

Birmingham City Council

Report to Cabinet

07 June 2022



Subject: CHILDREN AND FAMILIES DIRECTORATE:
IMPROVEMENT PROGRAMME UPDATE AND
RESOURCES REQUIREMENT

Report of: Sue Harrison - Director for Children & Families

Relevant Cabinet Member: Cllr Karen McCarthy – Children, Young People and Families
Cllr Yvonne Mosquito - Finance and Resources

Relevant O & S Chair(s): Cllr Akhlaq Ahmed - Resources
Cllr Kerry Jenkins - Education and Children's Social Care

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: TBC		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 Birmingham City Council wants to have best in class Children's Services. We want all of our services to be good or outstanding and rooted in child-centred

practice. We aim to ensure our city is a great place for all children and young people to grow up in and thrive. Whilst some of our services are good, others need improvement, most particularly services for children with Special Educational Needs and Disabilities (SEND).

- 1.2 As a Council we are ambitious and bold about what we want for the children and young people of this city. To that end, we are prioritising children and young people and 2023 will be identified as the Year of the Child across the council. During 2023 we will also work together with our partners in the city to develop a Children and Young People's Plan that will capture our ambition for our youngest citizens as we recover from the pandemic and respond to the cost of living crisis.
- 1.3 Birmingham is currently under a statutory direction for Special Educational Needs and Disability Services from the Department for Education following the 2021 SEND Local Area Revisit and a Commissioner has been appointed (John Coughlan). The Commissioner's brief is to investigate and assess the degree to which BCC has the capacity and capability in place to improve services for the long-term. He has made clear that this remit encompasses looking at all of the services the Council currently directly delivers for children and families.
- 1.4 Since receiving the DfE Direction, Birmingham has developed a robust SEND improvement plan, which has been well resourced by the council and is already leading to green shoots of improvement. We are clear that the improvement journey is a 3-year journey to good, which we will continue to build on to deliver great services. Our schools, elected members, officers, partners, and the Parent Carer Forum are all committed to working together to drive forward improvement.
- 1.5 Birmingham Children's Trust (BCT), responsible for delivering early help and children's social care on behalf of the Council, is already well advanced on its improvement journey and there is a need to learn from what is working and invest similarly in the rest of our services for children and families in order to ensure that all are as good as the best. BCT is a valued and important partner and collectively BCC and BCT deliver services for all children in the city. The Council will continue to work closely with BCT and do all we can to ensure it continues on its improvement journey, working together as partners to enable our children, young people and their families to thrive.
- 1.6 The Commissioner's report was published on 20 May 2022 and whilst recognising that BCC faces many challenges, does not recommend structural changes to the way services are delivered. The report stipulates that this is predicated on the Council committing to deliver improvements. The majority of this paper and the recommendations within were written before the report was received, but are aligned and represent the first steps to delivering the recommendations outlined in the Commissioner's report.
- 1.7 It is also our view that SEND services are best retained within the City Council, working closely together with BCT. From our experience, we know that moving the services would also cost more than retaining and investing in them. The

improvement journey will not be easy, there are no quick fixes we are focusing on systemic changes to processes to improve services delivered. We want to retain our services and our staff and lead improvement from within. The Director of Children's Services is building a strengthened leadership team and together with the Lead Member is working to regenerate partnership working across the city, rebuild relationships with schools and across organisations and crucially – rebuild trust with our young people, parents and families.

- 1.8 The whole Council stands ready to provide the directorate with the support it needs to turn services around and are providing additional capacity and support where needed. For example, the Director of Public Health has agreed to support the directorate to delivering on key areas identified in our Public Health JSNA finance and HR support have already been enhanced. The Director of Strategy has allocated three roles to drive forward partnership working and lead the Year of the Child activities and a joint role is being recruited between Children's Services and the IT and Digital and Customer Services Directorate to embed digital and customer service focus in the improvement programme. The Corporate Programme Management Office is also supporting the implementation of the NEXUS upgrade so critical to SEND improvement.
- 1.9 Putting children and young people at the heart of what we do is a whole-council endeavour and support and commitment from across the Council to both the improvement journey to the Year of the Child clearly demonstrates this in action.
- 1.10 Cabinet has also already signalled strong support for the directorate in the creation of an additional two leadership posts (an Assistant Director for SEND Transport and an Assistant Director for Strategy, Commissioning and Transformation), in the allocation of additional one-off resources to SENAR to improve services for children in 21/22 and 22/23, and the allocation of £7.607m to instigate transformation activity in October 2021. This is hugely significant and demonstrates the level of commitment to getting this right for our children and families.
- 1.11 The table below shows the significant investment that has already been made in Children's Services since the inspection revisit in May 2021:

	2021-22 £m	2022-23 £m	total £m
Addendum to Q1 21-22 Budget Report (SENAR)	5.100	5.300	10.400
Oct 2021 Cabinet approval for Transformation	4.815	2.792	7.607
Share of 2020-21 Corporate underspend	2.000	-	2.000
Policy Contingency	0.421	-	0.421
FUCR (Flexible Use of Capital Receipts)	1.263	-	1.263
Base budget growth - Commissioning	-	0.500	0.500
Base budget growth – SENAR/H2ST	-	10.000	10.000
One-off budget – Knife Crime	-	1.000	1.000
One-off budget - H2ST	-	6.800	7.800
	13.599	26.392	39.991

- 1.12 This investment has already had an impact. As this paper shows, frontline services provided by SENAR and Home to School Transport (H2ST) are improving and exceeding, meeting or beginning to meet national and council standards. Numbers of complaints are reducing. There is still a long way to go but improvement is evident and already having a real impact on the lives of children and families. Further details of this are provided later in this paper.
- 1.13 In further recognition of our commitment to the improvement journey, the Education and Skills Directorate has now been renamed as the **Children and Families Directorate** and a robust improvement programme has been set up across the directorate. Progress to date is presented as part of this paper and will be ongoing. We are under no illusion that this is not a quick process and, in line with improvement delivered in other authorities with similar levels of under-performance in Children's Services, we anticipate this will take 3-5 years. We are therefore requesting investment for the medium to long-term and not quick fixes. There is a need to begin building a permanent, skilled workforce with the commitment and capability necessary to take the directorate on this improvement journey.
- 1.14 An ambitious improvement programme is already underway in the Children and Families Directorate demonstrating both system and service leadership. This paper presents plans to begin developing a strengthened, more strategic, right-sized Children and Families Directorate that builds upon what already exists to ensure we are well set up to focus on the right priorities, leading to better outcomes for our children, young people and families. We want to do this properly and we want to do it right.
- 1.15 Beginning in May 2022, the Directorate is therefore commencing a full baselining exercise to ascertain how funding is currently allocated to priorities, how well different services are performing and benchmarking these against other similar services. We have taken the purposeful decision to do this in-house and not through a consultancy approach as we want to own and lead this process and the knowledge that is gained from it. In order to ensure this is thorough and sufficiently rigorous we have pulled together an experienced team made up of permanent and interim skilled staff from within our Directorate, and have secured additional resource from the Chief Executive's Delivery Unit to provide an element of external scrutiny and challenge.
- 1.16 Once concluded, this will allow us to have a better idea of the investment that is needed for the medium to long-term and where there are possibilities for streamlining or reducing overlap that may allow us to re-allocate resources to priorities or increase opportunities for developing traded services. **A paper will be presented to Cabinet in September 2022, with proposals based on this baselining exercise.**
- 1.17 In the interim, we will draw down on funds already allocated to the directorate as part of the budget setting process (as shown above). This paper therefore:

summarises progress to date and provides an update on the improvement journey and how funds are being allocated to drive improvement.

