

BIRMINGHAM CITY COUNCIL

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

1000 hours on Wednesday, 16 February 2022, BMI, Margaret Street

Action Notes

Present:

Councillor: Kath Scott (Acting Chair)

Councillors: Saddak Miah and Alex Yip

Other Voting Representatives: Rabia Shami, Parent Governor Representative

Also Present:

Councillor Sharon Thompson, Cabinet Member, Vulnerable Children and Families (on-line)

Sabiha Aziz, Chair, Parent Carer Forum (PCF)

Simon Cross, Business Manager, Birmingham Safeguarding Children's Partnership (BSCP)

Lisa Fraser, AD, Education and Early Years

Jo Green, PCF

Sue Harrison, Director, Education & Skills

Pauline Maddison, Interim AD, SEND and Inclusion (on-line)

Alan Michell, Head of Service, Admissions, Attendance, Exclusions and Pupil Tracking

Victor Roman, SEND Improvement Programme Manager (on-line)

Ceri Saunders, Acting Group Overview and Scrutiny Manager

Amanda Simcox, Scrutiny Officer

Penny Thompson CBE, Independent Chair, BSCP

In the absence of the Chair and Deputy Chair, Councillor Kath Scott was elected to chair the meeting.

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

Apologies were submitted on behalf of Cllrs: Narinder Kaur Kooner (Chair), Kerry Jenkins (Deputy Chair), Olly Armstrong, Charlotte Hodivala, and Katherine Iroh; and Omar Hanif, Parent Governor Representative, and Sarah Smith, Church of England Diocese Representative.

3. DECLARATIONS OF INTEREST

Councillor Alex Yip declared an interest as he is a Deputy Chair of governors at Wilson Stuart School.

4. ACTION NOTES AND ACTION TRACKER

(See documents No. 1, 2 and 3)

RESOLVED:

- The action notes of the formal meeting held on the 24th November 2021 were confirmed.
- The action notes of the informal meeting held on the 12th January 2022 were noted.
- The Action tracker was noted.

5. SEND: DASHBOARD

(See document No. 4)

Councillor Sharon Thompson, Cabinet Member, Vulnerable Children and Families, Sue Harrison, Director, Education & Skills, Pauline Maddison, Interim AD, SEND and Inclusion, Victor Roman, SEND Improvement Programme Manager, Sabiha Aziz, Chair, PCF, and Jo Green, PCF, were in attendance for this item.

Sue Harrison introduced the item and explained that the dashboard is the performance tool in the Accelerated Progress Plan (APP), which includes the only two statutory reporting KPIs for SEND. In addition, there are other performance measures for Special Educational Needs Assessment and Review (SENAR) which will also be reported to the Committee.

Pauline Maddison provided Members with an overview and this included:

- The dashboard will be regularly updated and monitored by the DFE and Ofsted, and this, together with other data will be shared with the Committee.
- There are four Objectives and Getting the Basics Right, which focuses on improvements in SENAR is the most important element of the four objectives.
- The SENAR indicators are nationally quite small in terms of numbers and the main one that local authorities are judged on is the percentage of EHCPs completed within 20 weeks, and we are still above the national average.

- It is usual for the Senior Responsible Officer (SRO) and main Project Manager to attend this committee meeting for the objective. However, there is not one for the dashboard as all are responsible.
- Objective two: Getting the Basics Right is due to be discussed at the Committee's March meeting. The SEND Improvement Board has split this item due to there being so much to discuss. Therefore, it was proposed that SENAR is discussed at the March 2022 committee meeting and health colleagues attend the April 2022 committee meeting to discuss waiting lists.
- Two more experienced officers have been appointed to specialist posts in SENAR. The current focus is to review all the documentation used in all parts of the process and this will be included in the March discussion. A fortnightly update will be published to keep parents, schools and stakeholders updated on any SENAR changes. A proposed permanent structure for SENAR is being developed and this will form the basis of a report in the Summer to secure permanent resources for SENAR in the base budget as the current additional funding is only approved until March 2023. The aim is to have SENAR fully operational against the Code of Practice 2015 by September 2022.
- They are still on target to have a draft SEND sufficiency strategy for April, although they still do not have school places for all children to meet their needs.

