

BIRMINGHAM CITY COUNCIL

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

1000 hours on Wednesday, 9th December 2020, Online Meeting

Action Notes

Present:

Councillor Kath Scott (Chair)

Councillors: Mohammed Aikhlaq, Barbara Dring, Charlotte Hodivala, Kerry Jenkins, Chaudhry Rashid and Alex Yip

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

Also Present:

Councillor Kate Booth, Cabinet Member for Children's Wellbeing

Dr Tim O'Neill, Director, Education and Skills

Andrew Christie, Chair, Children's Trust

Andy Couldrick, Chief Executive, Children's Trust

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

Ceri Saunders, Acting Group Overview and Scrutiny Manager

Amanda Simcox, Scrutiny Officer

Penny Thompson, Independent Chair, BSCP

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) 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 an interest as a Director at Leigh Multi Academy Trust.

3. APOLOGIES

Apologies were submitted on behalf of Omar Hanif, Parent Governor Representative and Adam Hardy, Roman Catholic Diocese Representative.

4. ACTION NOTES AND ACTION TRACKER

(See documents 1 and 2).

The Chair requested that Dr Tim O'Neill, Director, Education and Skills ensures his Directorate addresses the outstanding actions contained within the action tracker.

RESOLVED

The action notes of the 28th October 2020 were agreed, and the action tracker was noted. Also, the Director for Education and Skills to ensure his Directorate addresses the outstanding actions contained within the action tracker.

5. CHILDREN'S TRUST UPDATE

(See document No. 3).

The Chair welcomed Andrew Christie, Chair and Andy Couldrick, Chief Executive, Children's Trust to the meeting and informed Members that the last annual update from the Children's Trust had been given on the 9th October 2019.

Andrew Christie reflected that he had first met with Overview and Scrutiny in Birmingham approximately five years ago and it has been a long road of recovery and improvement for Children's Social Care Services. He acknowledged that there is still some way to go and this is a helpful point to reflect on progress to date.

Members were reminded that three years ago the Council successfully established the Trust as a wholly owned organisation and it should be noted that not every local authority manages to set their Trust up in a way that enables it to operate smoothly from day one, which Birmingham managed to do. At the time he gave assurances to O&S that they would still be able to properly hold the Trust to account for its performance and, three years on, the Trust is continuing to be held to account by O&S.

Andrew Christie informed Members that two years ago the last full Ofsted inspection made the judgement of 'requires improvement'. This was the first time in more than a decade that this had been achieved. The next aim is to achieve a 'good' judgement. It was suggested that O&S may wish to discuss what needs to be done to achieve that objective and what the risks to this may be. It is anticipated that the inspection is possibly a year or so away.

Appended to the papers are the performance report, the report pertaining to the focused visit (which serves as a useful marker on the progress being made) and the third-year business plan. They need to review the progress that is being made against the targets that were set and to be clear about what the learning is from this year. This includes the terrible impact of Covid, the findings from the recent inspection of the Youth Offending Service and the review of progress on partnership arrangements. Significant progress has been made on the partnership arrangements, partly due to responding to the pandemic crisis, and the leadership of the Council was acknowledged.

The Chair of the Trust commented that key risks include: the long-term impacts on families due to Covid, which are not yet fully understood; big issues around staff recruitment and retention, and the increasing demand pressures on the service.

Andy Couldrick presented the paper and highlighted that to respond to the pandemic the Trust had invested in equipment for staff, so they can access the systems they need and they supported them working from home, this includes staff having contact with their managers and their peers. The quality of supervision has been a focus during the pandemic and staff have largely felt well supported. This assertion could be evidenced by the survey they undertook in the Summer, whereby they had a 65% response rate with staff feeling positively engaged and well supported.

It was highlighted that after the pandemic the Trust will have a more agile effective workforce rather than a fully office-based workforce. Members were informed that staff continued to do face to face visits where needed and remote visits also worked well, with some children and families preferring these. A risk assessment was done for every family. They monitored very closely how many of their vulnerable children were attending school and during the lockdown referrals decreased because schools are a key driver for these. Now that schools have re-opened, they have received a higher rate of referrals than this time last year.

They have worked hard with their partners and agencies and some of these worked in a totally remote way. They have reached a position whereby there is an agreed set of standards, this includes establishing the families and children that need regular face to face contact.