- 1.18 Funds are being allocated in two main ways: to spend on **ongoing transformation activity** for the Improvement Programme and for the Home to School Transport Programme building upon the transformation funded as a result of the paper that was brought to Cabinet in October 2021, and for **establishing key roles to embed a permanent, stable structure** that will enable the Directorate to meet its statutory duties effectively and begin building towards the excellent services the Council wants to provide.
- 1.19 At this stage, we are requesting agreement to recruit to one additional leadership post (Assistant Director for Thriving Children and Families). Further permanent roles below the AD level will be needed but will be sought as part of the September paper once the baselining has concluded and we are confident of ensuring that we are not duplicating. Some of the leadership posts proposed are temporary as the directorate builds capacity and embarks on the improvement programme. The leadership structure will be revisited once improvement is well underway and the directorate is on track to perform well.
- 1.20 As Cabinet has already allocated £10.000m to the Director of Children's Services for spend across H2ST and SENAR (through base budget growth), we have sought agreement of the Invest to Deliver Group to draw down on this immediately for the above and wish to update Cabinet on how this is being allocated to drive improvement.
- 1.21 We also plan to (with Section 151 Officer approval) begin creating some much-needed central functions that are not in place and bolstering leadership capacity. In particular we will begin to recruit some roles that will eventually sit within a permanent Commissioning function and a Strategy, Governance and Performance function. At this stage we will recruit interim staff or appoint on a secondment basis so that no ongoing commitments are made before the budget baselining exercise is finalised.
- 1.22 Cabinet will need to be aware that in September 2022, work to identify the level of investment required will be concluded and this will include the need to invest in the base budget for services.
- 1.23 **Cabinet is therefore asked to signal ongoing commitment to providing outstanding children's services across all areas and to agree to the proposed approach for ensuring this is delivered.**

2 Recommendations

2.1 That Cabinet:

- 2.1.1 Note the progress that has been made to date in creating the foundations for the improvement journey and the impact of the investment already made.

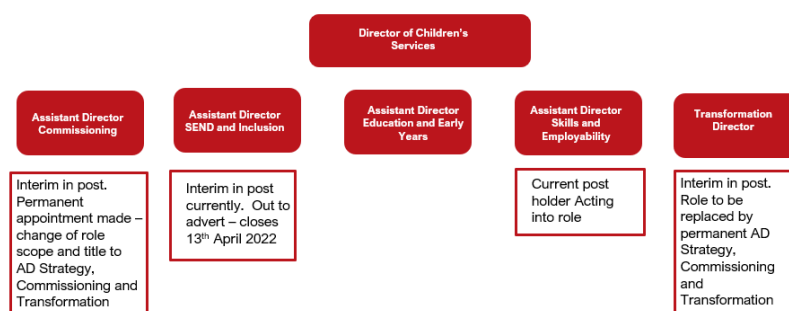
- 2.1.2 Agree to the Directorate drawing down a total of **£6.574m** (as detailed below) from the £10.000m funds already allocated to the Directorate for SENAR and H2ST and for the Directorate to allocate these as appropriate. Following the baselining exercise, a further report will be presented to Cabinet in September 2022 with a fully costed ask for the Directorate to design target operating models for SENAR and Home to School Transport has concluded.
- 2.1.3 Continue to invest in a right-sized leadership team for the Directorate that is able to bring the capability, capacity and stability needed to lead the Directorate on this vital improvement journey. The investment requested is for an additional Assistant Director post to lead work to support vulnerable children. This request is therefore for ongoing funding of **£0.127m** in addition to the current budget set aside for leadership in the Directorate. For 2022/23 this will be drawn down from funds already allocated. We will also seek to charge the DSG for the elements of this role as appropriate from financial year 2023/24 onwards.
- 2.1.4 Provide further transformation funds for the Home to School Transport Service to enable the newly appointed Interim AD SEND Transport to bring forward a more detailed plan for the future of this service and a request for more stable investment that will ensure the overspend is reduced and a high-quality service is delivered. This is **£2.155m** for the period May – July 2022, plus **£2.562m** for the period August 2022 – March 2023. Additionally, to draw down **£0.630m** for Home to School Transport Commissioning activity.
- 2.1.5 Provide a further six months of transformation funds for the Directorate Improvement Programme. This will require **£0.500m** and will also be drawn down from the £10m already allocated.
- 2.1.6 Agree to the directorate spending up to **£0.600m** on appointing to key roles to provide central functions to support directorate performance. These will be secondments or interim appointments at this stage and will also be drawn down from the £10m already allocated.
- 2.1.7 Note that a further ask will be made in September 2022 for base budget growth and for some ongoing transformation activity once full baselining has concluded.
- 2.1.8 The total £6.574m is summarised in the table below.

	£m	£m
Strategic		
AD post	0.127	
Directorate Improvement Programme	0.500	
Central Functions	0.600	
		<hr/> 1.227
Home to School Transport		
Commissioning	0.630	
Transformation May 22 - Jul 22	2.155	
Transformation July 22 - Mar 23	2.562	
		<hr/> 5.347
		<hr/> 6.574

