

BIRMINGHAM CITY COUNCIL

EDUCATION AND CHILDREN'S SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY, 30 NOVEMBER 2022 AT 10:00 HOURS
IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will 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

To receive any apologies.

3 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

5 - 22

4 **ACTION NOTES AND ACTION TRACKER**

To agree the action notes of the meeting held on the 19 October 2022 and note the action tracker.

23 - 54

5 **CHILDREN'S TRUST**

Andy Couldrick, Chief Executive, David Stringfellow, Executive Director, and Dionne McAndrew, AD, Vulnerable Young People, Children's Trust in attendance.

55 - 76

6 **WORK PROGRAMME**

Members to:

- Agree the work programme.
- Agree the Terms of Reference for the Child Criminal Exploitation Inquiry.

7 **DATE AND TIME OF NEXT MEETING**

To note the date of the next meeting is 4 January 2023 at 1000 hours in Committee Rooms 3 and 4.

8 **REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)**

To consider any request for call in/councillor call for action/petitions (if received).

9 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

10 **AUTHORITY TO CHAIR AND OFFICERS**

Chair to move:-

'In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

77 - 78

11 **SPECIAL EDUCATIONAL NEEDS AND DISABILITY INFORMATION, ADVICE AND SUPPORT SERVICE (SENDIASS) - PUBLIC REPORT**

To note the public report in relation to the Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS).

12 **EXCLUSIONS OF THE PUBLIC**

Recommended that members of the press and public be excluded from the meeting for agenda item 13 under Section 100A(4) of the Local Government Act 1972 on the grounds that:

- (i) it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act; and
- (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

13 **SPECIAL EDUCATIONAL NEEDS AND DISABILITY INFORMATION, ADVICE AND SUPPORT SERVICE (SENDIASS) – EXEMPT REPORT**

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

BIRMINGHAM CITY COUNCIL

EDUCATION AND CHILDREN'S SOCIAL CARE O&S

COMMITTEE – PUBLIC MEETING

**1000 hours on Wednesday, 19 October 2022, Committee Rooms 3 & 4,
Council House, Victoria Square, B1 1BB**

Action Notes

Present:

Councillor Kerry Jenkins (Chair)

Councillors: Shabina Bano, Jilly Bermingham, Debbie Clancy, Des Hughes, Morriam Jan, Shehla Moledina, and Simon Morrall

Other Voting Representatives: Justine Lomas, Roman Catholic Diocese, Osamugi Ogbe, Parent Governor, and Rabia Shami, Parent Governor

Also Present:

Cllr Karen McCarthy, Cabinet Member, Children, Young People and Families

Sabiha Aziz, Chair, Parent Carer Forum

Janie Berry, City Solicitor

John Coughlan CBE, Department for Education (DfE) Commissioner for SEND Services

John Elsegood, Interim Lead, Children and Young People Travel Service

Sue Harrison, Strategic Director, Children and Families (on-line)

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

Christian Scade, Head of Scrutiny and Committee Services

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 for non-attendance were received on behalf of Sarah Smith, Church of England Diocese.

3. DECLARATIONS OF INTERESTS

Councillor Des Hughes declared a non-pecuniary interest by virtue of previously being an employee of Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS). He stated that he wasn't employed by SENDIASS anymore and had not been for the past six months.

4. ACTION NOTES AND ACTION TRACKER

(See documents No. 1 and No.2)

RESOLVED:

The action notes of the formal meeting held on the 7th September 2022 were agreed, and the action tracker was noted.

5. SEND COMMISSIONER

The Chair introduced the item and informed Members that the DfE Commissioner for SEND Services had been invited to attend to provide information in relation to the role and remit of the SEND Improvement Board, of which he was Chair, and what the Commissioner believed was required to drive continued improvement work.

John Coughlan CBE, DfE Commissioner for SEND Services provided the context for his involvement, and this included:

- His role is on behalf of the DfE, which is a ministerial appointment under a statutory direction.
- There was an original inspection of SEND in Birmingham in 2018 that resulted in 13 priority actions, which is a high number, as a typical weak report would tend to include three or four priority actions.
- The follow up inspection in 2021, which was the stimulation for the government intervention, was that Ofsted and CQC found that only one of those priority areas had been reasonably, if not fully addressed.
- It is really important for the Council to understand the gravity of the circumstances of SEND services in Birmingham.
- The first stage of his role was described as assessments and diagnostics, which is not a further inspection, as it was a given that the Ofsted and CQC judgment

was accurate. But there was a dimension of reviewing the elements, and it was particularly about trying to understand why services were in sustained failure. His report was concluded in February 2022, and it had been mutually agreed to delay publication, due to the pre-election period, with it being published in May 2022.

John Coughlan CBE, DfE Commissioner for SEND Services provided the headlines of the findings in his report, and these included:

- The inspection findings were accurate, and this indicated at least four or five years of sustained and unsatisfactory performance in the delivery of SEND Services in Birmingham, and recovery was extraordinarily difficult for all concerned.
- He has endorsed the findings based upon what he has seen so far. He stressed that the Council has got good people trying really hard, and it is important to remember that at all times. The issue is what efforts are needed to reconstruct the wider context as well as the service, because the service failed within the context.
- The strategic concern that contributed to the sustained failures, was there having been a lot of senior instability; in the eight years since the Kerslake report, there have been nine Chief Executives, and nine equivalents to the Director of Children's Services (DCS). He was pleased the Council had made progress, and there was now a substantive Chief Executive, as well as a substantive DCS, whose role was now commensurate with the statutory definition of the DCS.
- Prioritising the wider needs of children in accordance with the Children Act 2004, and how well the council has fulfilled its broad responsibility to all children was important.
- Work on the weaknesses in the corporate system was progressing. However, it remained a significant challenge to get things done as quickly as needed, and that would apply to recruitment which in turn was key to progress.
- He has made some comments about the political culture, and he respects that some leading politicians disagreed with him about some of those. However, this was about the eighth intervention he has done, and he has been involved in the leadership of services in local government across the piece for many years and stands by those concerns.
- There were issues about the tone and balance of officer and Member relationships in the organisation, which needed further work, and he was pleased that the Chief Executive and Leader were taking this seriously.
- The report talks at length about service specific issues, including the role of Special Educational Need Assessment and Review (SENAR) Service, which is the bedrock of the service, and was broken in Birmingham. This resulted in a high

level of complaints from parents, with most of these being queries, but parents had to raise the complaint in order to get a response, which raised the ante. Work was ongoing to fix SENAR, and more was to be done.

- Other key areas of practice and engagement included the real problems of Home to School Transport; this has been sorted in the interim. The performance in the past critical weeks since the start of the new term, compared to last year, was remarkable, and he congratulated those involved.
- SENDIASS in Birmingham has a particularly high profile. As set out in the report it was explained there were polarised opinions about the role of SENDIASS.
- There have been previous considerations of reviewing SENDIASS in Birmingham, however these reviews had not concluded. Therefore, his report recommended that the review should be conducted under independent cover and should be concluded.
- That has now happened, and the review was a very critical judgement about SENDIASS. Its management may have been committed to its function, but on a number of different levels it was working outside its function, and therefore its core function was not compliant with minimum standards. The review was calling for a full renewal and reset of SENDIASS in Birmingham.
- His report made comments about the need to improve co-production, and good work has happened, and the Improvement Board was going to help to address this.
- The Parent Carer Forum (PCF) in Birmingham, like everywhere, was complicated and they were all unique. The experience in Birmingham had been exceptional and the contribution of the Chair to the Improvement Board has been invaluable.
- Part of his brief was to consider whether SEND services in Birmingham was safe to stay with the Council. He did not think the Council needed to transfer SEND services to a trust, such as Birmingham Children's Trust. However, this recommendation was contingent upon his recommendations being pursued by the City Council and its partners. This was because moving to a trust would be expensive, disruptive, and distracting, and he has faith in the work undertaken thus far. However, if the work was not sustained then this trust question would need to be urgently reviewed. Everyone needed to work together and the DfE was closely watching this point.
- Going forward, he was pleased that he had a letter from the Leader, the Chief Executive and other lead members, and key people in the system, saying they accepted his recommendations in full. He noted though that the letter accepted his recommendations, but they did not necessarily accept all of the assessment. He was pleased there were plans to confirm this position through a report to Cabinet.