The Trust created a resource hub in one of their buildings that provided food and supplies and some level of interpersonal support to c.1,500 families. Additionally, they were part of the Council's response and opened early help hubs across the city in 10 localities and 7,000 families have received some form of support. The key issues that have emerged include domestic abuse, emotional neglect and concerns about the emotional and mental health of children and young people. As well as the early help service the Trust has online support for mental health and they distributed grants.

Members were informed that the Trust emerged from the first lockdown intact in relation to service delivery and they recognised that they had asked staff to put themselves at risk, which they did. From day one they managed to supply PPE and that wasn't the case for many other local authorities in the country.

It is highlighted that the Trust didn't stand still, rather they continued to extend and expand services, offering new delivery mechanisms that assisted vulnerable children to safely stay within their families.

They also set-up the EmpowerU Hub, which is a dedicated hub with a focus on children at risk of exploitation, there is strong partnership work, in particular with West Midlands Police, and it is starting to get real traction. They are also working with colleagues in Health and the Education and Skills Directorate to build up the multidisciplinary approach.

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

- Members questioned whether KPI 14 (average caseload of qualified social workers) and KPI 15 (% of social workers who have had supervision (in month)) impacted on KPI 13 (% of agency social workers (including team managers)). It was confirmed there is strong interdependency. The Trust has a number of vacancies and recruiting social workers in the West Midlands is a key risk and it was acknowledged that they can improve their marketing offer and presence in the market. This includes social worker's caseloads being at a manageable level, social workers being well supported and having clear development process including learning, training and progression so that staff will be more likely to stay. The council may need to assist with some of this, for example there are equal pay issues.
- It is recognised that staff is their biggest significant asset and therefore their biggest significant risk. A fundamental review will be undertaken, as this is a complex picture and within 2 -3 months there will be a report to the Board. The Trust may need to enter discussions with the Council regarding terms and conditions etc. It was suggested that the Committee may wish to have sight of the progress and the Chair requested that the Committee have sight of the report.
- Members commended and acknowledged the risks that staff put themselves in.
- Members were informed there were outstanding examples of what schools did during the first lockdown to maintain regular contact with vulnerable children, such as providing food parcels and helping with mental health. This was not, however, universal across the 450 schools in Birmingham.
- There was a reduction in referrals from March to July and it increased since schools went back. However, the Trust did not have a huge spike in referrals when schools went back, rather they had a steady increase, unlike other areas. It was felt that this was avoided due to maintaining contact with vulnerable children and families.
- The Trust has a narrow picture when it comes to bereavement and emotional and mental health, as it needs to be remembered that they provide a service that works with children referred to them as a result of concerns of risk of harm. However, they sense that bereavement is an increasing issue and will have affected a number of children. Also, there are a lot of low level emotional and mental health challenges young people are living with and schools are trying to help address these. The Children's Partnership, of which the Trust is a part, are trying to shape services to capture any unmet needs.
- The Trust distributed 3,500 laptops to vulnerable children so they can access learning when schools were closed.
- The Trust, in Year 2, overspent its budget by £7m (3.5%) and it has most recently reported a c.£1m overspend, which nationally is a good position as the average overspend across England in 2019/20 is reported at 9%.

- Members were informed that the Trust worked hard to understand what demand looks like. However, the demand because of Covid is an unknown risk. When the Trust went live the finances was modelled on providing care for 1,600, however this was at 1,800 when the Trust went live. The modelling they undertook included their work and programmes that were about building strength and capacity within families and the Trust should be able to maintain care that is below statistical neighbours and core cities. However, there has been exponential growth in demand, and this is hard to quantify. Although they constantly drill down on demand and supply of care. Work includes better targeted early help and growing the number of inhouse foster carers. If they get the financial settlement they have requested then the Trust can live within its means.
- Some KPI targets have been increased rather than remaining static and Cllr Yip encouraged the Trust to increase targets year on year. Members were informed that the Trust produces an annual summary of the KPIs, and this can be made available for Members. It was noted that they are always within tolerance and they have c. 150 performance indicators. They also have a system that allows them to access performance information accurately in real time. Although they do not necessarily chase individual targets but rather drill down on the quality.
- As a snapshot today there are about 80 – 85 agency social workers employed across the Trust, which is about 13% and lower than statistical neighbours. They are carrying c. 80 – 90 vacancies that they cannot fill with agency or permanent staff. Work to address this includes improving marketing, recruitment, building a pipeline of new recruits and career development and career progression etc.
- Page 41 refers to closely monitoring supervision and reviewing supervision policy and there is mention of holding a managers' webinar in December 2020 regarding reflective practice. It was questioned whether they should already be doing this. Andy Couldrick confirmed that this is more of a reminder and they are talking to managers regarding the tools and support available in the context that this is harder to do remotely, as it is acknowledged that human contact is harder to transact through a screen and they are looking at how this can be the best it can be. Andrew Christie commented that reflective skills are extremely difficult, and it is about helping managers to practice and rehearse skills and having the opportunity of getting support from senior leaders. Andy Couldrick highlighted that they had commissioned a bespoke three-day programme exploring practice supervisors needing to act as a container and a reflector and they will continue to roll this out and the model is working well.
- Whether the targets are good enough to indicate if they are on target to be judged as 'good' by Ofsted was questioned. Members were informed that Ofsted will pay considerably less attention to PIs than detailed analysis of case work and talking to and testing social workers on their cases, rather they