3 Background

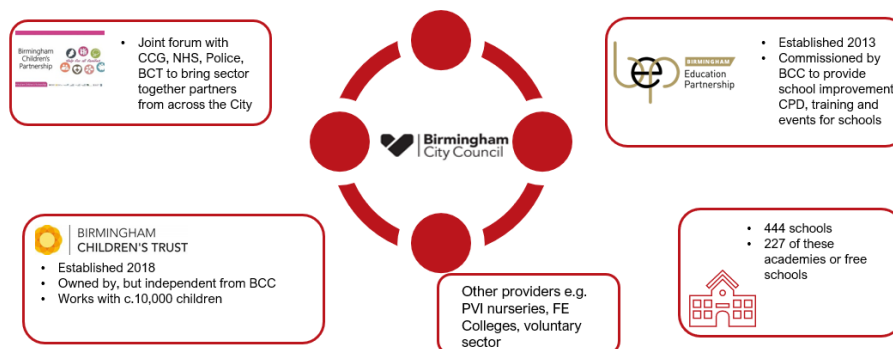
The Directorate - Overview

- 3.1 There are 1431 staff in the Directorate working across a wide range of areas (shown in **Appendix A**) for the more than 320,000 0-19-year olds in the city. In addition, we provide services for young people up to the age of 25 with Special Educational Needs and Disabilities – as at 31/03/22 we are working with 10,458 children and young people who have an Education, Health and Care Plan aged between 2.5 years and 25 years. The Directorate has responsibility for a wide range of vital services for children, young people and families including: Early Years, Library Services, Careers Service, Youth Service, Pupil Place Planning, Admissions and more. Full details of the department's areas of responsibility are shown in Appendix A on Slide page 4.
- 3.2 At the Corporate Leadership Team meeting on 14 February 2022, a decision was taken to accept the Director's recommendation that the Education and Skills Directorate is known from now on as the Children and Families Directorate. This is in recognition of the fact that the remit of the Directorate is far wider than Education and Skills and the roles of the Director of Children's Services and the Lead Member are statutory roles with responsibility for ALL children in the city, whether services for them are delivered directly or through commissioning arrangements. This change of emphasis has been welcomed by staff and stakeholders alike. This paper therefore refers to this henceforth.
- 3.3 The corporate response to the SEND Revisit has shown that senior leaders and Members alike all prioritise the need to improve our services so that children and young people get the support they are entitled to and deserve. The Directorate also has a dedicated workforce, who have experienced a period of uncertainty, with a high degree of leadership churn and yet remain passionate and committed. This we recognise is a key strength.
- 3.4 The current leadership structure for the Directorate is shown below:



- 3.5 This structure, and the infrastructure that sits underneath it is very light for a Directorate of this size and scope (in comparison BCT has 3 Directors and 9 Assistant Directors, which CIPFA have recently confirmed is right sized for the task). In the creation of our Birmingham Children's Trust, it appears that there was insufficient understanding of and planning for what was needed within BCC to deliver our statutory duties. This now needs to be rectified.

- 3.6 Since 2006, c.13 people have held the DCS role. As a result of leadership churn, staff and stakeholder trust in leaders has diminished significantly over the past 5-10 years - especially within our schools. At the same time, our partners are looking to us for leadership and are very keen to work together with us to make the changes needed to deliver good services for the children and families of Birmingham.
- 3.7 The Directorate operates within a partner landscape, illustrated below:



Children's Services History and Performance

- 3.8 Children's Services were first placed in special measures in 2006. The creation of Birmingham Children's Trust in 2018 was the start of an improvement journey for Children's Social Care and the recent Ofsted focused visit identified improvement but SEND Services have not improved during this period. SEND services were identified as poor with 13 areas of significant weakness in 2018 but services were failing for some time before this. In May 2021 sufficient improvement was found in only one area.
- 3.9 Birmingham is currently the only authority subject to a statutory direction and with a DfE appointed Commissioner for SEND Services.
- 3.10 The Commissioner's brief can be summed up with the question – 'Is SEND safe in Birmingham City Council's hands?' The Commissioner has made clear that his brief is to look at ALL education services provided by BCC. BCC therefore needs to provide assurance that adequate plans are in place that recognise the scale of the task and address the very serious weaknesses identified.
- 3.11 There is therefore a need to invest in improving the directorate and it is in the Council's interest to do this so that we can retain and improve our SEND and education provision from within the Council.
- 3.12 **Appendix B** contains a summary of performance which provides useful context. Some indicators are positive or suggest early improvement.

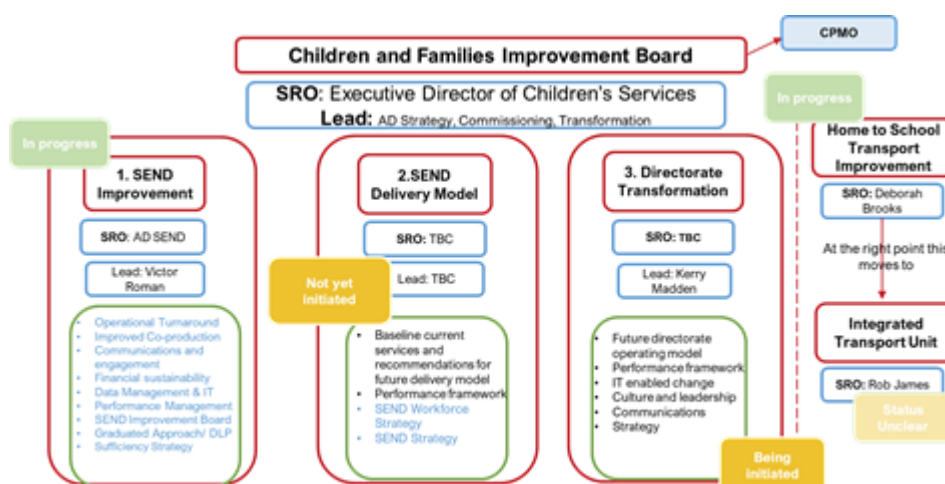
Local and National Context



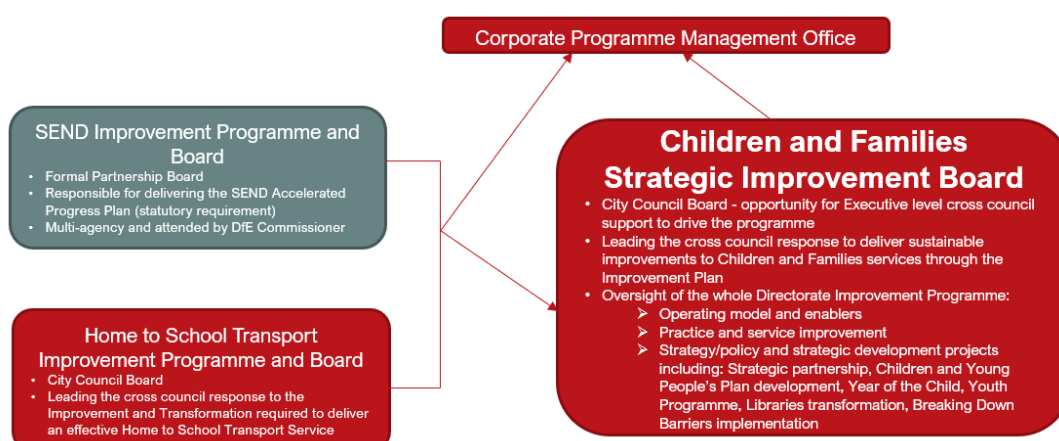
- 3.13 BCC needs a strong Children's Services Directorate to deliver on its own ambitious programme. The Directorate is a key part of delivering the Council's vision and tackling the grand challenges all of which have a children, families or youth element.
- 3.14 In particular, the Directorate is a key partner for Early Intervention and Prevention, Digital Inclusion Strategy and Breaking Down Barriers.
- 3.15 Nationally, there is a lot of change in the children's services landscape. The Schools White Paper published in March 2022, indicates a changing role for local authorities and at the point of writing this paper, we await further details of what this will entail but it is clear that this will involve changes in the way we work with schools and other partners. A SEND Green Paper and consultation have also been issued and again, at this point in time we are still assimilating what this may mean for the role of local authorities and how we may need to reconfigure our services accordingly.
- 3.16 It is fortuitous that we are still at the design stage for the future directorate and the SEND Service so we can build these changes into our future operating model.
- 3.17 The Levelling Up Agenda identifies two missions specifically related to areas within the Directorate: reading standards and skills training.

