

## **BIRMINGHAM CITY COUNCIL**

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

**1000 hours on Wednesday 10<sup>th</sup> July 2019, Committee Room 6 – Actions**

**Present:**

Councillor Kath Scott (Chair)

Councillors: Mohammed Aikhlaq, Barbara Dring, Kerry Jenkins and Alex Yip.

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

**Also Present:**

Councillor Kate Booth, Cabinet Member for Children's Wellbeing

Andy Couldrick, Chief Executive, Children's Trust

Rose Kiely, Group Overview & Scrutiny Manager

Nichola Jones, AD for Inclusion and SEND

Paul Senior, Education and Skills Directorate Consultant

David Stringfellow, Director for Commissioning and Corporate Parenting, Children's Trust

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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. APOLOGIES**

Apologies were submitted on behalf of Councillor Safia Akhtar, Councillor Suzanne Webb and Adam Hardy.

### **3. APPOINTMENT OF EDUCATION AND CHILDREN'S SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE CHAIR, DEPUTY CHAIR AND MEMBERS**

**RESOLVED:**

- (i) To note the resolution of the City Council appointing the Committee, Chair and Members to serve on the Committee for the period ending with the Annual Meeting of the City Council in 2020:

Labour (5): Councillors Mohammed Aikhlaq, Safia Akhtar, Barbara Dring, Kerry Jenkins and Kath Scott (Chair).

Conservative (2): Councillors Suzanne Webb and Alex Yip.

Other voting Representatives for Education:

1 Church of England diocese representative – Sarah Smith

1 Roman Catholic diocese representative – Adam Hardy

2 Parent Governor Representatives – Rabia Shami and Omar Hanif

- (ii) To elect Councillor Safia Akhtar as Deputy Chair for the purposes of substitution for the Chair, if absent, for the period ending with the Annual General Meeting of the City Council in 2020.

#### **4. DECLARATIONS OF INTERESTS**

The following declarations of interests were made:

- Councillor Aikhlaq is on the Board of Directors for the Leigh Academy Trust.
- Councillor Yip is a member of the Education Awards Committee and a school governor at Wilson Stuart School.

#### **5. EDUCATION AND CHILDREN'S SOCIAL CARE O&S COMMITTEE TERMS OF REFERENCE**

Noted the Education and Children's Social Care Overview & Scrutiny O&S Committee's terms of reference.

#### **6. ACTION NOTES AND ACTION TRACKER**

The action notes of the previous two committees' last meetings and action tracker were noted.

#### **7. CABINET MEMBER FOR CHILDREN'S WELLBEING**

Councillor Kate Booth, Cabinet Member for Children's Wellbeing attended for this item and answered Members' questions.

The following were among the main points the Cabinet Member raised in her presentation:

- The improvement trajectory of the Children's Trust and the latest full Ofsted inspection rated children's social care as 'requiring improvement to be good'.
- Key priorities for the forthcoming year include continuing to listen to children, young people and families and involving them and the Parent Carer Forum in co-production wherever possible.
- Working with Birmingham Community Healthcare NHS Trust and Birmingham Forward Steps to strengthen the early years, health and wellbeing offer.
- Transition of 12 operational day nurseries to new providers over the summer.

- Continuing with the improvement plan in relation to Special Education Needs and Disability as set out in the Written Statement of Action, in response to the Ofsted SEND inspection, with a focus on SEND provision in mainstream schools where possible.
- Improving the quality of Education, Health and Care Plans (EHCP).
- Currently reviewing processes to ensure support to schools is provided, so schools can meet their responsibilities for school exclusions. Children in Care and Children with SEND are over-represented in the school exclusion figures.
- Improving the home to school travel service is vitally important.
- Working closely with partners on childhood exploitation and safeguarding.
- Improving the mental health offer.
- In relation to performance, they are generally meeting most of the KPI targets in the Council Plan and where not on target, appropriate actions are in place.
- The 2018/19 budget out-turn position showed an overspend of £2.314m, which was mainly due to an overspend on the School Travel Service. A significant risk has been flagged for 2019/20 against the forecast School Travel Service Saving of £1.718m.
- Safeguarding remains a key priority.