- The Accelerated Progress Plan (APP) was the bedrock of the action planning, and at the December meeting of the Improvement Board there will be a formal review of the progress of the APP with the DfE and National Health Service England (NHSE).
- The Improvement Board was trying to get the fixes installed in SENAR. One of the problems in Birmingham and many places was staffing issues. The necessary urgent resolution had been to recruit far and wide, the downside of which was the staff don't know the city, and the recruitment of the SENAR staff needs to be more localised so they have a sense of the demography and geography of the city to better serve children and families locally.
- Some very good permanent appointments have been made, including the arrival in November of an Assistant Director for SEND and Inclusion. This was an extremely important role, and the person comes with strong credentials, but will need to be well supported to do the job well.
- There were bids in the system for additional special school places and it was in the context of the government's current approach to the green paper, and the recognition of the need for additional special school places. Discussions with the school leadership at the Improvement Board regarding the profile of the placement of children with SEND in mainstream school were happening; it was a really complicated and difficult issue, and he was pleased with the head teacher engagement.
- He was now working more closely with health colleagues on the health dimension to services for SEND. The Council's problems, quite legitimately, may have overshadowed the NHS problems and the Improvement Board are looking closely at this.
- The Improvement Board was made up of a range of stakeholders, which includes unusually, five seats for politicians. He has done seven or eight Improvement Boards and that was by far the most political space an Improvement Board has had in his experience. He was aware there was an issue about how close politicians feel to the work of the Improvement Board.
- The previous version of the Board was not functioning well. He was concerned at the way its business was being rehearsed externally, including on social media. That was not conducive to the hard business of real improvement. The new Board was starting to work well, and it has to be a long term process.

During the discussion and in response to queries raised by Members, the main points included:

SENDIASS

- The work of SENDIASS and the review was queried, raising the issue of transparency and SENDIASS being invited to the November committee meeting. The Commissioner highlighted SENDIASS, like SENAR, needed to be

compliant with its role according to legislation and it was not. But SENDIASS was a very small component of a SEND system whereas SENAR was fundamental to service delivery. The review was independently conducted by the national leaders who have set the minimum standards on behalf of the sector. A working party has been set-up and there had been no decision made regarding the future operating model for SENDIASS with regard to it being potentially outsourced. But it must be renewed and returned to its core business.

- The Commissioner highlighted the high profile of SENDIASS in Birmingham was disproportionate to its relevance to the delivery of a high quality SEND service. He suggested putting energies into the improvement of SENAR and everything that comes around it, was key for the Committee. He undertook to look at ways in which the headline contents of the SENDIASS review could be shared.
- Cllr Simon Morrall raised concerns about what had been communicated to Members in relation to delivering the improvements following the review at the previous committee meeting.
- The Chair highlighted that the Committee was at a disadvantage as they had not had sight of the review. Cllr Simon Morrall has a seat on the Improvement Board and was party to more information than the Committee, and she highlighted that none of the information from the Improvement Board had been passed on to this Committee from Cllr Simon Morrall.

The Improvement Board

- The work of the Improvement Board was valued.
- The Commissioner had observed the last meeting of the previous version of the Improvement Board, and he had made a plea that the politics should be kept out of children's services, and he was hugely impressed with the political discipline going forward, for which he was grateful.
- He has needed to be quite disciplined in his role as Chair and on many levels, he was an independent chair, although he was acting on behalf of the DfE. He returned to a headline point, in that the Council was in intervention because services across the piece were failing children in Birmingham for several years and the prospect of them improving was not good.
- As far as he was concerned, five political places at the Improvement Board - which was about running services - was probably too many. How those places were used is up to the governance of the Council and he would look at alternative models.

The Role of the Improvement Board and Scrutiny

- Concerns were raised by the Committee that the Improvement Board was not under the scrutiny function, and the Committee was interested in exploring what can be done to increase transparency. In response to concerns the

Commissioner explained that he had held conversations with the Chair, and colleagues involved in Scrutiny, around how Scrutiny involved itself in the role of an intervention. He highlighted he was open to those conversations being developed. However, there was also a question as to whether or not, for example, Scrutineers can be close to decision making and operations because then you would be scrutinising yourselves.

- His view was that the improvement journey included increased transparency and engagement in the due governance process. Going forward he would attend committee meetings when needed by Scrutiny, as this was constructive. He also highlighted that he wanted to work with the Committee to improve communication between the Improvement Board and Scrutiny through the Lead Cabinet Member and DCS, and examples, such as sharing the action notes or debriefing after the meeting, were given.
- The Commissioner understood the frustrations Scrutiny may feel, particularly when the Council has got a failing service. There was a difficult element for the Council to appreciate that in essence as a failing council in intervention the extent to which the council's own governance structures were to be relied upon to scrutinise the intervention was bound to be an issue. He highlighted the importance of accurate briefings being provided by officers to Members outside of the Improvement Board.
- The Cabinet Member, Children, Young People and Families committed to providing information on how the Improvement Board fits with the Council's overall governance and decision making structures.
- The Chair was grateful for the Commissioner's commitment to look at how he could work with Scrutiny in terms of governance systems to increase the transparency around the Improvement Board and welcomed further discussions. The Chair invited the Commissioner to attend a committee meeting early next year and suggested exploring ways of sharing the action notes/minutes would be a good first step.

Tribunal Appeals

- The rising rate of Special Educational Needs and Disability Tribunal (SENDIST) appeals, which was a key indicator in the APP, and the issues of the length of time they take, and decision making – including the naming of mainstream school by type in the EHCPs - was raised. The Committee was informed that staffing in SENAR was being increased and getting competent staff who were closer to Birmingham was needed. Also, this was a 2014 legislative issue and once Councils were on the track to Tribunal, the Tribunal would likely find in the favour of the parents. Therefore, the decision made at the front end needed to be better. One of the challenges in Birmingham was the sufficiency of places, so creating those new school places would take some time and needed to be matched by inclusivity in mainstream.

Budget Setting and Sustainability of the Service

- The budget setting and the sustainability of staffing levels was queried. The Commissioner gave a global statement, in that it was cheaper to run a successful service than a failing service.
- Recommendations in the report considered moving staff from interim to long term contracts, whether there were concerns regarding the high level of consultants and incentivising the retention of key staff who were business critical, was raised. The Commissioner highlighted:
 - That a pay and reward system is one for the Council to work out, especially in light of the huge turbulence, and there was a need to get the best people, in a competitive marketplace nationally.
 - The senior management job was very difficult because of the challenges in the services in Birmingham.
 - The Council may save money when it starts reducing the dependency on senior interim staff, but the Council needs to get out of interim arrangements because a long term commitment was needed. However, the Council would have been lost without some of the interims it has had, and they have been invaluable.
- Sue Harrison, Strategic Director, Children and Families assured the Committee that they have appointed high calibre staff – a substantive Assistant Director of SEND and Inclusion starting on the 2 November 2022, and an experienced leader of home to school transport – Birmingham was attracting the best people and they can then appoint a substantive team.

