

Children's Services Committee

Minutes of the Meeting Held on Tuesday 16 October 2018
10am, Edwards Room, County Hall, Norwich

Present:

Mr S Dark - Chairman

Mr R Brame
Ms E Corlett
Mr P Duigan
Mr J Fisher
Mr R Hanton
Mr H Humphrey

Mr E Maxfield
Ms J Oliver – Vice-Chairman
Mr M Smith-Clare
Mrs S Squire
Mrs C Walker
Mrs S Young

Church Representatives:

Mr P Dunning

Chairman's Announcements

The Chairman welcomed everyone to the meeting. The Chair paid tribute to the former Chair and member of Children's Services Committee, Mrs Penny Carpenter, who had recently resigned from the Committee. She had been a passionate advocate for the children of Norfolk and always had time to listen. The sentiments were echoed by other Members of the Committee.

The Chairman reported that at the full Council meeting, held on 15th October 2018, members had voted for the consultation on Children's Centres to continue. In light of this decision the Chairman had spoken to the Labour and Liberal Democrat Group Spokesmen and agreed that a full discussion would be held at the Children's Services Committee in January 2019, as per the forward plan, when Officers would bring their full, detailed report for consideration.

1. Apologies and substitutions

1.1 Apologies were received from Mr Joe Mooney, Mr Barry Stone, Mr Vic Thomson and Mr David Collis; substituted by Mr Roy Brame, Mr Philip Duigan, Mrs Sheila Young and Mrs Colleen Walker respectively. Apologies were also received from Helen Bates.

2. To confirm the minutes of the meeting held on 11 September 2018

2.1 The minutes of the meeting held on 11 September 2018 were agreed as an accurate record and signed by the Chairman, subject to the deletion of Mr M Smith-Clare's interest of being a Governor at Alderman Swindell School.

3. Declarations of Interest

Mr R Hanton declared an 'other' interest as his daughter-in-law was a teacher.

Mr S Dark declared an 'other' interest as his sister was a Headteacher at Swaffham and he was a Governor at the West Norfolk Academy.

Mr E Maxfield declared an 'other' interest as he was a Trustee at the Hamlet Charity in Norwich which provides services under contract to Norfolk County Council and was a Governor at two schools.

Mrs S Squire declared an 'other' interest as her sons had Education Health and Care Plans (EHCP) administered by Norfolk County Council.

Mr H Humphrey declared an 'other' interest as he was a Governor at Emneth School.

Mr R Brame declared an 'other' interest as he was a Governor at a school Charity and a school.

4. Items of Urgent Business

4.1 There were no items of urgent business.

5. Public Question Time

5.1 There were four public questions submitted, which are attached at appendix 1.

5.2 A supplementary question was asked by Mr Jimmy Sayle regarding impact assessments on the Children's Centres and if they would be in the public domain. Officers confirmed that impact assessments would be carried out and they would be in the public domain once they had been completed.

5.3 A supplementary question was asked by Maxine Webb regarding the attention being paid to those children who were being home-schooled. Officers answered that those who are being home-schooled were closely monitored. There were regular officer meetings regarding children who were not on a school roll, but Officers were confident they knew where those children were.

6. Local Member Issues/Member Questions

6.1 There were three local member questions submitted, which are attached at appendix 1.

6.2a. Cllr Brociek-Coulton asked a supplementary question; 'Have all of the different taxi firms that NCC use for school transport provided their drivers with safeguarding

training. Is this training the same for all companies, who provides it and how do we monitor the quality and impact of any training?’

6.2b In response to Cllr Brociek-Coulton’s supplementary question, Officers explained that the oversight of the transport policy sat with travel and transport. Every driver received robust training and is monitored, and if any issues arose, swift action was taken. It was agreed that an update on the situation alluded too would be given to the Chairman and Cllr Brociek-Coulton.

7. Budget Monitoring Period 5 (August)

7.1 The Committee received the annexed report (7) which set out the period 5 financial forecast for Children’s Services, and the programme of transformation and improvement that was continuing. It included the financial resources to deliver the Safer Children and Resilient Families Strategy of Norfolk Futures and the forecast revenue expenditure for 2018/19.

7.2 Officers explained that the legal costs identified in the report were primarily around legal proceedings which were initiated to bring children into the care of NCC. It was recognised that legal costs were nationally high but there were discussions taking place to try and reduce the costs.

