

## **BIRMINGHAM CITY COUNCIL**

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

**1000 hours on Wednesday, 20<sup>th</sup> January 2021, Online Meeting**

### **Action Notes**

#### **Present:**

Councillor Kerry Jenkins (Acting Chair)

Councillors: Mohammed Aikhlaq, Barbara Dring, Charlotte Hodivala, Chauhdry Rashid and Alex Yip

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

#### **Also Present:**

Councillor Kate Booth, Cabinet Member for Children's Wellbeing

Councillor Jayne Francis, Cabinet Member for Education, Skills & Culture

Lisa Fraser, AD, Education and Early Years

Dionne McAndrews, AD, Children's Trust

Alan Michell, Head of School Admissions and Fair Access

Caroline Naven, Head of Preparation for Adulthood & Vulnerable Adults

Ceri Saunders, Acting Group Overview and Scrutiny Manager

Amanda Simcox, Scrutiny Officer

John Williams, AD, Adult Social Care

### **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**

Councillor Mohammed Aikhlaq declared a non-pecuniary interest as he is on the Board of Directors at Leigh Multi Academy Trust.

Councillor Alex Yip declared that he is the Deputy Chair of Governors for Wilson Stuart School and a Birmingham Magistrate.

### **3. APOLOGIES**

Apologies were submitted on behalf of Councillor Olly Armstrong, Councillor Kath Scott and Adam Hardy, Roman Catholic Diocese Representative.

Councillor Armstrong was welcomed onto the Committee and Members wished him a speedy recovery from Covid.

### **4. ELECTION OF A DEPUTY CHAIR**

Councillor Mohammed Aikhlaq nominated Councillor Kerry Jenkins for Deputy Chair, this was seconded by Councillor Barbara Dring and the Committee Members voted in agreement.

#### **RESOLVED**

Councillor Kerry Jenkins was duly elected as Deputy Chair.

### **5. ACTION NOTES AND ACTION TRACKER**

(See documents 1 and 2).

The Acting Chair informed Members that they had received information on some of the outstanding actions since the action tracker had been published, and the outstanding actions are being chased.

The Acting Chair requested that the action tracker be updated to reflect that she has been informed that SENDIASS will not be outsourced.

#### **RESOLVED**

The action notes of the 9<sup>th</sup> December 2020 were agreed, and the action tracker was noted and will be updated accordingly.

### **6. PREPARATION FOR ADULTHOOD (PFA)**

(See document No. 3).

The Acting Chair welcomed Dionne McAndrews, AD, Children's Trust, John Williams, AD, Adult Social Care and Caroline Naven, Head of Preparation for Adulthood & Vulnerable Adults to the meeting.

Dionne McAndrews set out the context for the project, in that the Birmingham Children's Partnership business case was approved in March 2020 and the proposal in the Business Case was to extend funding for young people who are transitioning from children to adult services based on a two year proof of concept. There was a request to have a specific focus on supporting the transition of children through children's services to the adult world, making sure they are sufficiently prepared for that very challenging time when entering adulthood.

After two years they must evidence they are making a difference to the transition period of children moving into adulthood. If they can evidence outcomes, the funding will be extended for a further three years. In terms of the outcomes, they want to see improvement in accommodation, employment, health and connections. Connections refers to connecting and building bridges with family and friends, and this is particularly important as they do not want to create dependencies on agencies, although it is acknowledged that some people will need support from agencies.

Members were informed that this will be different by the virtue that this is proof of concept and different things can be tried. Therefore, there isn't a set model and they are testing as they go.

There are three strands and one hub that sits in the centre and this is about linking with existing provision, enhancing this where needed and filling the gaps.

John Williams informed Members that the approach is one of a life course approach and thinking about aspirations. One of the key parts is that they recognise that Adult Social Care work with people with complex needs and more can be done to work with people at an early age and build a better city offer for them. This includes safety nets and co-production so they can be true participants and engaged, and to help them have a fulfilling life.