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

- There was a question about the detailed plans and timelines behind the priorities and how we measure what we have achieved. The Cabinet Member will ascertain what is appropriate to share with the Committee.
- In response to a question regarding where the money will be coming from to support the high needs block, members were informed that a task group is currently exploring alternative options and best practice from elsewhere to reduce the overspend. It was agreed that scrutiny members would be provided with detailed information about sources of funding to support the high needs block in the short term whilst work is ongoing to reduce the overspend.
- In response to a question about what is being done to reduce the number of exclusions, members were informed about the transformation programme to re-design SEND and support services and about conversations taking place with the DfE and mature conversations with the head teachers about giving schools greater autonomy and access to resources and devolving resources.
- Members were encouraged by the Education and Skills Directorate Consultant, to contribute to the national DfE SEND funding call for evidence if they have not already contributed.

- In response to a question about the importance of EHCP, the view was expressed by the Education and Skills Directorate Consultant that there is currently an over-reliance on EHCPs in Birmingham.
- Questions were asked seeking confirmation as to whether the Parent Carer Forum was established in 2017, seeking confirmation that they were consulted on the Written Statement of Action and the 0-25 policy.
- Concerns were raised by Cllr Yip on the Travel Assist and the ATG Contract, specifically on how the contract was renewed on a yearly basis and how past lesson learnt reports and reviews and multiple reports to cabinet did not reveal these shortcomings.
- The Cabinet Member responded saying that we need to look forward and since coming into post she has firmly grasped the ATG nettle and will only speak as to her tenure.
- A request for the ATG contract to be looked at scrutiny was requested by Cllr Yip with the Cabinet Member responding that we will put that review of ATG into the work programme and look at the agenda and work with officers to see how best to do that.
- In response to the question about the Parent Carer Forum, members were informed about an ongoing programme of work and a plan of action is being put together to address areas requiring improvement and to re-build the relationship.

### **RESOLVED**

The update was noted and members will be provided with the following:

- Detailed plans behind the priorities going forward and these include:
  - Detailed information regarding the budget and Dedicated Schools Grant (DSG).
  - Accountability framework on funding to support the high needs block.
  - Performance Framework Plans around school funding (to include school deficits) with KPIs.
- Update on the Parent Carer Forum and how they will be more robust going forward.
- Update on the SEND reforms and quarterly monitoring with the DfE to be discussed in September 2019.
- Travel Assist to be included as part of the SEND item at the October 2019 committee meeting.

### **8. SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND)**

Paul Senior, Education and Skills Directorate Consultant attended for this item and introduced the new permanent Assistant Director for Inclusion and SEND, Nichola Jones, who has been in post since 1<sup>st</sup> July 2019.

Paul Senior presented the key priorities as set out in the slides in the document pack. This included developing the Future Operating Model for Birmingham for SEND provision and services, progress made since the SEND inspection, SEND local offer, sufficiency and financial sustainability, localism and funding delegation and priority next steps including a task group to be commissioned to progress proposed actions.

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

- In response to questions about high numbers of children with SEND and what can be done to provide support and prevent exclusions, members were informed that a graduated approach with clear steps in place to be worked through before exclusion is to be considered and a collaborative local approach to enable children at risk to be identified and solutions commissioned was advocated.
- EHCPs are seen in some areas as a passport to enable access to services by parents and we need to be in a position where parents and carers feel they can trust the services provided by the SEND local offer and they do not need an EHCP and go through a statutory process to access services. There are plans in place through the Innovate to Save Programme to help providers apply for pockets of funding whilst on the transitionary journey to help close the gaps.
- Following a discussion the view was expressed that the High Needs Task Group needs to work with schools to co-produce a financial recovery plan and a discussion needs to take place about how a devolved locality model can work with an effective accountability framework, to give parents confidence that their child's needs will be met.

### **RESOLVED**

The update was noted and members will be provided with the following:

- Progress update on the development of a local area SEND Sufficiency Plan for Education, Health and Care services to be provided for the September 2019 meeting.
- Progress update with proposed, milestones, timeline and accountability framework to underpin plans to move to a locality model to be provided for the September 2019 meeting.
- Update on the Innovate to Save programme.
- Further information about the graduated approach to avoiding exclusions and how this will be monitored to be provided as part of the SEND Update in October 2019.
- Data on statistical benchmarking against comparator core cities to be provided.