4 The Directorate Improvement Programme

- 4.1 The Directorate Improvement Programme was created in October 2021, following Cabinet agreement to provide funding of £7.607m following the Local Area SEND Revisit.
- 4.2 The funds were awarded for the period September 2021 to March 2022 and have all been allocated during this period with some being carried over into April 2022 in accordance with approval from the Section 151 Officer.
- 4.3 The Programme was initially set up in the following way:



- 4.4 An update on SEND Improvement is provided in paragraph 7.1 onwards and at **Appendix C**.
- 4.5 An update on Home to School Transport is provided in paragraph 8.1 and at **Appendix D**.
- 4.6 The SEND Delivery Model Programme has not been initiated. This was put in place in case it was thought necessary to create a new delivery model for SEND Services (e.g. a Trust). Instead, we are leading improvement from within the Council and so it has not been necessary to stand up this programme. Key elements of it (shown in blue) are instead being delivered from within the SEND Improvement Programme.
- 4.7 A decision has been taken to pause the Integrated Transport Unit programme.
- 4.8 An overarching Directorate Strategic Improvement Board chaired by the DCS has been initiated. The Directorate Improvement Programme will deliver a stable platform from which to lead an ambitious vision for the children and young people of Birmingham.



- 4.9 Over the next six months, the programme will be expanded to encompass all major change activity in the Directorate including work to establish the future strategy for libraries, work to support the move to increased prevention and early intervention across the council. This is shown above. This will be the

'engine room' through which all improvement work is led within the Directorate and where we respond to the Council's wider improvement agenda and oversee work to embed the Commonwealth Games Legacy and deliver 2023 Year of the Child activities.

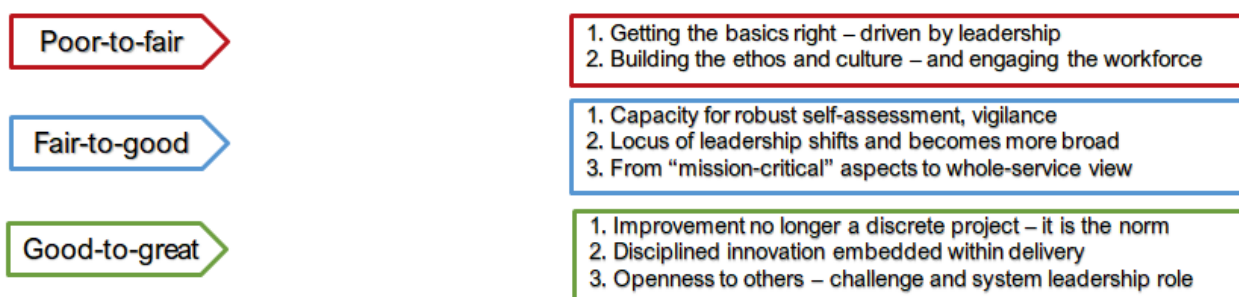
- 4.10 With one clear, Improvement Plan and vision, aligned to the wider partnership's vision, it will ensure that all parts of the directorate and partners are working together in shared endeavour to deliver better outcomes for our children and young people.
- 4.11 In time, we are confident people will want to come and work in Birmingham's Children's Services because they know that we are on a journey to excellence. We know that our plans are already generating interest across the sector. Our Roadmap to Excellence focuses initially on the following three areas, all of which are incorporated within our Improvement Plan:



5 The Improvement Journey

Background

- 5.1 The Local Government Association has published research into improvement in children's services and identifies three key phases:



- 5.2 The services delivered directly by BCC are not homogenous and some perform well, but as a directorate we would identify ourselves as being in Phase 1 with a strong need to ensure that the basics are in place and residents receive consistently good services.

- 5.3 Birmingham Children's Trust is further ahead on this journey and there are lessons to learn from the ways in which this has been achieved. Equally we know that Adult Services have been on an improvement journey and will learn from their experience.
- 5.4 BCT's most recent focussed visit identified '*a more child-focused culture*', '*senior managers understand the service well and work quickly to address weakening performance*' and '*a comprehensive and effective approach to assuring quality of practice and impact*'.
- 5.5 The LGA research identifies that it typically takes 'two years from the frank recognition and acceptance of the service's weakness to running a safe, effective core service' i.e. two years to go from poor to fair and identified seven key enablers for improvement. The Directorate has conducted a self-assessment against these seven enablers. This is attached as part of **Appendix A** (page 12) and makes it clear that we are in the early stages of our improvement journey.

Progress to date

- 5.6 **SEND Improvement Programme initiated** – majority of project staff recruited and in post, Improvement Board established, SROs for all workstreams. Improvements already evident in performance
- 5.7 **Home to School Transport Improvement Programme in place** – service performance stabilising but next phase now needed to tackle long-term challenges
- 5.8 **Programme of staff engagement initiated, and culture being reset** – over 400 staff attend sessions, and many involved in transformation, Staff Pulse Survey issued, Staff Reference Group and regular staff communications in place
- 5.9 **Stakeholder sessions** - positive engagement sessions run with Members and Head Teachers
- 5.10 **Birmingham Children's Partnership reignited** – plans in place to ensure sufficient resources to deliver work programme and to lead an ambitious programme of change across the city
- 5.11 **New permanent leadership role established and appointed to** the role of Assistant Director Strategy, Commissioning and Transformation
- 5.12 **Additional leadership post created** – Assistant Director SEND Transport and appointed on an interim basis, Assistant Director SEND post advertised. Building a permanent, stable team.

