

**CHILDREN'S SERVICES OVERVIEW AND SCRUTINY PANEL
16 June 2016**

PRESENT:

Councillor Chris Wakefield - Chair; Councillor Susan Phillips - Vice Chair; Councillors Simon Bull, Norman Decent, Bobbie Dove, Cheryl Johnson, and Rae Stollard.

ALSO PRESENT:

Councillor Nicola Greene - Cabinet Member for Education and Children's Services

OFFICERS PRESENT:

Jane Portman - Executive Director, Adults and Children
Carole Aspden - Service Director, Children and Young People
Sue Ross - Service Director, Children's Social Care
Terry Husher - Youth Worker, Participation Team
David Webb - Manager Dorset Combined Youth Offending Team
Phil Saint - Principal SEN and Disabilities Officer

The meeting commenced at 6.00 p.m.

To see a copy of the public reports that were considered by the Panel please visit:

<http://www.bournemouth.gov.uk/CouncilDemocratic/CouncilMeetings/CommitteeMeetings/ChildrensServicesOverviewScrutinyPanel/2016/06/16/ChildrensServicesOverview&ScrutinyPanel16-Jun-2016.aspx>

SECTION I - BUSINESS RECOMMENDED TO THE COUNCIL

No items

SECTION II - BUSINESS DECIDED UNDER DELEGATED POWERS

32. APOLOGIES

Apologies were received from Councillor Davies and Rosa Trout

33. DECLARATIONS OF INTEREST

There were no declarations of disclosable pecuniary interest.

In the interests of transparency members made the following declarations in respect of the agenda item on the SEND Transport Policy -

- The Chairman explained that he was the Vice Chair of the Bournemouth Parent Carer Forum in a voluntary capacity

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- Councillor Dove explained that she had a close family member who used the service but was not affected by the new policy. She would be asking questions of a broad, general nature and not specific to the family member.

34. CONFIRMATION OF MINUTES

The minutes of the meeting held on 14 April 2016 were agreed.

The Panel reviewed the action points arising from the meeting on 14 April and asked what progress had been made regarding the options for a 24 helpline for LAC and Care Leavers (Item 28 - Emotional Wellbeing and Mental Health Strategy). The Service Director, Children's Social Care reported that officers were still exploring a range of provision and she agreed to give an update on the process to be put in place at the July meeting.

35. PUBLIC ITEMS

a. Public Questions

The Chairman responded to a public question submitted by Mr Gary Sherborne, a local resident, which sought assurance on the future use of the Boscombe Youth Project Top Spot building in Churchill Gardens.

A full copy of the question and reply is available on the Council's website at:

<http://www.bournemouth.gov.uk/CouncilDemocratic/CouncilMeetings/CommitteeMeetings/ChildrensServicesOverviewScrutinyPanel/2016/06/16/Minutes/childrens-services-overview-and-scrutiny-panel-16-june-2016-public-question.pdf>

b. Deputations

The Panel received a presentation from representatives of the Bournemouth Youth Committee (BYC), a local group set up to be the voice of young people aged 13 - 19 years.

BYC had been looking into the issue of bullying among young people and had teamed up with the Council to produce an E Panel survey on this subject. BYC members asked the Panel what they thought about a recent incident in the House of Commons, whether this was bullying or banter, and what sort of example this and similar patterns of behaviour in public life set young people.

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BYC members provided the Panel with a snapshot of the E Panel survey findings, a copy of which is available at:

<http://www.bournemouth.gov.uk/CouncilDemocratic/CouncilMeetings/CommitteeMeetings/ChildrensServicesOverviewScrutinyPanel/2016/06/16/Reports/Deputation-to-the-Panel-Summary-of-bullying-survey-findings.pdf>

In response to the findings BYC had drawn up some key recommendations, including:

- The development of a peer led resilience programme and tools - to support victims to be able to deal with bullying better for themselves
- Publicity , education, and awareness around bullying to encourage people including perpetrators to be aware of the difference between having a laugh and bullying which isn't fun and has a detrimental impact
- Ensuring this message is the same for all young people rather than sending out different messages depending on which school you go to.
- Introducing a universal safe word or sign for when a line is being crossed
- Adults who provide support to young people need to be fully aware of the impact of bullying and deal with each case appropriately.

The Chairman thanked the BYC members for an excellent presentation and explained that he was aware of the negative impact of bullying through personal experience. He asked what BYC would like the Panel to do to help take forward their recommendations. BYC members agreed that they would like to discuss them further with members at a later stage. The Chairman explained that one option might be to set up a task and finish group to work with the young people to identify areas where the Panel could be useful.

BYC members responded to a number of questions from members on the findings of the survey.

DECISION MADE:

That the Panel sets up a task and finish group to work with the BYC members to help them take forward their recommendations on bullying.

c. Petitions

There were none.

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36. LOOKED AFTER CHILDREN AND BULLYING

The Chairman gave an update on the work of the task and finish group which had written to schools to ask them to submit their policies on bullying including any specific provisions in place for looked after children. Unfortunately not all schools had responded, but the results from those which had replied had been analysed. A further letter would be sent out to schools with suggestions on how they may wish to develop their policies further. The outcome would be reported back to the Panel later in the year.

