan was developed covering all the deficits identified in the ILACS and including the CV-19 response post lockdown. During this phase the governance of improvement became the responsibility of the Improvement Partnership, comprised of elected members, senior council officers, senior representatives of statutory partners (health, police and schools), the DfE

# Agenda Item 8

and a representative from Cornwall Council. Nigel Richardson was appointed as the Independent Chair of the Improvement Partnership.

- 2.4 During this second phase, the DfE appointed Eleanor Brazil as a Commissioner for Devon and Eleanor has also attended and provided her reports to the Improvement Partnership.
- 2.5 Each month the Improvement Partnership has received an update on the action plan together with a highlight report, and a scorecard covering priority areas of improvement (care leavers, children in care, neglect and the impact of leaders). In addition, the Improvement Partnership has considered priority improvement activity in specific areas in more detail as needed including;
- A review of the Disabled Children's Service
  - The engagement of young people
  - Partnership 'Reset' of priorities post lockdown
  - Preparations for and findings of the monitoring visit.
- 2.6 The improvement plan matrix, highlight report and scorecard have also been presented each month to LG-8, Children's Standing Overview Group, Children's Scrutiny, Corporate Parenting Members Group and the DCFP Executive.
- 2.7 Ofsted would usually complete a first monitoring visit six months after an inadequate judgement. There was some delay to this for Devon as Ofsted's inspection activity was suspended due to CV-19. Ofsted re-established a programme of visits in September and Devon received its first Monitoring Visit on the 22/23 September.
- 2.8 The final letter of the Ofsted monitoring visit has now been received which confirmed that during the visit Ofsted identified areas of strength, areas where improvement is occurring and some areas where they considered that progress requires further improvement. These are discussed in more detail below.
- 2.9 Ofsted identified in the monitoring visit that whilst the improvement plan and the partnership are in their infancy they are well-designed to build on a good CV-19 action plan and that given the context of the pandemic, that improvements are being made at a reasonable pace following an initial phase that correctly focused on immediate risk for care leavers and other children in Devon.
- 2.10 In October 2020, Eleanor Brazil prepared her first report as Commissioner. This report makes a number of recommendations for action by Devon and is with the Minister, Vicky Ford. Her response is expected imminently.

## 3. **PROGRESS TO DATE**

- 3.1 In relation to the eight priorities identified by Ofsted in the ILACS;

**Services to care leavers;**

# Agenda Item 8

- 3.2 The improvement response has prioritised senior leadership oversight of care leavers identified by Ofsted to be at risk (those identified as being 'high risk' in unsuitable accommodation and inappropriately placed in unregulated settings). In addition, the improvement response has included increased capacity of Personal Advisers to support care leavers, improved planning through the development of an improved Pathway Plan template (the plan which sets out what is needed to support a young person to adulthood) and improved management oversight of risk. Work has also been taking place to improve accommodation and support options, through work to strengthen the offer to care leavers by accommodation providers, including District Councils, and partners including in health.
- 3.3 During the monitoring visit in September, Ofsted found that the CV-19 response had been effective in ensuring care leavers were seen and kept safe. Personal Advisers were found to have strong relationships with young people and demonstrated tenacity and commitment to them, often through challenging circumstances, and this increasingly translates to extra support and interventions when young people are struggling.
- 3.4 In addition, the monitoring visit found a clear line of sight from senior leaders and elected members to young people living in unsuitable and risky situations and in some cases, this resulted in accelerated positive change for the young person. Care leavers who were most at risk were found to retain a high profile with their corporate parents.
- 3.5 Ofsted also found that assessing and responding effectively to complex risks was improving but more needs to be done to equip personal advisers and managers with the skills and knowledge to find swift and effective solutions for those young people most at risk through multi-agency solutions. Further development work is planned with key staff and partners to develop improved multi-disciplinary approaches to develop proactive plans that prevent and reduce risk.
- 3.6 The revised Pathway Plan format, which embeds risk as part of the analysis, will now be used to review the plan for all young people, ensure their voice is clear and that our plans for young people's futures are ambitious. An audit of the completion and quality of Pathway Plans is planned this autumn.
- 3.7 In the monitoring visit Ofsted identified that the health of care leavers and the issuing of health passports has been slow to improve. Whilst we are now confident that all young people are offered their health passport appropriately there is more being done to ensure these are taken up by young people and evaluate how they impact on their overall health.

**The quality of social work practice, to assess, support and protect children who experience neglect, and the effective use of pre-proceedings;**

- 3.8 Ofsted found that children living with chronic neglect were not always being safeguarded in a timely way. Significant development work has taken place to skill up staff in the use of evidence-based tools (such as the 'Graded Care Profile') to assess and intervene with families where neglect is a concern. This

# Agenda Item 8

has linked to development work with the partnership workforce through the focus on neglect of the DCFP Quality Assurance Practice Development Group.

- 3.9 In addition, two Case Progression Managers were appointed in May to provided scrutiny to our pre-proceedings work, to reduce drift and delay, ensuring pre-proceedings are being used in appropriate cases and to improve the quality of initial application where proceedings need to be issued. This has resulted in fewer pre-proceedings over 12 weeks and more issued care proceedings leading to more children coming into care in line with the social work recommendation. We are currently completing additional audit work to evaluate additional impact.

## **The effectiveness of child protection conference chairs in responding to escalating risks and identifying when progress is not being made for children;**

- 3.10 Initial development work has been undertaken with CP Chairs to ensure they are effective in their role of having oversight of the progress of plans for children at risk. This has included scrutiny of child protection plans that have been in place more than nine months, to identify and address drift where needed, and a review of repeat CP Plans to identify any learning.
- 3.11 We are currently negotiating with the DfE for Cornwall to offer us support with our improvement priorities through a 'Partners in Practice' arrangement. One of the priorities for this work will be a diagnostic of the effectiveness of our Independent Review Officers and CP Chairs, to evaluate the impact of improvement work to date and inform any further improvement work needed. Cornwall were identified to have very effective arrangements in this area with their staff acting as children's right advocates. The diagnostic is planned for November.

## **Consideration of child protection medicals when children disclose physical abuse or present with injuries;**

- 3.12 All staff were reminded of the criteria for child protection medicals, this is being monitored by managers and a review was completed by a CP Chair in September.
- 3.13 A rapid review of a child under one who was the subject of physical abuse and where a child protection medical hadn't been sought appropriately was completed in July and as a result a Child Safeguarding Practice Review is being undertaken using an appreciative inquiry approach, to identify learning.

## **Permanence planning for children;**

- 3.14 A new practice framework to ensure planning for permanence starts early in a child's care experience has been developed and is being implemented. Significant progress has been made in ensuring all children in care have early permanence planning meetings and a permanence plan recorded on Eclipse and ensuring associated permanence actions, such as matching for permanence with their foster carers, are complete. Improved permanence outcomes are being seen through our legal work which is securing early permanence for children with adoption plans.

## **The quality and timeliness of life-story work;**

- 3.15 The Principal Social Worker has developed an extensive range of tools, guidance and good practice examples on life story work and these have been promoted extensively to staff through a network of practice champions and training is provided. Independent reviewing Officers are required to ensure life story is in place appropriately from early in a child's care experience, as part of our improved approach to permanence.
- 3.16 An audit is planned this month to determine whether life story is in place where required and is the required quality to help young people understand their journey's.

