

BIRMINGHAM CITY COUNCIL

EDUCATION AND CHILDREN'S SOCIAL CARE O&S

COMMITTEE – PUBLIC MEETING

**1000 hours on Wednesday, 7 September 2022, Committee Rooms 3 & 4,
Council House, Victoria Square, B1 1BB**

Action Notes

Present:

Councillor Kerry Jenkins (Chair)

Councillors: Shabina Bano, Debbie Clancy, Des Hughes, Morriam Jan, and Simon Morrall

Other Voting Representatives: Osamugi Ogbe, Parent Governor, Rabia Shami, Parent Governor, and Sarah Smith, Church of England Diocese

Also Present:

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

Fiona Bottrill, Senior Overview and Scrutiny Manager

Johanna Condon, Interim Head of SENAR Operations (on-line)

Bob Harrison, Project Manager, Children and Families

Sue Harrison, Director, Children and Families

Amanda Simcox, Scrutiny Officer

1. NOTICE OF RECORDING/WEBCAST

The Chair advised that this meeting will 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

Apologies for non-attendance were received on behalf of Cllr Jilly Bermingham, and Justine Lomas, Roman Catholic Diocese.

3. DECLARATIONS OF INTERESTS

Councillor Des Hughes declared that he had been employed by Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS) until April 2022.

Sarah Smith declared that she is the Chair of All Saints Multi Academy Trust (MAT), and BTMAT, and is a member of Fioretti Trust, which all have Birmingham schools.

4. ACTION NOTES

(See document No. 1)

RESOLVED:

The action notes of the formal meeting held on the 20th July 2022 were agreed.

5. SEND

(See document No. 2)

Sue Harrison, Director, Children and Families, Bob Harrison, Project Manager, and Johanna Condon, Interim Head of SENAR Operations (online) were in attendance. Apologies for non-attendance were received on behalf of Sabiha Aziz, Chair, Parent Carer Forum.

Sue Harrison highlighted that SEND is a partnership priority, the conversations they are having around the national agenda, and the discussions with school leaders to agree what good inclusion looks like.

Bob Harrison commented on the evolution of local strategies and improving capacity of places and spaces, capacity of settings able to support effectively, and the capacity of professionals, with a joined up approach to supporting children and families.

A point of accuracy is that the national average of children and young people with an EHCP plan educated in mainstream is approximately 40% and not 50% as previously stated (page 5).

Details of what they learned from the co-production workshops for SEND and Inclusion strategies, the key data, and the national trend is seeing an increase in EHCPs.

Sue Harrison highlighted that the data does not capture the school support provided for those that do not have an EHCP and they are exploring ways to capture this. Updates for objectives 1, 2, 3 and 4, and the golden threads within objectives to deliver the greatest impact, with the LGA having offered peer to peer support, and SENDIASS review and actions, were also provided.

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

- Feedback from schools is more positive as officers are in post offering advice to schools.
- There is a lot of work around children who are awaiting a special school placement and the role of the Home Bridging Team, and the dedicated team for children awaiting a special school placement was given.
- Accountability for those children in the wrong settings awaiting a special school placement: the final drafts will go to the SEND Improvement Board in November 2022 for sign off in December 2022, and then they will go to Cabinet. It is anticipated it will be operational from March/April 2023.
- Staffing pressures and capacity: the permanent structure is being modelled.
- Support for young people at risk of exploitation: this is part of the breaking down barriers work they are undertaking and the Children's Trust and EmpowerU, Home Bridging Team, the Council's Pupil Referral Unit (PRU) – City of Birmingham School, Lindsworth School etc., support this.
- Officers are working with school leaders on restorative practice with primary schools regarding children who have been excluded. The Council have the power to direct schools to take on pupils and the restorative practice work will assist with this.
- The Inclusion Strategy and reassurances regarding white working class boys and African Caribbean children under achieving: Officers are developing local provision and they will be focusing on these particular groups. They are looking at learning lessons, and the Child Criminal Exploitation Inquiry, and the Employment and Skills Inquiry, can explore this in more detail.
- The Head of Service for SENDIASS has accepted the recommendations and the DfE Commissioner for SEND will be attending the committee meeting in October. Progress will be reported on and members were assured that parents and carers will have access to an independent service.
- The Chair shared the concerns that the Committee has not been party to the review and the detail on which the recommendations were made. Inviting the Head of Service for SENDIASS to the October meeting was discussed, and it was agreed that a meeting should be set-up with the DfE Commissioner for SEND, Director and Chair to discuss officer attendance at the October meeting and what information can be shared with the Committee.
- They are working on a SEND Strategy, SEND Sufficiency Strategy, and an Inclusion Strategy and timescales for when the Committee can expect them was requested.
- The Cabinet Member suggested that when meeting the DfE SEND Commissioner it may be worth looking at future reporting arrangements and timings of the SEND Improvement Board and this committee.
- They have put in a bid for three new special schools.

- Schools can come back with reasons why they think they cannot support the child in their school, which the Council responds to by providing information on how support can be provided to meet the needs of the child.
- Officers do monitor children that are on part-time timetables, although this is reliant on the schools providing the information.
- Information on how many children are affected by part-time timetables, and figures on children who haven't got a suitable school place, and support that is being provided, was requested.