Caroline Naven took Members through the report and the main points included:

- The Integration Transitions Team has been in operation since 1<sup>st</sup> September 2020 and works with young people aged 14 – 30 primarily with SEND.
- Their communications plan captures how they have marketed the service, for example, through presentations at meetings, e-leaflets and the publication of a monthly newsletter.
- The second element of the service is the Vulnerable Adults Team and is due to launch on the 26<sup>th</sup> January 2021. The team will work with 14 – 30 year olds who have endured trauma. There will be a key focus on homelessness, reducing criminality and mental health.
- A Mobilisation Group was established which consists of colleagues from the Children's Trust, Council and CCG, and they have worked collectively to develop pathways and to recruit staff into the Team. They will be based within the multi-agency hub in Lancaster Circus, and they will have touch down spaces in other venues, such as Pupil Referral Units (PRUs).
- The Transition Assessment and Wellbeing Hub is the final element of the programme and the Hub will support young people in crisis. The key offer is that of emergency accommodation. The Hub is being commissioned and there is a preferred bidder.
- Performance to-date is within Appendix 1: from 1<sup>st</sup> September 2020 to 5<sup>th</sup> January 2021 they received 115 connections requests, of which 76 have been allocated. 60% of young people have been supported, 7% of the cases are closed and 32 have been declined.

- The Children's Trust is the main source of connection requests, 41 to-date, with Adult Social Care and Education being the main connectors within the Council.
- They received the highest number of connection requests in September and a communications plan was put in place when they dipped in October, which resulted in an increase the following month.
- The majority of young people they work with are aged 16 – 19 years old, predominantly white British with few connection requests relating to BAME young people. 71 of the young people have been diagnosed with autism or ADHD.
- Of the four PFA outcomes: employment, housing, health and friendships, unsurprisingly, many of the young people are seeking support in relation to employment and friendships.
- Most requests were declined because services are already in place. Other reasons include where a request has been received that does not relate to a PFA outcome, for example a request for assistance with education.
- They are collating qualitative data in the form of 'stories of difference' and examples are provided in Appendix 2. These will capture the journey and outcomes.
- 91% young people with a PFA plan feel they can achieve the outcomes within their plan.
- Practical examples were provided of co-production.
- The Youth Empowerment Squad (YES) meets weekly and has developed officers to co-produce material and is a great sounding board.
- The Life Course Board agreed four workstreams.
  - The first workstream relates to youth custody. Pathways for accessing services have been mapped and they are working with criminal justice partners to provide a mechanism for young people in custody to have a voice as to how they shape services.
  - The second workstream is community circles of support. This is an initiative that was developed in the north of the country and involves a circle of trusted adults, such as teachers, sports coaches and family members, to support a young person achieve their aspirations.
  - The third workstream is day opportunities. They have worked with the Community Catalysts organisation to provide a free four week programme of virtual online activities and these are due to commence on the 8<sup>th</sup> February 2021. The programme is for young people who have disabilities, autism or extra support needs.
  - The fourth workstream is supported accommodation. This is led by the Children's Trust in conjunction with VCS. The supported accommodation workstream addresses the challenges around

supported accommodation for younger adults in care aged 16 and above.

- Autism and ADHD has now been added as a fifth workstream during the proof of concept period. They have formulated an action plan with PFA being one of the elements. The majority of young people they work with have a diagnosis of autism or ADHD.
- They are currently consulting on the draft commissioning strategy and this is due to be published in April 2021. Caroline is currently engaging partners on the refresh of the existing transition strategy which is also due to be published in April 2021.
- Practical examples were provided of integrated working and these include establishing good links with the PRU, where they will have a presence and undertake targeted work with young people etc.
- In terms of governance, they provide monthly updates to the Preparation for Adulthood Board and the Life Course Board. They also provide weekly data reports, and input into the performance meeting within the Trust, as well as reporting into the Executive meeting.

The following were among the main points raised during the discussion with Members:

- They can carry a case load of 130 – 140 within each team. Several workers, such as Family Support Workers will carry a case load c.18 young people.
- As for future demand, this is part of the proof of concept and they are monitoring the reasons for the connection requests, so they can gauge the demand as this is unknown. Also, this is being undertaken during Covid so the true projection going forward is unknown.
- Concern was expressed that the temptation with projects may be to re-invent the wheel and not build on past work. There is a substantial amount of data, for example, the youth remand and re-offending rates and a snapshot was requested, so this can be compared, tracked and monitored. Dionne McAndrews informed Members that she is now responsible for the Youth Offending Service and they recognise the links between the youth justice cohorts, and this includes the at risk category. The PFA is integrated with existing services, so they will be looking at the existing approach, what is missing and what can be done to stop more children coming into the system. They are working on how they can get those already in the youth justice system to exit it successfully so they don't re-enter.
- There is a strong focus on children in custody and on remand because they are usually in the highest cohort group to re-offend. They have fractured relationships and are very susceptible to exploitation, with their chances of gaining employment being extremely limited. Also, there are a significant number in the Youth Offending Service placed within the PRU, which is why the PFA Team will be undertaking some co-location within the provision.