## **The assessment of children looked after placed with parents;**

- 3.17 An audit was completed in August which confirmed that all young people placed with parents had been appropriately risk assessed and there was appropriate oversight by senior managers. This is now monitored through Locality Panels chaired by Locality Directors. A further audit is planned this autumn to ensure practice expectations continue to be met.

## **Strategic oversight and grip on areas for improvement and oversight of senior leaders, including case audits and supervision;**

- 3.18 Immediately following the inspection arrangements were put in place for senior leaders to have weekly oversight of young people identified by Ofsted as of concern. In the recent monitoring visit Ofsted judged these arrangements to have been effective and management oversight is currently moving to more business as usual arrangements with regular oversight of priority young people by the Area Manager, Senior Manager. The Chief Officer is continuing fortnightly oversight to the end of November and then monthly oversight until the end of the financial year.
- 3.19 The Chief Officer also had weekly oversight of pre-proceedings cases over 12 weeks, until performance in this area improved, and of issued care proceedings that have not concluded within the target of 26 weeks. This had led to detailed analysis of the reasons for delay, including significant delays attributable to the scheduling of cases by the judiciary and the use of expert witnesses and the Chief Officer has a meeting planned with the Judiciary to raise these findings.
- 3.20 Following the inspection a revised Quality Assurance Framework was developed to strengthen the quality and impact of the oversight of practice. During the CV-19 response phase quality assurance took the form of extensive management dip sampling of risk assessments with feedback to managers where needed. In addition, some limited partnership audits took place of the CV-19 risk assessment approach.
- 3.21 The revised quality assurance framework has been being implemented since July with the initial focus on practice evaluations of work with individual children, including moderation by senior managers to ensure increased consistency in judgement about practice standards (leading to 17% being downgraded usually from good to requires improvement). In one quarter, 125

# Agenda Item 8

practice evaluations have been completed of which 21% were judged to be 'good', 67% 'require improvement' and 11% were inadequate. Tracking is being undertaken to ensure that where actions were needed in individual cases, they are carried out. Findings from the first quarter are being finalised for presentation to managers and elected members as appropriate. In the monitoring visit, Ofsted found that the quantity and quality of audits has improved since the last inspection and that additional quality assurance has been extensive since the last inspection including a full review of all young people in high risk situations.

- 3.22 Improvements have also been made to performance management arrangements with the development of service plans, linked to the improvement plan, and Performance Clinics in each area aligned to a service Improvement Challenge Board which is designed to scrutinise, support and challenge progress in priority areas.
- 3.23 A further strategic priority identified for action by senior leaders is the need to address high rates of agency staffing in some parts of the County, and put in place recruitment and retention measure which stabilise and develop the workforce to enable improvements to be secure and sustainable. A revised Recruitment and Retention Strategy and plan is in development which includes clear career progression opportunities and important to this is the further development and implementation of our restorative practice framework.

## 4. NEXT STEPS

- 4.1 The Improvement Plan is currently being refreshed to reflect the actions from the monitoring visit and the Commissioners report. In this next phase (December to March) attention will be given to ensuring all areas requiring remedial action are fully addressed and on evaluating the impact and sustainability of the improvements made through focused quality assurance activity.
- 4.2 Ofsted have announced a programme of visits to LAs children's services to evaluate the response to CV-19. The visit after the first monitoring visit likely be a 'focused visit' and is expected to take place in Devon in January 2021. The inspection team will usually be four social care HMI and one schools HMI. The focused visit will consider the context of the local authority, including the local impact of the pandemic. Inspectors will look at what has happened for children and families in the 6 months before the visit to understand children's experiences.
- 4.4 The focus of the visit will be on help and protection, children in care and care leavers and the impact of leaders including;

*"child-centred practice that has been carefully risk assessed to result in the best possible decisions for children in the context of the pandemic locally. We are evaluating and seeking assurance about the quality and impact of practice within a challenging context, when circumstances may have resulted in decisions that may have been different to those taken in normal times. Inspectors will give credit to evidence of practitioners and managers doing the right thing for children in the circumstances." Ofsted Sept 2020.*



- 4.5 Preparations have begun for this visit and we would expect significant scrutiny of the progress of the eight priority areas for improvement identified in the ILACS, progress in relation to the findings of the monitoring visit and progress in relation to the recommendations of the Commissioners first report.

## **5. FINANCIAL CONSIDERATIONS**

Additional funding for improvement work was identified.

## **6. LEGAL CONSIDERATIONS**

There are no specific legal considerations.

## **7. ENVIRONMENTAL IMPACT CONSIDERATIONS (INCLUDING CLIMATE CHANGE)**

There are no specific environmental considerations.

## **8. EQUALITY CONSIDERATIONS**

Equality Impact Assessment will be carried out where required.

## **9. RISK MANAGEMENT CONSIDERATIONS**

Risks are included in Children's Services Risk Register.

## **10. PUBLIC HEALTH IMPACT**

None

[Electoral Divisions: All]

Cabinet Member for Children's Services Councillor James McInnes

Chief Officer Jo Olsson

Contact for Enquiries: Vivien Lines  
Vivien.lines@devon.gov.uk  
Tel No: 01392 380448