## 9. CORPORATE PARENTING BOARD UPDATE

Andy Couldrick, Chief Executive, Children's Trust and David Stringfellow, Director for Commissioning and Corporate Parenting attended for this item.

For the benefit of new members it was explained what the Children's Trust is and does and an invitation to visit the Trust to see how the Trust works was extended to members of the Committee.

The collective nature of the responsibility to work together on Corporate Parenting was explained. There are approximately 1,900 children in care, this figure is rising and the majority of children in care are teenagers.

The Trust on behalf of the Council and partners leads the corporate parenting work. The focal point is the Corporate Parenting Board, which is chaired by Councillor Booth; Councillor Scott will also be a member and there are also other members and representatives on the Board.

Today is an opportunity for members to start to form a view as to whether the priorities/promises are still the right ones and to contribute feedback to a refresh of the Corporate Parenting Strategy. The Strategy will then be used by the Board to hold partners accountable. It was suggested that a more fully formed document could be brought back to a future meeting, possibly together with some young people.

In response to a query about the figure in the report of 1.5% of children in care which equates to more than 25 children, without a school place, it was explained that this is not a fixed number, but it constantly changes for a number of reasons and we compare reasonably well nationally. Responsibility sits with the virtual school. Where only percentages were provided in the report, it was agreed that both percentages and numbers will be provided in the final version. The Cabinet Member for Children's Wellbeing stated that children without school places is one of the top priorities and they are working on this.

### Tracking of outstanding recommendations from Schools, Children and Families O&S Committee's Inquiry into Corporate Parenting

Andy Couldrick suggested that a meeting could be arranged with Councillor Kate Booth, Councillor Kath Scott, Councillor Martin Straker Welds, Cabinet Advisor for Corporate Parenting and himself to discuss ways to promote corporate parenting and improve engagement.

In relation to the tracking of the outstanding recommendations:

- Recommendation 2: The menu of involvement for councillors is developed into a corporate parenting handbook for councillors for May 2018 was assessed as not achieved and the recommendation will be re-visited.
- Recommendation 3: Training is offered to councillors in the first couple of weeks of becoming a councillor. Members were informed that training had previously been offered to councillors but there has been a very low take up of the offer, in the region of 20%. The recommendation was assessed as achieved. However

the recommendation needs to be looked at again to determine how best to improve the ongoing engagement of councillors with corporate parenting.

- Recommendation 4 - Every children's home in Birmingham that has a Birmingham child in care is visited by the end of July 2017 and the District Corporate Parent Champions ensure this happens. It was considered that the recommendation needs to be re-visited and the refreshed strategy will set out what it means for councillors to be a corporate parent and when it is appropriate to visit children's homes. The recommendation was therefore assessed as not achieved.
- Recommendation 6 - The AD, Children in Care Provider Services presents an annual Corporate Parenting Board report to the Schools, Children and Families O&S Committee was assessed as achieved.

#### **RESOLVED**

- A meeting to be arranged with Andy Couldrick, Chief Executive, Children's Trust, Councillor Kate Booth, Cabinet Member Children's Wellbeing, Councillor Kath Scott, Chair, Education and Children's Social Care O&S Committee and Councillor Martin Straker Welds, Cabinet Advisor for Corporate Parenting to revisit the recommendations and how best to improve the ongoing engagement of councillors with corporate parenting.
- The refreshed Corporate Parenting Strategy to be added to the work programme at a suitable time to be advised.
- A report to be brought back on progress regarding children in care without a school place and the virtual school.

#### **10. WORK PROGRAMME – JUNE 2019**

The work programme was noted and a visit to the Children's Trust to be arranged.

#### **11. DATES OF MEETINGS**

##### **RESOLVED:**

- The Committee agreed that meetings should be held at 1000 hours on the following Wednesdays in the Council House:-

##### 2019

11 September

9 October

13 November

11 December

##### 2020

22 January

12 February

11 March

8 April

- The Committee also approved Wednesdays at 1000am hours as a suitable day and time each week for any additional meetings required to consider 'requests for call in' which may be lodged in respect of Executive decisions.

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

None.

**13. OTHER URGENT BUSINESS**

None.

**14. 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 12.07 hours.