will use the PIs to triangulate this. Also, Ofsted will be interested in the areas of concern they highlighted at the last inspection.

- The data for first time entrants to the youth justice system was requested and the response was that this comes late from the Youth Justice Board and the figure continues to fall. However, following the inspection there are significant improvements they are driving through, and it was highlighted that there seemed to have been an overreliance on KPI's lulling them into a false sense of security and they did not drill down on the quality of practice.
- It was queried whether there was learning from partners, such as the Police regarding fast tracking recruitment and retraining. It was acknowledged there is a real challenge that is contradictory, in that often good social workers are promoted to become managers when maybe their skills set is such that they should remain a social worker rather than a manager, although managers need to have social worker experience. Therefore, there is a need to improve the offer for experienced social workers so they are not compelled to go into manager roles, and they will include this in their root and branch review. They will also look at their local pool of talent, such as family support workers who wish to go into social work. It was acknowledged there currently are not sufficient pathways for those types of recruits.
- The stability of relying on small voluntary organisations to support children with mental health, emotional neglect, and domestic abuse was queried. Members were informed that this is not currently robust and stable. The Trust is one of the partners, with the council being the commissioner. They established a footprint on which they can build service delivery in a more stable way. At the first sign of worry or concern a parent knows they can talk to school and initial provision can be put in. If this is not enough then they can draw in more targeted support like Forward Thinking Birmingham. This was a crisis response to a pandemic and services need to be layered at a local level. The Chair suggested that the Committee may want an update on this next year.
- Collectively we need to do better on Corporate Parenting, and the offer to children in care and care leavers is not as strong as it should be. Four examples are highlighted in the paper where energy could be focused. The Trust's Chief Executive's view is that the Corporate Parenting Board could widen political representation, owning and promoting that responsibility. Collectively there is more we can do around work opportunities, apprenticeships and secondments. They have seven apprenticeships in the Trust, and one has got a position elsewhere because of their apprenticeship. The notion should be "getting a job in the family firm", and where the Council is the parent this includes having a mentoring and apprenticeship offer to our children in care within the Council, so they will be bringing proposals on this to Council in the future.
- This links to the accommodation and the housing offer - KPI 10 (% YTD care leavers in suitable accommodation (19-21) and giving children in care and care leavers priority. The housing pathway is strong in Birmingham but the

choice for young people is limited due to the housing challenges the Council faces. These young people are special because they are ours and we should be offering them special treatment. The Trust and the Council are undertaking a piece of work in relation to developing the quality of the offer as the whole system needs to improve and it was suggested that the Committee could assist with this. If we do it well this will create a strong mandate to go to Police and Health colleagues and inform them of what we are doing and ask what they are doing to support the city's care leavers.