37. CHILDREN'S SERVICES AMBITIONS PLAN 2016

The Service Director, Children's Social Care, introduced a report which gave a progress update on the Ambitions Plan, with specific information provided on those actions rated as red or amber.

The Service Director advised that 60% of the actions from the Ofsted Action Plan 2014 had now been fully achieved, and a further 10% were on track for successful completion. The remaining 30% had been carried forward into the Ambitions Plan and had been translated into a total of 49 tasks. The Service Director took the Panel through Section 3 of the report in more detail. This included a summary of those areas where good progress was being made, such as improvements in staff recruitment, more use of internal foster carers, and reducing the number of looked after children (LAC).

The Panel's main focus was on the tasks which had not yet been achieved (amber and red). The Service Director reported that significant progress was being made to meet the target of return to home interviews within 72 hours in cases of child sexual exploitation (CSE) and missing children. She agreed to circulate a report to members outside of the meeting with updated information as soon as it was available. The Panel was also given updates on delivering a pan Dorset multi agency safeguarding hub, improving outcomes for LAC, working with the University to encourage staff retention, and actions to improve data compliance and monitoring. The Chairman asked why the implementation of the new data system would take 18 months and the Service Director explained that this was longer than hoped for and was mostly due to the requirements of the procurement process. The task of incorporating risk assessments of CSE into the supervision of young people had not yet been achieved due to IT and professional practice issues. This task had been rated 'red' to reflect the importance of this priority.

The Panel asked a number of questions about staff recruitment and retention, including the following:

The number of agency staff being used in Children's Social Care - the percentage of vacancies and agency workers were both reducing and were now below the national average. Members felt that the investment in recruiting more staff was a bold approach with long term benefits.

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What was the percentage of the 24 new social workers as a whole – this was a significant contribution to the workforce, and was evidenced by the level of vacancies and agency staff falling from 35 % at the time of the Ofsted Inspection in 2014 to the current figure of 4%. Further improvement was planned to overcome the challenges of recruiting more experienced staff.

Is a commitment undertaken when staff are offered professional development opportunities – the normal measures (such as pay back) were in place, however it was important to respond to the challenge of retaining staff by making Bournemouth the career of choice through better training opportunities, secondments, research, etc.

DECISION MADE:

- a. That the Panel acknowledges the progress made to date in achieving the tasks in the Ambitions Plan, and the steps being taken to address the amber and red areas.
- b. That the Panel is satisfied with the current arrangements for reviewing the Plan and holding the delivery leads into account, both through the Ambitions Board chaired by the Executive Director and supported by the Cabinet Member and through regular progress reports which the Panel is scheduled to consider.

38. YOUTH JUSTICE PLAN 2016/17

The Manager for the Dorset Combined Youth Offending Service (YOS) introduced a report which asked the Panel to consider the annual Youth Justice Plan for 2016/17 before its submission to Cabinet and Council for adoption.

The report provided a summary of the contents of the Plan, a copy of which was included as an appendix. The report set out the statutory context of the Plan, the three key performance indicators, governance, resourcing and partnership arrangements, and local strategic priorities. It was noted that the merger of the Bournemouth and Poole Youth Offending Service with the Dorset Youth Offending Team had been successful. The new Dorset Combined Youth Offending Service had performed well against national indicators in 2015/16 and detailed performance information for each local authority had included in the Plan.

The Service Manager invited comments and questions from members, as follows:

Developing good practice through improved quality assurance and manager oversight (page 18) – did this include so called 'never events' and would these be audited? The Panel was told that the performance of the service was continually monitored. There were processes in place to follow up if a significant event occurred (for example, if someone in the youth justice system committed or became a victim of a serious offence). These took the form of a critical or extended learning review which adhered to the format stipulated by the Youth Justice Board.

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How was the merged service working in practice one year on? The Service Manager explained that although there was still some adapting to do the transition had been a successful one with significant progress being made. The merger aimed to establish a more consistent approach using the best elements from both teams. Staff within the service were based at two sites in Dorchester and Bournemouth.

Had the merger had a positive effect on service users? This may not have been noticed by service users but staff felt they were providing a better service by sharing best practice and addressing weaknesses/anomalies in the previous two teams.

Overall the Panel felt that the Youth Justice Plan was a very comprehensive and well set out document. Other comments related to the glossary of terms and whether this might be included at the beginning of the document, and whether it would be possible for members to meet the team. The Service Manager indicated that he would be happy to discuss the service in more detail or meet with one or more members if they wished.

DECISION MADE:

That the Panel endorses the Youth Justice Plan for 2016/17 and recommends it to Cabinet to approve to full Council for adoption.

39. SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) TRANSPORT POLICY

The Principal SEND Officer introduced a report which asked the Panel to consider the proposed transport policy for children and young people who have a Statement of Special Educational Needs (SEN) or a statutory Education, Health and Care Plan (EHCP).