The Directorate's Improvement Plan

- The Director offered to bring the Directorate's Improvement Plan to a future committee meeting. The APP is one of five chapters in the Improvement Plan. This was a web of improvement and SEND will not improve on its own. It was part of the whole Directorate targeted Improvement Plan and will assist in joining up the dots. The Chair agreed to take up this offer, as the Committee was grateful for any help and information that can be provided to help the Committee to ensure that children get the best possible services that Birmingham can deliver.

RESOLVED:

- The update was noted.
- The Cabinet Member, Children, Young People and Families to report back on how the Improvement Board fits in with the Council's overall governance and decision making structures.
- The Strategic Director, Children and Families to bring the Directorate's Improvement Plan to a future committee meeting.

- The Commissioner to attend a committee meeting early next year.

6. HOME TO SCHOOL TRANSPORT / CHILDREN AND YOUNG PEOPLE TRAVEL SERVICE

(See document No. 3)

Sue Harrison, Strategic Director, Children and Families (on-line), John Elsegood, Interim Lead, Children and Young People Travel Service, and Sabiha Aziz, Chair, Parent Carer Forum were in attendance for this item.

John Elsegood gave the presentation and the main points included:

- There has been significant progress to mitigate the previous issues. They had an open offer to Members to visit the operation centre, 99.5% of routes ran successfully on the first day, 99.7% on 8 September 2022, and 99.9% afterwards.
- They have received encouraging feedback and recognise communication was key and has improved.
- The improvement programme was launched in March 2021 and the Programme Board meets on a monthly basis.
- They have strengthened the management team, and were co-creating the service with children, parents, carers, and suppliers.
- There has been an appointment of a new Assistant Director who will start at the end of the year on a two year fixed term contract.
- New processes to strengthen DBS assurance have been agreed and they will be undertaking the DBS checks internally.
- Complaints were being dealt with empathetically, efficiently, and effectively and they have a child centric approach.
- Examples of feedback were given.

During the discussion and in response to queries raised by Members, the main points included:

- Sabiha Aziz, Chair, PCF commented that a lot of positive comments came from parents who had been let down in the past and to turn the service around in the space of time was amazing. There have been some blips along the road, however communication from the service with the PCF was excellent and they work together really well.
- The ability to take on more children was queried and as the cohort grows, they have the ability and capacity to do this.
- There was an issue about a guide being changed, and although they aim to keep the consistency of the driver and guide where they can, sometimes it was

not possible, and the aim was to have a meet and greet with the child and guide beforehand.

- The time to resolve an issue where a driver refuses to take a child because of their behaviour depends on the risk assessments etc., and they work really quickly to try to turn this around in 24 hours. If there was a longer term pattern, then they look at alternative solutions and this may take longer. Sabiha Aziz added that there was a higher sense of urgency from the Service with these issues.
- The Cabinet Member, Children, Young People and Families commented that there had been significant improvement but a success rate of 99% meant there were families that had a bad experience and they do not underestimate the impact on those that had a bad service.
- Reputational issues and whether there were legal cases the Committee should be aware of was queried. Janie Berry, City Solicitor, responded that she could share this outside the committee meeting, and she could also get a more informed view from Legal Services regarding tribunals and delays etc., and feed back to the committee. The Chair welcomed the suggestion as this would fit into the work programme and help fill in the gaps, as to how the role of Legal Services contributes to make risk informed decisions.
- The service was a complex logistical operation that takes place twice a day at all of our special schools. However, notifications to a small number of parents did come rather late and this was partly because of the way the routing for the journeys takes place and, due to changing circumstances, they cannot communicate the routing until they have the full picture, as routes may change.
- If they know there is an appeal, then they can plan for it and are confident the processes can be put in place.
- The Council budget and sustainability for an increase in demand for home to school transport was queried. John Elsegood was confident there were improvements in their plan to help them continue to deliver in the best way possible and they will need to look at the policy in place.
- They have parent contact telephone details but not all telephone details, this was because some parents may not want to give them and some have changed their numbers, and they have undertaken a lot of work to capture this.
- The Cabinet Member, Children, Young People and Families highlighted that there was an in year budget pressure and they were working on this.
- They have guides employed by the Council, some of the transport providers provide guides as per their contractual agreement, and they have a small pool of agency guides. All guides operate to a certain level and have an

understanding of special needs and have gone through the appropriate training. Some may have more experience, but all have a minimum standard.

- Parents getting better knowledge regarding accessing the service is incumbent on the Council, and there was the Local Offer page and information on the Council's website which signposts people. Another way was the PCF, focus groups, and feedback groups assisting.
- The Local Offer was available in different languages and the PCF signposts to this. There were bespoke sections around transport, and the PCF asked for a bespoke database of all families, which was built, and this needed to be kept up to date.
- To sustain and continue the improvement they have done a lesson learned exercise across the service and were building this into their improvement project. If the PCF sees any slippage, they will contact them.
- They needed to ensure communication filters through to Members so they can also assist parents.
- The Chair congratulated the team and suggested it may be appropriate for this item to come back possibly later in the year.

RESOLVED:

- The update was noted.
- Janie Berry, City Solicitor, to share reputational issues and any cases the Committee should be aware of outside the committee meeting.
- Janie Berry, City Solicitor to be added to the work programme to update Members on tribunals and delays etc., and feedback on how the role of Legal Services contributes and makes risk informed decisions.

7. WORK PROGRAMME

(See document No. 4)

The Committee discussed the 30 November 2022 committee meeting and agreed the Children's Trust and SENDIASS would be agenda items for this meeting. The Birmingham Safeguarding Children's Partnership (BSCP) and the Children and Young People Plan would be moved to the January 2023 committee meeting.

The Commissioner and the Strategic Director, Children and Families raised concerns regarding the SENDIASS item coming to the November 2022 committee meeting. It was suggested that the January 2023 committee meeting may be more appropriate as there will be a report the Committee can scrutinise.

The Chair highlighted that SENDIASS would be an item on the 30 November 2022 committee meeting, as the Committee has been remiss in not being more aware of what had been happening in the delivery of the service and it was about information

gathering on what the service provides to parents, what it has been providing, and where it sees itself in the bigger arena. The Committee would not be able to discuss the review until it was in the public domain. The Commissioner agreed to write to the Chair to explain the concerns.

Members agreed to add the issue regarding student attendance at school during their period and the Young People's Substance Use Service to the work programme.

Cllr Shehla Moledina advised the Committee that she had attended the Health and Social Care O&S Committee yesterday, where the Children and Young People's Mental Health Inquiry Terms of Reference was agreed, and Forward Thinking Birmingham was discussed. Highlights included:

- One of the things that stood out was the waiting list for ADHD, with things having gotten worse in terms of the cases coming through.
- It was good to hear that several initiatives were in place.
- They were working collaboratively to spread out the beds and arrangements for children with mental health.
- The suicide rate for under 18's has increased.
- They have employed c.40 staff nurses from South Africa.

The Chair stated that going forward there will be more time allocated once the two inquiries have developed.

RESOLVED:

- SENDIASS to be an item on the 30 November 2022 committee meeting.
- The BSCP, and the Children and Young People Plan to be moved to the January 2023 committee meeting.
- The Commissioner to write to the Chair to explain the concerns of the SENDIASS item at the 30 November 2022 committee meeting.
- Noted the membership for the two Inquiries the Committee was involved with (Children and Young People's Mental Health, and Child Criminal Exploitation).
- Student attendance at school during their period, and the Young People's Substance Use Service to be added to the work programme.

8. DATE AND TIME OF NEXT MEETING

RESOLVED:

Noted the next meeting was scheduled for 30 November 2022 at 1000 hours in Committee Rooms 3 & 4.

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

None.

10. OTHER URGENT BUSINESS

None.

11. AUTHORITY TO CHAIR AND OFFICERS

RESOLVED:

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 12.12 hours.

