

Report of the Children's Scrutiny Committee: Report of the Standing Overview Group meeting of Monday 17th July 2023

Report of the Director of Legal and Democratic Services

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

1) Recommendation

That the Committee be asked to:

- (a) accept this report as an accurate record of the issues explored in the meeting ensuring transparency in scrutiny activities.

2) Background / Introduction

The Standing Overview Group of the Children's Scrutiny Committee meets with the purpose of bringing rigour and understanding to complex issues across different services and the NHS which could not meaningfully explored at public Committee. This is an informal information sharing and member development session where issues are presented to the councillors to raise awareness and increase knowledge.

To bring transparency, and ensure that Scrutiny is not 'carried out behind closed doors' a short report is brought back to committee to highlight pertinent issues and to take forward any actions or recommendations that have arisen.

3) Main Body

Ofsted Annual Conversation (Self Evaluation)

The Interim Deputy Director and Head of Children's Health and Wellbeing, Steve Liddicott, and the Interim SEND Strategic Director, Jackie Ross, appraised Members on the Committee of Annual Conversation between Ofsted and Devon County Council which took place in May.

The presentation provided to Members covered the key priorities for Devon, Strategic Leadership, Strategic Improvement, and next steps before covering service areas and topics such as SEND, Education, Exploitation, Social Care, Quality of Practice, Regulated Settings, Practice Reviews, Supported Accommodation, and Innovation.

Pertinent points in the report provided and officer comments included:

- The conversation is a two-way conversation over the course of half a day. Ofsted provide some questions in advance for us to cover and cover questions from monitoring visits and inspections. It also provides us with an opportunity to update them on developments within the Council and services.
- Services are focusing on similar aims – preventing the need for children and young people being escalated up the system by improving the early support.
- Focusing on a sustainable permanent workforce – Officers commented that 17 Vacant Posts in SEND have been filled and there is a need to add additional capacity to respond to customer feedback and complaints.
- Work with schools to provide extra sufficiency, the ordinarily available offer in Schools and an initiative to have 12 more SEND resource provisions across the County every year for 3 years, starting in September 2024.
- Improved analysis and data to identify where the needs are across the county and how we can meet them.
- The placement and transport panel ensures that headteachers are involved in decisions around placing children.
- There is more managerial oversight of children who are educated other than at school (EOTAS).

Discussion and questions with Members included the following areas:

- How we do know about the quality and impact of our practice – Officers advised that Ofsted asked us about this and the presentation provided to Members gives an indication of this for each part of the service including key indicators, strengths and developments. The audit process is an objective way of showing this. At the time of the annual conversation, it was a fairly new audit process but officers are now accelerating the roll out of the process to collect more feedback and data from around 10 audits a month to 50 a month.
- The next monitoring visit will be at the end of September or Early October.
- Clarification for Members on the Audit process – A series of questions some based on factual information but looking at how the social worker has conducted themselves, how they have engaged with the family, the information they have recorded and the clarity of the plans they have made. We are now working in a participatory manner and discuss with staff the ways of working. This now gives us more insight into training needs for staff and information on the quality of practice.
- Investing in staff to create the right culture – We now have an increasingly permanent senior leadership and management team. This stability will feed through to the front line of staff to ensure we are investing in staff who want to stay and work in Devon.
- Ofsted's reflections back to Devon as part of the conversation – At the time of meeting, the formal notes/minutes had not been received. The conversation was positive, following on from the April monitoring visit and continuing to talk about the progress identified in that visit. Ofsted also used the conversation to contribute to their decisions on which topics to focus on in their next monitoring visit.

- Members asked about the Hart's Ladder of Participation as highlighted in the report – Officers responded that the Council believed it was low on the rungs (levels) meaning that co-production with parents and young people wasn't good enough.
- Resource bases and having more children with SEND staying in mainstream schools – how are we ensuring there is the right support and training in place? Officers commented that it is a catch 22 situation but officers would contact schools and support services in advance to address concerns. We also need ensure all services are working together to support children in schools.
- Education Psychologists recruitment is still continuing, and we have recruited another 2 more recently.
- Rather than being a particular strength or weakness in Devon, exploitation was a key theme with Ofsted that they were raising with all local authorities as part of this round of annual conversations.
- The reflections of the Cabinet Member – Councillor Leadbetter highlighted the amount of work going on within the service the work we were able to share with Ofsted and his reflection was the conversation was positive.

As this was the last meeting of the Interim SEND Strategic Director, the Chair thanked her for all of her work at the Council to improve services on behalf of the Committee.

Independent Reviewing Officer (IRO) Service Annual Report

The Interim Deputy Director (Head of Children's Health and Wellbeing), Steve Liddicott, and Interim Service Manager for QARSS and LADO, Annal Russell, appraised Members on the Committee of the 2022/23 Independent Reviewing Officer Service Annual Report. The report covers the period from 1st April 2022 to 31st March 2023.

