

BIRMINGHAM CITY COUNCIL

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

1000 hours on Wednesday, 21 July 2021, Online Meeting - Action Notes

Present:

Councillor Narinder Kaur Kooner (Chair)

Councillors: Olly Armstrong, Charlotte Hodivala, Katherine Iroh, Kerry Jenkins and Alex Yip

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

Also Present:

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

David Bridgman, Head of Service, Special Educational Needs Assessment & Review (SENAR)

Deborah Brooks, Transformation Director, Commissioning, Education and Skills

Kevin Crompton, Interim Director, Education & Skills / Director of Children Services (DCS)

Jaswinder Didially, Head of Service, Education and Skills

Lisa Fraser, AD, Education and Early Years

Alan Michell, Head of School Admissions

Ilgun Yusuf, Acting AD, Skills and Employability

Ceri Saunders, Acting Group Overview and Scrutiny Manager

Amanda Simcox, Scrutiny Officer

1. NOTICE OF RECORDING/WEBCAST

The Chair advised that this meeting would be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2. APOLOGIES

Apologies were submitted on behalf of Councillor Kath Scott, Adam Hardy, Roman Catholic diocese representative, and Omar Hanif, Parent Governor Representative.

3. DECLARATIONS OF INTEREST

Councillor Alex Yip declared an interest as he is the deputy chair of governors at Wilson Stuart School and his sister works for National Express.

4. CABINET MEMBER FOR EDUCATION, SKILLS & CULTURE

(See document No. 1)

The Chair advised there would be a change in order to the agenda items to accommodate Councillor Francis having to attend another meeting.

Councillor Jayne Francis, Cabinet Member for Education, Skills and Culture, Lisa Fraser, AD, Education and Early Years, Ilgun Yusuf, Acting AD, Skills and Employability and Alan Michell, Head of School Admissions and Fair Access were in attendance for this item.

The Cabinet Member gave the presentation and a discussion with members followed. The main points included:

- Children Missing Education (CME) is a priority for Birmingham and updating and reviewing the IT is key to this.
 - The Council has been reporting data to the Birmingham Safeguarding Children's Partnership (BSCP). The Council has revised how this is reported to them, and this data can be shared with the Committee.
 - The pandemic has provided challenges for staff, for example, schools are required to undertake specific checks, however there has been an increase in workload due to a small number of schools reporting children as missing education to the Council, which following investigation the Council has found not to be the case.
 - Officers are working with partners and they have a "Joint Responses" group that meets regularly. CME has been flagged at this group.
 - There is a slightly different definition in terms of children missing in relation to social care (and what action Ofsted would expect from the Children's Trust) and CME, which is followed up by education staff.
 - The Cabinet Member attended Executive Management Team (EMT) where it was acknowledged improvements needed to be made to data sharing in relation to children's and adults' social care, and there is a substantial piece of work that is being undertaken over the next few months on this.
 - Locating children's whereabouts is a challenge, with a lot of children having left the city and the country. Officers have reviewed the accounting arrangements to ensure they are robust and this piece of work is nearing completion; they are continuing to work to put in place the intention to piggy back the schools portal, which has been

used successfully by schools for reporting attendance during the pandemic; and they have repurposed resources and have additional staff to support CME.

- Razia Butt has been developing the work for the Relationships and Sex Education (RSE) and health education curriculum and going forward the Cabinet Member will ensure the O&S Committee are involved in this.
- Elective Home Education (EHE) / home schooling: there is a legal framework that the Council adheres to which makes it difficult for the Council to intervene. Families have the right to home school and the Council can only intervene if the education is deemed as 'unsuitable' and at that point a school attendance order is issued. There have been events and workshops specifically for parents who EHE, however attendance has been disappointing. An annual visit is made where possible and the screening process has been key in ensuring vulnerable children are monitored.

The Chair advised members to forward any questions they have to the Scrutiny officers so these could be answered and shared with the Committee.

Actions:

A written report on:

- The work regarding children's social care and data sharing as mentioned by the Cabinet Member.
- The capacity and take up of the Holiday Activities and Food programme.
- Whether there is a system and clear plan in place to support schools to ensure pupils and staff are safe if the pandemic continues.
- Information on Everyone's Invited programme, including the number of Birmingham schools that were flagged.
- Youth Service:
 - Half of the Youth Service budget is being funded externally and whether future resourcing of the service is being planned.
 - Whether a mapping exercise of particular issues affecting young people, such as youth violence, has been undertaken.
- School Exclusion, Off Rolling, Part Time Timetables etc.
 - Information on the number of exclusions and off rolling etc.
 - Legal action for non-attendance at school was suspended until after May half-term 2021 and it was queried whether this has continued to be suspended, or if not, when legal action recommenced.
 - What is the council doing to ensure that pupil attendance drastically improves from September? There is a very strong link between attendance and attainment.

