

BIRMINGHAM CITY COUNCIL

**EDUCATION AND CHILDREN'S SOCIAL CARE O&S
COMMITTEE – ADJOURNED PUBLIC MEETING**

**1000 hours on Wednesday, 30 November 2022, Committee Rooms 3 & 4,
Council House, Victoria Square, B1 1BB**

Action Notes

Present:

Councillor Kerry Jenkins (Chair)

Councillors: Shabina Bano, Jilly Bermingham, Debbie Clancy, Des Hughes, Morriam Jan, Shehla Moledina, and Simon Morrall

Other Representatives: Justine Lomas, Roman Catholic Diocese, Osamugi Ogbe, Parent Governor, Rabia Shami, Parent Governor Sarah Smith, Church of England Diocese

Also Present:

Cllr. Karen McCarthy, Cabinet Member, Children, Young People and Families

Cllr. Julian Pritchard, Health and Social Care O&S Committee

Cllr. Paul Tilsley, Health and Social Care O&S Committee

Janie Berry, City Solicitor

Fiona Bottrill, Senior Overview and Scrutiny Manager

Andy Couldrick, Chief Executive, Children's Trust

Sue Harrison, Strategic Director, Children and Families

Dionne McAndrew, AD, Vulnerable Young People, Children's Trust

Christian Scade, Head of Scrutiny and Committee Services

Amanda Simcox, Scrutiny Officer

1. NOTICE OF RECORDING/WEBCAST

The Chair advised that this meeting would be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the

press/public may record and take photographs except where there are confidential or exempt items.

2. APOLOGIES

None.

3. DECLARATIONS OF INTERESTS

Members were reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting, and none were declared.

4. ACTION NOTES AND ACTION TRACKER

(See documents No. 1 and No.2)

The notes of the committee meeting held on 19 October 2022 were agreed subject to the following paragraph being removed:

Councillor Des Hughes declared a non-pecuniary interest by virtue of previously being an employee of Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS). He stated that he wasn't employed by SENDIASS anymore and had not been for the past six months.

To be replaced with:

Councillor Des Hughes informed the Committee that he was previously an employee of Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS), but was not anymore, and had not been for the past six months.

RESOLVED:

The action notes of the formal meeting held on the 19 October 2022 were agreed subject to the amendment, and the action tracker was noted.

5. CHILDREN'S TRUST

(See documents No. 3)

Andy Couldrick, Chief Executive, and Dionne McAndrew, AD, Vulnerable Young People, Children's Trust were in attendance for this item.

The Chair also welcomed Cllrs. Julian Pritchard, and Paul Tilsley to the committee meeting, and informed Members that they had been invited for this item as they were Members of the Children and Young People Mental Health Inquiry.

Andy Couldrick gave a summary of the report and highlighted this was part of the regular updates on the work of Children's Trust, the Children's Trust contract with the Council, the challenges they face, and Ofsted inspections. Although, in spite of the challenges good progress has been made.

Dionne McAndrew gave the presentation relating to criminal exploitation of young people and highlighted that as of 14 November 2022 there were 500 children in Birmingham deemed either vulnerable to/or being exploited either sexually, criminally, or both. Of these 500, 360 were impacted by criminal exploitation, who were predominantly black and ethnic minority males. An offer to provide more information on this to the Committee was made.

Andy Couldrick gave the presentation relating to mental health and the Children's Trust, and placement cost and complexity. He highlighted the negative impact on the Trust of the lack of Tier four beds, the complexity of need and market failure, issues regarding Unaccompanied Asylum Seeking Children (UASC), and the Trust's support offer so children remain with their families, rather than being taken into care.

During the discussion and in response to queries raised by Members, the main points included:

- Unregulated placements: this was problematic for children under 16 years old who need a bespoke package of care and are awaiting a regulated setting. This currently relates to 12 young people, and each have a move on plan, allocated a social worker, an independent review officer, and there was quality assurance of the placement. A short paper will be provided to the Committee on this.
- A UASC could be placed as an adult in a hotel in Birmingham. The dedicated UASC team become involved when they are made aware that the adult was in fact a child and therefore becomes a child in care.
- The Children's Trust was looking to develop smaller family size care settings with no more than two or three children living together, who come into care as an emergency.
- The contraction of mental health services has had a negative impact on the Children's Trust.
- The Children's Trust was able to illustrate the cost increases if the Early Help offer was not in place. This information will be shared with the Committee.
- Discussions regarding the contract renewal were on-going and the council's option was limited due to the service needing to remain in the Children's Trust because it was still under a Government Direction.
- On-line abuse was a key feature of the Screening, Training, Intervention, Consultation and Knowledge (STICK) service in schools.

