

CHILDREN'S SCRUTINY COMMITTEE

7 September 2021

Present:-

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

Apologies:-

Councillors J Hawkins and J Wilton-Love and Mrs C Mabin (Church of England Diocesan representative)

Members attending in accordance with Standing Order 25

Councillor A Leadbetter

* 1 **Minutes**

RESOLVED that the Minutes of the meeting held on 16 March 2021 and the minutes from the April and July Standing Over Group meetings, be signed as a correct record.

* 2 **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

* 3 **Public Participation**

There were no oral representations from members of the public.

* 4 **Scrutiny Committee Work Programme**

The Scrutiny Officer updated Members as to the Work Programme, noting the items scheduled for the next Committee meeting on 9 November 2021.

* 5 **Election of Commissioning Liaison Member**

In line with the recommendations of the 'Scrutiny in a Commissioning Council' Task Group Report, the Committee was asked to select a Commissioning Liaison Member, whose role was to work closely with the relevant Cabinet Members and Chief Officers/Heads of Service, developing a fuller understanding of commissioning processes, and to provide a link between Cabinet and Scrutiny on commissioning and commissioned services.

The Commissioning Scrutiny Task Group Report can be viewed here:
<http://democracy.devon.gov.uk/documents/s1830/Scrutiny%20in%20a%20Commissioning%20Council.pdf>

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

RESOLVED that Councillor Sanders be elected as Commissioning Liaison Member for the ensuing year.

* **6** **Election of Domestic Abuse and Sexual Violence Member Champion**

At the Cabinet on 9 July 2021, the Cabinet Member with responsibility for Public Health, Communities and Equality wished to seek nominations for a Domestic Violence and Sexual Abuse Member Champion on each of the three Scrutiny Committees in order to better support the Council's responses across its services.

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

RESOLVED that Councillor Samuel be elected as Domestic Abuse and Sexual Violence Member Champion for the ensuing year.

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

The Committee received the Report of the Interim Head of Children's Social Care (CS/21/09) which provided a performance update on the Service including key data demonstrating levels of demand and response across help, care and protection. The Report outlined key points such as referrals, the timeliness of assessments, the number of children in need, the number of children subject to a child protection plan, the number of children in care, key outcomes for children's education and emotional wellbeing, and the number of care leavers.

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

- Eclipse IT System – Members questioned the robustness and effectiveness of the new system used by Social Workers and how they could understand the problems experienced by them and what Scrutiny could do to help resolve these issues in a timely manner. The Head of Service explained that the capacity to produce management information and an oversight of performance and outcomes had improved. Practitioners were also able to use the social work dashboard, which was a real time tool to help them keep track on assessments being completed in time, visits being completed in time,

and case allocations caseloads. However, there were still many practitioners who stated that the systems functionality took up a lot of their time which could be better spent working directly with families, rather than inputting data. Officers advised that the Eclipse system was working, but that improvements were still to be made to make it more efficient and effective for users.

ACTION: The Head of Service to provide a briefing note to Members setting out the improvements that were planned and the time scales for those improvements to Eclipse and associated developments.

- MASH - Members raised questions over the current state of the Service, whether it was a thorough system or if over intervention was an issue as there were a number of referrals that did not progress any further. The Head of Service advised that there was a high proportion of referrals from the MASH that progressed to needing an assessment from social care that didn't then remain open within social care for support from a social worker. Some cases related to concerns raised by other professionals where it was deemed necessary for social workers to determine if further support was needed. Many families currently received assessment from a social worker, which was intrusive, where better or different support from Early Help services could have been provided, to ensure families were appropriately supported. Services were working through Children's Centres and in localities to ensure they were appropriately targeted at children who had complex needs with emerging risks to ensure those families were better supported.
- The Service was also looking at reviewing and refocusing its Early Help services to make sure they impacted and prevented children from needing social workers unnecessarily. Professionals could also ring for advice and support and the team could help them to signpost families to other services.
- Referrals – further analysis of the cause of the increase in referrals was required by Members to understand the reasons behind the data. There were also varied rates across the districts, with the number of referrals in North and East Devon increasing, yet the rate in Exeter decreasing – Members requested further information to understand the causes behind this, including examples of anonymised cases. Officers advised that some of the reasons behind the increase in referral rates related to Covid, its impact on family resilience which had struggled with more isolation and home-schooling children during lockdown; increases in alcohol use and mental health as well as an increase in requests from schools for support for children with emotional wellbeing and eating disorders.