7.3 With regards to SEND provision, there were two transformation projects currently being undertaken. One related to the capital provision for SEND children, and a report would be going to Policy and Resources Committee later this month to request capital funding for new infrastructure. Additionally, there was culture change being implemented to drive down the level of demand. This would encourage needs to be caught earlier and locally.

7.4 Work had been carried out on the semi-permanent accommodation, as mentioned on page 7 of the report. It was hoped that they would be available from 2019, and staff were being recruited and trained so they can be staff as soon as the buildings were ready.

7.5 The Committee heard that the agency staff budget had to be increased due to staff pressure, but there had been an overspend on this budget due to the success of the recent recruitment campaigns. It was projected that it would continue to be an underspend as more cost-effective staff were being recruited. The Executive Director confirmed that they had recruited some high calibre newly qualified social workers and the campaign had received national recognition.

7.6 The Committee noted that the overspend on alternative provision was largely due to the significant pressures on short stay schools. A strategy was in place to reduce demand on this provision as there were too many exclusions and too many were continuing their education in alternative provision.

7.7 The Committee asked what percentage of the legal costs mentioned were part of EHCP tribunals. Officers would provide this information after the meeting and would circulate to all Committee.

- 7.8 The Committee asked if they could have information about what alternative provision exists in what part of the County. This would be provided.
- 7.9
- i. The Committee **RESOLVED** to;
 - ii. Note the forecast overspend of £3.958m for General Fund Children's Services
 - iii. Note the forecast use of Children's Services General Fund reserves and provisions
 - iv. Note the forecast overspend of £6.389m for Dedicated Schools Grant (DSG) Children's Services that would need to be offset by
 - a £4.268m against DSG balances and recovered in future years
 - b £2.121m against the General Fund
 - v. Note the amendments to and reprofiling of the Children's Services Capital Programme.

8. Strategic and Financial Planning 2019-20 – 2021-22

- 8.1 The Committee received the annexed report (8) which provided an update on the Service Committee's detailed planning to feed into the Council's budget process for 2019-20. The report included Children's Services Committee's specific proposals for savings in the context of the approach to developing options that was agreed at the Committee's meeting in September. The report also provided the latest information about the Council's overall budget planning position, including the forecast budget gap for 2019-20 to 2021-22.
- 8.2 The Committee heard that resource bases were attached to mainstream schools. It would be the intention with capital released by Policy and Resources Committee to provide more resource bases as currently people must travel too far to access the provision.
- 8.3 The sufficiency plan that had been devised identified where the geographic need for SRB bases was, however a wider consultation would be undertaken. Work would begin in the Spring term, subject to the approval of the capital funding.
- 8.4 The Committee heard that it was within the gift of the Schools Forum to move 0.5% of the schools needs block annually to another block. With a written request to the secretary of State, it was now possible to move more than 0.5%. This had been done by other Local Authorities and would be undertaken by NCC. If the approval wasn't granted, a request would have to be prepared for Policy and Resources.
- 8.5 The edge of care savings model was projecting a step change approach to the number of children in care. It was absolutely realised that there were children that needed to be there. It was proposing that there would be 2.5% less in the first few months building to 5% less, but this was not disproportionately different to the current position.
- 8.6 It was clarified that the £2m in year savings as mentioned in 5.4, was made up of underspend of providers, and there was no feedback of detrimental impact.

- 8.7 It was explained that the report to Policy and Resources regarding the capital funding would include details of the investment, impact of the capital and how the loan would be paid. There was concern expressed that the loan would not be paid in time.
- 8.8 Concerns raised around the risk in relation to the 2019-2022 budget planning were the high needs block, the timeliness of transformation and the timescales in relation to the SRB block.
- 8.9 The Committee **RESOLVED** to;
- 1) Consider the content of the report and the continuing progress of change and transformation of Children's Services
 - 2) Note the Council's latest budget assumptions and pressures, and the resulting revised forecast budget gap of £45.322m, which had been updated by Policy and Resources Committee to reflect the latest available information and following Service Committee input in September (paragraph 4.3 and table 1).
 - 3) Note the revised council tax planning assumptions set out in table 2;
 - 4) Approve the proposed savings for the 2019-2020 budget round for recommendation to Policy and Resources Committee in October (table 7), in particular, confirming those savings that are recommended to require consultation as set out in paragraph 6.13.
 - 5) Consider and identify any further key areas of risk in relation to 2019-22 budget planning for the Committee's budgets, including any additional pressures and the robustness of existing planned savings as set out in table 4, noting that any changes may impact on the overall budget gap and will require additional offsetting savings to be found;
 - 6) Note the budget planning timetable (section 7).