Victor Roman gave the presentation and highlighted that page 30 in the pack acknowledged data sits across partners, and this included the Children's Trust and Clinical Commissioning Group (CCG). A lot of work on data management is needed and as part of the APP they will look at this. The dashboard will be completed and regularly updated, and they must also look at individuals' experiences and outcomes so that they adequately measure benefits. Statistical data was also provided.

During the discussion with Members the main points included:

- It is difficult to give timelines due to co-dependency on a breadth of issues, such as the update of the case management system, and work needs to be done across the CCG and the Children's Trust in terms of the data.
- There have been technical difficulties with the new case management system, and they are currently working with the provider to resolve these as quickly as possible. An update on the position with the case management system is to be provided at the next meeting as Members will be looking at getting the basics right and the implementation of the case management system sits within this particular objective.
- The Cabinet Member attended an engagement event yesterday with parents where timelines came up and she agreed that they need to have timelines in place, with the agreement across the partners, and she will discuss this with the Director.
- They will be providing more details at the next committee meeting on how they will be assuring the quality of the Education and Health Care Plans

(EHCPs), and this will include details of the multi-agency core group who are reviewing quality assurance.

- To improve the quality of the EHCPs now, they are increasing management capacity with an appointment of an experienced officer to look at quality and speed. The parents having a named officer so they can discuss their EHCP will also assist.
- The maximum waiting time for an EHCP was requested. Health colleagues collect median, longest and shortest waiting times. However, it would be difficult to collect median, longest and shortest waiting times for EHCPs within the Council, as this is not something that is required by legislation. The Director thought that this could be provided around September time when they have got a digital system.
- Details of post 16 year olds with SEND in education and how they are supported were provided.
- Whether the waiting times for Speech and Language Therapy (SLT) included the whole cohort was queried. This data comes from CCG colleagues and officers can obtain this and / or the Committee could do a deep dive with CCG colleagues if they are agreeable to them attending the April 2022 committee meeting.
- Detailed information on how schools are funded for a child who has SEND was provided.

RESOLVED:

The update was noted and:

- An update on the position with the case management system to be provided at the next meeting.
- The Cabinet Member to discuss timelines for SEND improvement with the Director for Education and Skills.
- Data for the medium and maximum averages for EHCPs to be provided and officers to confirm the timeline for when this can be expected (approximately September 2022).

6. BIRMINGHAM SAFEGUARDING CHILDREN'S PARTNERSHIP (BSCP) UPDATE

(See document No. 5, 6 and 7)

Penny Thompson CBE, Independent Chair, BSCP, and Simon Cross, Business Manager, BSCP were in attendance for this item and gave the presentation. The main points included:

- Their remit is to create the conditions for all of the organisations in Birmingham to work well together to safeguard children and to learn from incidents that happened.
- The Local Authority, Children's Trust, NHS – led by the CCG and the Police have accountability.