## **Improving Outcomes for Adolescents of the Edge of Care in Devon (Update on Implementation of the New Service)**

Report of the Head of Service / Chief Officer for Children's Services

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

**Recommendation:** That the Cabinet / Scrutiny Committee be asked to consider and approve proposed service model revisions as set out in section 3.12 against the model agreed by Cabinet members previously in April 2019 and note the current progress made with implementing the Edge of Care Service.

~~~~~

### **1. SUMMARY**

In April 2019, Cabinet approved the investment of just under £4.6M from the Business Rates Pilot Fund to develop and implement an Edge of Care Service in Devon.

Since approval, implementation has been on hold until July 2020 when Children's Senior Leadership Team agreed that the project could commence with a view to having the service in place and embedded by the end of the year.

The purpose of this paper is to provide;

- Background and context of the previously approved service model.
- Advise on proposed amendments and revisions that are being recommended in light of the time that has lapsed since approval which seeks to align to meet the needs of our young people and the changes in other services since the original proposals.
- Provide an update on project implementation progress made to date.

For ease of reference, the Cabinet Report (approved April 2019) can be found here;

[Edge of Care Report for Cabinet - April 2019](#)

### **Local Context**

- 1.1 In Devon currently the number of children in care continues to increase; at the 30 September 2020 there were 822 children and young people in Devon's care. This represents a 13.3% increase from the same period last year. Devon's rate of 57:10,000 is above that of statistical neighbours (54:10,000) and higher than that of good LA comparators (39:10,000). Children's Social Care remains committed to ensuring that the right children are in care, are looked after in the

# Agenda Item 9

right placements which best meet their needs and are in care for no longer than is necessary.

- 1.2 In 2018 an analysis of a cohort of late entrants into care in Devon identified common characteristics of trauma and disrupted attachments in these young people which have gone unmet since early childhood and which manifest themselves in adolescence through a clustering of risks and vulnerabilities including abuse and neglect, self-harm, disrupted education, risk taking behaviour's, criminal activity and gang involvement, running away and child sexual exploitation leading to the young person entering care in crisis. Recent analysis confirms this, and this has been compounded by the emotional, physical and economic challenges caused by the COVID pandemic.
- 1.3 Families were commonly found to be characterised by instability in relationships, additional needs arising from parental mental health or substance misuse difficulties, high levels of violence and abuse and wider economic difficulties arising from long term worklessness, poverty and poor housing.
- 1.4 Young people entering care were frequently found to have experienced a significantly disrupted education, often throughout their lives but particularly in adolescence. Permanent exclusion from education and gaps in alternative provision to young people places strain on families which when combined with other risks and difficulties can be the trigger leading to family breakdown and care becoming an imminent risk. On entry to care, young people are frequently found to have a high level of additional educational needs. A high proportion of children in care in Devon have EHCPs. Diagnosed Autistic Spectrum Disorder or undiagnosed communication and sensory processing difficulties were found to be common characteristics in this group of young people.
- 1.5 Research suggests that adolescent entrants to care are likely to have endured longer exposure to family adversity and unmet needs. The worst outcomes are identified to be experienced by children having repeat episodes of care. Working differently to better address risk and meet the needs of the young person in their family context presents the opportunity to address the poor life outcomes frequently experienced by this group.

## 2. Introduction to the Edge of Care Service

- 2.1 Proposals to develop an Edge of Care Service formed part of a response to concerns about the high numbers of adolescents entering care in crisis as a result of adolescent neglect or acute family stress, the high and increasing cost of services to children entering care as adolescents and the poor outcomes in some cases.
- 2.2 The proposals were informed by emerging evidence from developments around the country, which identified the need for a service which;
  - Keeps more high-risk families together safely.
  - Enables young people to safely return home from care in a timelier way.
  - Recognises the particular developmental needs and vulnerabilities of adolescents.
  - Increases the effectiveness of help provided leading to improved outcomes.
  - Provides high quality services at reduced cost.

- 2.3 The proposals were co-designed with relevant staff and key partners and engagement is now planned to be made with families and young people to seek their views about how the service will be delivered.

## 2.4 Mission and Ethos

- 2.5 Provide a rapid response, at point of referral into Children's Social Care to young person and their family to safely avoid the need for a young person to come into Devon's care.
- 2.6 Deliver intervention that is intensive, and community based as alternative to care.
- 2.7 Interventions will include relationship focussed direct work with young people and their parents/carers in relation to a range of issues including; substance use, mental health, domestic abuse, difficulties in education, employment and training, offending behaviour, utilising a range of evidenced based practice tools.
- 2.8 Contributing to the social work assessment and responding to the developmental and environmental needs for the young person and their family.
- 2.9 Strengthening multi-agency intervention via the multi-disciplinary team approach leading to improved outcomes for young people and their families.

## 3. Edge of Care Service Progress Update:

- 3.1 Multi-agency Project Board established in **early July 2020** to give clear direction in relation to service implementation. Board meetings have been held fortnightly with well embedded governance arrangements and good representation from across multiple teams, including Early Help, MASH, Initial Response, Police, Education, Substance Misuse Services, Inclusion and various health professions across Children and Family Health Devon (CFHD), such as CAMHS, Clinical Psychology and Family Therapy.
- 3.2 Area Manager recruited in post since 17 August 2020 and leading on project workstream activities to ensure that implementation remains on target for **'go live' from end October 2020**.
- 3.3 Area Manager working with Children's Social Care Area Managers and Initial Response Team Managers on the implementation development.
- 3.4 Consultation with Partners in Practice Cornwall Children's Service to learn from the development of their edge of care service and gather evaluation feedback **completed end September 20**.
- 3.5 TM and Practitioner recruitment underway, interviews scheduled – There were more than 200 applications received following successful media campaign, leading to the appointment of 3 Team Managers and 11 Adolescent Workers. Recruitment is continuing for Family Workers and 1 further Team Manager (North) and 1 further Adolescent Worker. 2 Team Managers to be in post by November 2020 (dates to be confirmed). Practitioners likely to be in post from **mid-October onwards**.

# Agenda Item 9

- 3.6 Confirmed Clinical and Educational Therapeutic and Psychology roles out to advert with support from CFHD and Virtual Schools **on 25th September 2020**.
- 3.7 Managers reviewing criteria, pathway and process guidance prior to publication **by mid October 20**.
- 3.8 Edge of Care will access the same case recording system as Children Social Care and development work is progressing bespoke requirements of the EOC service to ensure systems are in place **by mid October 20**.
- 3.9 Virtual induction and training capabilities have been developed and training matrix and materials are being collated and coordinated by the Devon Academy alongside HR and the Edge of Care Area Manager to have a suite of material available. **Completed Sept 20**.
- 3.10 Workstreams for ICT / accommodation are on target to ensure service needs are understood and provision of necessary equipment in place for go live. **On track**.