ACTION: The Head of Service to provide further detailed analysis and explanation of the data, particularly comparisons between localities, along with examples of case studies. Key data/trends to be highlighted and analysed in future performance reports, presented to Members at future Scrutiny Committees.

- Increase in MASH Reassessments – Members raised concerns around the demands and number of reassessments and the causes behind this trend in data. The Head of Service advised that repeat referrals performance was a key indicator of the effectiveness of the Early Help and Children's Social Care response – currently, there were too many families not having the correct intervention on their first assessment and therefore retuning for further help. This in part was due to a high turnover of staff and an increase in the volume of requests coming in as a result of Covid. The Service had undergone a peer review by Leeds Council to identify areas for improvement and oversight of the decision making to improve the quality of decisions. The key question focussed on by the Service was whether families were getting the right help and support at the right time and from the right point of the Service, and the Council was working with MASH and key partners to ensure those thresholds were correct.
- Members questioned what could be learned from Districts like Exeter with lower referral rates which could be implemented in the North, Mid and East districts which had higher rates of referral and whether lower rates would mean fewer children on Child Protection Plans (CPP). The Head of Service explained that re-referral rates and repeat CPPs were both key measures of the effectiveness of the system and the Council's response to families in need. A key factor affecting those rates had been instability in the workforce, with changes in social workers, teams and managers which had been affecting the quality of work. With extremely high caseloads per social worker, the quality of some initial assessments had been negatively impacted, were not always sufficiently thorough or asked the right questions. There had also been high rates of agency staff and high turnover, especially in the North and East districts. Access to accommodation in some parts of the region had significantly impacted on the Council's ability to attract new workers to the region.
- Social Workers – Members questioned whether Social Workers had the opportunity for further personal development and other means of attracting and retaining staff to work in Devon. Officers stated that it was important for salary to be competitive in line with other Local Councils and the private sector, as well as investing in staff personal development and career progression. The Council had since introduced an Advanced Social Worker role to encourage employees to remain in practice in Devon. A further Report was due to the Council's Cabinet on the recruitment and retention of Social workers in September.
- Unregistered Placements – Members questioned what these arrangements were, how children had been affected and to provide further examples of what the Service and Scrutiny Members could learn from this in the future. Officers stated that unregistered placements occurred where it had not been possible to identify an Ofsted regulated provision, in either a children's home or foster family. It was noted there were challenges both locally and nationally in finding

these provisions. The characteristics of those children subject to unregistered arrangements, may include adolescents with very challenging risk-taking behaviour; they may have challenging behaviour relating to previous traumatic incidents such as a breakdown of adoption or delays in neuro-developments; or have complex mental health needs that did not meet the criteria for an inpatient mental health admission but were too severe for foster placements or children's homes. It had therefore been necessary to rent accommodation to house these children and supply care staff to look after the children 24/7.

- Members sought assurances from senior officers that all vulnerable children were suitably housed, that cases were being assessed and monitored and that there were no children at risk that the Service was unaware of. The Chief Officer for Children's Services advised that there was the 'Need to Know' process where managers were informed of any significant issues with care leavers; however, it would be difficult to say they were aware of every child that may have been at risk, as the Service continued to improve and looked to embed new working practices and cultures, as well as increase staff to manage the demands in the Service. There were also some young people who no longer wished to receive services from the Council when they turned 21, despite the Service believing they required support, which was difficult to manage.
- Children's Centres – Members questioned the number of Children Centres in Devon and their current status.
ACTION: The Head of Service to provide the figures directly to all Members.
- Service User Experience – Members discussed the merit in receiving further data and information directly from users of the Social Care System and My Care System, for Members to better understand their advice, experience and any key areas for improvement.
ACTION: Officers to evaluate the current performance reporting measures and continue to develop our performance reporting in order to provide Members with the information they need, including relating to service user experiences.

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SEND Performance Report

The Committee received the Report of the Head of Education & Learning (CS/21/10) which provided an update on current SEND projects and SEND High Needs Block funding as well as the new SEND Scorecard. The Report outlined key projects including the SEND Transformation Programme, the Babcock In-Housing Project, the SEND Local Offer Website, the Funding for Special Education Needs through the Dedicated Schools Grant (DSG) High Needs Block, the Timeliness of EHCPs and issues raised through the complaint processes.