Priorities for next twelve months



5.13 A key part of the next twelve months will be working to 'baseline' all of our services. As part of this exercise we will:

- Assess how well each service is meeting its statutory duties and what more needs to be put in place to strengthen services and ensure full compliance
- Benchmark the service against other local authorities who are providing a good level of service and assess whether the service is adequately resourced and if so, whether it is making the most of existing resource
- Identify services that can be combined or streamlined in order to provide a higher quality service and/or realise efficiencies
- Identify opportunities for innovation and/or for improving the experience of those who interact with our services and any opportunities for growing/developing traded offer
- Assess quality assurance processes in place and identify whether these are sufficient to provide the necessary assurance to senior leaders and Members

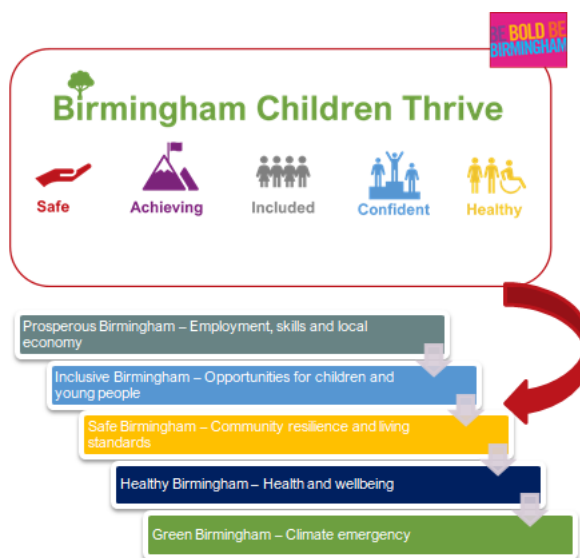
5.14 Once this is completed this will provide the basis for a more detailed redesign of the directorate where we will be able to consider and provide assurance that all resources allocated to the directorate by Cabinet are being used as effectively as possible in order to provide a high-quality service for children, young people and families in Birmingham.

6 Vision and Cultural Shift

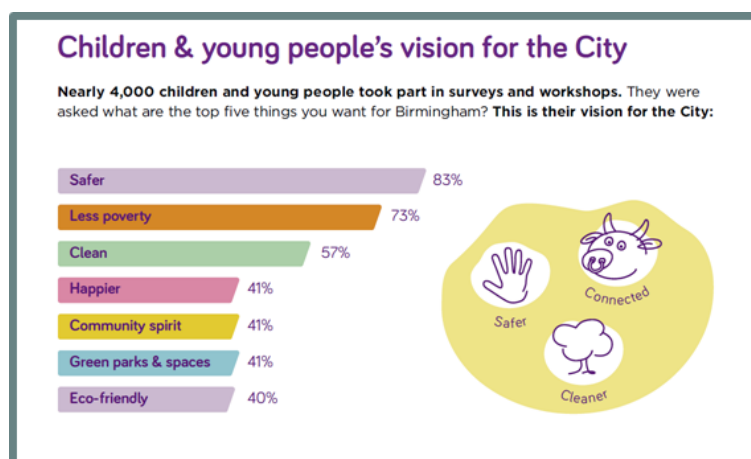
6.1 The Director of Children's Services has developed a vision for the Directorate that has been tested with staff, Members, and stakeholders and has been very well-received.

6.2 We want to create the environment where all children and young people in our city are supported to achieve their full potential and thrive.

- 6.3 This vision is closely aligned and contributes to BCCs ambition for delivering best in class services for the citizens of Birmingham and in addressing the grand challenges for our City.



- 6.4 The draft vision also encapsulates and builds on feedback from nearly 4000 children and young people collected by the Birmingham Children's Partnership in 2021.



- 6.5 In order to deliver the vision, we need a strong Directorate at the centre of BCC – with the right capacity and capability to provide city-wide leadership.
- 6.6 The Director of Children's Services, acting as the leader and convenor of Children's Services in the city is now the chair of a strong, re-ignited Birmingham Children's Partnership, bringing together Executive level partners from across the partnership to focus on improving outcomes for children and young people in the city. The partnership has established a clear agenda and has committed to develop and deliver a city-wide Children and Young People's Plan during 2022/23.
- 6.7 There is a need for a cultural shift to take place in BCC so that children and young people are placed at the heart of all decision making and their needs prioritised.

This has begun with the renaming of the Directorate from Education and Skills to Children and Families, but there is more to do.

- 6.8 The proposal in this paper is that Birmingham becomes a council that by default, places children and young people at the heart of all we do:

Children at the



7 SEND Improvement Update

- 7.1 Following the Ofsted/CQC Revisit in May 2021, a SEND Improvement Programme was put in place and formally initiated at Cabinet in October 2021, with a fully funded programme for two years being signed off.
- 7.2 The programme is delivering the Accelerated Progress Plan (APP) requested and approved by the Department for Education (DfE) and reports to the SEND Improvement Board chaired by the DfE appointed commissioner, John Coughlan CBE. This board meets monthly to monitor progress and has representatives from all political parties, schools, all partner organisations and the Parent Carer Forum (PCF).
- 7.3 The APP has four objectives:
1. System Leadership
 2. Getting the Basics Right – identifying and assessing need
 3. Working Together Well
 4. Pathways – meeting need and improving outcomes

Each objective has a partnership group focused on delivering the action within the APP, has representation from the Parent Carer Forum, and is engaging with schools and partners. An update on progress is attached at **Appendix C**.

- 7.4 The investment made is having an impact and progress has already been made. Cabinet has provided increased funding to the service in order to address capacity issues that were impacting on performance and meaning children and families received a poor service previously. This has allowed us to recruit 48 new officers into the SENAR service, increasing capacity to complete casework. The initial number of staff within the service was 22, we now have 70.
- 7.5 Following feedback from parents and schools, we have rearranged the SENAR service into 4 area teams – North, East, South and West, in addition we have added in further management capacity that is driving the change and embedding improvements in the service. We have also upgraded contact points for SENAR officers – providing all officers with phones to work alongside the parent link service. This means that parents are now more easily able to contact officers in order to have their queries addressed.

7.6 We are also developing the training plan for NEXUS, the upgraded case management system for the service. We have delivered training to SENAR staff to allow for the upgrade to be implemented in the Autumn 2022 and are reviewing the Quality Assurance processes, including holding regular meetings with partners to develop a Quality Assurance Framework.

7.7 All of this has led to a direct improvement in performance:

7.7.1 **Reviews** - We continue to address the backlog in Annual Reviews and are making progress. In September 2021 the % of annual reviews actioned within timescale was 0.4%, this had increased to 32.5% in February 2022. We are currently on track to be undertaking reviews within timescale by the end of September 2022.

7.7.2 **Assessments** - We continue to work to bring Assessment timeframes back in line with the 20 weeks. There is a current backlog that we are working through but once cleared we can impact positively. Within the last 12 months rolling we have completed 60% on time in December 2021, up from 53% in May 2021 and better than national average of 58%.

7.7.3 **Transfers** - As of 15th of February last year **0%** of transfers had been completed on time. This year it is **99.7%** demonstrating the huge improvement that has been made in delivering a service that meets expected statutory timescales. This makes an enormous difference to parents and to children and young people in providing greater clarity about their position.