- The national framework for safeguarding children changed in 2019 and they were early adopters.
- Child safeguarding Practice Reviews (CSPRs) replaced Serious Case Reviews (SCRs) and now there can either be local or national reviews. The national reviews tend to be thematic.
- There are a number of thematic reviews looking at individuals underway: Arthur Labinjo Hughes who died in Solihull, and Star Hobson who died in Bradford.
- Child death reviews became the responsibility of the Council and the NHS through the CCG, and the purpose is to get better and quicker learning from the deaths of children within the whole population.
- Every two years they publish a Business Improvement Plan and the current plan sets out the four strategic priorities, together with the 33 detailed actions.
- They want to complement the work of O&S and they concentrate on partnership working in relation to safeguarding practices.
- Ongoing work includes improvements to their website.
- They have had a big emphasis around contextual safeguarding for the last two years and this includes criminal exploitation such as County Lines.
- They have a revised strategy around child neglect, and they are undertaking a comprehensive training program for frontline professionals that are dealing with identifying early signs of neglect.
- The Independent Chair's Accountability Report offers assurance and concluded that there is evidence of good progress in working together to safeguard children. Also, the Independent Chair thanked and acknowledged how much practitioners had put children front and centre despite the impact of the pandemic on themselves.
- Other issues in the Independent Chair's Accountability Report includes the impact of the pandemic:
 - The upsurge in domestic abuse, which is really significant, shockingly the Police saw a 50% increase and in December 2020 they had 6,000 call outs in one month.
 - An enormous detrimental educational and social impact on children, and they have missed out on "being seen".
 - A surge in youth violence when we came out of the lockdowns, the link to criminal exploitation and recognition that young people caught up in this are victims as well as perpetrators, and the need to adapt the ways of working, which is what contextual safeguarding is about.
 - Unexpected benefits of Covid includes the pandemic becoming a catalyst for people working together better, and often there were better attendance at virtual meetings than when they were face to

face. In addition, attendance increased at the quarterly Practitioner Forum, with some attendees having felt more comfortable asking questions in a virtual space. It is therefore expected that there will be more hybrid arrangements moving forward.

- The Independent Chair paid tribute to Simon Cross and his team, and in particular the development of their approach to rapid reviews, which is part of the new arrangements, and has been used as a template for just about all other local authorities.
- The Who's in Charge campaigns responded to the increased concerns regarding the rise in accidents in the home. These were tailored to different audiences and targeted during different stages of the pandemic. The videos have received over a million views across the West Midlands and won the National Safety Award last year. Credit was given to Birmingham Community Health Care Trust and the senior manager who championed this.
- The Review process: the national and local structures are about how they maximise learning. Birmingham has eight reviews at the moment looking at different aspects.
- There are six key practice themes in relation to embedding national learning.
- The new Offensive Weapon Homicide Reviews: Penny Thompson and Cllr John Cotton, Chair of the Community Safety Partnership, wrote to the Home Secretary, as it was felt that having a stipulated age criteria of eighteen and over, as set out in the Police, Crime, Sentencing and Courts Bill, is a fundamental flaw in the new review process. They have received an unsatisfactory response to their letter, and they requested the Committee's support in lobbying the Government to review the proposed criteria.
- Future work includes the safeguarding implications for the Commonwealth Games, serious youth violence strategy work, childhood neglect and investing in early help with family support is critical to this. Also, this year they will be doing a two year annual report for the partnership, looking particularly at the impact of Covid.

During the discussion with Members the main points included:

- They have a Quality Impact and Outcomes Group that looks at quantitative, qualitative and experiential information, and more statistical information can be provided, although quantitative data on its own is not sufficient.
- The Birmingham Mail article that relates to 3,500 Birmingham pupils that did not return to the classrooms was referred to.¹ The issues about children who are not in school was discussed at the Safeguarding and Education Group and reassurance was given that this is being taken extremely seriously and partnership working is very important. However, it was optimistic to expect

¹ <https://www.birminghammail.co.uk/news/midlands-news/crime-abuse-fears-3500-city-22944775>

all children to get back in the routine of attending school after they have been told over the last two years not to. In addition, some parents are nervous about sending their children back to school due to the risk of infection, and younger children need to be encouraged to go back to social settings when they haven't been used to social interaction due to lockdowns.

- The revision of the business plan will take on board comments and the practice priority is open enough to flex the priorities.
- The development of local provision and building on the work that has already been done is absolutely key and fundamental for early help and support. This includes reinforcing the support for schools, local arrangements and bearing in mind that poverty is an issue.
- Learning and development is a continuous process, as is assessing, planning, implementing and reviewing.
- Providing support to frontline practitioners to understand the notion of reachable moments is important.
- They have refreshed Birmingham's threshold guidance 'Right Help, Right Time'² and they are looking at refreshing the e-learning package.

