

CHILDREN'S SCRUTINY COMMITTEE

15 March 2022

Present:-

Councillors S Aves, J Bradford, J Brazil, R Hannaford (Chair), J Hawkins, L Hellyer, F Letch MBE, L Samuel, P Sanders (Vice-Chair) and M Squires

Apologies:-

Councillor P Bullivant and J Wilton-Love and C Mabin (Church of England Representative)

Members attending in accordance with Standing Order 25

Councillors Leadbetter and Saywell

(Councillor Channon attended remotely)

* 29 **Standards Committee**

Mr Ray Hodgins attended (remotely) in his capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

* 30 **Minutes**

RESOLVED that the Minutes of the meetings held on 18 January were signed as a correct record.

* 31 **Items Requiring Urgent Attention**

1. Support for Ukrainian Children in Devon

(An item taken under Section 100B (4) of the Local Government Act 1972)

The Chair had decided that the Committee should be appraised of any arrangements with regard to the number of Ukrainian refugee due to enter the UK as a result of the war, and what provision Devon County Council may provide as part of this ongoing situation.

The Chief Officer for Children's Services advised Members that detailed plans from government were not yet know, however Devon would ensure that any refugees be settled in Devon would be provided with provisions such as health checks. Long term provisions would include understanding the experiences of refugee children, what they may have witnessed and what

support would therefore be required. Universal Early Help assessments would be offered which would identify areas of further concern. The Council would also look to model how many children may arrive with parents or carers and how many would be unaccompanied and therefore require care placements. Children's Services would work closely with the Foreign Office and Home Office to provide resources and provisions.

The Head of Education and Learning advised that the Service had previous experience of working with schools in Exeter to provide school places for Afghan families and experience of supporting unaccompanied children. The Service would work to keep refugee children together and place them in one locality, whilst providing support to schools. This would include additional language support and social workers.

Members acknowledged the current position and update from officers.

2. Ofsted Monitoring Visit Letter

(An item taken under Section 100B (4) of the Local Government Act 1972)

The Chair had decided that the Committee should be updated following the publication of the Ofsted Monitoring Visit letter on 9 March.

The Chief Officer for Children's Services provided an overview of the Ofsted Letter, which focussed on the Front Door process in the Multi-Agency Safeguarding Hub, how children were being assessed and the decision-making processes. The Letter acknowledged that Devon had experienced a significant increase in demand for assessments both before and during the Covid pandemic, along with staff shortages and high caseload numbers; this had contributed to children not receiving care in a timely manner.

Other areas highlighted included the number of repeat child protection investigations, where some families were subject to more than one investigation in the course of 6 months; and positive comments around increased permanent senior leadership team posts and improved communication channels.

Members discussed the importance of understanding what was happening and how the points raised by Ofsted were being addressed, as well as how this had affected staff morale. Members were advised that there was significant pressure in being able to recruit and retain staff, which had increased the number of caseloads for all staff, and often resulted in them leaving the Council. Nationally there was pressure in recruiting social workers and therefore many Councils relied more on agency staff. Further to this, there was a lack of training opportunities for social workers and Members noted that courses were not provided by Exeter University, as well as reduced

availability of suitable accommodation; all of which compounded the issues of recruiting social workers.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Sanders, and

RESOLVED that there be a special meeting of Children's Scrutiny Committee to discuss the Ofsted Monitoring Visit Letter as a matter of urgency.

* **32** **Public Participation**

There were no oral representations from members of the public.

* **33** **Scrutiny Committee Work Programme**

The Committee were updated as to the Scrutiny Work Programme and it was agreed that the following items be added:

- to examine the risk position and any improvement required relating to the risk of a young child in Devon losing their life (referral from Audit Committee 24/02/22 and it was noted that the 'Death or Serious Harm to a Child' had been recently added to the Corporate Risk Register)
- Timeliness of Health Assessments

* **34** **Children's Social Care Performance Report**

The Committee received the Report of the Chief Officer for Children's Services which provided a performance update on Children's Social Care, highlighting the key measures of change in areas including the number of children/young people supported per 10,000, the quality and timeliness of practice, the number of children in care and workforce.

The Report outlined the following key points:

- the 12-month average of the rate of referrals in Devon was similar to the national average but higher than statistical neighbours;
- the capacity and demand in the Initial Response Teams (IRT) continued to impact on the timeliness of assessments;
- the rate of children per 10,000 with a child protection plan was higher than the national average and statistical neighbours;
- the rate of children in care per 10,000 was stable and lower than the national and statistical neighbour average;
- the timeliness of health checks had further reduced in part due to the pandemic;
- Devon compared favourably with outcomes for 19-21 year old care leavers compared to the national average and statistical neighbours;

- despite successfully recruiting permanent staff, there had not been an overall net reduction in the use of agency staff; and
- Supporting the workforce to have manageable numbers of children allocated to them was a priority and there was evidence that Devon had similar and in some incidences more manageable caseloads than other south west local authorities.