- 3.11 Scoping work underway with Commissioning and Procurement in relation to provision of Edge of Care crisis beds and possible Family Group Conferencing capacity.

## **3.12 Proposed Revisions to the 2019 Model**

- 3.13 Over the last two years, there have been significant developments and improvements in strengthening our relationship and ways of working with our police colleagues. In particular the joint work being delivered through the Adolescent Safety Framework (ASF) and co-designed Exploitation Strategy. Therefore, re-engagement with Police colleagues as to the effectiveness of the new arrangements and practicality of recruiting officers to these posts given the current pressures being felt within the wider police force. This will enable further discussions and strengthening of proposals within current frameworks. Any reduction in this will offset the increased costs for clinical support.
- 3.14 Similarly, due to the significant investments made in developing Early Help support and likewise with commissioning of various health services through Children and Family Health Devon since the original model proposals were agreed, further consideration is now being given to the appropriateness of some specific roles. This is with a view to exploring opportunities to re-align these roles or supplementing existing resources to provide further efficiencies and avoid unnecessary duplication of existing offers via both the local authority and its multi-agency partners, since this project was first envisaged.

An options appraisal is being carried out before any significant changes and a proposal paper developed for consideration by Board members prior to presentation for approval to the relevant Senior Leadership Groups.

- 3.15 An initial proposed change was adapting the specialist DV practitioner to an adolescent worker as all these specialist adolescent workers will receive in depth Domestic Violence training. This will be further complimented by existing support available through our early help services and the increased funding

already agreed during Covid for Devon's specialist DV support service (SPLITZ).

- 3.16 Whilst revised savings projections have been costed to reflect the current position, the impact of increased clinical costs from the delay. Subsequently we are working to finalise both the financial model and outcomes framework in November 2020.

## **4. OPTIONS/ALTERNATIVES**

An options appraisal was carried out in 2018 as part of the original proposal and recommendations approved by Cabinet in April 2019. The core model and ethos of the service has remained unchanged and therefore an options appraisal has not been necessary.

However, some minor amendments to some of the specific roles outlined in the 2018 model are being reviewed as described in section 2.2 and options / recommendations being submitted to Childrens Social Work Senior Leadership Team for consideration / approval.

## **5. CONSULTATIONS**

Staff consultations were carried out in 2018 through a number of active workshops, which included staff input to the design of the service.

However, it is intended that young people are engaged with and involved in the design of the operating model, including renaming the service, once the initial phase of implementation has concluded. This is in part due to the necessity to implement the model at pace due to the increasing demand and risk relating to family / relationship breakdowns during the current pandemic.

## **6. FINANCIAL CONSIDERATIONS**

Edge of Care savings refresh approach (updated August 2020).

The initial modelling was based on reducing numbers of Looked After Children (LAC) from 49/10000 to 41/10000 in line with "good" authorities at the time. This represented a cumulative reduction of 90 LAC over 5 years, on average between 3 - 3.5% reduction year on year.

The refreshed model indicates the potential to save £3.2m over the period 21/22 to 24/25.

Refresh August 2020 Assumptions:

6.1 Base reductions on similar % age reductions year on year: 3% applied

6.2 Starting point: Number of LAC in Devon as at the 17<sup>th</sup> August 2020 was 802

6.3 Lead in time of around 12 months for team to establish and begin making an impact: 1.5% reduction applied in 2021; 3% thereafter.

# Agenda Item 9

6.4 This produces very similar annual reductions in number of LAC to the original model; a reduction of 63 over 3 years 2021, 2022, 2023.

6.5 Placement mix: Applied same formula as original modelling using updated % age placement mix from “live placement agreements” as at 28<sup>th</sup> August 2020 and forecast average unit rates as per Month 4 Cost and Volume report – so the most up to date figures available at the time.

6.6 Results are shown in the table below, which indicates cumulative savings of £3.2m over 5 years

6.7 Assuming the Edge of Care Service deals with the BAU and non-COVID demand growth it has not been included either in the MTFs on the premise that the Edge of Care Service is the mitigation to managing non- COVID demand growth which would otherwise increase the demand pressures across children’s social care and other services.

Link to detailed LAC reduction and savings  
[V01 LAC reduction and savings refresh](#)

Cost Savings

	Year 1	Year 2	Year 3	Year 4	Year 5
	20/21	21/22	22/23	23/24	24/25
LAC Reduction (IH Fostering)		(7)	(14)	(15)	
Cost saving £'000		(64)	(251)	(332)	(179)
LAC Reduction (Res)		(1)	(2)	(2)	
Cost saving £'000		(127)	(342)	(429)	(273)
LAC Reduction (Supp Accom)		(1)	(2)	(2)	
Cost saving £'000		(54)	(182)	(235)	(118)
LAC Reduction (Ext Foster)		(3)	(5)	(6)	
Cost saving £'000		(43)	(201)	(284)	(160)
Total Reduction to LAC		(12)	(23)	(25)	0
Total cost saving £'000		(288)	(975)	(1,281)	(729)
Cumulative cost saving £'000			(1,263)	(2,544)	(3,274)

Number of diversions have been profiled across the year

## 7. LEGAL CONSIDERATIONS

There are no specific legal considerations.

## 8. ENVIRONMENTAL IMPACT CONSIDERATIONS (INCLUDING CLIMATE CHANGE)

There are no specific environmental considerations.

## 9. EQUALITY CONSIDERATIONS

The service is expected to have a positive equalities impact as disadvantaged families are significantly over-represented in care entry.



## **10. RISK MANAGEMENT CONSIDERATIONS**

A risk register has been developed and maintained throughout the development and implementation of the Edge of Care service. This is reviewed by Project Board Members on a twice monthly basis and issues or exceptions are escalated to CSLT through monthly project highlight reports.

Mitigating actions are currently being managed as 'Business as usual' with no significant issues to raise with members at this stage of the project. However, a priority risk which will be closely monitored and frequently reported on during year one is ensuring that financial projections and assumptions remain on target.

## **11. PUBLIC HEALTH IMPACT**

The young people and families who will be offered the intervention are those most likely to experience adverse life experiences and poorer outcomes. The service will have a positive public health impact on the most vulnerable young people and their families.

## **12. CONCLUSION**

In agreeing the recommended service model revisions in this report and acknowledging the progress made to date with implementation of the Edge of Care Service, members will continue to be endorsing a practice approach that is entirely consistent with the Council's aims and values, preventing unnecessary escalation into higher tariff services and using its resources to better support more families in the community. This is an invest to save initiative and remains a wise deployment of the resource available to the Council from the Business Rates Pilot Fund, which is intended to develop more sustainable social care.

Rachel Gillott  
Acting Head of Service

Electoral Divisions: All

Cabinet Member for Children's Services: Councillor James McInnes

Chief Officer; Jo Olsson / Acting Head of Service; Rachel Gillott

## **LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS**

Contact for Enquiries: [Elizabeth Brierley](#)

Tel No: **01392 383000**



## **Support for Children and Families during the Pandemic Report of the Chief Officer for Children's Services**

### **Background**

Recent national debates about Free School Meals (FSM) prompted the Childrens O&S Committee to seek clarification about Devon County Council's response. This briefing note summarises the response to vulnerable children in different phases of the pandemic, including the response now. The briefing includes data on FSM which show a very significant rise in demand.