- There is currently a disparate offer in relation to autism and ADHD. The Autism and ADHD Board have had sign off from partners to create a joint autism post. This post will be funded by multiple agencies and will help co-ordinate and enhance the offer, moving away from silo working.
- Connections by age: eight out of 10 connections were declined for 16 – 17 year olds, and nine out of 12 were declined for 17 year olds. Caroline responded that of the 115 connections received, 15 young people already had services in place that were supporting them with the outcome, so there would have been duplication from the service. Also, five of the young people were at crisis point with their mental health and there wasn't the expertise within the Team to support them because the Vulnerable Adults Team hasn't launched yet. However, the Vulnerable Adults Team is going to review all the cases that the Integrated Transition Team declined, and it may be that the Team can take on some of those cases. In addition, some young people have been referred inappropriately, such as for help with education, where there are services within the council that would provide support, as opposed to this service.
- They have set up a group and started a piece of work to investigate the low connections received for BAME young people.
- The workstreams were a multi-agency decision and were agreed at the Life Course Board, chaired by Graeme Betts, Director of Adult Social Care. The context being that the first team was mobilised during the first lockdown and several priorities were identified which they thought might be beneficial to the wider Council's response. Also, the Home Office announced that they were going to be releasing prisoners from the criminal justice secure estate which informed the thinking around youth justice.
- The background of the Team is diverse, and they didn't seek to recruit all social workers. In the Integration Transitions Team there is only one qualified social worker. However, they all have experience of working with young people and they provide an ongoing training program, with them being able to access training from the Trust and the Council. Within the Vulnerable Adults Team, they have specialist mental health practitioners and data analysts etc., who have a broad range of experience.
- It was apparent that at the one day recruitment not all candidates could engage with young people and build trust and rapport with them quickly. Additional training will therefore be provided and they will be taking this learning outside of the PFA.

Drawing the discussion to a close, the Acting Chair thanked officers for attending and invited them to continue to update the Committee on an ongoing basis as and when required.

### **RESOLVED**

The committee noted the update and requested the following:

- An update to be brought back to Scrutiny in 6 – 12 months' time and this should include data that allows for comparison, tracking and monitoring.
- Clarification on the ethnicity profile in the report.

## **7. ATTENDANCE AND EXCLUSIONS**

(See document No. 4).

The Acting Chair welcomed Councillor Jayne Francis, Cabinet Member for Education, Skills & Culture, Lisa Fraser, AD, Education and Early Years and Alan Michell, Head of School Admissions and Fair Access to the meeting for this item.

Lisa Fraser introduced the item and informed Members that they were asked to focus on the local authorities and school's statutory duties around attendance and exclusions. They received an e-mail from the Parent Carer Forum this morning and from meetings with the Forum they understand that there is considerable interest and questions around SEND exclusions. However, the presentation does not focus on this today and SEND exclusions is under the remit of Nichola Jones, AD, Inclusion and SEND. It was therefore suggested Members may wish to discuss this at a future meeting.

Alan Michell gave an overview of the presentation and the main points included:

- There are 15 reasons for a legal deletion from a school roll and they have an officer that will investigate possible illegal deletions that are reported to them.
- The key process that is applied for the operation of attendance at a case level is called Fast Track, and they use this to engage in the monitoring and escalation of issues around school attendance. Fast Track has a focus on providing help early and has the scope for schools to refer to the Local Authority if they feel there needs to be an escalation and potentially consideration of penalty notices. They have not issued any penalty notices during Covid.
- The DfE last provided absence data in the Autumn and the impact of Covid is reflected within this.
- Primary school attendance both within the city and nationally would generally be much more positive than the Secondary school attendance. On a comparison basis there is a need for improvement, both in respect of the persistent absence rate and the overall rate.
- For Secondary attendance, Birmingham is slightly above the national average for persistent absence and for the overall rate Birmingham is on a par with the national average.
- The SEND figures show that the biggest challenge is with absences being higher than in mainstream Primary and Secondary schools. There is work to be done to close the gap, especially when compared to the national picture in relation to persistent absences.