EDUCATION AND CHILDREN'S SOCIAL CARE O&S COMMITTEE
ACTION TRACKER 2022-23

Date	Agenda Item	Action	Update
20 Jul 2022	SEND	The update was noted, and the SEND update at the 7 September 2022 committee meeting will include the contributions and points raised today.	Item discussed at the 7 September 2022 committee meeting.
		The SEND Sufficiency Report to be presented to the Committee when completed.	
		The methodology and full data on EHCP Annual Reviews to be forwarded to the Committee.	
20 Jul 2022	Home to School Transport	Members agreed that a further update on the service will be provided at the 19 October 2022 committee meeting. The update will include the review of the policy, points made around communication, and the reality of how the service performed in September 2022.	Item included on the agenda for the 19 October 2022 committee meeting.
		Sue Harrison will provide Members with the timescale for the review of the policy by e-mail.	
20 Jul 2022	Youth Justice Plan	Further information on education and improving employment opportunities will be forwarded.	
		Officers to send useful information to the Committee during the course of what they are doing.	
20 Jul 2022	Work Programme	Cllr Simon Morrall to forward the e-mail he referred to regarding SENDIASS and the Chair will have discussions with officers outside the committee meeting.	SENDIASS to be discussed at the 30 November 2022 committee meeting.
7 Sep 2022	SEND	A meeting with the DfE Commissioner for SEND, Director and Chair to be set up.	Meeting with the DfE Commissioner to take place on 12 October 2022.
		Timescales for when the Committee can expect the SEND Strategy, SEND Sufficiency Strategy, and an Inclusion Strategy was requested.	

EDUCATION AND CHILDREN'S SOCIAL CARE O&S COMMITTEE
ACTION TRACKER 2022-23

Date	Agenda Item	Action	Update
		Information on how many children are affected by part-time timetables, and figures on children who haven't got a suitable school place, and support that is being provided was requested.	
		Reports on the SEND Strategy, SEND Sufficiency Strategy and Inclusion Strategy to be brought to the Committee following approval by Cabinet.	
7 Sep 2022	Cabinet Member for Children, Young People and Families	The Director to provide the details of when the BEP contract was renewed and the duration of the contract.	Information e-mailed to Members on 21 November 2022
		Tim Boyes, Chief Executive, BEP to be invited to a future meeting.	Tim Boyes has been invited to attend the 22 February 2022 committee meeting for the attainment summary. Other issues regarding BEP can be raised at this meeting.
		The structure chart for the Children and Families Directorate to be provided.	Emailed on 10 October 2022 the leadership structure for the Children and Families Directorate. What sits under which new AD portfolio is still being finalised and permanent recruitment for the posts will be taking place shortly.
		Details of baselining of services within the Directorate to be shared with the Committee.	
		Details for the funding bids for three free schools including timescales to be provided.	E-mailed Members the information on the 29 October 2022
		Information on how many excluded primary school children have unmet SEND needs / EHCPS was requested.	
		The issues raised regarding the Children's Trust to be highlighted to them before the meeting in November 2022 so these can be covered.	E-mailed the Children's Trust.

EDUCATION AND CHILDREN'S SOCIAL CARE O&S COMMITTEE
ACTION TRACKER 2022-23

Date	Agenda Item	Action	Update
		Information on the number of places that Special Schools accept above their Planned Admission Number. Do the plans for future Special School places take into account these numbers in addition to places required to meet the needs of children who are currently not in a Special School?	E-mail sent to Members on the 19 October 2022.
7 Sep 2022	Work Programme	Tim Boyes, Chief Executive, BEP to be invited to a future committee meeting (also agreed at the above item).	Tim Boyes has been invited to attend the 22 February 2022 committee meeting for the attainment summary. Other issues regarding BEP can be raised at this meeting.
		The Chair to meet with the DfE Commissioner and Director to discuss the SENDIASS review.	Meeting with the DfE Commissioner took place on 12 October 2022.
19 Oct 2022	SEND Commissioner	The Cabinet Member, Children, Young People and Families, to report back on how the Improvement Board fits in with the Council's overall governance and decision making structures.	
		The Strategic Director, Children and Families to bring the Directorate's Improvement Plan to a future committee meeting.	Added to the work programme for 4 January 2023 committee meeting.
		The Commissioner to attend a committee meeting early next year.	
19 Oct 2022	Home to School Transport	Janie Berry, City Solicitor, to share reputational issues and any cases the Committee should be aware of outside the committee meeting.	
		Janie Berry, City Solicitor to be added to the work programme to update Members on tribunals and delays etc., and feedback on how the role of Legal Services contributes and makes risk informed decisions.	
19 Oct 2022	Work Programme	SENDIASS to be an item on the November 2022 committee meeting.	Added as an agenda item.
		The BSCP, and the Children and Young People Plan to be moved to the January 2023 meeting.	Work Programme updated.

EDUCATION AND CHILDREN'S SOCIAL CARE O&S COMMITTEE
ACTION TRACKER 2022-23

Date	Agenda Item	Action	Update
		The Commissioner to write to the Chair to explain the concerns of the SENDIASS item in November 2022.	
		Student attendance at school during their period, and the Young People's Substance Use Service to be added to the work programme.	Added to the work programme - to be scheduled. Programmed for the 17 May 2023 committee meeting.

Birmingham City Council

Education and Children's Social Care

Overview and Scrutiny Committee

Date: 30 November 2022



Subject: Children's Trust

Report of: Andy Couldrick, Chief Executive, Birmingham Children's Trust

Report author: Andy Couldrick

1 Purpose

- 1.1 To update the Committee on the Trust's Business Plan and priorities for 2022-23.
- 1.2 To provide further detail on exploitation, mental health, and placement cost and complexity (appended slides).
- 1.3 To update the Committee on review and renewal of the Trust contract with the Council.

2 Recommendations

- 2.1 Members note the report and agree any comments/recommendations.

3 Any Finance Implications

- 3.1 See section 6 of the update attached at Appendix 1.

4 Any Legal Implications

- 4.1 Birmingham Children's Trust was established in 2017 as a wholly owned company of Birmingham City Council following formal intervention by the Department of Education. The Trust delivers statutory Children's Social Care services on behalf of the Council through a commissioning arrangement and formally commenced operations in April 2018.

5 Any Equalities Implications

- 5.1 The Trust works with and supports vulnerable children, young people and families. The update describes this work across a wide range of Trust services.

6 Appendices

- 6.1 Appendix 1 – Children's Trust Update on Business Plan and priorities for 2022-23.
- 6.2 Appendix 2 – presentation on exploitation, mental health, and placement cost and complexity.



Education and Children's Social Care Overview and Scrutiny Committee
30 November 2022

Update

1. Introduction

2022 has proved a challenging year for the Children's Trust. The combination of chronic workforce shortages, rising demand and complexity of demand for our services, and the failure of the placements market to meet need and offer value for money are all themes identified in the Government-commissioned Independent Review of Children's Social Care, published earlier this year, and they are all key challenges for our system in Birmingham.

Demand at our front door – CASS and MASH – has grown through the year. The impact of Early Help across the city has been to mitigate that demand: without Early Help our statutory services would be experiencing a much greater burden. That there is now a waiting list for Early Help demonstrates the scale of demand for support for families in our communities.

Numbers of children in care have risen, in line with the Trust's forecasts. What was harder to forecast was the combined impact of increased complexity of need, contraction of mental health services and beds, and the changing nature of the largely privatised care market, which is not offering sufficient, reasonably-priced care for young people with the most complex needs.

Despite these challenges, the Children's Trust has maintained a front door that works effectively and in a strong multi-disciplinary context; a more stable (fewer agency staff) workforce than our statistical and regional neighbours; and efficient and effective child protection/safeguarding service; and a care offer in which children are largely stably placed, and where social workers have largely manageable caseloads and are well supported.