9. Exclusions in Norfolk Schools

- 9.1 The Committee received the annexed report (9) which identifies data as collected in Norfolk and make some comparisons with the most recent national data where possible.
- 9.2 The Committee received a presentation from the Head of Education Achievement and Early Years' Service and Head of Education Vulnerable Groups Achievement and Access Service which is attached at appendix 2.
- 9.3 The Committee heard that new Headteachers were monitored. There was no significant pattern between a change of senior leadership and the numbers of exclusions.
- 9.4 It was doubtful that schools were using an exclusion to gain more support for a child with SEND but who didn't have an education Health and Care Plan (EHCP) in place,

as it wouldn't lead to more resources. Schools excluded when they felt they had no other option.

- 9.5 The long term educational outcomes for those in Norfolk who had been excluded were better than those nationally but still not as good as those who do not get excluded in their schooling lifetime.
- 9.6 There tended to be peaks of exclusions across the school year for years 9, 10 and 11 with the Autumn term seeing more exclusions as well as the later part of the Summer term. The spring term tended to see less exclusions.
- 9.7 The Committee asked if the recent change to the curriculum had affected the number of recent exclusions as there were now less vocational course on offer. It was explained that the constant change of the curriculum was always challenging but this was not necessarily a reason for an exclusion as there were examples of schools with high outcomes which were well inclusive.
- 9.8 The Committee expressed concern at the number of primary exclusions which had taken place but noted that there were reducing. Officers explained that they would know if there was any family related or early help engagement involved and once excluded would know if they were involved in a referral process. It was noted that the primary exclusions were higher than hoped, and there would be engagement taking place with the 47 primary schools that needed to exclude.
- 9.9 The Committee heard that the school had a duty to provide work for a student who had been excluded for a fixed term. Very few students were excluded for more than 2 days.
- 9.10 The Committee heard that the data would be shared with the Governors network to encourage Governors to scrutinise the exclusions number in their school when they receive the data on the Headteacher's Report.
- 9.11 The Committee **RESOLVED** to;
- Note the contents of the report and the associated presentation
 - Provide comments, as detailed above, to steer the direction of the Local Authority work to support the education system in Norfolk in being more inclusive and meet the needs of all pupils.

10. Social Work Assessment Performance

- 10.1 The Committee received the annexed report (10) which summarised how the new Children's Services and Social Work Senior Leadership Teams' concerted focus, working alongside frontline teams and managers, and despite continued significant operational pressures, has resulted in recent improvements in assessment being completed in time.
- 10.2 The Committee were reassured that teams would not suffer as focus had been put elsewhere. Strategies in place would prevent this and help bring the overall performance up to 80%.

- 10.3 The Committee expressed aspiration that as the 80% target had been achieved, a further higher target should be aimed for. Officers explained although this was definitely the intention, it was necessary to see a period of sustained performance at this level, and at the end of the financial year the target would be reviewed.
- 10.4 The Committee **RESOLVED** to;
- **NOTE** the recent improvements in Social Work assessment timescales and actions taken to achieve and sustain this improvement going forward.

11. Joint Consultative Committee revision to terms of reference

- 11.1 The Committee received the annexed report (11) which set out the proposals to amend the terms of reference of the Joint Consultative Committee (JCC) which reflect the changing education landscape, and the complexities of the LA as employer within that context.
- 11.2 The Committee suggested that the Chair of the JCC should alternate between elected members and other members, and this would be discussed at the first meeting of the JCC.
- 11.3 It was also confirmed that the JCC could be used as a mechanism for providing a united front and for airing issues that affected teachers, dependant on the issue.
- 11.4 The Committee **RESOLVED** that;
- The terms of reference were approved for consideration at the first revised JCC.
 - That membership of the revised JCC is made up of four members of Children's Services Committee.
 - That the Chair of Children's Services Committee continues to be one of the four members of the revised JCC arrangement and that three other members are nominated for membership. These would be Judy Oliver and Ron Hanton, with one to be decided.