- They have a School's Portal and there is the scope to use this for both attendance and exclusions. However, work needs to be undertaken to understand the financial viability and potential funding.
- They have a small team that undertakes the exclusions work and this focuses not just on the administering process, but also on providing support and challenge. It is important to understand that it is the head teacher that makes the initial decision to exclude and the other key decision maker is the governing body, so it is very much a school decision.
- There is a framework for using reduced timetables and rather than this being a default position there must be exceptional circumstances.
- There is a disproportionate representation of Black and Mixed pupils who are permanently excluded.
- Working closely with City of Birmingham School (COBS) is key in both the provision for permanently excluded pupils, and the work they undertake to support reengagement and reintegration into mainstream education.
- Managed moves are very important in this agenda and a managed move needs to be agreed with the child, parent, departing school and the receiving school.
- Children Missing Education (CME) is related to the attendance and exclusions agenda. An impact from Covid has possibly led to an increase in referrals.
- Officers have also seen an increase in Elective Home Education (EHE) that could be attributed to Covid.
- Collaborative working is key for all the agendas and the Council needs to have good working relationships, with schools understanding their responsibilities and acting appropriately. It also depends on the good working relationships with the other 85 admissions authorities in the city etc.,
- Work is underway with the Birmingham Education Partnership (BEP) and the AD for Inclusion and SEND to look at curriculum offers for at risk and / or disengaged pupils.

The following were among the main points raised during the discussion with Members:

- Leave in term time: the response of the school depends on the circumstances. Where there is unauthorised leave in school term time that is in excess of 20 days, and a school place is withdrawn on that basis, then there are clear arrangements in place to allocate a school place when the child returns. This can include parents applying directly to schools or being allocated a place into the nearest school with an available place by the local authority. If there are particular challenges then the fair access process can be utilised. Figures pre-covid will be provided to Members.
- Parents can request a managed move, however there is no requirement on any school to agree to this. There needs to be agreement with all parties, this includes the child, the school where the child is enrolled and the school



where they want to move to. For Secondary schools this takes place via the Local Sharing Panels. For Primary schools this comes under the collaborative approach - with other schools that may be in the same Trust or are geographically linked and where they have good relationships.

- If a child is away due to medical reasons the school can make the decision to refer the child for specialist support and they have provision contracted locally. More data can be provided on exclusion comparisons including the recognised core cities as this is a mixed picture.
- They have recently had an audit and there are opportunities to have a direct impact on the process that has resulted in permanent exclusions. The intention is to work with schools to put in clear processes for when a child is flagged as being at risk of permanent exclusion. They would then look to intervene with an early help approach, such as working with health, and this is at the early stages. There are also opportunities that are being led by the Secondary Schools Forum, looking at the curriculum offer so that it is relevant and appropriate and helpful in reducing exclusion rates.
- In relation to high levels of absences at Primary school level, it is interesting if this is compared with the Secondary school data. Looking at Secondary attendance and absence data, the progress and attainment at Secondary levels compare more favourably nationally than the Primary data. One of the avenues officers therefore need to explore, particularly with the school improvement provider, is around enriching the curriculum offer in Primary Schools, to encourage pupils to stay at school, making sure that it meets children's needs, interests and aspirations. Also, there is anecdotal evidence that where the Council has focused extra resources to target particular schools they have had an impact as they can drill down to specific cases and individual children and have made a discernible difference.
- There is a need to be realistic in terms of resources, as local authorities have had funding cuts. Therefore, in terms of funding available, it is enough to cover statutory duties.
- One of the things the Council has done, particularly during Covid, is to recognise that schools look to the Council for leadership and this can be used to influence the school's behaviour. Also, they are looking at schools which have successfully tackled these issues so they can assist them to work with schools who are having difficulties.
- There is support they offer to parents and carers through the SEND services and they need to ensure that parents and carers are aware of where they can access this support. A positive from Covid is that they are working more closely with the agencies that provide support to families, especially colleagues in social care, health and the police and they work closely with the Joint Response Unit.
- Schools have been requested by the DfE to complete a daily attendance return during Covid. Although this isn't compulsory the vast majority of

Birmingham schools have completed these and they have proved invaluable in providing real time data to better target the response.