Pertinent points in the report provided and officer comments included:

- There is a statutory requirement for the service to produce an annual report for the Corporate Parenting Strategic Board, which will receive the report at its September meeting.
- The IRO service works in a collaborative, restorative approach and contributes to Devon's improvement journey by ensuring that children and young people in care have timely care and permanence plans.
- The report set out the profile of children in care in Devon during the year. A total of 1191 children and young people spent some time in care. There has been a steady increase in the number of children in care. The report detailed their profile's including gender, background, length of time in care, placements and legal status.
- IROs produced 1783 individual records of children's meetings as well as writing bespoke letters.
- Face to face meetings and visits is becoming standard practice once again and specific expectations for those placed in unregistered placements.
- Caseloads have increased from 55 to 65 children, which is towards the higher end of the 50-70 caseload outlined in the IRO handbook.

- There were 154 formal escalations in the year, up from 94 in the year before. Most arise from a lack of progress in the implementation of care plans, no permanence plan, no assessment for review, changes to social worker, contact with family members, financial issues and lack of life story work. There were also 129 informal escalations.
- Achievements within the year including that all children are allocated a named IRO within 48 hours of notification to the service of coming into care, the timeliness of reviews being held within statutory timescales (97% of child in care review meetings held within timescales), a stable workforce and a refreshed issue resolution policy resulting in increased activity.
- IROs share information and best practice across national and regional links.

Discussion and questions with Members included the following areas:

- The importance of Restorative Practice and ensuring staff can undertake the relevant training sessions – Officers commented that there are many ways that we are strengthening restorative practice in the service including one of the IROs acts as a link and meets regularly with Restorative Practice Coaches. IROs tend to be previous highly experienced managers and social workers so restorative practice is a natural ability already embedded in them. Officers commented that the IRO service is a leading service in terms of embedding restorative practice.
- Progress within the last 18 months has shown an improved trajectory in terms of issue resolution and resolve differences.
- There are 14 posts in the IRO service, 2 of the posts funded from COVID recovery will become permanent and Officers stated there were 4 applicants for these posts.
- The re-shape in Children’s Social Care is aimed to have smaller social work teams to ensure that managers have clear oversight over their staff and children and young people. This means there will be more managers at Team Manager level to ensure better supervision and improvements in practice.
- Support for Carers – Within the fostering budget for this year, there is some additional money to increase the fostering allowance and support payments. Cabinet will be asked at its August meeting to give all foster carers a small uplift straight away and there will be a further discussion about longer term use of the additional money.
- The 311 days (or 44.4 weeks) on average that it takes for a child to enter care to receive a placement order. Members asked if that was an acceptable length of time? Officers advised that there is a national target reduce care proceedings to an average of 26 weeks but a combination of pressures in local authorities and courts have meant that the averages has gone back up. Officers commented that whilst Devon is above the 26 week target, it is only marginally above statistical neighbours and national averages as many local authorities are finding it difficult as well.
- The categories of need for children coming into care – They are assigned when children first come into care. Some are literal e.g. Unaccompanied Asylum Seeking Children are in the ‘Absent Parent’ category. Abuse and neglect is almost always the largest category in local authorities.
- Members welcomed the increase in health assessments.

Devon Information and Advice Service (DiAS) Annual Report

The Schools, Planning, Pupil Placement and Commissioning Manager, Simon Niles, and Information, Advice and Support Lead, Amy Carey-Jones appraised Members on the Committee of the 2021/22 Devon Information and Advice Service (DiAS) Annual Report.

The report covered the period from April 2021 to March 2022 and is the first Annual Report of the service that has been commissioned. The report is detailed in order to cover in enough detail to Members what the service is, the statutory framework, and what the service is commissioned to do.

The report covers an overview, service delivery, training, the Ambassador Volunteer programme, strategic activity, an overview of activity in 2021/22, outcomes and impact, key messages from parents, carers and young people and recommendations for development.

Pertinent points in the report provided and officer comments included:

- Every local authority has a statutory requirement to commission impartial advice and support for children and parents for SEND. Devon's DiAS team are commissioned to fulfil this role, jointly commissioned from the Education, Social Care and Health.
- There was a significant increase in activity in 2021/22 linked to the increases to the numbers of children and young people with SEND Support, EHC Plans, Children Missing Education, Elective Home Education and mental health issues which Members have been aware of.
- It is important to note that the service is impartial to support parents and children.
- The service are being used strategically due to their reach in terms of talking with families and children and feeding back key messages.
- Key messages from parents and childrens and young people were shared with Members including:
 - the lack of parental confidence in the availability of SEND support in schools leading to parents requesting an EHC needs assessment.
 - Communication from schools about what is provided and what can be provided due to lack of resources available in schools.
 - School behaviour policies not being as inclusive as possible for children with additional needs.
 - Parents feel that SEND support services are effective.
 - Families' concerns with the catch 22 position of children who are not attending school due to lack of support but children aren't able to get support unless they are in school.
 - Families caught between systems waiting for advice e.g. health and joined up approaches in education and social care.
 - Families hope that assessments and diagnosis will lead to further support but not receiving anything additional once their child gets a diagnosis.
 - Many of the messages from children are similar to those from parents and carers.