We continue to be attractive as an employer of newly-qualified social workers, and have a very strong offer for staff in their first year of practice. We struggle to retain more experienced workers because private agencies offer our staff hourly rates that are impossible for us to compete with.

We have developed a deep and broad preventative offer since we were formed, with a range of services aimed at enabling and supporting families to care safely and well for their children avoiding the need for alternative care. Our rate of children in care is, as a consequence, significantly lower than statistical neighbours and other core cities (Birmingham: 76 per 10k, compared with statistical neighbours 86 per 10k, core cities and West Midlands 85 per 10k), and we can evidence substantial cost avoidance as a consequence. Family Group Conferences, Safer Families, Breaking the Cycle and Edge of Care are just some of the services we have developed to support family decision-making and stronger family care for children.

Despite this, we face, as does almost every other children's social care service nationally, significant financial challenges and we are working with the Council to address and resolve this issue, this year and going forward.

March 2023 marks the end of the first five years of the Trust's operation – we were established in April 2018 – and we are in the process, with the Council, of reviewing and renewing the contract: we began life with a 10-year contract with a 5-year review point. The Council does not have the choice to end the contract and bring the service back 'in-house' because there is still a Government Direction in force. Instead the Council is exploring the options available in relation to the next contractual term with the Trust. The quality of relationship between the City Council and the Children's Trust is undoubtedly one of the factors that has enabled our progress to date, and the importance of our ongoing work as strategic partners cannot be underestimated. The new contract will emphasise this context of a strategic relationship between the Council and Trust. A Cabinet decision on the contract will be sought in February/March 2023.

Performance against the contractual performance indicators has in the main been strong throughout the first two quarters of the year. Two indicators have remained consistently off-target and out of tolerance:

- the % of agency social workers (including team managers): reflects the workforce challenge referenced above.
- average time between a child coming into care and being placed with an adoptive family: this is a cumulative indicator measuring a 3-year period: current performance is good, and the PI will reach its target.

Our residential care offer has developed and continued throughout the year. Camborne children's home received a full inspection in May which judged it to be Inadequate. But a subsequent monitoring visit on 20 July reviewed the progress made since the full inspection and confirmed that out of the 10 requirements made at the last inspection, four have been met and progress has been made in respect of the other requirements. A full enquiry has been undertaken in relation to the judgement and an action plan is in place to address the outstanding areas for improvement. In August, Ofsted found our children's home Warwick House to be overall Good. Following a visit to Edgewood in September the home was judged Requires Improvement having previously been judged Good overall. The issues raised were in relation to the jointly regulated CQC/ Ofsted provision within the home that provides overnight respite for children with complex health needs. Re-commissioning work is underway to resolve the regulatory conflicts that have arisen from this jointly registered element of the home.

We are awaiting Ofsted registration on a new unit we are opening, that will help us respond to the urgent needs of young people needing care in an emergency and for whom the market cannot provide. We are also bidding for DfE capital to develop additional, similar facilities. Birmingham is also leading a longer-term project with DfE, on behalf of the region, to develop a secure care facility for the region.

Our adoption service is now part of a Regional Adoption Agency, a partnership with a local Voluntary Adoption Agency. It will be subject to inspection by Ofsted later this month (an inspection started last month but was abandoned due to illness in the inspection team). The service is currently rated Good, as is our Fostering service, likely to be re-inspected soon. As well as the regulatory inspections of these and our residential services, since the last full inspection we have had two Focused Visits, looking at our CASS and MASH arrangements and services for children in care, and a 'test inspection' (informal, not published, but no less rigorous a test) of our services for care-leavers. All of these have reported positive progress and left us with clear areas for ongoing improvement.

We anticipate a full ILACS inspection of children's social care in the next six months. Work is underway in both the Trust and the Council to ensure we are able to demonstrate our best

in this inspection. Internal and external audit and evaluation of practice undertaken gives us confidence that our practice services continue to improve.

The Trust is working actively with the Council to develop a coherent response to the Cost of Living crisis and the challenge of keeping warm this winter. We are concerned to ensure that family poverty is addressed and supported rather than referred to the Trust as a type of neglect. We are working with BVSC to ensure that Household support Funds are delivered quickly and efficiently to young people and families experiencing hardship.

We have delivered some innovative holiday schemes in some of our most challenged communities, utilising Holiday Activities with Food resources and working in partnership with the Council, StreetGames, our delivery partners, and local voluntary organisations. We will continue to do this over the winter, utilising further HAF resources as well as the Household Support Fund, and working with our third sector partners including Bfriends, our own established charity.

2. Progress

Our work has continued to embed quality in our practice and develop our offer to children and families across the city, working where we can in partnership with other agencies and organisations. We can point to progress in the following areas:

- developing and embedding the city's **Early Help** offer, a multi-agency and multi-sector development supporting families earlier. There are strong examples of innovative partnership practice across the city.
- embedding our **Stronger Families programme**, aligning and investing in Trust and third sector services that support families to care for their children.
- we have established a strong response to **exploitation and contextual safeguarding** (referring to threat of harm to young people outside of their families): the multi-agency EmpowerU Hub leading on supporting victims, tackling perpetrators, disrupting networks, with oversight from the Contextual Safeguarding Board, co-chaired by a Director in the Trust and an Area Commander from West Midlands Police. An important element of our work has been to work in partnership with parents and families, in and with their communities, recognising the expertise and experience that needs to help to shape and inform our work.
- the Trust is playing a key role in rolling out the **Safe programme** in Birmingham: a school-based anti-exploitation programme. Schools, alternative provision, police and the Violence Reduction Partnership are working together to deliver greater school-based responsiveness and support.
- we are working with Adult Services to develop the work of the **Preparation for Adulthood** service, filling a gap in provision for young people becoming young adults and in need of advice and support. We are also partnering to improve the Transitions offer as young people with additional needs move from Children's to Adult Services.
- we are implementing and embedding our **Practice Model** for the Trust, built on the importance of relationship-based practice. Our model has been adopted for wider implementation across the Children's Partnership.
- we are leading work on **Domestic Abuse and Mental Health** as we seek to develop

and strengthen our services and the Partnership offer to children, young people and families.

- we continue to commission and deliver support to families and communities through our HAF offer, reaching hundreds of children every holiday, and to push financial support to families and young people through the Household Support Fund, as we contribute to the wider efforts to tackle the Cost of Living crisis.
- our charity, Bfriends, is beginning to demonstrate its value in supporting the Trust's offer to children, young people and families. In addition, we can point to contributions from our corporate partners, of close to £1m in additional resource, cash and kind, to deepen our offer.

3. Performance

Across 9 of 15 of the indicators in the contract performance has been sustained in the first six months of the year.

At September 2022, the KPIs for use of agency staff and the average time between the Trust receiving court authority to place a child for adoption and deciding on a match continue to be off target/outside tolerance range for the reasons stated above.

The KPI for referrals with a decision within 24 hours was at 74% in April 2022, just outside the tolerance of 75-79%. This was a consequence of Adults "go live" on Eclipse and capacity issues which have since been addressed.

At September 2022, the KPI for percentage of social workers who have had supervision (in month) was 79%, up from 71% the previous month but just below the tolerance of 80-90%. We expect to see supervision frequency continue to rise month on month. The percentage of assessments completed within 45 days dropped out of tolerance by 1 percentage point. This was an anticipated result of a change in practice for administrative staff to 'start the clock' for assessment at the earliest point.