Members raised the following discussion points and questions with Officers in response to the Report:

- Members were pleased with the layout of the report and thanked officers for their work in formatting the report in a clear and concise manner;
- In response to how the data was being used to improve outcomes, Members were advised that this information was shared with locality directors and management team to help them understand key issues within the Service and children with a high need;
- The number of caseloads per staff was exceptionally high in Devon, and the Service would be addressing this by filling vacancies within the Initial Response Team (IRT) and aiming to become an employer of choice for social workers within the southwest region;
- To increase morale of social workers, Members asked what they could do to help support the Service and for social workers to feel supported in their roles. Members were informed that positive communication with staff was always beneficial and appreciated; and a letter of thanks had already been drafted to be distributed to staff members. Informal visits to frontline staff, as Covid restrictions were lifted, would also be encouraged to show support to staff;
- With regard to the high rate of referrals, it was still too early to identify whether this was purely a result of the pandemic or if numbers were already on the rise; however it was believed likely to be a long-term change, potentially due to the complexity of families and anxieties around the Council receiving a negative Ofsted review;
- Child Protection Conferences – there were concerns around poor performance and timeliness and there had been some sickness levels in families and staff (due to Covid) which had also impacted on attendance at conferences and the need to therefore postpone meetings, causing some delays;
- Health Assessments – concerns were raised around timeliness and who completed assessments. Members were advised that the data provided in the report included both initial and annual assessments – however Members may wish to explore this area further at a future meeting;
- Care experience of young people with accommodation and training needs – Members noted that having spoken to some 18-21 year olds, they did not feel ready to manage their own money, food, bills and washing and Officers advised that training packages were being implemented to help support young people;

- Children in unregistered accommodation – these young people had extensive needs and required specialist accommodation that the Service had been unable to find at this time. Weekly meetings took place to review these children, and work continued to meet their needs or provide secure placements for children with very complex or mental health needs.

It was **MOVED** by Councillor Hannaford **SECONDED** by Councillor Hellyer and

RESOLVED that the timeliness of health assessments be added to the work programme for a future meeting.

* 35

Babcock LDP In-Housing update

The Committee considered the Report of the Head of Education and Learning (CS/22/02) updating Members on the progress being made to transition all of the Babcock LDP education services, and the staff who deliver them, back into Children's Services in Devon County Council through a TUPE process.

The Report highlighted that officers from all departments affected by the move (Children's Services, ICT, Premises, HR, Finance, Communications etc), had been working as part of a project steering group to put in place the necessary arrangements to ensure a smooth transfer of staff and also that the delivery of services to schools and therefore children would not be impacted.

Interim arrangements had been made to allow office space in Great Moor House whilst long term arrangements were made for the new integrated team to be co-located with current DCC staff, which would help support the new integrated ways of working.

It was **MOVED** by Councillor Hannaford **SECONDED** by Councillor Sanders and

RESOLVED that the Scrutiny Committee

- a) welcomes the report of the Head of Education and Learning on the progress made to support the transition of the Babcock LDP staff into the Council and that all of the workstreams are currently on track;
- b) thanks the Head of Education and Learning for her continuous efforts to appraise and consult the Committee throughout the project;
- c) welcomes the opportunity to meet with incoming staff as part of a welcome event on Friday 22nd July; and,
- d) asks that the Head of Education and Learning to continue to update the Committee on the in housing of the services, particularly after the commencement date of 1st August 2022 and the re-branding exercise.

* **36** **Local Government & Social Care Ombudsman Complaint**

The Committee considered the Report of the Head of Education and Learning (CS/22/04) regarding the learning from an Ombudsman complaint where Devon County Council had failed to provide a child with adequate education from the point at which they were due to transfer to post-16 education in September 2019.

Members' discussion points included the capacity of Children's leadership team with oversight of post-16 education and the number of staff to reduce the backlog of cases. Members were advised that a new Strategic Director of SEND had recently started to bring additional expertise, both operationally and strategically, to support this work which included post-16 children. In relation to the backlog of EHCPs/annual reviews, following full Council and approval of the budget, the staff that had been employed on temporary contracts for 18 months had now been made permanent, which would see significant improvements in the experience within teams. Additional posts had also been requested to bring Devon in line with national expectations of caseloads: 350-500 cases per staff in Devon compared to national average of 150-200 cases.