7.7.4 **Complaints** for SENAR are currently sitting at 14, significantly improved from 137 in November 2021. Dedicated officers have been assigned and training has been delivered to the corporate complaints team to align the corporate procedure. More officers in the service has led to fewer complaints around communication and the majority of complaints are in relation to lack of special school places.

7.8 Over the coming few months, the SEND Improvement Programme will deliver:



SEND Improvement Programme Deliverables

8 Home to School Transport Update

8.1 The council's Home to School Transport Service is the biggest of its kind in the country. It supports over 4,000 children and young people with SEND and delivers over 1,000 transport routes every school day.

- 8.2 Daily performance monitoring shows that day to day service performance is good, with the service regularly reliably transporting the vast majority of pupils on time.
- 8.3 The Service has however under-performed historically and has some systemic problems that are complex to address including a significant overspend. An Improvement Programme was put in place in September 2020 and improvement has taken place as a result. The service now performs well on a day to day basis.

	11/02/2022	18/02/2022	25/02/2022	04/03/2022	11/03/2022	18/03/2022	25/03/2022
Safeguarding	0	3	0	0	0	0	0
Route Performance	99.92% (1020)	99.86% (1016)	100% (1)	99.98% (982)	100% (1027)	99.86% (1026)	99.92% (1027)
Pupil Performance	99.96% (3069)	99.93% (3052)	100% (1)	99.97% (2954)	100% (3068)	99.92% (3076)	100% (3070)
Route Time Performance	99.26% (1011)	99.16% (1007)	100% (1)	99.25% (975)	99.21% (1019)	99.15% (1017)	99.15% (1018)
Telephone Performance	92.24% (226)	96.89% (187)	95.00% (76)	93.47% (272)	95.34% (206)	95.87% (159)	99.42% (170)
Bus Pass Assessments Overdue	62	99	56	42	35	32	33
Transport Applications Overdue	33	37	36	42	39	42	34

- Day to day performance of the service is good and meets council service standards (as shown above and in **Appendix D**)
 - Improved contract management has led to an improvement in route time performance with an average of above 99% timeliness in March.
 - Historic bus pass application backlogs have now reduced from over 1100 in January 2021 to 32 in March 2022.
- 8.4 A fuller update on the Home to School Transport Improvement Programme is attached at **Appendix D**.
- 8.5 Now that the Council has decided to pause the Integrated Transport Unit programme, there is a need to look at the best way to deliver this service over the medium to long-term, particularly as all of our existing external contracts expire in the summer of 2023.
- 8.6 We have appointed an Interim Assistant Director SEND Transport, who is working on a plan that will be brought to Cabinet in the summer with the aim of creating a new and compelling vision and target operating model for the service. This rethinks the role and purpose of the service – proposing moving from a Home to School Transport Service to a Children and Young People's Travel Service, which works to provide a range of travel options that are based on need and that support our children and young people's independence and enablement. This and the significant improvements we will deliver, which include addressing long-standing, systemic challenges and increasing value for money, will be transformative.
- 8.7 In October 2021, funding of £2.662m was allocated from the £7.607m approved by Cabinet, for two areas:

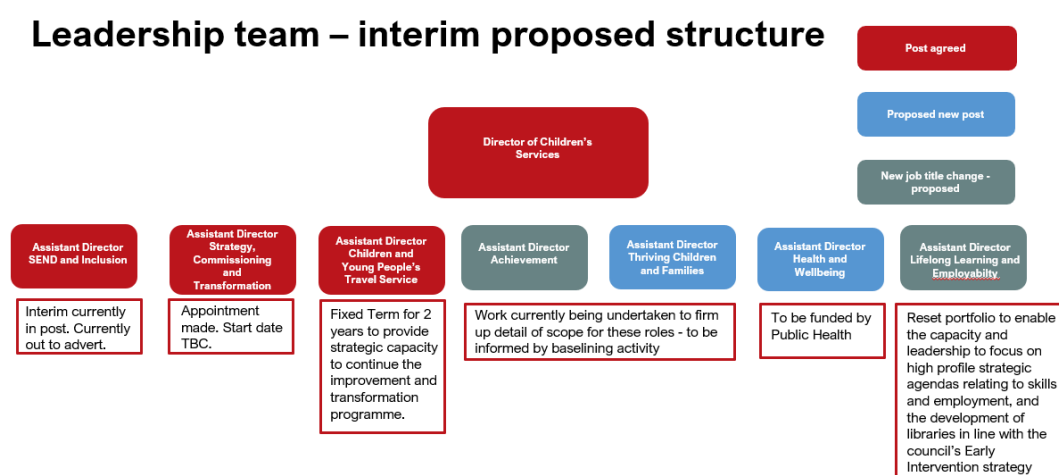
- **£1.466m** was allocated for the Contract Management and Compliance Function which does not exist in the substantive structure but is vital to managing providers effectively
- **£1.196m** was allocated for the Home to School Transport Improvement Programme

- 8.8 The request was made for six months only as it was planned that work could be carried out within this time to scope a permanent right-sized team that would replace the need for interim resource. This work remains underway however and has not yet concluded. This is an urgent priority for the newly appointed Assistant Director and is being prioritised accordingly.
- 8.9 At the same time, work is being carried out to rescope the Improvement Programme. The previous programme was set up with the understanding that it would be subsumed into the Integrated Transport Unit Programme and this is why only six months of funding was requested at that time in order to prepare the service for the move. Now that this is not the case, the improvement programme urgently needs to tackle the underlying issues leading to the overspend and to work towards a target operating model that is fit for the future. In order to do this work effectively, funding of **£2.562m** for the period August 2022 until March 2023 is requested. This is in addition to **£2.155m** for the period of May to July 2022. This shows that we are reducing the cost of transformation over time.
- 8.10 Investing in improvement now without delay will enable the service to continue improvement activity that will drive down the underspend and a fully worked up plan with milestones is being prepared to ensure Cabinet can be confident that this will take place. This will be presented to CLT and the Lead Member in June 2022 and to Cabinet in September 2022.