Summary of Trust performance April to September 2022

KPI	Measure	Number of months where target met or within tolerances April-September 2022	% where target met or within tolerances April-September 2022
1	% of all referrals with a decision within 24 hours	5/6	83%
2	% of re-referrals to children's social care within 12 months	6/6	100%
3	% assessments completed within 45 working days	5/6	83%
4	% Initial CP conferences held within 15 working days	6/6	100%
5	% of children who became the subject of a CP plan for a second or subsequent time within the last 2 years	6/6	100%
6	% of children (under 16 years) who have been looked after for 2.5 years or more, and in the same placement (or placed for adoption) continuously for 2 years or more	6/6	100%
7	% children experiencing 3 or more moves in a year	6/6	100%
8	% of children in care reviews held on time	6/6	100%

9	% of care leavers who are in education, employment, and training (EET)	6/6	100%
10	% of care leavers who are living in suitable accommodation (19-21)	6/6	100%
11	Average time between a child coming into care and being placed with an adoptive family (A2)	0/6	0%
12	Number of children who have been adopted in year or who leave care	N/A	43 against a target of 85 (Sept 22)
13	% of agency social workers (including team managers)	0/6	0%
14	Average caseload of qualified social workers	6/6	100%
15	% of social workers who have had supervision (in month)	4/6	67%

The Trust's Annual QA and Performance Report, shared with the Council, provides a fuller account of performance and highlights areas of success and issues requiring attention.

As well as the performance measures, the Trust has a well-embedded Quality Assurance framework, overseen by the Practice Hub. This includes a wide range of performance audits, the learning from which feeds back into practice to drive improvement. Reports on our quality assurance work are shared at the Council-Trust Operational Commissioning Group.

The feedback we get from children, young people and family members about the work we do is a key strand of how we 'measure' how we are doing. Our Rights and Participation service plays an important role not only in advocating for our young people, but in ensuring their voices are heard clearly and continue to shape the services we offer

4. Priorities

Our priorities for 2022/23 were published in our Business Plan, agreed earlier in the year by the Cabinet Committee – Group Company Governance. They are produced below and reflect our intentions around embedding, strengthening and deepening our offer and our collaboration.

Strategic Priority	Impact/Benefits
Quality of Practice	<ul style="list-style-type: none"> Remains a priority for the Trust Maintained trajectory of improvement leading to better services, better outcomes, and an improved Ofsted judgement Further refine and embed the Trust Practice Model and assuring its implementation Continued focused work on improving the quality of practice in our work in and for the family courts, minimising delay, assuring case progression (Practice and Legal Service) <p>Progress 2021/22:</p> <ul style="list-style-type: none"> Audit and Practice Evaluation evidence improving practice

Strategic Priority	Impact/Benefits
	<ul style="list-style-type: none"> • Focused Visit October 2021 by Ofsted reported positively on quality of services and practice
Designing Trust Services to Improve the Child's Journey	<ul style="list-style-type: none"> • Shaping Practice to minimise transfer points and maximise consistency • Ensuring the whole system operates effectively and efficiently • Shaping support services to maximise support to Practice and to front-line practitioners, embracing efficiency and innovation in our operating model • Using our new accommodation footprint to enhance the working environment, create productive and trauma-informed spaces, and spaces where children, young people and families are welcome
Stronger Families Programme	<ul style="list-style-type: none"> • Remains a priority for the Trust • More support to keep young people safely within their families • More children and young people cared for in their families rather than by 'stranger carers' when they cannot live with their parents <p>Progress 2021/22:</p> <ul style="list-style-type: none"> • Families Together Plus service embedded • Edge of Care service hours extended to support Out of Hours activity to support children and families • Further increase in delivery of Family Group Conferences: 600+ in 2021/22 enabling effective family decision-making • Stronger Families targets achieved (Care admissions etc.) although challenges in relation to complexity of need/risk presenting
Maintain delivery of services and workforce wellbeing in the ongoing Covid pandemic	<ul style="list-style-type: none"> • Maintained strong business continuity arrangements • Services prioritised to deliver statutory accountabilities and ensure the most vulnerable are regularly seen and supported, working with partners across the system
Further improve Placement Sufficiency, and develop Trust Residential Care offer to children and young people	<ul style="list-style-type: none"> • Increased placement choice and sufficiency • Improved offer for young people with complex needs, in partnership with the NHS (CAMH) • More foster carers recruited, assessed and approved

Strategic Priority	Impact/Benefits
	<ul style="list-style-type: none"> • More adopters recruited, assessed and approved (through the new Regional Adoption Agency)
Support the establishment of Bfriends, the new charity	<ul style="list-style-type: none"> • Ensure all proper governance arrangements are in place • Ensure the charity has necessary infrastructure support to enable it to start to deliver its priorities • Agree appropriate trustee arrangements are in place • Support fundraising/income generation in the charity
Equalities	<ul style="list-style-type: none"> • Services delivered in ways, and by a workforce, at all tiers, that reflect the needs and experiences of the population we serve, equitably and fairly • Anti-racist practice embedded in our work • Staff feel equitably valued by the organisation in which they work; staff have the same opportunities for development and progression; HR activity reflects the workforce • Targeted work is undertaken to encourage support and progression for staff from black, Asian and minority ethnic communities • Bias and discrimination is unacceptable and is routinely addressed
Recruitment and Retention	<ul style="list-style-type: none"> • Trust reputation and profile further enhanced and widely promoted (local, regional, national) • Improved pipeline of social workers joining the Trust • Improved retention and progression of social workers (Linked to the 'Child's Journey' redesign priority)
Support to Staff	<ul style="list-style-type: none"> • Develop 'communities of practice' across the Trust, enabling collaborative learning, learning and support • Continue to enhance our wellbeing offer and ensure it is understood and accessible • Explore new development and support models for leaders, managers and front-line practitioners, with external partners
Strategic and Operational Financial Management	<ul style="list-style-type: none"> • Implement actions emerging from the CIPFA and C.Co reviews, jointly with the Council's Finance partners

Strategic Priority	Impact/Benefits
	<ul style="list-style-type: none"> • Enhance financial management at all levels of the trust • Improve efficiency and value for money • Successful implementation of 1B (Oracle) and optimisation of Target Operating Models for HR, Finance and Business Support (and linked to Journey of the Child)
Partnerships	<ul style="list-style-type: none"> • Maintain and enhance Trust presence and contribution to all key partnerships across the city • Advocacy for the most vulnerable in these partnerships • Drive closer, more effective operational partnership working in all contexts: information-sharing; collaboration; trust and confidence
Participation and Engagement	<ul style="list-style-type: none"> • Build the reach and scope of our engagement with children in care and care leavers • Establish routine engagement with other service user groups: children in the child protection system and their families; children in need etc. • Build greater co-production in our service development • Continue to focus on building engagement and connection with our staff through the Employee Forum, Wellbeing Forum, Equalities Forum and our communications models

In achieving our ambition in the coming year we recognise we have some key dependencies: changes and ongoing improvements not directly in the gift of the Trust but critical to our ongoing improvement. These continue to include:

- ongoing SEND improvement.
- school places, attendance and exclusion as they impact on vulnerable children with whom we are working.
- service, support and care for children and young people with complex needs.
- deeper, stronger integration: early help; contextual safeguarding; Preparation for Adulthood etc.
- implementation of an effective integrated commissioning model: Trust, Council, NHS.
- the continuous need to build stronger collaborative working: West Midlands Police, NHS, Council, Birmingham Voluntary Service Council.

We want to work with our partners, and across organisational boundaries, to drive improvement in these and other areas to further enhance the positive impact we can collectively make for the city's most vulnerable children and families. The Children's Partnership has a defined set of priorities that integrate well with the Trust's, and the Trust will play its part in supporting the Partnership's work.