Discussion and questions with Members included the following areas:

- The increases in activity in the service and if this has continued into 2022/23 – Officers commented the increases have slowed but are still increasing. The increase in children and young people supported was partly due to a new children and young people’s worker who directly supported this increase and increased the offer of support available.
- DiAS volunteers help to support staff to enhance the service and parents to get their voices heard e.g. meeting support.
- The Ambassador Volunteers are overseen by a Volunteer Co-ordinator, jointly managed between DiAS and the Parent Carer Forum. The Ambassador Volunteer’s role is largely around signposting and disseminating information to parents and back to DiAS and the Parent Carer Forum.
- Discussion around children with autism (ASC) and the challenges of engaging children back into school and those who remain electively home educated.
- There will be new statutory guidance upcoming on attendance at school.
- Both Information, Advice and Support Leads sit on the SEND Improvement Board to support the improvement of services and feed in the view of families and children.
- The service’s staff are permanent.
- Additional funding from health has been received as part of the commissioning agreement.
- Officers will soon be meeting to discuss the future commissioning agreement for the service.
- Members asked officers if families believe they were independent – Officers responded that the service is impartial and discuss options with parents and families without expressing their own opinions. Officers felt the service is generally welcomed and doesn’t receive many corporate complaints.

4) Options / Alternatives

The report is the summary of a Scrutiny Standing Overview Group meeting. Scrutiny does not make decisions and this report does not propose any alternatives.

5) Consultations / Representations / Technical Data

As above, there are no specific considerations in regard to consultations, representations and technical data in this report.

6) Strategic Plan

The alignment of all Scrutiny activity with the strategic plan is detailed on the Scrutiny work programme. The issues raised in the report and the benefit of developing member knowledge and the ‘critical friend’ challenge of Scrutiny contribute to the Council achieving its strategic plan.

Improving Member knowledge on key issues contributes to the Council's commitment to being a trust, inclusive and innovative Council. It ensures good decision making and that the Council listens and learns.

7) Financial Considerations

There are no specific financial considerations in this report.

8) Legal Considerations

There are no specific legal considerations in this report.

9) Environmental Impact Considerations (Including Climate Change, Sustainability and Socio-economic)

There are no specific environmental impact considerations in this report.

10) Equality Considerations

There are no specific equality considerations in this report.

11) Risk Management Considerations

The activity of Scrutiny Standing Overview Groups contributes to the mitigations for:

Ineffective Member Scrutiny

defined as: 'Due to ineffective scrutiny, the level and quality of service management may drop, leading to financial mismanagement or harm to staff and/or citizens and reputational damage e.g. Grenfell.

Member Effectiveness

defined as: 'Inadequate member effectiveness due to a lack of training, support and knowledge leads to a lack of challenge to corporate officers and/or poor decision making, resulting in a negative effect on the County's citizens (poor value for money, poor service delivery, harm, etc).'

The key points in this report do have regard to some risks identified in the service's risk register relating to Children's Social Care services including Post ILACS Improvement.

12) Summary / Conclusions / Reasons for Recommendations

The report outlines the topic(s) covered at the meeting of Monday 17th July 2023, highlights the key points raised during discussion and details any agreed actions.

The report is formally reported to the Children's Scrutiny Committee in the interests of openness, transparency and good decision making.

Maria Price

Director of Legal and Democratic Services

Electoral Divisions: All

Cabinet Member for Organisational Development, Workforce & Digital Transformation: Councillor Andrew Saywell

Local Government Act 1972: List of background papers

Background Paper – NIL

Date

File Reference

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Appendix

[Attendance](#)

Scrutiny Members: Councillors Su Aves (Chair), Philip Sanders (Vice Chair), Phil Bullivant, Christine Channon, Ian Hall, Frank Letch, Pru Maskell, Jeff Wilton Love and Ms Christina Mabin.

Cabinet Member for Children and Schools: Councillor Andrew Leadbetter

Officers: Steve Liddicott (Interim Deputy Director – Head of Children's Health and Wellbeing), Jackie Ross (Interim SEND Strategic Director), Anna Russell (Interim Service Manager for QARSS and LADO), Simon Niles (Schools Planning, Pupil Placement and Commissioning Manager) and Amy Carey-Jones (Information, Advice and Support Lead).

Scrutiny Officer: Charlie Fisher.