

**BIRMINGHAM CITY COUNCIL**

**EDUCATION AND CHILDREN'S SOCIAL CARE OVERVIEW AND  
SCRUTINY (O&S) COMMITTEE – PUBLIC MEETING**

**1000 hours on Wednesday 9<sup>th</sup> October 2019, Committee Room 6**

**Actions**

**Present:**

Councillor Kath Scott (Chair)

Councillors: Barbara Dring, Kerry Jenkins, Chauhdry Rashid and Alex Yip

Other Voting representatives: Rabia Shami, Parent Governor Representative and Sarah Smith, Church of England Diocese Representative

**Also Present:**

Councillor Kate Booth, Cabinet Member for Children's Wellbeing

David Bishop, Head of Service, Alternative Provision, Attendance and Independent Schools

Andrew Christie, Chair, Children's Trust

Andy Couldrick, Chief Executive, Children's Trust

Lisa Fraser, AD, Education and Early Years

Steve Howell, Head Teacher, City of Birmingham School (COBS)

Nichola Jones, AD, Inclusion and SEND

Rose Kiely, Group Overview and Scrutiny Manager

Dr Tim O'Neill, Director for Education and Skills

Amanda Simcox, Scrutiny Officer

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**1. NOTICE OF RECORDING/WEBCAST**

The Chairman advised that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) and that members of the press/public may record and take photographs except where there were confidential or exempt items.

**2. DECLARATIONS OF INTERESTS**

None.

**3. APOLOGIES**

Apologies were submitted on behalf of:

- Councillors: Mohammed Aikhlaq and Suzanne Webb.
- Adam Hardy, Roman Catholic Diocese Representative and Omar Hanif, Parent Governor Representative.

#### **4. ACTION NOTES AND ACTION TRACKER**

(See documents 1 and 2).

Councillor Yip raised the ongoing work programme and whether the review of the ATG contract will be undertaken before the end of the municipal year. The Chair advised this would be better discussed under the work programme item.

#### **RESOLVED**

Confirmed the action notes of the 11<sup>th</sup> September 2019 and noted the action tracker.

#### **5. CHILDREN'S TRUST ANNUAL REVIEW**

(See documents 3 and 4).

Andrew Christie, Chair and Andy Couldrick, Chief Executive of the Children's Trust attended for this item and answered members' questions.

Andrew Christie informed members he had committed to the Children's Trust being accountable to the Council's governance arrangements, including Overview and Scrutiny, when he was involved in the setting-up of the Trust and he was pleased to be in attendance to carry out the commitment made.

The following were among the main points raised:

- The report is a joint report shared by the Children's Trust and the City Council and this is a contractual requirement.
- There are 150+ performance indicators for children's social care.
- The first and foremost priority in the first year was to ensure an improved Ofsted rating and this was achieved.
- Contextual safeguarding is work in progress and it was suggested that the committee may wish to look at the work being undertaken on this through the coming year.
- There are cost pressures and this will be part of the budget setting for next year.
- They had just implemented a new IT system which should mean that social workers would be able to spend more time working with young people and families.
- The Trust has a very active Rights and Participation Service, Children in Care Council and Care Leaver Forum. Their work is gaining national prominence for their 'mind your language' project.

- In many areas the Trust's successes are intertwined, for example the virtual school sits within the Council and there is a shared interest for improving this. Also, they are a tenant in the Council's properties and there is a shared interest in improving the stock in order to make a better environment.
- There is a huge overlap with Special Educational Needs and Disabilities (SEND) and the Trust is working closely on the improvements the Council is leading on.
- The reasons some of the 2018/19 priorities had been assessed as not achieved was due to a combination of over ambition, capacity and a need throughout the year to constantly refocus on things that needed fixing. For instance, before the Trust went 'live' and was operating in shadow form there needed to be a huge amount of work undertaken in establishing the Trust e.g. TUPE staff etc. Also, the forthcoming Ofsted inspection had to be the priority and the Trust has had three Ofsted inspections and these were resource intensive. In addition, the senior leadership team was being established.
- The Chair advised that she had visited the Assessment and Short Term Intervention (ASTI) Team which had been a wonderful experience and the impression was of really happy staff, a great environment, excellent training and support available and the Team were looking forward to the introduction of the new IT system. However, there were a few issues raised, such as the equality of social worker pay.
- Social worker recruitment is a national challenge. As for staff retention, the Trust is a wholly owned company of the Council and therefore cannot change social worker's terms and conditions as this may exacerbate the risk of equal pay claims.
- The social worker's pay scales are competitive across the region, however because of the freeze on moving up the pay scales staff are on the same pay they were on three years ago. The anomaly is that social workers can leave the Trust and earn £3,000 more and then return to the Trust who will then match their pay.
- The Trust will continue to explore the range of non-contractual elements they can introduce to incentivise recruitment and retention, such as quality of supervision, training and size of caseloads etc.
- The Trust has challenging KPIs and they have created a basket of indicators. They want to be good everywhere and are therefore balancing their effort. A new performance management tool has been developed that gives managers real live information for the indicators or their area and team.
- Staff turnover is largely at social worker level and approximately 12% are agency staff, which is lower than the national and regional average and considerably lower than it was a few years ago. They have a conversion programme to try and convert agency staff to employees. Each agency staff costs an additional 25% on top of their salary.

- The Trust has inherited some buildings that are very poor and some of the worse facilities are where families go to have contact with their children and they are looking for new premises to deliver some of these services.
- There is a lot of work to revive and refresh the collective response to corporate parenting. The Trust has done a lot of work with corporate partners and they estimate this has brought in approximately £3m value of work.
- The Chief Executive advised that overall we do not do transition to adulthood very well yet and there is a proposal around a much more robust vulnerable adult service to provide better support.
- The Chair invited the Trust to provide evidence to the committee's Travel Assist Inquiry if they would like to input.