RESOLVED:

- The update was noted.
- A meeting with the DfE Commissioner for SEND, Director and Chair to be set up.
- Timescales for when the Committee can expect the SEND Strategy, SEND Sufficiency Strategy, and an Inclusion Strategy was requested.
- Information on how many children are affected by part-time timetables, and figures on children who haven't got a suitable school place, and support that is being provided, was requested.
- Reports on the SEND Strategy, SEND Sufficiency Strategy and Inclusion Strategy to be brought to the Committee following approval by Cabinet.

6. CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES

(See documents No. 3 and 4)

Cllr Karen McCarthy, Cabinet Member, Children, Young People and Families gave the presentation and provided a summary of her portfolio, strategic priorities, progress, corporate parenting, the national lack of secure placements, and commissioning. The Cabinet Member highlighted that the cost of living crisis and the impact on children with additional needs is concerning.

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

- The Directorate's response to how we can help families on the cost of living crisis: Cllr John Cotton, Cabinet Member, Social Justice, Community Safety and Equalities will lead on this work across the city. Cllr Karen McCarthy is having a discussion as to whether to establish a separate group for children, and the Council needs to have a plan in place. All Councillors and stakeholders will need to be kept informed on this.
- Item 9. Commissioning in the report (page 45) refers to BEP and the length of the contract and what BEP are doing about exclusion rates was queried. The BEP contract is coming up for review, and it is vital that exclusions should be

about finding the best place for the child, and BEP will be vital in providing reassurance and offering support to schools. The Director will get back with details regarding when the contract was renewed and the duration of the contract.

- Helping hard to reach children: objective 4 is looking at pathways and what the right type of provision at the right time is for the child.
- The five commissioned partners are accountable to the Council. The Lead Commissioners can report to O&S and a representative from the organisation can be invited on a voluntary basis to attend. It was agreed that Tim Boyes, Chief Executive, BEP would be invited to a future meeting.
- A Member felt that more mental health provision was needed, and the Cabinet Member is interested in exploring this with partners. The Committee's Joint Task & Finish Mental Health Inquiry will also be looking at this.
- A Member expressed concern that the Holiday and Food Programme (HAF) eligibility criteria was only for children entitled to free school meals. Moving forward Councillor Karen McCarthy and Cllr John Cotton are mindful of the greater need.
- The structure chart for the Children and Families Directorate was requested.
- Baseline of services within the Directorate had been completed and a request was made for this to be shared with the Committee.
- The deadline for the funding bids for three free schools is October 2022 and details, including other timescales was requested.
- Information on how many excluded primary school children have unmet SEND needs / EHCPs was requested.
- The Children's Trust is an item on the November 2022 committee meeting and the following will be discussed:
 - Resources projected, but unfunded, growth in numbers of children in care, and a significant rise in the complexity of need of those in our care, for whom the market fails to provide placements and who require, as a result, bespoke high-cost care packages was raised.
 - Information on Appendix 2: Birmingham Children's Trust summary of performance 2021/22 (page 52) PI 13 % of agency social workers (including team managers) not met the targets.
- There are schools that do not take pupils with SEND which then puts pressure on other schools.
- Information was requested on the number of places that Special Schools accept above their Planned Admission Number. Do the plans for future Special

School places take into account these numbers in addition to places required to meet the needs of children who are currently not in a Special School?

- The Cabinet Member was asked if she can attend the 5th April 2023 committee meeting which is when the Children's Trust will be attending to provide an update on their priorities and performance. The Cabinet Member stated that if she cannot attend in person then she will attend on-line.

RESOLVED:

- The update was noted.
- The Director to provide the details of when the BEP contract was renewed and the duration of the contract.
- Tim Boyes, Chief Executive, BEP to be invited to a future meeting.
- The structure chart for the Children and Families Directorate to be provided.
- Details of baselining of services within the Directorate to be shared with the Committee.
- Details for the funding bids for three free schools including timescales to be provided.
- Information on how many excluded primary school children have unmet SEND needs / EHCPs was requested.
- The issues raised regarding the Children's Trust to be highlighted to them before the meeting in November 2022 so these can be covered.
- Information on the number of places that Special Schools accept above their Planned Admission Number. Do the plans for future Special School places take into account these numbers in addition to places required to meet the needs of children who are currently not in a Special School?

7. WORK PROGRAMME

(See document No. 4)

It was agreed that Tim Boyes, Chief Executive, BEP will be invited to a future committee meeting.

Cllr Simon Morrall would still like the Head of Service for SENDIASS to attend the next committee meeting, and the Chair, as previously mentioned in the meeting, will meet with the DfE Commissioner for SEND and the Director, Children and Families to discuss this.

Task & Finish Inquiries:

- Children and Young People's Mental Health: The first meeting of the Inquiry Task and Finish Group is due to take place week commencing 12th September 2022.

- Child Criminal Exploitation: Cllr Des Hughes will be agreeing the date of the first meeting with Members after the committee meeting.

RESOLVED:

- Tim Boyes, Chief Executive, BEP to be invited to a future committee meeting.
- The Chair to meet with the DfE Commissioner and Director to discuss the SENDIASS review.

8. DATE AND TIME OF NEXT MEETING

RESOLVED:

Noted the next meeting is scheduled for 19th October 2022 at 10am.

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

None.

10. OTHER URGENT BUSINESS

None.

11. 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.

The meeting ended at 11.58 hours.