- The West Midlands regional definition of exploitation was welcomed. However, there was a need to step up communication and awareness campaigns, so that there was an awareness and education of what exploitation was, and the stigmatisation of those doing the exploitation. It was also important to have a response in place via the Violent Reduction Partnership (VRP).
- The contraction of tier 4 beds and contraction in mental health services meant that for every secure bed that becomes available there were 50 children vying for it. Therefore, there was a need for more secure welfare provision, and co-operation between partners was also key.
- The Children's Trust will be giving further evidence to the Children and Young People Mental Health Inquiry, and it was highlighted that time had been spent to build up relationships with schools and this was about differing approaches of head teachers rather than a fractured school system (maintained schools, academies etc).
- Further information on the cost of care and general information on the Children's Trust budget and spend was requested.

RESOLVED:

That the update in relation to the Children's Trust be noted, and the following be provided by e-mail to the Committee:

- A paper on unregulated placements.
- Information on the cost increases if the Early Help offer was not in place.
- Cost of care and general information on the Children's Trust budget and spend.

6. WORK PROGRAMME

(See document No. 4)

The Chair informed Members that the Birmingham Safeguarding Children's Partnership (BSCP) may not be able to attend the 4 January 2023 committee meeting and suggested the item was replaced with evidence gathering for the Child Criminal Exploitation Scrutiny Inquiry. Members agreed to this.

Members requested that the Children and Young People Plan addresses race equality, and the school attainment information at the February 2023 committee meeting included attainment by ethnicity.

RESOLVED:

- That the work programme be agreed subject to being updated accordingly to reflect the discussions above.

- That the Terms of Reference for the Child Criminal Exploitation Scrutiny Inquiry, attached to the work programme report, be agreed.

7. DATE AND TIME OF NEXT MEETING

RESOLVED:

Noted the next meeting was scheduled for 4 January 2023 at 1000 hours in Committee Rooms 3 & 4.

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

None.

9. OTHER URGENT BUSINESS

None.

10. AUTHORITY TO CHAIR AND OFFICERS

RESOLVED:

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

11. SPECIAL EDUCATIONAL NEEDS AND DISABILITY INFORMATION, ADVICE AND SUPPORT SERVICE (SENDIASS) – PUBLIC REPORT

The Chair asked whether Members had any questions on the public report, and no questions were asked.

RESOLVED:

That the public report in relation to SENDIASS be noted.

12. EXCLUSIONS OF THE PUBLIC

The Chair explained that the National Children’s Bureau Review of SENDIASS Report had been published as an exempt item.

It was highlighted that this was on the advice of the City Solicitor (the ‘proper officer’) on the grounds that it involved the likely disclosure of exempt information as defined

by Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

In response to questions, the City Solicitor confirmed that the decision on whether or not an item of business was exempt, or not, was one for the committee to determine at the meeting. It was noted that the Committee could therefore choose to lift the exempt status of the report. However, it was highlighted that a number of issues needed to be considered, including:

- The National Children’s Bureau Review of SENDIASS was the property of the Improvement Board.
- The Improvement Board was chaired by John Coughlan, the DfE SEND Commissioner.
- The Council needed to ensure vulnerable families / residents were protected and at the time of the meeting the Improvement Board had not agreed how to engage with services in relation to findings set out in the report.
- The Council had a duty of care for SENDIASS staff, who were identifiable from the report.

A wide range of issues were then considered relating to the matters above and on issues including transparency, the importance for the debate taking place in public, the roles and responsibilities for overview and scrutiny, the difference between a confidential report and an exempt report. Following this discussion, the committee agreed unanimously that the public interest in maintaining the exemption did not outweigh the public interest in disclosing the information.

RESOLVED:

That the meeting be adjourned for reconvening at a later date to allow the report previously marked “not for publication” to be published – giving at least 5 clear days’ notice for public inspection – and to allow discussions to take place between statutory officers and the DfE Commissioner on how to proceed in public.

The meeting was adjourned at 11.20 hours.