12. Risk Management

- 12.1 The Committee received the annexed report (12) which provided the Committee with the Children's departmental risk register, as at October 2018, following the latest review conducted in September 2018. The reporting of risk is aligned with, and compliments, the performance and financial reporting to the Committee.
- 12.2 The Committee **AGREED** to defer the report until the January meeting. Cllr Corlett agreed to raise her item on digital exclusion with the Executive Director, at Cllr Dark's suggestion, outside of the meeting.

13. Committee Forward Plan and update on decisions taken under delegate authority

13.1 The Committee received the annexed report (13) which set out the forward plan for the Committee to enable Members to shape future meetings, agendas and items for consideration.

13.2 The Committee **AGREED** the Forward Plan.

The meeting closed at 2.11pm.

Chairman



If you need this document in large print, audio, Braille, alternative format or in a different language please contact Customer Services on 0344 800 8020 and we will do our best to help.

CHILDREN'S SERVICES COMMITTEE QUESTIONS
16 October 2018

5. Public Question Time

Paula Waters-Bunn (not attending)

The funding, erection and running costs for 10 years for the 20mph traffic signs on Keyes Avenue was organised by PoNY. These were paid for by local ward councillors and the local community. The local residents do not want these to go to waste. If the building is to continue as a school, they are happy that the signs remain where they are. But if not, they would like the signs reused at another suitable location within North Yarmouth ward at either Northgate Primary or North Denes Primary.

Could the Committee please advise on the future of the signs?

Supplementary question:

The Castle Centre was paid for by grants for community use. It's a resource for various community groups who are NOT able to continue using it now. There are no other centres of this size in the North of the borough and residents want assurances that the centre will continue as the community asset it was intended for, available to local groups for the future, as agreed by the funders.

Response: There are traffic calming requirements in place as part of the plans for North Denes. There is a firm intention that the 20mph signs would accompany the children and be reused on Jellicoe Road as part of this proposal along with other measures funded by the NCC schools' capital project.

The CASSTLE building project was a Norfolk County Council project funded by mainstream schools' capital funding with the remainder part of the original SureStart programme. It was taken out of the Surestart use by the Governors of the school in 2014, and this is recorded as a governing body decision at the time. As part of the closure of Alderman Swindell Primary the school shared the details of the five community groups using the hall in January 2018 with North Denes Primary. All were offered alternative bookings at North Denes Primary School, and with the exception of one have been successfully accommodated. The one that could not be accommodated was resolved amicably to our knowledge.

There will be facilities in the new school building at North Denes to let to community groups. The decision of whether to let the Hall in the CASSTLE building out of school hours in the same way as Alderman Swindell School did in the past will be for the future Academy Trust. The process to identify the future sponsor has not yet started.

Ruth Makoff & Jimmy Sayle (attending)

As Norwich-based parents of a pre-school child, we are concerned about the potential impacts of the proposed cuts to the Children Centres budget on early years nursery provision. Some of the children's centres whose running costs would no longer be funded currently share premises with early years nurseries. This suggests that some of these nurseries will in effect lose part of the funding that currently covers their buildings and staffing costs. Could you confirm how many, if any, nursery facilities would be in this position, and what proportion of their buildings and staffing budget is currently funded through the Children Centres budget that is due to be cut?

Response: Funding for early years education and childcare is separate to funding for children's centres and is not affected directly by changes to the children's centre funding. Where early years providers operate from a children's centre, there will already be a lease arrangement in place, so providers will already be contributing to the building costs. We will support all early years

providers who are affected by any changes to the buildings from which they operate, to ensure that sufficient early years places remain available to parents.

Maxine Webb, SENSational Families:

Given Norfolk's exceptionally long autism diagnosis waiting times, as identified by Norfolk Healthwatch in their report published this month, along with the ongoing NCC EHCP problems and many schools' refusal to recognise some children as having difficulties and therefore may not even be on their SEN register, what consideration has been given to the fact that there could be large numbers of pupils with SEND left out of the SEND exclusion figures and what attention is being paid to the children in unsuitable provision who have been removed from a school by their family and forced into home-schooling, before an exclusion takes place?

Response: Diagnosis for autism, as with all health-related conditions, is the responsibility of Norfolk's Clinical Commissioning Groups; we are working with them, however, on overall review and improvement of ASD issues across the County.