- What happens to the pupils who are excluded? How soon are they re-schooled? What support is given to pupils who are at-risk of being excluded? What about the managed move programme?
- Does the term "children missing in education" include "school refusers"?
- How many children are there on part-time timetables?
- Does all the data given at the meeting include academies and free-schools?
- EHE:
 - Details requested on the process and job titles/descriptions for those that oversee this.
 - What is done to assess and track pupils who are EHE?
 - How is it decided that this education is not good enough?
 - Details of the support that is provided to parents, as Councillor Olly Armstrong has received anecdotal evidence about the support “not being great”.
 - The process of inviting parents to the session and follow up, including questions that are asked.

5. HUNTERS HILL COLLEGE UPDATE

(See document No. 2)

Councillor Jayne Francis, Cabinet Member for Education, Skills and Culture, Jaswinder Didially, Head of Service, Education and Skills and David Bridgman, Head of SENAR in attendance for this item.

David Bridgman updated members on the current position of the 84 pupils that were on-roll at Hunters Hill College when the decision to close was made:

- They are down to eight children on-roll as of this morning who are in years 8 – 10, and they have identified destinations for all of them.
- Three children have agreed September placements, but they cannot be taken off-roll until they start those new placements.
- Two children are other local authority children and those destinations have been agreed with those authorities.
- Of the remaining three children, one is in year 9 and two in year 10:
 - One is shortly to be confirmed by the provider;
 - One is subject to consultation and;
 - One is subject to custodial restrictions which are preventing officers from finalising the plan.

The main points made during the discussion with members included:

- No children have been educated on site since the decision to close was made. The length of time taken to secure placements has been mitigated by providing interim placements, home tuition, or in a small number of cases, remote provision via the school.
- Kevin Crompton had met with the Interim Executive Board (IEB) and there is a meeting between the IEB and officers next week. The specific purpose is to ascertain what can be learnt from what has happened over the last year. This meeting is taking place on the 29th July 2021 and a short note on this can be shared with the Committee. Councillor Alex Yip requested that officers ask whether an invitation could be extended to himself.
- Kevin Crompton offered his thanks to David Bridgman on the work he has done on this.
- A proposed inquiry into the circumstances leading up to the decision to close Hunters Hill College and learning lessons was raised. This would not be about revisiting the decision to close the school as this was discussed at the request for the call-in meeting. Jaswinder Didiyally highlighted there will be a number of “lessons learnt” sessions and so Kevin Crompton requested a clear TOR on what specifically the Committee was requesting from officers. The Chair suggested this item is not put onto the work programme at the moment, and a decision can be made after a TOR is put together and the Committee has received more information.

Actions:

- An analysis on how long it has taken to relocate the students.
- Information directly from the parents on the quality of the home education provided.
- A TOR to be agreed by the Committee for officers, so that members can receive more information regarding the circumstances leading up to the decision to close Hunters Hill College.

6. SEND UPDATE

(See document No. 3)

Kevin Crompton, Interim Director, Education & Skills / Director of Children Services (DCS) and Deborah Brooks, Transformation Director - Commissioning, Education and Skills were in attendance.

The Chair introduced the item and highlighted that although there is a lot to be done and insufficient progress made, the letter highlighted some improvements. The Chair felt that it was imperative that the children and families are at the centre of the improvements to be made, and thanked Councillor Kate Booth, the former Cabinet Member for Children’s Wellbeing for her work on children’s services.

The Interim Director commented that he would update on SEND and the Cabinet Member for Children's Services items together, focusing on the outcomes of the recent Ofsted inspection of SEND and the letter.

The main points included:

- The Ofsted findings were in line with our own self-evaluation.
- Officers didn't judge whether sufficient progress has been made as that is an Ofsted and CQC judgement.
- There have been some good foundations. However, there has not been enough impact on the daily lives and experiences of children and young people, their families and carers, and that is the prime thing that has to change.
- We have not been good at genuine co-production, engagement and co-design. Some work is beginning on this.
- At present the officers are in a "recovery period" and they are working hard to stabilise the SENAR team.
- They are strengthening management leadership and they hope to appoint an interim Assistant Director subject to Members' agreement.
- They are identifying senior case workers to help address the significant backlog, and they have set-up a number of panels and are prioritising those needing transition.
- There is a basic capacity issue. DfE guidance is that one caseworker can handle 150 cases per year, but officers can be managing c.500 cases in the current environment. Discussions are happening regarding getting the resources quickly to increase capacity, and the service is highly dependent on agency workers.
- Going forward, there is a broad agreement that there needs to be a base review of the service, including financial, and there must be a new improvement plan and programme with tighter governance, and it has to be one single improvement plan. The Board should be independently chaired, and genuine co-production of developing a new SEND strategy needs to be undertaken.
- There is a need to make sure we get to a system that tries to get beyond "is this inclusion, is this not inclusion", to a system that has sustainable and effective balance between children's needs being met in mainstream, resource bases, and special schools.
- The plan is going to focus on a 3 – 5 year period to turnaround this service.
- The issue at the moment is the Minister has indicated that she intends to issue a direction, and that direction is to appoint a commissioner.
- It is for the commissioner to recommend to the Minister whether the service remains with the Council.
- It is important to recognise that although the system is fundamentally broken there are some parts of the system that were showing promise.
- There seems to have been a better level of service where parents had opportunities to access the Parent Link Advisers. However, there are c.10,000 EHCPs and just four Parent Link Advisers.