RESOLVED:

The update was noted and:

- The Committee will support the lobbying of Government for a change to their age criteria which excludes under 18 year olds.
- The BSCP will feedback on the National Reviews when appropriate.
- The BSCP will provide more statistical and qualitative feedback.
- Due to the need to move to the next item the Acting Chair will e-mail her remaining questions.

7. SCHOOL EXCLUSIONS

(See document No. 8)

Lisa Fraser, AD, Education and Early Years, Alan Michell, Head of Service, Admissions, Attendance, Exclusions and Pupil Tracking, and Pauline Maddison, Interim AD, SEND and Inclusion were in attendance for this item.

Lisa Fraser and Alan Michell highlighted information within the presentation, and this included caveats for the school exclusion data due to Covid, the initiatives and next steps, and the emphasis on Primary phase, which is the most significant issue for the City.

In relation to the data, permanent exclusion rates are higher in special schools, however this is currently a very low number. Figures are broken down into ethnic categories for both school exclusions and suspensions, and Birmingham mirrors the

² <https://www.lscpbirmingham.org.uk/delivering-effective-support>

national picture. The geographical information is on the school location rather than the pupils.

Slide 15 (page 105 in the pack) provides information on the Birmingham Children Partnership and the BSCPs audit of primary school children who had been permanently excluded. A series of recommendations were made, and some are already being implemented. For instance, early help training and support to governors has been provided, systems, protocols and procedures have been put in place, Forward Thinking Birmingham and the Education Psychology Service are looking into the experience of the child and considering the impact on family life or issues such as domestic abuse.

The Tackling School Exclusions Group aim to develop an integrated system offer via the partnership so there is a full system approach to providing support to children and families, which will hopefully result in reduced exclusions. Work includes the Right Help Right Time framework having been revised, the early help offer via the Trust and locality teams have been improved, and they have got data sharing processes in place with the Children's Trust and providing training to school governors.

Pauline Maddison provided information on the specific work around preventing exclusions of pupils with SEND. This included the work of the Teaching Support Services in identifying children with SEND who were at risk of exclusion and the support available. She also outlined the role of the Home Bridging Team in brokering support for children with EHCPs who had been permanently excluded and the involvement of SENAR where alternative provision might be required. (pages 109 and 110 in the pack).

During the discussion with Members the main points included:

- The correlation between permanent exclusions and suspensions are not straight forward. A school could be robustly implementing a behaviour policy which may lead to an increase in both, although you could argue that if a school is using suspensions then permanent exclusions may not be needed.
- There have been positive outcomes for pupils who have attended the City of Birmingham School (COBS). This may be because they are in smaller classes etc.
- Officers have shared the data with the Heads at the Primary Forum because part of role of the local authority is to shine a light on the data, and this came as a surprise to some. Moving forward, there is now a good understanding and a sense of shared purpose for tackling this issue. Although, this will take time to embed.
- The Director for Education and Skills highlighted the Inclusion Conference for Head Teachers and one for School Governors, and there is more fruitful work they will be doing.
- There are robust arrangements for permanent exclusions, with there being legal requirements for schools to follow, and any permanent exclusions have

to be reported to the Council's Exclusions Team. The Exclusions Team will be involved in about 95% plus of the case hearings and related meetings.

- There are legal requirements for managed moves, and they have to be with the agreement of the schools, parents and children involved.
- Cllr Kath Scott (Acting Chair) will discuss with officers offline the issue of children with SEND support plans and behaviour policies being used against them by the schools.

RESOLVED:

The update was noted.

8. WORK PROGRAMME

(See document No. 9)

The Committee agreed to split SEND objective 2: getting the basics right, and SENAR will be discussed at the 30th March 2022 meeting, and health will be discussed at the 6th April 2022 meeting.

RESOLVED:

The work programme to be updated accordingly.

9. DATE OF NEXT MEETING

RESOLVED:

The next meeting is scheduled for Wednesday 30 March 2022 at 1000 hours was noted.

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

None.

11. OTHER URGENT BUSINESS

None.

12. AUTHORITY TO CHAIR 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.

The meeting ended at 12.27 hours.