With regard to the issue of permanent (and other) exclusions from Norfolk mainstream schools we are confident that our published figures for exclusions are accurate and can, therefore, be compared confidently with national comparator data because permanent exclusions are made by schools and then NCC has the responsibility to meet needs after the exclusion we know clearly who these children are. The figures are fully accurate for SEND and other categories of need. With regard to issues relating to whether or not all schools accurately record SEN incidence that is primarily a matter for individual schools.

Alan Webb

What did the 'Member/Officer deep dive within Children's Services in August 2018' consist of and what are its conclusions?

Response: A number of meetings and discussions took place across the summer as part of budget preparation. Any conclusions will feed into the service committee budget process.

6. Local Member Issues / Member Questions

Cllr Julie Brociek-Coulton, Sewell Division (attending):

I was extremely concerned to learn that a child in my division who has Special Educational Needs was taken by NCC funded transport to the wrong house, subsequently arrived home 30 minutes late and was left unattended in the garden until his parent returned from collecting his siblings. How are safeguarding issues such as this recorded and investigated by the county council?

Response: This is of concern to us also and we have robust procedures in the event of this kind of incident. Children's Services is the 'client' department and NCC's Travel & Transport Services operate SEN Transport provision on the departments' behalf.

When any issues are raised, regarding transport provision of this nature, Travel & Transport Services make direct, and immediate, contact with the individual transport provider; suspension of the driver and/or passenger assistant takes place pending an investigation. In addition, the incident is reported to the LADO service as a serious safeguarding breach. Outcomes following investigations of this type can lead to permanent withdrawal of authority for those staff to work on any NCC contracts and/or action taken against the operator e.g. termination of contract.

All transport staff receive safeguarding training every 3 years. They must pass the course before they are issued with an NCC identity badge which allows them to work on our transport contracts.

Cllr Mike Smith-Clare:

With the unacceptably high number of exclusions across Norfolk's schools - can we be assured that the reasons for these exclusions are being appropriately recorded and justified and that high instances within particular schools are being investigated?

Response: All permanent exclusions are notified to an Exclusion Officer and are recorded with the reasons given by the school. Trends are analysed by Children's Services. There is contact from the Vulnerable Groups Achievement and Access Service as soon the permanent exclusion is notified, to support and influence the school in taking different action where we can. It is for the local Governing Board or Board of Trustees to scrutinise the decision to exclude by the Headteacher and there is the right of appeal open to a parent to an Independent Appeals Panel. Only the Governing Board can direct reinstatement. An Independent Appeals panel can direct reinstatement but schools can refuse to comply and there is no longer a method of recourse. We follow up high incidents of school exclusion through CEO's, and school leaders. This term all will be invited by recently recruited Inclusions Challenge partners. We are about to consult on establishing Fair Access Panels for Sept 19 at primary and secondary level in all areas of the county (they exist for secondary in some areas) to support schools in a local area to avoid exclusion by managed moves, temporary placements in neighbouring schools and joint decisions about the fair sharing of hard to place youngsters.

Supplementary question:

Are school's bullying policies being monitored effectively and what measures are being considered to ensure that a cross Norfolk zero tolerance approach is being delivered?

Response: By law (Education and Inspections Act 2006: Section 88 and 89), all state (not private) schools must have a Behavior statement/policy in place that includes measures to prevent all forms of bullying among pupils. This policy is decided by the school and approved by the school governors. All teachers, pupils and parents must be told what it is, and it must be published on the school website. The Local Authority does not have a role in monitoring policies, Ofsted regulates this and the inspection regime is rigorous.

Cllr Edward Maxfield:

You will be aware that one of the Children's Centres due to close under the planned recommissioning of Children's Centre Services is in Mundesley. At a recent meeting of Mundesley Parish Council, concern was expressed about the impact of the closures on services delivered to families in rural areas. How will community representatives such as Parish Councils be able to engage with commissioners and those bidding to provide the service under the new contract after the formal consultation has closed so that a full picture of local need and existing community assets can be built up to inform the tendering process?

Response: Parish councils have been informed about the current children's centre consultation via the Norfolk Association of Local Councils and will be aware of the opportunity to engage with NCC, including attending any of the public drop in events taking place across the county. Feedback from the current consultation will shape final recommendations that go to CSC in January 2019 and inform any decisions being made by Members about future service arrangements. There will be opportunities for continuing engagement with community stakeholders, including parish councils, to inform the detail and development of any future service specification.