- In terms of the School's Portal, officers are looking at costs and they need to be convinced there would be buy-in from the schools.
- There are 15 reasons that a child can be removed from the school roll. If a school operates outside of this it will be investigated. If this is the case then the school will be challenged. The numbers reported were very low – single-figures in the last term before Christmas.
- It was noted that exclusions remain stubbornly high.
- It was questioned whether there are pupils that have had numerous managed moves which may indicate there are problems that are not being addressed. This information is not held centrally and officers will make enquiries to see if they can provide this.
- Officers confirmed that they work closely with SENDIASS.
- Exclusions is a complex area and to understand the patterns of exclusions there is a need to reflect on the individual child, family circumstances, peer groups, community context, national policy and how this plays out in the school in terms of the culture, and also the strategies they employ and reflected in their behaviour policies. Officers can provide a breakdown of exclusions and these can be for serious offences, such as assaults on peers and staff.
- A concern was raised regarding the consistency of what schools might be providing in relation to online learning and it was questioned what can be done to help. Officers stated they would welcome parents being directed to them if they felt the school's online provision is not meeting requirements. Also, there is a myriad of resources and officers will put these in one place so parents can access these. The Acting Chair thanked teaching staff for everything they were doing in very challenging times to ensure children could continue with learning at home where necessary.
- The DfE has clarified that attendance is only recorded for those that attend school and there are no plans to record pupils who log on remotely.
- Officers confirmed they have not issued penalty notices and that we are in the lockdown landscape so there will be no enforcement action.
- The 2020/21 figures need to be caveated with the Covid context when making comparisons with the previous two years, otherwise it is like 'comparing apples with pears'.
- In relation to 'reasonable enquiries' for Children Missing Education (CME), there have been 62 children referred since 1st September 2020, 42 have been traced and are in receipt of suitable education. The remaining 20 have been logged as CME, their information was shared with the Children's Trust for any safeguarding concerns, of which there were none. It was felt that this was not acceptable and this had been highlighted in an Ofsted 2014 report.

Officers responded that two weeks ago they initiated a review of the systems and processes in place and this will result in changes. It is anticipated that the initial work will be completed within two months and officers are happy to provide an update.

- Pupils who have been permanently excluded should be offered a place in COBS within five days. COBS will then engage with the pupil and family. However, there is currently a waiting list for places and therefore a provider offers flexible learning to those on the waiting list. Officers to provide a breakdown of the figures for this.
- Parents will give a reason for their child being in Elective Home Education and Covid or changes to the RSE curriculum may have had an impact on the number of referrals.

The Acting Chair thanked officers for their attendance and looked forward to the requested updates being provided. There will also be an invite to a future committee meeting.

The Cabinet Member for Children's Wellbeing stated that she will pick-up the issues that have been raised by the Committee with officers and will get back to the Committee on these.

### **RESOLVED**

The Committee noted the update and requested:

- Figures pre-Covid in relation to leave in term time where a school place has been withdrawn.
- Data to be provided on exclusion comparisons including the recognised core cities.
- The exclusions figures on ethnicity will be confirmed as it is thought the figure is cumulative and not a separate figure for non-white British.
- Update on the School's Portal to be provided when appropriate.
- The number of managed moves including whether pupils have had numerous managed moves if this information is available.
- A breakdown of the exclusion categories.
- Officers to look at what data they have in relation to autism and exclusions and will provide this.
- Officers to put the myriad of resources for online learning in one place so parents can access these.
- An update on the initial work that should be completed within two months in relation to Children Missing Education (CME).
- A breakdown of figures for those waiting for a placement at COBS – to include how many are waiting and the waiting times.

- Regular updates on Children Missing Education (CME) to see if linked to Covid.
- The categories and reasons for Elective Home Education (EHE).

## **8. WORK PROGRAMME**

(See document No. 5).

Members discussed the work programme and it was questioned whether it would be more appropriate to move the Home to School Transport item from the March meeting to the April or May meeting. This was because it was felt that as schools are closed the home to school transport data cannot be collected, also this would allow the Executive time to progress the actions. It was suggested that the Leader may want to input as to when it would be appropriate for this to be programmed.

It was suggested that Councillor John Cotton, Cabinet Member for Social Inclusion, Community Safety and Equalities and the Community Safety Partnership could replace the Home to School Transport item on the March agenda.

An update on Children Missing Education (CME) at the April meeting was suggested.

The Acting Chair undertook to discuss this with the Chair and the work programme will be updated accordingly.

### **RESOLVED**

- The committee noted the work programme.

## **9. DATE OF NEXT MEETING**

The next meeting is scheduled to take place on Wednesday 3<sup>rd</sup> March 2021 at 1000 hours via an online meeting.

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

None.

## **11. OTHER URGENT BUSINESS**

None.

## **12. 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 12.22 hours.