9 The Directorate Leadership Team

- 9.1 As outlined in paragraph 3.4 and 3.5, Cabinet has already agreed to extend the leadership team as a reflection of the scale of the task and two new roles have been added: Assistant Director for SEND Transport and an Assistant Director for Strategy, Commissioning and Transformation. This will bring much needed stability and additional capacity.
- 9.2 A proposed leadership team is shown below. In order for this to be delivered, we are requesting an additional investment of up to c.£0.127m for a further Assistant Director post:

Leadership team – interim proposed structure



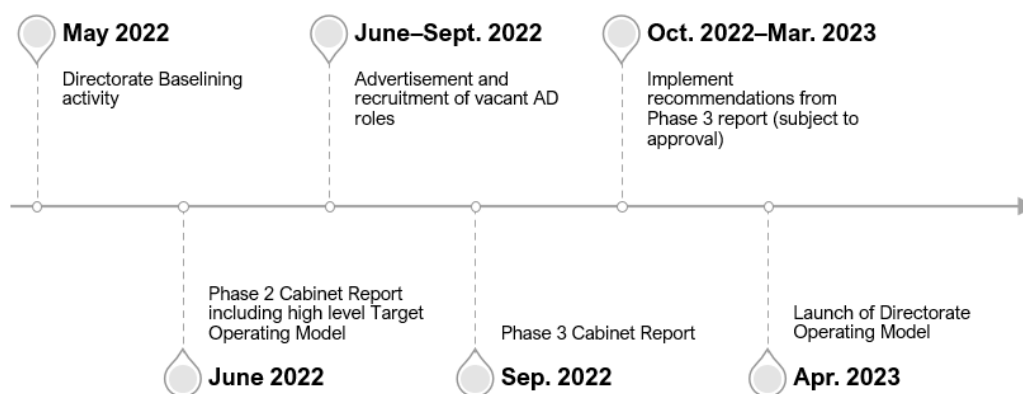
- 9.3 The creation of a new Assistant Director, Thriving Children and Families is in recognition of the huge importance of this area of work post-pandemic. This post will work closely with BCT to ensure that we have a clear line of sight to our vulnerable children and young people and to how we work with our partners to manage demand into statutory services and will link with early intervention and prevention work across BCC. The role will have the strategic capacity and experience to focus on quality of practice within the Directorate and to explore the strategic opportunities of implementing a locality approach to delivering our services.
- 9.4 The creation of the new Assistant Director, Thriving Children and Families provides the opportunity to bring together a number of our functions and teams who work directly with children and young people. In doing so, this creates further opportunity, releasing capacity from the currently broad in scope Assistant Director Employability and Skills role to provide the dedicated focus and strategic leadership required to optimise lifelong learning and employability functions. In line with these changes to portfolio and scope, it is proposed the job title of this role is changed to Assistant Director, Lifelong Learning and Employability.
- 9.5 The creation of a new Assistant Director, Health and Wellbeing will ensure this key area of work has the necessary emphasis. Wellbeing was previously one of the areas of responsibility of the Assistant Director SEND but given the breadth of this post it was not possible for sufficient focus to be given to wellbeing. Post-pandemic this is increasingly vital. Public Health have agreed to fund this post in order to deliver a joined-up approach to child health and wellbeing across the city working with our Health and Wellbeing Board
- 9.6 Further details are outlined in **Appendix E**.

10 Directorate Central Functions

- 10.1 The Children and Families Directorate currently has limited central functions required to support the successful delivery of an effective children and families service, for example: workforce development and quality assurance, governance and compliance, business intelligence and performance and communications.

Currently these functions are either non-existent or partially in place but scattered across services, with no overarching coordination of efforts.

- 10.2 Strengthening and aligning these work areas will ensure that the Children and Families Directorate in Birmingham has clear oversight and a firm grip of the strategic position and robust infrastructure to support the Children and Families Senior Leadership Team in leading improvement and transformation, both through the improvement journey over the next 18 months, and in the longer term in a culture of continuous improvement.
- 10.3 **Appendix E** outlines plans to provide these functions under our newly appointed AD Strategy, Commissioning and Transformation. This will require funding of c.£0.600m for 22/23, and we will recruit staff either on secondments or interims until we can ensure we have sufficient base budget following the September paper. Through our baselining activity and working with the Corporate team we will identify if there is existing capacity that can be drawn upon and where there are identified gaps will incorporate these into the September paper.
- 10.4 In particular there is a need to create a permanent right-sized commissioning team. £0.500m additional budget has been provided for 22/23 meaning that we do not need to seek additional funding at this stage but following the baselining there is a need to ensure adequate, stable resource is in place in order to commission strategically for outcomes and manage our important contracts successfully.
- 10.5 The timeline below summarises the milestones relating to establishing our fit for purpose permanent structure.



11 2023: Year of the Child

- 11.1 Cabinet together with the Corporate Leadership Team has already agreed to make 2023, the Year of the Child in Birmingham. This will build on and consolidate the legacy of the Commonwealth Games. The branding and name for this is still to be finalised, but will make it clear that this is not just about activities taking place over one year but about developing and embedding child friendly practice across the whole city.

- 11.2 We know that as a city we have some deep historical strengths and truly outstanding institutions. The City is also on the brink of transformation with huge economic opportunities for young people and the opportunities brought by hosting the Commonwealth Games this year.
- 11.3 However, without careful planning, there is a danger of many young people missing out and feeling excluded. The cost of living crisis risks exacerbating the poverty and inequality that already exist in the city. The city also faces some serious health challenges including infant mortality, childhood obesity and immunisation.
- 11.4 There is therefore a strong need to put children more at the centre of our discussions, decisions and the life of the council, as previously set out in this paper.
- 11.5 The Children and Families Directorate has therefore been working closely with Public Health, Birmingham Children's Partnership and with the Director for Strategy, Equalities and Partnerships to establish the aims and focus for the Year of the Child and these are presented here.

11.6 The Year of the Child will have four main strands:

- 11.6.1 **Attaining UNICEF Child Friendly City Accreditation** – The Child Friendly Cities Initiative seeks to support municipal governments in realizing the rights of children at the local level using the [UN Convention on the Rights of the Child](#) (UNCRC) as its foundation. Public Health has committed to fund the UNICEF fee for the first year (£45,000). After this, joint funding with partnership organisations will be sought.
- 11.6.2 **Publishing and Implementing a Children and Young People's Plan** – this will include a bold ambition for children and young people and plans for how to deliver it. It will also encompass work being delivered through existing strategies like Breaking Down Barriers.
- 11.6.3 **Voice of the Child** – carrying out work to ensure we understand and centre the voice of children and young people much more strongly in all we do as a council and partnership.
- 11.6.4 **Commonwealth Games Legacy** – through the Year of the Child Programme we will oversee how we will ensure the Commonwealth Games has a positive impact on child health and wellbeing, skills, participation in sport and physical activity and inclusion.
- 11.7 Engagement has already been carried out with Extended Corporate Leadership Team and Corporate Leadership Team colleagues and with the Birmingham Children's Partnership and further activities are planned to engage stakeholders more widely across the city.

- 11.8 The Director for Strategy, Equality and Partnerships has identified funding for three posts to oversee this work. These roles will also support the reinvigorated Birmingham Children's Partnership and this work will dual report through Council governance and through the Partnership ensuring this is a genuine city-wide endeavour.
- 11.9 These roles will be recruited to as soon as possible and this work initiated at pace. A further update will be brought to Cabinet in September.