Members and Officers agreed to bring further details to Members at a later date on the continuing improvements in the SEND service, with communication and relationships being a priority.

It was **MOVED** by Councillor Hannaford **SECONDED** by Councillor Sanders and

RESOLVED that Children's Scrutiny Committee

Considered the Report and resolved that the actions taken following the Ombudsman complaint be endorsed as proportionate to the case and the assurance that the appropriate level of learning in the Service has been implemented be accepted at a future meeting.

* **37** **Race Equality Audit - Role of Scrutiny Members**

The Committee considered the Report of the Chief Executive (CEX/22/01) which outlined how the Race Equality Audit had helped the Council understand the nature and impact of structural racism within the organisation so that it could be addressed. The Audit's objectives were to provide an honest assessment of how it felt for Black and Asian colleagues to work for Devon County Council, to challenge assumptions and advise on actions to ensure DCC became a place where Black, Asian and other ethnically diverse staff felt safe, included and welcomed.

The Council was moving forward with implementing the Report's recommendations, including £500,000 investment in equality, diversity and inclusion that would be used to strengthen the Council's ability to challenge inequality and celebrate diversity.

All Members of the Council would be invited to participate in further discussions about the Race Equality Audit. Those sessions (dates to be confirmed) would be an important opportunity for Members to explore and fully understand the audit's findings and all Members were urged to participate. The Report would be considered at all Scrutiny Committees to inform the Council's anti-racism framework and how councillors would be involved in holding the organisation to account.

The full 30 page Race Equality Audit report, which was published on 26 January 2022, was available, together with an accompanying summary infographic, at <https://www.devon.gov.uk/equality/performance-and-monitoring/raceaudit21>

The Chief Officer for Children's Services advised that officers had accepted the report and have a number of staff in the Services who had experienced racism whilst carrying out their role. A Children's Services action plan was being developed to address these specific issues, as well as contributing to the wider organisational work that was ongoing.

In terms of suggested areas of future scrutiny, Members suggested the following areas:

- Support for staff
- Adoption
- Fostering
- Children in Need
- Recruitment of Overseas Workers
- Diversity of Workforce

Members agreed to monitor the ongoing work in relation to the Race Audit Report and feed into the wider corporate response and anti-racism framework.

* 38

Children's Standing Overview Group

The Committee received the report of the Children's Standing Overview Group and discussed the difficulties in the recruitment and retention of social workers in Devon. The Report highlighted that the recruitment and retention of staff continued to be one of the biggest challenges facing the Service in order to stabilise the workforce, with affordable housing and accommodation being a large external barrier to this. The lack of affordable accommodation made it difficult to recruit agency and permanent staff to Devon.

It was **MOVED** by Councillor Hannaford **SECONDED** by Councillor Sanders and

RESOLVED that

The Children's Scrutiny Committee:

- (a) approve the Report of the Standing Overview Group 21 February 2022.
- (b) Raises concern to Cabinet about the critical lack of affordable housing as a barrier to recruitment and retention in Devon. The Committee understand that the Devon Housing Taskforce are looking at housing in the county as part of any potential devolution deal and will be drawing up strategic recommendations. Nevertheless, we raise our concern to Cabinet about the immediate challenge that the lack of affordable housing is having now on our recruitment and retention of key staff, not just in Children's Services but across the wider public sector.
- (c) Asks Cabinet to recognise that in order to continue to deliver our statutory duties in Children's Services, the Council must be equipped to attract and accommodate a highly skilled, diverse workforce right across the County. At this time, the lack of accommodation for prospective permanent and agency staff places us at a major disadvantage compared with other local authorities. In particular, there is an immediate need for solutions in the north of the County in order to recruit to these areas.
- (d) Asks Cabinet to consider investing in pilot schemes to provide accommodation for those who cannot currently secure accommodation. This might include the temporary solutions and home share initiatives being explored by Cornwall Council or the Council of the Isles of Scilly. The Council previously did this over the COVID-19 Pandemic for other sectors and services for temporary accommodation. This would be limited to 'move on' housing solutions such as bulk renting hotel rooms, renting properties, buying properties or other innovative housing solutions such as 'micro homes'.
- (e) Asks Cabinet to work with other partners such as registered social landlords and government agencies such as Homes England to explore these solutions.
- (f) Asks the Devon Housing Taskforce, via the Cabinet and Team Devon, to meet as soon as is practicable to look into this issue as part of their work and report this back to the Committee.
- (g) Asks Cabinet, when considering these matters, to also consider suitable, affordable accommodation for our care leavers too.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.30 am and finished at 1.43 pm