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

- Timeliness of EHCPs – Members questioned what communication or signposting families were given where their EHCP was delayed in order to find further help and support, and the timescales for the Service to improve the number of Plans which did not meet the Statutory 20 week deadline. The Head of Education and Learning advised that the EHCP process was part of a graduated response that started with SEN support from schools through to LA provision. Families would have been working with schools and other providers such as an Educational Psychologist (EP) – to start the formal assessment process which had very tight timelines to deliver within 20 weeks. This included receiving all advice from partners in Health and Care within 6 weeks of the SEN 0-25 Team receiving the request for assessment, which had been significantly impacted by the Pandemic. There was a Statutory requirement to have an EP input on every single assessment, however the timeliness of their reports had been the most affected during the past 18 months, and the national lockdowns had impacted on all health assessments coming through on time. During the Pandemic, there had been limited access to children when they were not at school to be able to carry out assessments, as well as the isolation of staff had affected the timeliness of cases and caused a backlog of cases. The School holidays also caused further delays, as the SEN Team could not conduct assessments whilst schools were closed, however the 6-week deadline did include the holidays if an assessment was received on the last day of term.
ACTION – the Head of Education and Learning to circulate the SEND Action Plan to Members, once completed.
- SEND Team Workforce – Members raised questions following previous sign off from Cabinet to increase the numbers of staff within the 0-25 SEND Team, how these staff had been deployed, what impact this had made on workloads and whether a further staff survey had been conducted to monitor staff morale and wellbeing. The Head of Service responded, stating there had been two successful bids for additional staff to reflect changes to the SEND code of practice and increase in the numbers of EHCP requests. Six permanent staff were recruited in 2017 and funding was secured for an additional 12 Temporary staff on fixed term contracts for 18 months – however it had been difficult to recruit appropriate people with experience to these posts. There was now 8 months left of the fixed term contracts, and work was ongoing to put forward a further business case to move those to permanent positions as the number of requests for EHCPs had continued to increase and therefore those additional staff were still required within the team. The SEND Transformation Programme aimed to bring together all resources from education, health and care to meet the needs of young people and families without the need for an EHCP or if a pupil had an EHCP, without the need for a special school. The level

of staffing for EPs had also failed to increase in line with the number of requests for assessments and there was a national shortage of EPs which was still affecting the timeliness of issuing EHCPs within 20 weeks.

- Complaints and the Local Government Ombudsman (LGO) – Members questioned the reasons why some of the 65 complaints had been progressed and others were not, including whether some families had been unable to complain having been told they were out of time. Members were advised that the goal was for any complaint to be resolved at the earliest possible point, when first raised to the team and even before any formal complaint. The SEN Team had seen an increase in the number of complaints this year where schools and providers had been closed due to lockdowns and this had resulted in a lack of communication to families. Where complaints were unable to be resolved with the SEN Team, this would progress to the Council's customer complaints team to resolve. Where not resolved, parents had the right to raise their concerns with the LGO. The LGO looked at all evidence from both the Council and parent as to whether there was any fault by the Council. There had been a recent change to the complaints process from a 2 stage to one stage process which had resulted in more complaints sent to the LGO rather than resolved inhouse. It was noted there was a 12month timescale for parents to appeal (set nationally by the LGO and not the Council).

ACTION: The Head of Education and Learning to provide Members with analysis of complaints to understand the main causes and what the Service had learnt from these cases.

- OFSTED – Members were informed that a future Ofsted and CQC visit was expected eminently that would cover SEND and the progress made on the Written Statement of Action covering health, education and care. The Council's Written Statement of Action was available on the website ([Devon's Written Statement of Action - Education and Families](#)) outlining all actions and the impact of those actions – with a new version due in a fortnight.

ACTION: the Head of Education and Learning to inform Members and email an updated version of the Written Statement of Action when available.

* 9 **Early Help Spotlight Review Progress Report**

The Committee noted the Early Help Spotlight Review Progress Report.

* 10 **Bridges (Edge of Care) Progress Report**

The Committee noted the Bridges (Edge of Care) progress Report.

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

The Meeting started at 10.30 am and finished at 12.42 pm