### **Phase One Lockdown**

At Easter 2020, the role of schools changed to supporting vulnerable children and the children of key workers, with the vast majority of children receiving their education at home. Being in receipt of FSM did not in itself meet the criteria for vulnerability so most children, normally in receipt of FSM, were not in school. Throughout the Spring and Summer the DfE issued comprehensive guidance on the actions schools should take and opened a funding window to allow schools to claim back Covid related expenses such as those incurred for cleaning or equipment. This money was paid directly to schools.

For the May half term and the summer holidays the DfE agreed that schools could continue to provide meals for entitled children. Schools met this requirement through a variety of routes, some made use of the national voucher system while others provided food parcels that families could collect or purchased gift vouchers for local stores. Staff, who are not employed during the holidays agreed to work, some unpaid, so that the service could be provided. Funding windows were opened which allowed schools to submit claims for the cost of the meal or vouchers (max £3 per head). Once again payments for these claims were made directly to schools.

As Devon is large rural county, the County Council believed that local solutions were needed to ensure that in lockdown the most vulnerable people in Devon including children and families did not go hungry. To ensure support was available Devon County Council allocated £1 million to a shared hardship fund. This funding was shared between districts along with a further £700,000 from the government (Devon's share of the £63m national allocation). The district councils have used the money in different ways to best help their local communities. For example, some have funded the voluntary sector and others have issued vouchers or provided food directly. Around £600,000 of the original allocation is still available and [anyone who needs help providing food for their children is encouraged to apply for this extra assistance through their district council's helpline.](#) The County Council is holding a further £100,000 in reserve for additional hardship funding over the winter.

### **Wider return to school in September**

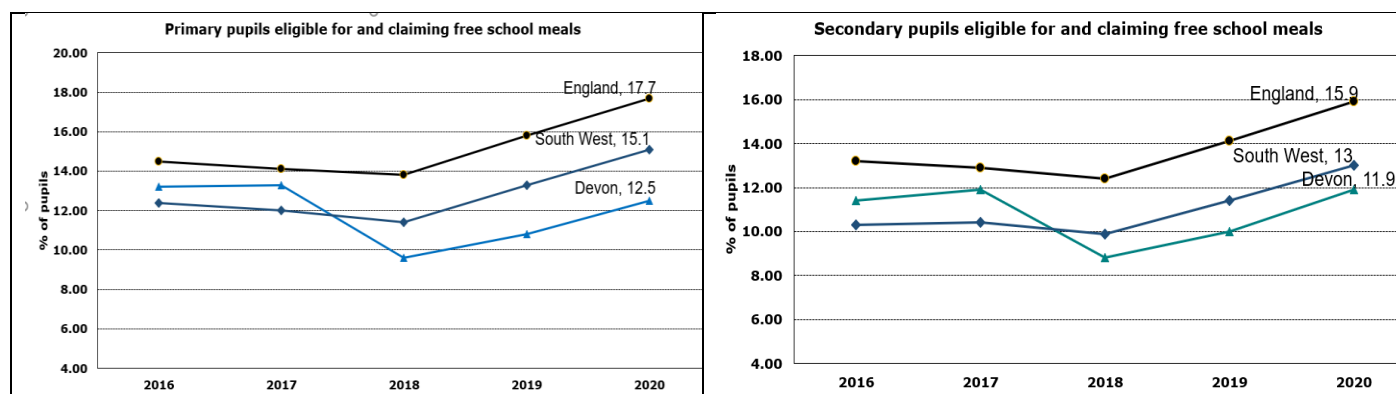
The wider return to school in September, has gone very well and an average of 92% of pupils are attending (national average 87%). Schools are under intense pressure to follow the Covid safe guidelines, deliver a full curriculum in school and provide remote learning (on-line and paper-based if needed) for pupils who are self-isolating. Just before half term there were 287 teachers self-isolating, which has put pressure on school budgets as, on top of the Covid safe requirements they are also facing supply teaching costs.

# Agenda Item 10

The DfE have, to date, remained firm that there will be no additional funding for schools to cover Covid costs this term. Additionally, they have confirmed that there will be no holiday FSM funding. It is important to note however that, even if FSM funding was provided, schools would be unlikely to have the capacity to discharge the responsibility. The capacity that was available in schools in the Spring and Summer is now fully committed.

## Data on FSM

Before the pandemic the percentage of pupils eligible for and claiming FSM was rising in Devon and nationally. Devon's percentage remains significantly below that seen nationally. The graphs below chart show how Devon compares to the England and South West percentages for primary and secondary aged pupils.



Covid has had a significant impact of the number of families that have registered free school meals. The table below shows the increase in claims since March.

Authorised claims	March /April	June/ July	Aug/ sept
2019	206	572	771
2020	1257	1816	1,130

Based on the October 2020 census there are now 13,830 pupils claiming FSM in Devon. This figure could still rise as the census is not yet closed. At £3 per meal, it would cost about £41,940 per day to provide a meal to these children.

The below table shows the number and percentage of children entitled to free school meals and how they are split across the county. The current figures are based on the October 2020 census to date, please note the census is not yet closed so these figures could still rise. Spring census data is provided for comparison purposes. Electoral division information is provided in Appendix 1.

Devon District	Autumn 2020 school census (October 2020)				Spring Census % for comparison
	number of schools	Number of pupils eligible for FSM	total number of pupils on roll	% of pupils on roll eligible for FSM	
East Devon	63	2308	18398	13%	11%
Exeter	40	2285	13768	17%	14%
Mid Devon	40	1541	10578	15%	13%
North Devon	57	2353	14129	17%	14%
South Hams	46	1318	11362	12%	10%

Teignbridge	57	2411	16115	15%	13%
Torridge	34	1397	7787	18%	16%
West Devon	31	928	6575	14%	12%
Plymouth	1	24	201	12%	11%
<b>Grand Total</b>	<b>369</b>	<b>14565</b>	<b>98913</b>	<b>15%</b>	<b>13%</b>

## Next Steps

District Councils have circa £600,000 remaining hardship allocation and the Council has set aside a further £100,000 for Winter hardship. Families, entitled to FSM, whose children would otherwise go hungry, are encouraged to contact their District Council in order to access hardship assistance during the school holidays.

The County Council will write to the Government to clarify that, due to our financial position, we are limited in our ability to provide financial support for families beyond the Spring and to request that they properly fund support for all vulnerable people in Devon affected by the financial impacts of the pandemic.

**Dawn Stabb**

Head of Education and Learning

**Jo Olsson**

Chief Officer for Children's Services

**Electoral Divisions:** All

Cabinet Member for [Children, Schools and Skills](#): Councillor James McInnes

*Contact for Enquiries:*

Dawn Stabb, Head of Education and Learning

Email: [dawn.stabb@devon.gov.uk](mailto:dawn.stabb@devon.gov.uk)

Tel No: 01392 383000

# Agenda Item 10

Appendix 1

	Autumn 2020 school census (01/10/20)				
School electoral division	number of schools	Number of pupils eligible for FSM	total number of pupils on roll	% of pupils on roll eligible for FSM	<b>Spring Census % for comparison</b>
Alphington and Cowick	5	285	1925	15%	12%
Ashburton and Buckfastleigh	8	263	2121	12%	11%
Axminster	7	236	1299	18%	16%
Barnstaple North	7	569	2394	24%	22%
Barnstaple South	6	580	2980	19%	16%
Bickleigh and Wembury	6	79	905	9%	6%
Bideford East	2	125	563	22%	21%
Bideford West and Hartland	7	476	2579	18%	18%
Bovey Rural	5	81	847	10%	9%
Braunton Rural	5	167	1856	9%	7%
Broadclyst	11	450	3469	13%	11%
Chudleigh and Teign Valley	8	123	1025	12%	10%
Chulmleigh and Landkey	9	140	1585	9%	8%
Combe Martin Rural	11	123	1099	11%	9%
Crediton	7	352	2425	15%	13%
Creedy, Taw and Mid Exe	8	86	870	10%	10%
Cullompton and Bradninch	5	231	1730	13%	13%
Dartmouth and Marldon	6	145	940	15%	12%
Dawlish	5	327	1517	22%	19%
Duryard and Pennsylvania	3	130	934	14%	11%
Exminster and Haldon	5	99	957	10%	8%
Exmouth	10	664	4871	14%	10%
Exmouth and Budleigh Salterton Coastal	3	126	627	20%	13%
Exwick and St Thomas	5	320	1783	18%	16%
Feniton and Honiton	4	234	1814	13%	12%
Fremington Rural	5	103	762	14%	12%
Hatherleigh and Chagford	8	105	876	12%	10%
Heavitree and Whipton Barton	5	256	1171	22%	20%
Holsworthy Rural	12	319	1561	20%	17%
Ilfracombe	3	399	1801	22%	18%
Ipplepen and The Kerswells	5	103	970	11%	9%
Ivybridge	5	371	3682	10%	9%
Kingsbridge	7	216	2289	9%	8%
Kingsteignton and Teign Estuary	5	269	2278	12%	10%
Newton Abbot North	9	690	3785	18%	16%
Newton Abbot South	3	125	683	18%	14%
Northam	4	153	1104	14%	11%
Okehampton Rural	9	362	2590	14%	12%
Otter Valley	7	198	2230	9%	8%
Pinhoe and Mincinglake	5	558	2892	19%	16%
Plymstock Dunstone	1	24	201	12%	11%
Salcombe	7	62	721	9%	8%
Seaton and Colyton	7	127	1738	7%	7%

# Agenda Item 10

School electoral division	number of schools	Number of pupils eligible for FSM	total number of pupils on roll	% of pupils on roll eligible for FSM	<b>Spring Census %</b> for comparison
Sidmouth	3	204	1448	14%	12%
South Brent and Yealmpton	7	86	822	10%	8%
South Molton	11	272	1652	16%	13%
St Davids and Haven Banks	3	80	811	10%	7%
St Sidwells and St James	4	98	1019	10%	8%
Tavistock	6	344	2263	15%	12%
Teignmouth	4	331	1932	17%	15%
Tiverton East	5	168	929	18%	15%
Tiverton West	7	481	2318	21%	17%
Torrington Rural	9	324	1980	16%	13%
Totnes and Dartington	8	359	2003	18%	17%
Wearside and Topsham	4	160	878	18%	16%
Whimble and Blackdown	11	69	902	8%	7%
Willand and Uffculme	8	223	2306	10%	8%
Wonford and St Loyes	6	398	2355	17%	14%
Yelverton Rural	8	117	846	14%	11%
Grand Total	369	14565	98913	15%	13%