5. Corporate Parenting

The Corporate Parenting Board and the associated team within Birmingham Children's Trust has overseen and delivered a range of activities over the last 12 months. The following achievements should be noted:

- the Holiday and Food Programme (HAF) hub model has been held up nationally as a good practice model for delivery and has impacted on thousands of children and young people across the city.
- the Birmingham Children's Trust apprenticeship programme has been developed and 14 Apprenticeships for Care Leavers across a wide range of opportunities are in post.
- our Participation Strategy now has an active working group and is making progress against the strategy to ensure that the voices of children, young people and our families are heard and are central to decision making.
- a new mentoring service has been developed.
- the 'Future You' films were shown at the Council House as part of the Commonwealth Wealth Games (CWG) programme of civic events on 3 August 2022 and the audience included Elected Members, partners, young adults and staff. The Future You films are now part of a structured training programme for Members.
- young people in care, care leavers, carers and families benefitted from a generous allocation of tickets to enable them to enjoy, and be inspired by, the summer's Commonwealth Games
- development and consultation on the Care Leavers offer is underway both internally and in partnership with the West Midlands Participation Groups. This work is looking at what the best offer is nationally and regionally and then aligning our updated offer to this. A core component of this will be establishing a multi-disciplinary care leavers resource hub, ideally located in the city centre.

The Corporate Parenting Board has developed a new structure and governance, ensuring the Board is more accountable and impactful. The structure ensures children and young people's voices are central to the Board and the young people's successful Take-Over Board is now a permanent feature in the meeting cycle. There are plans in development to broaden the take-over sessions to include senior council leadership forums.

The key priorities of the Board, driven by the voice of young people, continue to include:

- standards of accommodation – too much variation in quality of accommodation; some is excellent, some is not good enough.
- mental health and emotional wellbeing – waiting times for mental health services are a concern, as is the variation in how young people experience the quality of these

services. While Forward Thinking Birmingham continue to be responsive to crisis, waiting times for routine appointments and preventative support continue to be high.

- digital poverty – everything is online, accessing jobs, training, finances, employment, training and study. The cost of internet and access to devices is a growing issue for care leavers across the city. The Trust is rolling out a response.
- the support for young people taking on apprenticeships should level up with those on higher education pathways. Work on this is now being led by a National Graduate Trainee working with the Trust, and will report into the Board.

6. Resources

The contract sum which will form the basis of the Trust's revenue budget for 2022/23 is £229.2m.

The Trust faces significant financial pressures in 2022/23 as a result of a combination of factors:

- the Trust began the year with a revenue deficit 'baked in' to its budget. Demand and complexity have made it impossible for us to address this in-year.
- forecast, but unfunded, growth in numbers of children in care.
- a significant rise in the complexity of need of those in our care, for whom the market fails to provide placements and who require, as a result, bespoke high-cost care packages. When the 2022/23 Budget was set, there were 27 children in our care whose packages cost more than £5k per week. That figure has risen, in-year, to 81 children.
- unprecedented price increases across residential care and supported accommodation. While the profile of children in lower tariff care settings continues to gradually shift in the right direction, the overall unit cost in care has increased by 13% which is predominantly driven by the significant shift in supported accommodation (+87%). This is a national issue largely created by the legislative changes that have driven more demand to the residential market. This in the context of post covid staffing shortages and the cost-of-living crisis has served to stifle supply in a context of increasing demand. A recent analysis in Eastern regions has calculated the cost increase of supported accommodation at 312%. While the Trust is affected by these national issues it is evident that we continue to compare favourably against other core city benchmarks.
- contributions to the costs of placements for children in care from Education and Health are very low in Birmingham. This is subject to active discussion with partners.

The Independent Review of Children's Social Care, commissioned by Government and published earlier this year, identified a national deficit in the funding of children's social care of £2.5bn. Government's response is awaited.

The Trust continues to work with the Council, both officers and politicians, to share understanding of these pressures and agree a way forward. The Trust continues to provide

value for money through efficient and effective services to support families, but we recognise our responsibility to do all we can to operate within the cash window given, when we can, and to be open and transparent with the Council when we cannot. This we will continue to do.

7. Risks and challenges

We know this year will bring challenges:

- demand for our services has returned to greater than pre-pandemic levels and we know that there is growing need in our communities.
- finding a good, and good value, care placement for every child who needs one remains a challenge.
- the complexity of need we are encountering, including the compounding factor of the pandemic, is an unprecedented challenge.
- our resources, and those of partners, are, and will be, stretched.
- recruitment and retention is getting no easier with a regional and national shortage of social workers and a predatory independent agency sector.

We are well-placed to continue to rise to these challenges and maintain the trajectory of improvement we have set hitherto, maintaining effective collaboration with the Council and all of our partners.

Andy Couldrick
Chief Executive
Birmingham Children's Trust

November 2022

Education and Children's Social Care O&S Committee – 30 November 2022

Birmingham Children's Update 2022/23 – Supporting Slides

Andy Couldrick
Chief Executive, Birmingham Children's Trust



**BIRMINGHAM
CHILDREN'S TRUST**

Criminal exploitation of young people

Mental health and the Trust

Placement cost and complexity



Criminal exploitation of young people

How are the Council and partners working together to reduce the risks of criminal exploitation of young people?



Definition and Local Profile

The West Midlands regional definition of exploitation, either criminal and/or sexual is:

‘An individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child, young person or adult and exploits them:

- through violence or the threat of violence, and/or*
- for financial or other advantage of the perpetrator or facilitator and/or*
- in exchange for something the victim needs or wants.*
- The victim may have been exploited even if the activity appears consensual due to his /her specific situation. Exploitation does not always involve physical contact, it can also occur through the use of technology, e.g. as the result of a grooming process which takes place during conversations in chat rooms, or through the use of social media.’*



A Birmingham Snapshot

We know for a city this size with the issues we have related to this agenda the numbers of children known to be at risk are far too low.

- As at November 14 2022 there were 500 children in Birmingham deemed either vulnerable to or being exploited either sexually, criminally or both.
- Of these 500, 197 were females and 304 males.
- Of these 500, 360 were impacted by criminal exploitation, predominantly black and ethnic minority males.
- Of these 500, little disparity in terms area of residence with a marginally higher presence in the NWC area of the city when looking at exploitation in general; however, criminal exploitation features predominantly but not exclusively in the NWC area with significant county lines activity.
- In terms of ethnicity and gender the city is identifying predominantly boys from the black and ethnic minority community as criminally exploited and white girls as sexually exploited.

It is important to note that children criminally exploited can also be sexually exploited and that children can be exploited to commit harm toward other peers.



Working Together to reduce the risks of criminal exploitation for children



Priorities/ Next Steps

Draft Exploitation Strategy to be presented for ratification at the December Contextual Safeguarding Board with a focus on:

- Continued awareness raising to identify and report both victims and perpetrators in order to safeguard victims and disrupt and prosecute offenders.
- Continued workforce development across the partnership to better recognise, understand and respond to victims of exploitation.
- Development of a robust victim, location, perpetrator problem profile to enable better targeting and commissioning of resources in accordance with need and demand.
- Maximise operational solutions with local, regional, and national partners to disrupt all types of exploitation and associated serious youth violence including county lines targeting perpetrators and bring them to justice using modern day slavery and trafficking legislation “making Birmingham and unattractive city for organised criminality”
- Maximise the potential of the additional SOCEX investment via full integration with existing delivery model in EMPOWER U.
- Partnership working to promote early intervention and prevention including SAFE and the AP taskforce in educational settings.
- Continued work with partners including the community to identify, assess and respond to vulnerable locations across the city in line with the localism agenda.
- Continued development of an extra familial practice model within EMPOWER U to identify strategies for those affected by exploitation to exit and withdraw safely.



Mental Health and the Trust

The Trust is not responsible for children's mental health in the city but a number of services have been developed alongside the partnership to support this agenda. They include:

Therapeutic Emotional Support Service (TESS)

- Working exclusively with children in care and care leavers up to 25, providing direct therapeutic support.
- Working with circa 200 children each year.
- Key contributor to the better than national average performance in relation to the stability of children's care.