### **RESOLVED**

The committee received the Annual Report 2018/19 and the following will be provided:

- Latest assessment report for Camborne House.
- The new children's social care self-assessment framework to be sent when completed.
- Outline and timelines for the transition to adulthood piece of work.

## **6. SAFEGUARDING IN EDUCATION**

(See documents 5 and 6).

Steve Howell, Head Teacher, City of Birmingham School (COBS), Nichola Jones, AD for Inclusion and SEND, Lisa Fraser, AD for Education and Early Years and David Bishop, Head of Service, Alternative Provision, Attendance and Independent Schools attended for this item.

The following were among the main points raised:

- COBS has 464 pupils and is the largest Pupil Referral Unit (PRU) in the country. As for areas of improvement, they would like to get pupils back into mainstream school with the vast majority being back in mainstream after some intervention. The centres are not evenly spread within the city and there are a number of pupils that live in the east of the city but there is no provision there. They are working hard so people do not have a negative perception of PRUs.
- The Head of Service and Head Teacher are working on a framework for high quality PRUs.
- The Head of Service informed members that they get exclusion data from schools and they would have discussions with the schools who have high exclusions. They would also look at the school registers for years 10 and 11 as

attendance is an indicator of off-rolling. The Council also has a robust Children Missing Education Team.

- Some schools are more challenging to get the data from and if needed they can also get Ofsted involved to assist.
- The DfE provides a limited number of categories for the permanent exclusion decision. However, there can be a range of reasons that contributed to the exclusion.
- It is difficult to answer whether off rolling leads to exclusion.
- There is a current review across all the specialist provision including schools that have pupils with Social, Emotional and Mental Health (SEMH) needs. They are looking at an early preventative model and fast track model. The Cabinet Member for Children's Wellbeing is part of this and there may be an opportunity for members to be involved in the roundtable discussions.
- It is incredibly difficult to know whether a school is off-rolling pupils. Ofsted look at the figures for year 10 (KS4). The Council does challenge schools through a number of different teams: Attendance Team, Children Missing Team, Alternative Provision Team, Exclusions Team and the Discreet Children in Need Team. Officers have very good relationships with Ofsted.
- With regards to children missing education, officers have access to NHS datasets, state benefits and they have a strong relationship with HMRC and DWP. Officers also investigate whether the address the family has given them is correct and they connect with the Police and Children's Trust if needed.
- The school should inform the Council within five days if a child is not in school and the school should have done a home visit within this timeframe. Officers may also do a home visit when they get the referral from the school.
- In response to how many children are out of education, members were informed there has been a significant piece of work regarding getting the children back into school as some may be waiting for a school place.
- Figures for children not in education: 68 children with no school place (either refusing to take a school place or a school place is not suitable for them), 9 children missing education (referrals), 55 at SENAR level.
- The Chair invited COBS to provide evidence to the committee's Travel Assist Inquiry if they would like to input.
- The Director for Education and Skills is keen to work with the committee regarding data sets in advance of committee meetings.

### **RESOLVED**

The Committee noted the update and:

- A report on cases of off rolling to be forwarded to all members in October 2019, December 2019, February 2020, March 2020, May 2020 and July 2020.

- Officers to report back to the committee on children being moved to different schools, including the rules and regulations, the cohort of children being moved to different schools e.g. children with SEND, Children in Care etc and what officers are doing about this. Also, information on how the Council is working to get children into mainstream school to be provided.
- The Chair has already visited COBS and there was an open invite to other members to visit.

## **7. SCHOOL ATTAINMENT**

(See document 7).

Dr Tim O'Neill, Director for Education and Skills and Lisa Fraser, AD for Education and Early Years attended for this item.

In discussion and in response to Members' questions, the following were among the main points raised:

- The Director would welcome insight into the level of detail members want going forward.
- The Council has a contractual arrangement with Birmingham Education Partnership (BEP) which is for approximately £1m. A contract review will be undertaken over the next 12 months. They will be looking at driving a self-supporting system moving forward and there is a need to be more intelligent about understanding the impact of the school improvement work.
- The Chair highlighted that previous committee meetings have looked at the improvement work that BEP has undertaken. Therefore, the discussion now needs to be on the preventative work.
- The Chair stated there were 56 schools assessed as 'requires improvement' and there is a concern that these may move to 'inadequate'. Therefore, it was questioned what the Council is doing to prevent this and what is stopping the budget going out of control if these do become academies and the Council is left with the deficits.
- The Director informed members he chairs a group within the Council that is looking specifically at local authority school deficits and there are increasing levels of grip and traction. Although the indicative overspend is slightly higher for this year than last year. The initial focus will be on those schools that have for a number of years had a high deficit and the Director would be delighted to attend the committee in a couple of months to demonstrate progress and get the committees support and insight on this.
- 4,327 fewer children are now in a less-than-good maintained school and therefore the city is going in the right direction.

### **RESOLVED**

The update was noted and:

- Members will be provided with an update on the BEP contract review when appropriate.
- Local Authority school deficits to be added to the work programme for later in the year.

## **8. WORK PROGRAMME & TERMS OF REFERENCE**

(See documents 8 & 9).

The Travel Assist Inquiry was discussed and Councillor Yip questioned whether the ATG contract would be part of the Inquiry. The Chair advised that this will be discussed at the Audit Committee first and if need be would then come to this committee.

### **RESOLVED**

The work programme was noted.

## **9. REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)**

None.

## **10. OTHER URGENT BUSINESS**

None.

## **11. AUTHORITY TO CHAIRMAN AND OFFICERS**

### **RESOLVED**

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

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The meeting ended at 12.30 hours.