- Members highlighted that Lambeth Council had 18 care leavers on paid placements in the civil service starting early next year, through a care leaver internship scheme and queried whether we were or could do something like this. Members were informed that we have had young people gain placement on the civil service apprenticeship scheme and they had a mixed experience on it. However, there are a lot of things we could replicate.
- There had previously been a big focus on corporate parenting amongst Members and it was suggested the Committee undertake a specific piece of work next year to identify what needs to be done and what the Council can and should be doing. The Chair agreed to a dedicated piece of joint work with the Corporate Parenting Board, the Committee, working with the Trust, Corporate Parenting Team and Birmingham Children's Partnership.
- In relation to how best to engage Members as corporate parents, the Cabinet Member for Children's Wellbeing highlighted that she had met with Jake Shaw (RAP and Corporate Parenting head of service) and Natalie Loon, (Corporate Parenting Manager) and is happy to come back and report on progress. The Chair requested an update on the conversation the Cabinet Member referenced, and the commitments that were made so the Committee do not duplicate work. The Cabinet Member suggested the best time to report back maybe in the spring 2021 after it is discussed at the Corporate Parenting Board.
- Members were informed that the Trust are working hard with the Council on their financial position and they understand that it is hard for the Council to give a three-year position when they are bound by one-year settlements from Government. The intention of the Trust is to live within their means notwithstanding unanticipated demand pressures and they will need to have a contractual mechanism for growth outside the parameters.
- In 2023 the first term of the contract comes to end and there will need to be decision making processes that include the DfE, Trust and Council. If the Trust continues to perform well, with this being confirmed by Ofsted and they deliver value for money, then the Trust's ambition is to make this an easy decision to make.
- Key risks are around financial stability and demand as we emerge from the pandemic, and the workforce and the work they need to do as a Trust and with the Council to build and maintain a sustainable, high performing and highly motivated workforce.

- Andrew Christie acknowledged that the Council has already made some additional provision that is extremely welcome and a sign of the council's commitment to services for vulnerable children, at a time when this is very difficult for the Council. They are delicately poised at what is hoped is the conclusion of the discussions. Andrew Christie's understanding is that in relation to the settlement the Government did announce an extension of the social care grant of about 20% - 30% additional provision for both children's and adults' social care that is not ringfenced, so the Council can make its own decisions as to how it allocates it.
- Members were reminded that children's social services are still subject to intervention and Andrew Christie is still the Secretary of State's appointment and represents the intervention on behalf of the Government. Andrew stated that he is impressed by challenge scrutiny provides and he will report again to Secretary of State in the new year on the progress made.
- A formal answer in relation to the allocation of the additional non ringfenced 25% social care grant from Government was requested. Andy Couldrick confirmed that not all the social care grant allocated was spent on social care, although the initial investment in the Trust came from that source. No decisions have been reached on the extensions and the increase in the social care grant. Also, because it is not ringfenced it will be part of the sum available to support the Council in setting its budget for next year. The Cabinet Member agreed to provide a briefing paper on the additional funding from the Government, budget outline, priorities going forward and the long-term contractual negotiation regarding funding for the Trust.

Andrew Christie emphasised that there are a lot of groups deserving of praise during the pandemic. However, on behalf of the Trust, foster carers deserve a particular mention for how they coped during the pandemic and this was echoed by the Committee.

Drawing the discussion to a close the Chair thanked Andrew Christie and Andy Couldrick for attending and for acknowledging the commitment of the Committee to the Children's Trust and the children in our city.

RESOLVED

The committee noted the update and requested the following:

- The report to the Children's Trust Board resulting from fundamental review regarding the workforce.
- The annual summary of the KPIs.
- An update next year on the development of the footprint as a response to the pandemic to provide support to children with mental health, emotional neglect, domestic abuse (early help hubs).
- The Cabinet Member to report back on the conversations and commitments made in relation to how best to engage Members as corporate parents. It

was suggested the best time to report back would probably be in the spring next year after it had been discussed by the Corporate Parenting Board.

- The Cabinet Member agreed to provide a briefing paper on the additional funding from the Government, budget outline, priorities going forward and the long-term contractual negotiation regarding funding for the Trust.
- The Chair agreed to a dedicated piece of joint work with the Corporate Parenting Board, the Committee, working with the Trust, Corporate Parenting Team and Birmingham Children's Partnership.

6. BIRMINGHAM SAFEGUARDING CHILDREN'S PARTNERSHIP (BSCP)

(See documents No. 4 & 5).

The Chair welcomed Penny Thompson, Independent Chair, BSCP and Simon Cross, Business Manager and informed Members that they had received the last annual update at their 11th September 2019 committee meeting.

Penny Thompson introduced the item and informed Members that her report is a personal accountability report that is produced immediately after the end of the financial year and because it's a personal and not a statistical one it can be produced in a timely fashion. The annual report has the statistical analysis and detailed functioning arrangements.

Members were informed that Penny had been in the role for five years and her role is to convene partners to scrutinise, offer support and challenge and promote learning. This is Penny's fourth accountability report and she has seen tremendous change and quite a lot of churn.

The Partnership priorities are very much about improving leadership, improving practice, developing a response to contextual safeguarding and ensuring the new arrangements for safeguarding following the Wood review are working well. Both reports give testimony to this.