## **Future provision of Education and Inclusion Services**

### **Report from the Head of Education and Learning and Deputy Chief Officer for Children's Services**

*For information and discussion.*

#### **1 Background and introduction**

In 2012, after thorough consultation with staff and stakeholders and following a rigorous options appraisal, Devon County Council (DCC) took the decision to commission out its statutory Learner Support Services. The delivery model chosen was a joint venture with a private sector partner and Babcock Training Ltd (now Babcock Educational Holdings Ltd) were successful in bidding for the joint venture contract. A new partnership, Babcock Learning Development Partnership LLP (Limited Liability Partnership Joint Venture), was created, in which Devon County Council retained 19.9% ownership. The service level contract put in place with Babcock LDP was for a maximum of ten years (seven years plus three) and expires on 31st March 2022. The total value of the contract for 2019/20 was £8.8 million pounds.

DCC has been undertaking work on the future service design and the delivery model options for Learner Services in accordance with a commissioning timetable which allows for any tender process or transfer of service required and a mobilisation period.

A Project Board including school and governor representation is overseeing this work and feedback from schools, parents and other stakeholders has been used to inform an options appraisal in order to agree recommendations for the future.

This work is linking with the SEND transformation programme which has been set up by DCC with support from the NHS Devon Clinical Commissioning Group (CCG) with the intention of transforming the experience of children, young people and families with Special Educational Needs and Disabilities (SEND), through partnership working, co-designing and co-development of a new service model.

The pandemic incident management response required between March and July 2020 had a significant impact on the progress of the work to determine the future delivery model for Learner Services and it became clear that it would not be possible to meet the stringent consultation and competition rules set out in the Public Contracts Regulations 2015 legislation within the timescales needed. In August 2020 DCC Cabinet approved an extension to the existing contract, which will continue for a period of up to 12 months, to 31<sup>st</sup> March 2023. Under Regulation 72 of The Public Contracts Regulations 2015 there is scope to lawfully extend the Services Contract, on the same terms, on the grounds of "unforeseen circumstances" and/or non-substantial modification.

Consultation has now been carried out with schools and a public consultation on the options being considered is also being prepared. Scrutiny members will be provided with a copy of the public consultation before it is launched.

# Agenda Item 11

## 2 Progress so far – options appraisal

In line with the corporate approach for appraising service delivery models, the project team are in the process of carrying out a full options appraisal for the service design and the delivery model.

This has been informed by engagement with stakeholders and has included discussion and consultation with schools, gathering information from service managers, and from the current provider.

Work is continuing to estimate the full costs of the options being considered, including the possible in housing of some teams. As part of this process, corporate teams are being consulted.

## 3 Next steps

Public consultation will be carried out regarding the options being considered. This public consultation will outline the options identified as the most beneficial along with the evidence base and rationale for this assessment. Most of the services are delivered to schools rather than directly to individuals, so it is intended that this will be a light touch consultation. Feedback will be gathered on the proposals based on the rationale developed through the options appraisal.

Market engagement with providers is also in progress and this will be used to test the viability and feasibility of the identified options.

After the public consultation is complete the full business case will be written. This will include additional cost modelling and analysis of the rationale for the option being recommended, including the cost of implementation in terms of work from other teams within DCC.

'Real life' implications will be layered onto the option appraisal rationale and evidence in order to complete the business case, for instance impacts like pensions, additional infrastructure costs and attractiveness to the market.

The full business case for the final recommendations being made will be taken to Devon Education Forum (schools forum) LG8, Cabinet Leadership and Cabinet for final discussion and agreement.

**Dawn Stabb**  
**Head of Education and Learning**

**Electoral Divisions:** All

Cabinet Member for Children Services and Schools: Councillor James McInnes

Chief Officer for Childrens Services: Jo Olsson

LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

Contact for Enquiries: Dawn Stabb, Head of Education and Learning  
BACKGROUND PAPER      DATE      FILE REFERENCE Nil

## **Report of the Children's Standing Overview Group – July 2020**

### **1. Introduction**

The Children's Scrutiny Committee Standing Overview Group meets regularly throughout the year to consider key updates and pertinent issues from across Children's Services, with the aim of developing Members knowledge and understanding, and bringing to the forefront any areas which may benefit from further scrutiny.

This report outlines the topics covered at the meeting of 21<sup>st</sup> July 2020, highlights the key points raised during discussion and details any agreed actions.

### **2. Attendance**

Councillors Rob Hannaford (Chair), Su Aves, Frank Biederman, Julian Brazil, Christine Channon, Iain Chubb, George Gribble, Jonathan Hawkins, Linda Hellyer, Richard Hosking, Tony Inch, Philip Sanders, Andrew Saywell, Debo Sellis, Margaret Squires and Mrs Christina Mabin (Church of England)

Officers: Jo Olsson (Chief Officer for Children's Services), Vivien Lines (Improvement Director), Dawn Stabb (Head of Education & Learning), Rachel Gillott (Locality Director- South) and Ian Hemelik (Virtual School Lead).

Department for Education: Eleanor Brazil (Children's Commissioner)

Children's Scrutiny Special Advisor: Kevin Crompton

Scrutiny Officers: Vicky Church and Dan Looker

### **3. Notes and Actions**

#### **3.1 Rapid Reviews**

The Chief Officer for Children's Services provided members with the findings of two Rapid Reviews undertaken since lockdown began. Relevant details and learning from the individual cases were shared with Members confidentially. Key points from the wider discussion are detailed below:

- Devon Children and Families Partnership (DCFP) has taken the view that significant learning can be gained in some cases by undertaking a Rapid Review where no child death or life changing injury has occurred;
- The Covid-19 pandemic and lockdown period brought additional concern and the DCFP were keen to consider cases which would bring further understanding and learning at this time;
- For one of these cases it was felt that the Rapid Review had sufficiently unpacked the learning to allow the partnership to move into responsive action planning without the need for a local Child Safeguarding Practice Review (CSPR); there had also been

positive feedback from the national panel on the review and outcome, and learning was being taken forward;

- The decision was made for the second case to be taken to a CSPR as it was felt that further investigation and understanding was needed; in this case the CSPR would take an Appreciative Enquiry approach (a strengths-based approach), which involves looking at a similar case where the multi-agency practice worked well; the approach recognises the need to learn from good practice and will bring together practitioners from both cases to share and learn from successful practice; the findings of the CSPR will be published;
- In response to questions from Members, the Chief Officer highlighted the significant role and responsibility of partners providing universal services such as early years settings, schools and GPs in identifying and protecting vulnerable children and families not known to children's social care, and the importance of a multi-agency approach towards safeguarding.

### **3.2 Return to School in September and School Summer Holidays**

The Head of Education and Learning provided Members with an update on plans for return to school in September based on the revised Department for Education (DfE) advice which now outlines the kinds of measures Government would like to see schools put in place, including:

- Guidance on the management of positive cases and outbreaks;
- Further relaxation around the rules on 'bubbles' in school; bubbles in secondary schools can be widened to a whole year group, recognising the need for this in order to run an effective curriculum at secondary level;
- Requirements for risk assessments; the local authority has produced a template for all maintained schools (and made this available to academies) which reflects guidance given by the DfE and existing health and safety guidance; this has also been shared with the relevant unions; schools are currently completing their risk assessments prior to sharing them with the local authority before September;
- The expectation that all pupils will return to school full time from September; the local authority will work positively with families to support the transition back to school, acknowledging that parental and pupil concerns and anxieties around this may remain;
- Curriculums should continue to be across all subjects but will need to have some flexibility to allow pupils to catch up on content missed, particularly in core subjects; schools will need to be informed by pupils' starting points and take steps to address gaps in their knowledge;
- Schools will need to maintain a remote element to education for those pupils who develop symptoms and to provide a backstop for any local outbreaks and lockdown measures;
- A greater focus on pastoral and extracurricular activities including supporting pupils to build friendships and develop good physical, emotional and mental health;
- The DfE expectation that schools will return to a normal curriculum by the Summer Term 2021.

The Head of Education and Learning also updated Members on newly announced future funding arrangements, including:

- £650 million Catch Up Premium which will provide all state mainstream schools, special schools and alternative provision with around £80 per mainstream pupil and £240 per special school pupil; this equates to around £16,000 for a primary school with 200 pupils and around £80,000 for a secondary school with 1000 pupils;

- Schools have been given the flexibility to spend this funding in a way which best meets the needs of their cohort, however governors and trustees are expected to scrutinise this spending;
- £350 million National Tutoring Programme will provide additional targeted support for children and young people who need the most help; this will be in the form of high quality tuition for 5-16 year olds and small group tutoring for sixth form students who have been disadvantaged through disrupted studies.

The Head of Education and Learning also updated Members on plans for the summer holidays including:

- Intensive working between the Early Years team and providers to support them to open safely following the lifting of Government restrictions; parents and carers can search for local provision through the Pinpoint directory, and those struggling to find childcare over the summer holidays can complete a form to request support in finding and securing this;
- Schools have also been asked to advise the local authority of any vulnerable children or families without a social worker who might need additional support with childcare or activity clubs over the school holidays; these families are being offered a variety of support;
- Activities for children in care have been put in place including a virtual summer school and outdoor education experiences.

### **3.3 Ofsted Inspection of Children's Services January 2020 - Improvement Plan / Improvement Partnership**

The Improvement Director updated Members of the progress of the Improvement Plan and the work of the Improvement Partnership, which included:

- The Partnership moving towards Phase 2 (Improvement) of the Plan, whilst still ensuring that key parts of Phase 1 (Covid-19) continued concurrently, including an enhanced model of risk assessment;
- The Partnership now feels in a good position to ensure all eight areas identified during the inspection are addressed;
- Three practice priorities have been identified; Care Leavers, Children in Care and Children at risk of chronic neglect and emotional abuse;
- Care leavers; we are seeing positive moves forward for many of the young people we are working with, but we know there is still a lot more work to be done; our ambition is to have no care leavers in unsuitable accommodation; this will not be easy to achieve but it is a key focus for the Partnership and is the right ambition to have; it is important to remember that provision of accommodation is not the sole issue, we need to ensure that there is package of support around young people leaving care, and help them to make a success of it;
- Children in care; the Partnership is developing and improving permanence planning from the earliest point that a child enters care;
- Children at risk of chronic neglect and emotional abuse; using evidence-based tools in social work and across the Partnership and removing children where necessary;
- In addition, four Pillars of Improvement have been identified; Supervision, Management, Quality Assurance and Leadership which address the impact of leaders and managers on social work practice and on children and families;
- The principles of improvement sit as part of a collective responsibility across the partnership;

- The next steps are to take forward the priorities and develop a framework to monitor and evaluate the progress being made; this will have a clear focus on outcomes and listening to the voices of children and young people and understanding the lived experience of families; Scrutiny will have the opportunity review a number of the plan's performance indicators through future committee meetings;
- We expect Ofsted to return to Devon to monitor progress in January and we are preparing for this, ensuring that we can demonstrate the progress made; Scrutiny has a key role in demonstrating the oversight in place.

### **3.4 Briefing Note: Children's Services Re-Set. Learning from CV 19 and Lock Down**

The Chief Officer for Children's Services outlined some of the key themes arising the briefing note circulated to Members from the Head of Commissioning (Children's Services), including:

- The immediate and more long-term impacts of the lockdown period on the economy, unemployment rates, numbers of benefit claimants, poverty, and the consequential impact of this on children and young people, on their wellbeing and life chances;
- Challenges facing young people leaving school this summer and entering workforce; Devon historically has low levels of youth unemployment but this is expected to increase;
- The impact of the Covid-19 pandemic and lockdown on young people's emotional health and wellbeing; many will have experienced loss or trauma in some form as a consequences of the past few months;
- Devon Children & Families Partnership (DCFP) has heard mixed experiences from young people; some have said that they feel very well supported by their school and other services, whereas others feel quite abandoned;
- International and national data is telling us that we will have a real challenge in managing the emotional health and wellbeing of our children and young people, but also that of their parents; we have seen increased rates of domestic violence and poor mental health in families during the lockdown period;
- As children and young people have been isolated from their peers we've seen an increased risk of online grooming; there is an expectation that as children return to school we may see higher levels of disclosures of abuse as well as requests for mental health support;
- The DCFP has tried to build a rich and complex picture of children and young people's experiences over the Covid-19 pandemic and lockdown period to help us plan services and support going forward.

### **3.5 Next Meeting**

Members agreed that the next Children's Standing Overview Group would be held in October 2020.

**Councillor Rob Hannaford**  
**Chair of the Children's Scrutiny Committee**

## **Report of the Children's Standing Overview Group – October 2020**

### **1. Introduction**

The Children's Scrutiny Committee Standing Overview Group meets regularly throughout the year to consider key updates and pertinent issues from across Children's Services, with the aim of developing Members knowledge and understanding, and bringing to the forefront any areas which may benefit from further scrutiny.

This report outlines the topics covered at the meeting of 6<sup>th</sup> October 2020, highlights the key points raised during discussion and details any agreed actions.