The Principal SEND Officer explained that the policy was applied for travel to schools and other educational establishments and had been revised to reflect legislative changes which increased the upper age limit to 25 years in cases of EHCPs. He asked members to note that in terms of the criteria used nothing else had changed in the policy, which in effect brought together previously approved arrangements in one document. In preparing the policy the opportunity had been taken to revise the application process and review arrangements for travel assistance entitlement. The intention of this was to enable a greater range of transport options to be considered and to ensure that the most suitable form of assistance was provided to meet the needs of the child or young person while also being the best use of public money.

The Principal SEND Officer responded to a number of points raised in advance of the meeting by Councillor Dove. In respect of any changes made to the policy and the reasons for this he reiterated that nothing had changed in terms of the criteria. Benefits would continue to be taken into account where applications were based purely on distance or financial hardship but not on SEN requirements. The revised

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policy could take into account access to a motobility vehicle, but the extent of this would be based on the individual circumstances of each case and the use of the vehicle for other purposes in normal daily life. Councillor Dove had asked what consultation on the proposed policy had taken place. The Principal SEND Officer reported that a full equality impact needs assessment had not been required. Public consultation had been done through Corporate Communications. The policy had

been presented to SENDIASS and the Bournemouth Parent Carers' Forum which had shared it with all its members, and had also been sent to the Borough of Poole's transport team and other Bournemouth Council departments. In response to the query about the faith schools this was included to respond to Department for Education guidance (further details available from the Admissions Team).

The Panel asked a number of questions about the policy, including the following:

Was the policy responding to cuts in the budget? There were no budget cuts and as previously stated the entitlement criteria were the same. The basic application process had not changed either, but a more formal process to renew provision on a regular basis was proposed.

Was it necessary to ask people to reapply each year if there were no change in circumstances? The Principal SEND Officer advised that this was the only way to ensure robust monitoring of the assistance provided and the opportunity to review arrangements so they were fit for purpose to meet the needs of the individual. In his considerable experience of local authority SEN transport policy the formal re-application process on an annual basis was the most effective model.

Could this not be done another way, e.g. by asking a simple question about change of circumstances or by reapplying every two years? Based on previous experience the response rate to questioning was likely to be poor. Two years was a long time in which a child or young person's needs could change considerably. The annual review was a familiar model and in keeping with other review processes.

The Principal SEND Officer wished to be clear that the primary reason for the proposed review arrangements was not to save money but to make sure that the right assistance was in place. The secondary benefit was to secure the most effective use of public money. The Cabinet Member spoke in support of the proposed policy and assured members that the purpose was to prevent drift rather than to prevent services being provided where appropriate. The Service Director for Children and Young People's Services explained that in reviewing the policy it had been established that there was drift in the system, and this needed to be addressed bearing in mind the budget for SEN transport had been previously challenged. The Panel might wish to ask for a report after a year of the policy being implemented to review its impact and make adjustments if necessary.

Were family circumstances taken into account? Although work or domestic circumstances of parents were not normally taken into account when considering eligibility or type of assistance, there was a degree of flexibility in finding the best solution if all parties were in agreement. Families may be encouraged to explore alternative options but a solution was never imposed on them.

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The Principal SEND Officer also responded to questions about the appeals system, the legal framework within which the local authority operated, and the fuel, wear and tear payment which should match the NJC rates and allowances. He agreed to circulate the proposed application form to members via email. The Service Director responded to a query from Councillor Dove about pupils placed in alternative

provision and indicated she would be happy to discuss this further with her separately.

DECISION MADE:

- a. That the Panel recommends the SEND Transport Policy for approval by the Executive Director, Adults and Children.
- b. That the Panel requests a report one year on from the policy's implementation to review its impact.

40. FORWARD PLAN

The Panel considered its programme of work for forthcoming meetings and made the following amendments:

- The Panel is scheduled to consider regular reports on the progress of the Ambitions Plan. These are currently programmed for every other meeting. The Chair and Vice Chair agreed to give further consideration to the frequency of reporting required.
- Correction to responsible officer listed under Independent Visitor item - this should be Sue Ross, Service Director - Children's Social Care.

DECISION MADE:

That the forward plan as amended be approved.

41. ANY OTHER BUSINESS

Question from Councillor Dove on use of law firm Baker Small in tribunals:

The Service Director, Children and Young People and the Principal SEND Officer provided information on the Council's experience of using Baker Small in tribunals, the two cases resolved in 2015/16, and the three further cases which were ongoing. These cases would need to be concluded before reviewing the situation with legal services. The Panel was assured that tribunals came at the end of a very long process of attempted resolution and mediation and were a last resort for the Council. They were undertaken if the costs involved in the tribunal process were the same or less than the costs of the provision.

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Question from Vice Chairman on how the Council records the use of grants such as the recent Grant Alert on bullying:

The Service Director, Children and Young People, reported on behalf of colleagues to confirm that there was no process in place at the moment for the Council to

evaluate the use of these grants. She would pass this to the corporate team to make arrangements to put something in place.

Thanks to Ann Hartley:

The Chairman placed on record his thanks to Ann Hartley for the pre panel session which she facilitated in her role as Local Government Association Peer Mentor.

The meeting ended at 8.00pm.

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