- It is evident from the inspection that the Strategy is not fit for purpose, and the service is not good enough, and the initial response is to get the service right for children and families.
- If the Council receive a statutory direction, then Birmingham will be the first local authority to be issued with one and this will demonstrate the level of seriousness of what was found during the inspection.

The main points made during the discussion with members included:

- The Written Statement of Action (WSOA) was an 18 month plan and it was obligatory to have quarterly reviews. In October 2020 it was reported to Scrutiny that the plan was 90% complete. Kevin Crompton commented that the WSOA was deemed as fit for purpose and when he was preparing for the Ofsted inspection, he struggled to find the quarterly reports, without trawling through the minutes of the SEND Improvement Board. It was suggested that the turnover of staff had not helped and Scrutiny may need to keep in touch with the users of the service to gain qualitative information.
- The role of Scrutiny and how things would be different was questioned and the Chair provided assurances that SEND will be the Committee's main area of focus with Officers regularly attending Committee meetings to provide detailed updates and information.
- It may be that the percentage of actions completed may have been the wrong thing to track and so the new programme is about measuring outcomes and officers will be discussing this with parents and families. Officers can then bring this back to the Committee.
- Frustration was expressed that the Committee has done all they could to improve this service for children and families and it was questioned how Scrutiny can help with the solution. Officers welcomed that Scrutiny will question and the first question is "is this set up to succeed" and one of the terms officers are using is "back to basics".
- It was suggested that co-production is key and therefore Scrutiny may want a session with the Parent Carer Forum (PCF) and service users to ascertain what is happening.
- An example of what occurred in Solihull Council was provided whereby Scrutiny wanted to see the journey of the child and parents, and the Chair asked how parents are assisted to navigate the system, a "you said and we did" could assist and Scrutiny can deep dive into certain areas to assist with the improvements.
- The journey with parents and the PCF will be mapped and officers need to co-produce the service, with a co-production officer to be appointed. Also, officers need to have an honest debate to ascertain whether they have the resources to deliver the service, and the IT case work system needs to be improved.
- Councillor Katherine Iroh is interested in being involved with the lived experience journey that was talked about and questioned when and how can we do this. Kevin Crompton advised that most of this will need to be planned and the principal route is through the PCF, as that is what they are

established to do, and it will probably take place in the Autumn term. They are working with the PCF regarding getting more parents involved. This will be shared with Committee as soon as they can, as they are currently focusing on delivering the service.

- The WSoA is still in force until officers are told otherwise, and the data that is currently collected is being reviewed.
- Officers are looking at getting a report to Cabinet in September 2021.

The Chair advised members to forward any questions they have to the Scrutiny officers so these could be answered and shared with the Committee.

Actions:

- Can we lobby government for more funding?
- We must fix SENAR, especially the waiting times. How can this be accomplished?
- A SEND update to be added to the September 2021 Committee meeting.

7. CABINET MEMBER FOR CHILDREN'S WELLBEING

(See document No. 4)

This item was included in the SEND update item.

8. WORK PROGRAMME

(See document No. 5)

The Chair advised there were gaps in the work programme to accommodate regular updates on SEND.

The following to be added to the work programme:

- Missing children to be added as an area to be covered by the Children's Trust at the 1 September 2021 Committee meeting.
- Elective Home Education (EHE) / Home schooling to be added to the work programme where appropriate.
- Update on Hunters Hill in October 2021, including lessons learnt.
- An in-depth update on SEND in November 2021.
- School attainment and attendance where appropriate.
- Mental health to be discussed before Christmas so it can be picked up again in the Spring. This can include an update from Aquarius (children and young people substance use).
- Youth service and mapping different issues affecting young people in the city.

It was agreed that members can email their thoughts on the work programme to Scrutiny officers, and Councillor Alex Yip will circulate a draft TOR for the questions about what preceded the decision to close Hunters Hill College.

9. DATE OF NEXT MEETING

1 September 2021 at 10am in the BMI

10. OTHER URGENT BUSINESS

None.

The meeting ended at 12.17 hours.