### **2. Attendance**

Councillors Rob Hannaford (Chair), Su Aves, Frank Biederman, Julian Brazil, Jonathan Hawkins, Linda Hellyer, Richard Hosking, Andrew Saywell, Debo Sellis, Margaret Squires and Mrs Christina Mabin (Church of England)

Cabinet Member: Councillor James McInnes

Children's Services: Jo Olsson (Chief Officer for Children's Services), Dawn Stabb (Head of Education & Learning), Rachel Gillott (Acting Head of Children's Social Care), Fiona Fleming (Head of Commissioning – Children's Services) and Vivien Lines (Improvement Director)

Department for Education: Eleanor Brazil (Children's Commissioner)

Children's Scrutiny Special Advisor: Kevin Crompton

Scrutiny Officer: Vicky Church

### **3. Notes and Actions**

#### **3.1 Children's Commissioner Findings and Recommendations**

Eleanor Brazil, Children's Commissioner (Department for Education) presented Members with a summary of her key findings and recommendations which were included in her report submitted to the Minister. The presentation covered:

- The Commissioner's task, which focussed on areas including supporting the Council to develop a strong improvement partnership, reviewing and providing assurance to the DfE on current service arrangements and providing monitoring and practice advice in response to Covid-19;
- The Commissioner had carried out a number of activities to inform her review and report including meeting with a range of frontline staff, managers, partners and Members, reviews and inspections prior to 2020, the Council's self-evaluation, partnership arrangements and Covid-19 response, and attending workshops and forums;
- A range of staff feedback was shared, covering areas such as the partnership response to Covid-19, recruitment and retention and morale;

- The Commissioner reported confidence in the determination of leaders to improve services and that the response to Covid-19 had been very effective. She also noted that plans for improvement are in place and activity is underway, but that this was not consistently having the impact required;
- The Commissioner's full conclusions and recommendations to both the Council and partners, and the Minister and DfE are outlined in full in her report, which is now with the Minister. A response is expected in the coming weeks.

Members raised and discussed:

- Concerns around the Council's approach towards recruitment and retention, which would be considered by Members in more detail through a Spotlight Review;
- The balance between social work Team Managers providing high support but also high challenge, and ensuring that challenge is seen by all staff as a necessary and positive part of good practice;
- Key areas and methods to support scrutiny in monitoring the progress and success of Children's Social care which included monitoring the timeliness of visits, reviews, and assessments, having access to reliable quantitative and qualitative performance information, the consistency of practice across the County and the use of case audits, and making best use of the Scrutiny Special Advisor, who is able support Members with informed and specialist questioning.

### **3.2 September Monitoring Inspection Feedback**

Vivienne Lines, Improvement Director appraised Members of initial feedback received from Ofsted following their monitoring visit in September. The final letter from Ofsted is expected on 15<sup>th</sup> October and will be circulated to Members. Points covered in the presentation included:

- The methodology for the visit, which was carried out over two days by the same inspectors who undertook the full inspection in January; the focus was on key improvement priorities for care leavers around line of sight by senior managers, risk assessment and safety planning and accommodation and support;
- Inspectors reviewed key documents and practice evaluations of six care leavers and met with ten Personal Advisors (PAs) discussing both 'high risk' cases and examples of good practice; in total inspectors reviewed 16-18 of the 40 most high risk care leavers; inspectors also met with focus groups of Team Managers and young people;
- Detailed findings from the monitoring visiting will be included in the Ofsted letter but key strengths were noted in a number of areas including clearer line of sight to the most vulnerable young people at all levels, regular formal case supervision, 'resilient and strong' staff, there were no young people found to be at immediate risk or any that the service was not already aware of, and young people with complex risk and exploitation issues are being seen frequently (often daily) by their PAs to ensure that they are safe;
- Support and accommodation for care leavers is improving but there is still more to do to ensure that all care leavers have access to safe and appropriate accommodation;
- Quality assurance has improved with case audits being of better quality and consistency;
- A number of next steps were proposed including multi agency solutions for young people with more complex needs and risk-taking behaviours, ensuring that PAs have the right training and skill set and the introduction of a new high quality pathway plan, with a focus on raising our ambitions for care leavers;
- The Improvement Plan will be refreshed over the coming weeks to reflect these findings;
- Ofsted are expecting to return in January 2021 with a Focused Covid-19 Visit.



Members raised concerns about the numbers of care leavers still living in 'unsuitable accommodation' noting that this definition includes any house of multiple occupancy (including halls of residence) and prison.

**Action:** Care Lever accommodation to be added to the agenda for the December Standing Overview Group, including market capacity and risk assessment.

### 3.3 Children's Services Self-Assessment

Fiona Fleming, Head of Commissioning (Children's Services) and Rachel Gillott, Acting Head of Children's Social Care reported on the draft Children's Services Self-Assessment, which formed part of a programme of peer challenge across the South West. Completion of the Ofsted Self Evaluation which would normally be completed alongside the Self-Assessment had been delayed to enable the service to take into account the formal findings from the September Ofsted Monitoring Visit.

Members commented on how comprehensive and informative the self-assessment was, giving a thorough overview of where the Council sees strengths, risks and areas for improvement. Members felt that all Members of the Council would benefit from reading the self-assessment once finalised.

**Action:** The completed and finalised Children's Services Self-Assessment to be circulated to Members.

### 3.4 Return to School Update

Dawn Stabb, Head of Education and Learning updated Members on the return to schools for children in Devon. This included an update on school attendance figures (as of the previous week compared to the available national figures at the time):

- 93% of the Devon school population (88% nationally);
- 87% of pupils with an Education, Health and Care Plan (EHCP) (81% nationally);
- 87% of pupils with a social workers (82% nationally).

An update was also provided on confirmed cases of Covid-19 in schools:

- There are now 12 schools across Devon with at least one confirmed case of Covid-19;
- 272 pupils and staff have been tested and there have been 14 positive results;
- One school had a case which was considered a high probability of Covid-19, despite a negative test result and that this case was treated in the same way as a positive test result with appropriate measures taken;
- Schools have access to some tests but there are difficulties with reordering replacements.

Discussion also covered:

- The importance of supporting children to attend and continue attending school and how the Council is working with schools and families to achieve this;
- The lack of additional funding available to schools to manage the pandemic for the Autumn term; the Council and F40 are lobbying government on this issue;
- School transport arrangements which mean that pupils are sitting on school buses by year group and have been instructed to wear masks for the journey; Members raised concerns that this was not happening in some cases;

- Support had been put in place for schools who are struggling with staff absence due to Covid-19 to help avoid school closures;
- There is considerable additional pressure on schools and teachers, who are now expected to support pupils who are self-isolating at home, as well as teaching a full timetable of classes;
- Further Education colleges have completed risk assessments in the same way as schools; the Council does not have the same oversight as with schools but there are strong links with the colleges through the Council's Economy Team.

**Councillor Rob Hannaford**  
**Chair of the Children's Scrutiny Committee**