Although the reports are about last year it would be remiss not to make reference to the pandemic and the way all partners have responded to the challenge. There have been some upsides to the pandemic, people have responded magnificently and moved seamlessly to the virtual world and the Independent Chair wishes to recognise this.

The development of Children's Partnership that started last year has been incredibly important and Penny is pleased to play a part in this.

Simon Cross highlighted that this is the first year of the new partnership arrangements that saw the splitting of child deaths being a statutory duty for the local authority and the CCG. The real changes have been with the Police and Council and the CCG, and particularly for Birmingham the Children's Trust being the four leaders of the safeguarding arrangements for the city and how this has been brought together in this first year.

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

- Andy Couldrick commented that the Trust is one of the associate safeguarding partners, with the legal partners being the NHS, Police and Local Authority. He reflected that the Partnership has gone from strength to strength and provides a forum for both collaboration and challenge and is a stronger set of arrangements than when he joined. Work on the practice reviews and rapid reviews have been exemplary and picked up by partnerships all over the country.
- The Independent Chair thanked and recognised the work of the team that supports the safeguarding arrangements and how they have responded to the change in working conditions due to the pandemic.
- Cllr Kath Scott noted that the strong leadership is evident within the reports as is the continuous improvement and working relationships.
- Members noted it was worth highlighting and acknowledging some of the challenges we face, such as SEND, re-offending rates and the courts etc. Page 112 onwards of the pack (page 6 of the BSCP annual report) provides a RAG rating rather than how the progress will be taken forward into future years and more detail, something similar to what the Children's Trust produces on their targets and range was requested. The Independent Chair advised that the Partnership is all about relationships and forging common purpose and they try to be as open and transparent as they can be. An offline conversation about what Members might want to see in relation to the KPI details may be appropriate. Simon Cross informed Members that they are at the stage now of redrafting the business improvement plan that expires in April 2021. They set a business plan for two years.
- Penny Thompson highlighted that key is convening organisations and forging common purpose to enable practice to be as good as it can be and learn from situations where children are harmed. Learning and improving practice is a key element. The partnership priorities reflect this and two of the priorities are about leadership and partnership and this has developed tremendously. Although they are not complacent, and it is about relationships and forging common purpose and being committed to the same outcomes.
- The next focus is about practice, one of the things undertaken is the Annual Safeguarding Practitioners Conference on 'Contextual Safeguarding'. This has a red RAG rating. However, this conference has now happened virtually in November. This virtual conference had an impact on far more people and they have learnt that when they return to doing a live 'face to face' conference they will have provision for virtual connectiveness due to the numbers being far greater for those being able to access the workshops. Practice is very important, and the Practice Forum meets regularly to make sure that they are connecting to practice.
- The third priority is about developing a response contextual safeguarding and the hub has been developed and Penny Thompson highlighted that the Manager leading on this is working closely with partners and is inspirational.

- The fourth priority is about making the new arrangements effective and they are not complacent. They have reviewed how the new arrangements are working and although they are good, they have made some small changes, building on the progress that has been made. They very much want to see Children's Social Services being recognised as 'good' and they are pleased as to how partners work together, and this is very influential on that judgement. The last time the inspectors came in there was some comments about the quality of partnership working and it is hoped that when they return for the full inspection that they will see evidence of really effective partnership working.

Cllr Scott concluded that the impact of the partnership is evident and Penny Thompson thanked the Committee for its interest and commented that there is no complacency but absolute commitment to continue with our partnership working to build on the strengths and keep learning and supporting practice.

The Independent Chair would also like to recognise foster carers and all front line practitioners and operational managers, and the work on early help and the hubs that have been developed is inspiring and it need to be recognised during the pandemic that not having a spike in referrals demonstrates connectedness.

There are concerns about poverty and the Children's Partnership has an operational group led by the Trust's Director of Practice and that group has done tremendous work over the last few months ensuring a good response is made to those out in communities. Penny Thompson also thanked the Trust and the support they provide, and Cllr Scott echoed this.

RESOLVED

- The Committee noted the update.

7. WORK PROGRAMME

(See document No. 6).

The Chair advised that the work programme will be updated to take into account the discussion today.

RESOLVED

- The committee noted the work programme.

8. DATE OF NEXT MEETING

The next meeting is scheduled to take place on Wednesday 20th January 2021 at 1000 hours via an online meeting.

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

None.

10. OTHER URGENT BUSINESS

None.

11. 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.

The meeting ended at 12.00 hours.