12 Benefits and Outcomes

- 12.1 This programme is designed around a set of outcomes that BCC aims to achieve for the children and young people of Birmingham, and these will form the basis of a Children and Young People's Plan. A roadmap that identifies the priority outcomes and the key measures will be used to track impact and monitor the success of the work underway is already in place.
- 12.2 Each high-level outcome in the vision (Safe, Healthy, Included, Achieving, Confident) will have a set of measures and KPIs underneath it, tracked through the Corporate Plan.
- 12.3 Outcomes and targets will be focused on four areas: (i) improving outcomes on a city-wide basis where these are out of step with national performance, (ii) specific locality based targets that are intended to ensure all children in the city are enabled to thrive and achieve their full potential, (iii) setting stretching targets for outcomes where Birmingham has specific ambitions, (iv) improving the experience of those who interact with our services, in particular children and young people with SEND and their families.
- 12.4 The delivery of this programme will bring a number of benefits and lead to a directorate that is fit for purpose, can meet all of its statutory duties and has a permanent structure that delivers value for money. The directorate will also make better use of IT and Digital applications to improve customer communications, engagement and service and ensure the delivery of a more efficient and effective service. Performance will be monitored effectively.
- 12.5 A clear benefit of the Home to School Transport Improvement Programme will be reducing the overspend over a period of time.
- 12.6 The programme has effective governance, management and controls through project management disciplines and mechanisms in line with Corporate standards, ensuring delivery is undertaken efficiently, in a consistent and controlled manner, with the minimum level of risk and providing effective reporting and flow of information. Further details on planned benefits can be found in **Appendix E.**

13 Options considered and Recommended Proposal

Option 1: Cabinet to award a further £6.574m (the sum of the asks in this paper) in addition to funds already allocated

- 13.1 There is an option for Cabinet to award an additional £6.574m to the Children and Families Directorate on top of those already allocated, representing the sum of the 'asks' in this paper. However, this option is not preferred as it is thought optimal to scope the full requirements through a thorough baselining exercise and to await the outturns for Home to School Transport and SENAR so that a clear budget position can be arrived at and future projections designed based on this. It is presumed that an additional ask will be made on top of the £10m but it is not yet known what this will be. By September 2022, this will be fully scoped.

Option 2: Agree to a further paper coming to Cabinet in September with a fully costed plan and ask for the future Children and Families Directorate

- 13.2 The preferred option is for Cabinet to agree to the Directorate drawing down on funds already allocated so that improvement does not need to stall whilst further approvals are sought, recognising the need for increased capacity in the directorate to lead and embed improvement. There is some risk attached to this as the end year financial positions for Home to School Transport and SENAR are not yet known but by the point a further paper is brought in September 2022, this will be finalised and a fully costed plan for the future directorate can be brought forward for consideration and approval at this point informed by the baselining activity.

14 Consultation

- 14.1 No formal consultation is required at this stage. However, the Local Area partnership including the Parent Carer Forum has been engaged in the development of the Accelerated Progress Plan for SEND Improvement and there are a number of stakeholder forums involving partner organisations including the voluntary sector. Staff, school leaders and Members have all been consulted on the vision and plans for the Improvement Programme. The Trade Unions are also kept regularly updated through regular meetings.

15 Risk Management

- 15.1 If the requested funds were not repurposed, signalling that the necessary transformation will not be adequately funded and supported, there is a risk to the Council of failing to fulfil its statutory duties towards children and young people and that Birmingham City Council will be found incapable by the DfE appointed Commissioner of delivering SEND services to its residents and that it will be directed to deliver services through a different model.

16 Compliance Issues:

16.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 16.1.1 Birmingham is an aspirational city to grow up in. By investing in the described activities, the Local Authority will have the right resources to implement sustainable change in Children's Services for the City.

16.2 Legal Implications

- 16.2.1 The recommendations in this report will support the Council to fulfil many of its statutory duties. In particular, the Council must ensure that its relevant education and training functions are exercised by the authority with a view to promoting high standards, ensuring fair access to opportunity for education and training, and promoting the fulfilment of learning potential by every person under the age of 20 and person aged 20 or over for whom an EHC plan is maintained, by virtue of section 13A of the Education Act 1996.
- 16.2.2 The Future Children's Services plans outlined in this report will support the Director of Children's Services and Lead Member for Children's Services to fulfil the functions set out in Sections 18 and 19 of the Children Act 2004, in the associated statutory guidance on their roles and responsibilities [Directors of children's services: roles and responsibilities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/directors-of-childrens-services-roles-and-responsibilities) and in the Council's Constitution.

16.3 Financial Implications

- 16.3.1 No additional funds are being requested at this stage.
- 16.3.2 To note that £6.574m of funding already allocated to the Directorate will be repurposed and used as below:

	£m	£m
Strategic		
AD post	0.127	
Directorate Improvement Programme	0.500	
Central Functions	0.600	
		1.227
Home to School Transport		
Commissioning	0.630	
Transformation May 22 - Jul 22	2.155	
Transformation Aug 22 - Mar 23	2.562	
		5.347
		6.574

- 16.3.3 To note the risk of reallocating resources in this way, as the 2022/23 financial projection for Home to School Transport is not yet known. The 2022/23 budget available for Home to School Transport after reallocation of £6.574m

will be £35.302m. Forecast spend against this budget for 2021/22 totals £38.816m.

16.3.4 Cabinet to note that a further request will be made in September 2022.

16.3.5 This paper has been through Invest to Deliver Board and agreed.

16.4 Procurement Implications

16.4.1 Some of the work outlined above may be procured through a third-party supplier, at which point appropriate procurement routes will be utilised.

16.5 Human Resources Implications

16.5.1 There will be human resources implications when the programme is operationalised. All work will be carried out in close collaboration with colleagues in accordance with BCC corporate policies in relation to recruitment, staff engagement, consultation, and organisation design. Additional HR support will be required as part of this request for funds in recognition of the amount of activity that needs to be carried out. This will be recruited to in collaboration with the Directorate People Partner through the appropriate framework and contractual routes including making use of the council's People Services function where capacity permits and/or procuring additional resources to ensure the success of the programme.

16.6 Public Sector Equality Duty

16.6.1 The recommendations in this report will support the Council to fulfil its obligations under the Equality Act. We will have regard to the public sector equality duty at all stages of the programme set up, mobilisation and delivery.

17 Appendices

17.1 **Appendix A** – Directorate Improvement Programme Update

17.2 **Appendix B** – Children's Services Performance Update

17.3 **Appendix C** – SEND Improvement Update

17.4 **Appendix D** – Home to School Transport Update

17.5 **Appendix E** – Summary Business Case for Leadership Team and Central Functions

17.6 **Appendix F** – Summary of additional funding to the Children & Families directorate in 2021-22 and 2022-23

18 Background Documents

18.1 Cabinet Report 12th October 2021 – Education and Skills Transformation Programme Including Send Improvement and Home to School Transport (Forward Plan Reference: 009301/2021)