Intensive Residential and Outreach Care (IROC)

- Delivered by Forward Thinking Birmingham in development with the Trust.
- Dedicated therapeutic response for young people looked after in residential care to enable stability.
- Targeted service for the most complex and dysregulated.



Mental health and the Trust

As part of the Early Help Offer and embedded across the 10 districts the following services have been developed alongside Forward Thinking Birmingham:

Screening, Training, Intervention, Consultation and Knowledge service (STICK)

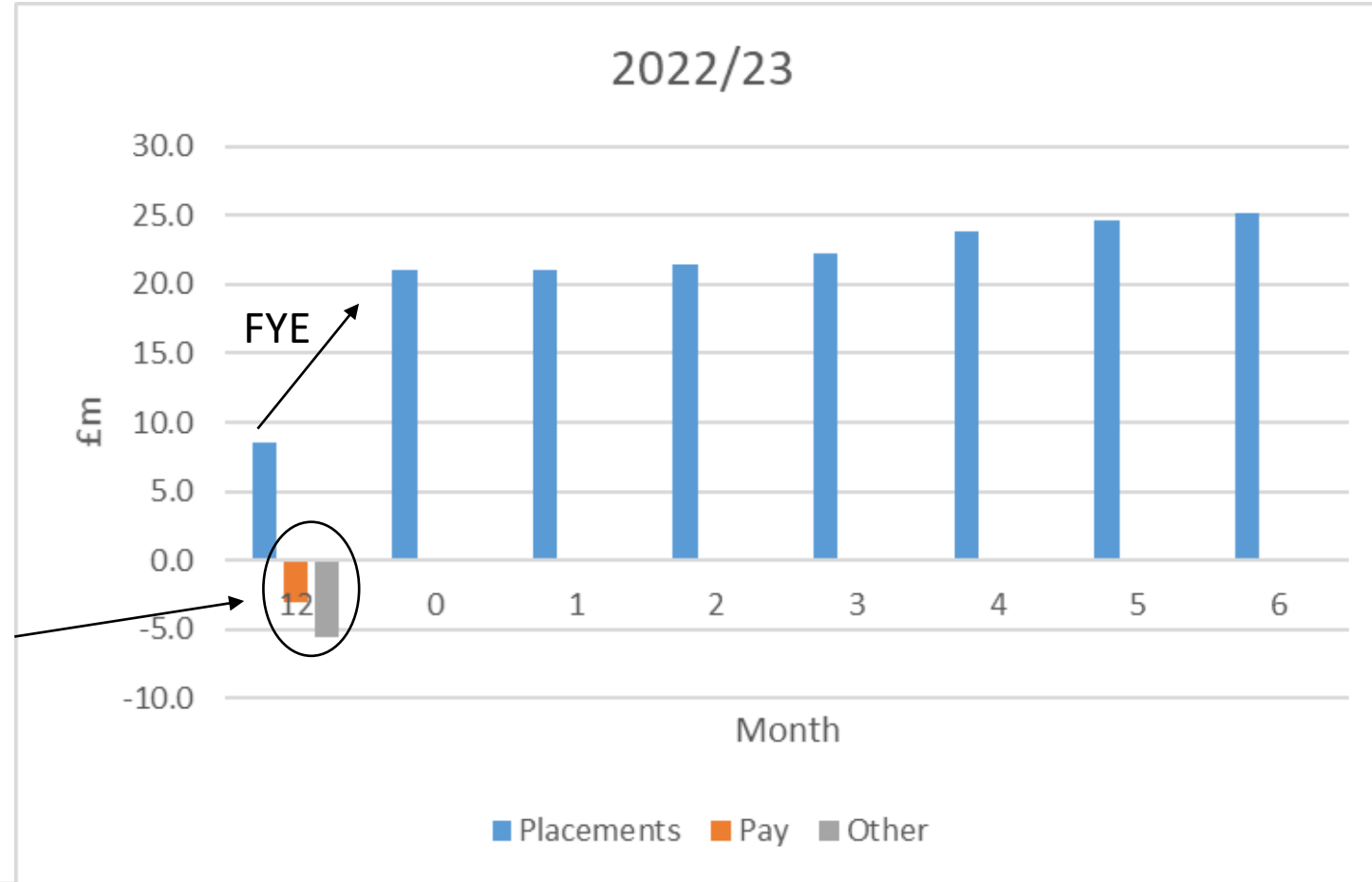
- Assessment and screening across 450+ schools and professional settings to promote early intervention.
- Providing specialist training to professionals working with CYP to upskill and equip them to provide low level interventions.
- Therapeutic menu of interventions for CYP who traditionally would not have met thresholds for CAMHS services.

Kooth

- Online crisis support for children in emotional distress.
- Commissioned in 2019 during the height of the pandemic and lockdown.
- Access for over 250,000 11-15 year olds.



Placement cost and complexity - Placement cost variance



Offset by one-off savings and income (£m):

Pay underspend 3.0

Income:

Covid grant 1.6

TF/SF grant 1.5

HSF grant 2.1

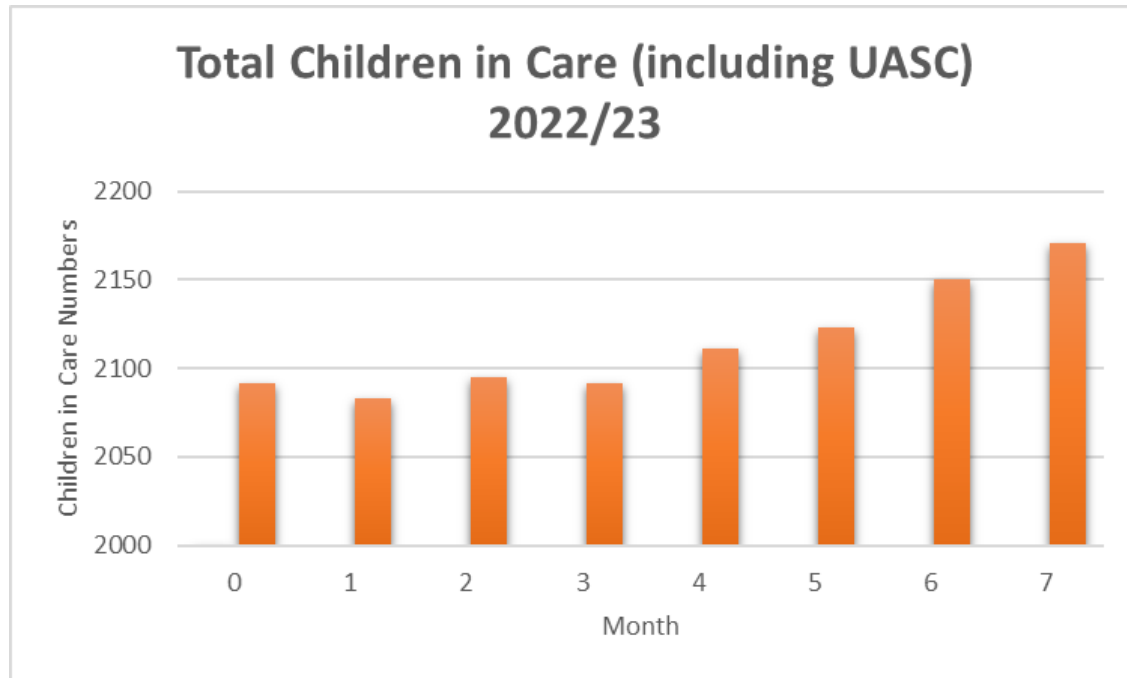
BCC contract 1.8

Other 0.2



**BIRMINGHAM
CHILDREN'S TRUST**

Children in care population



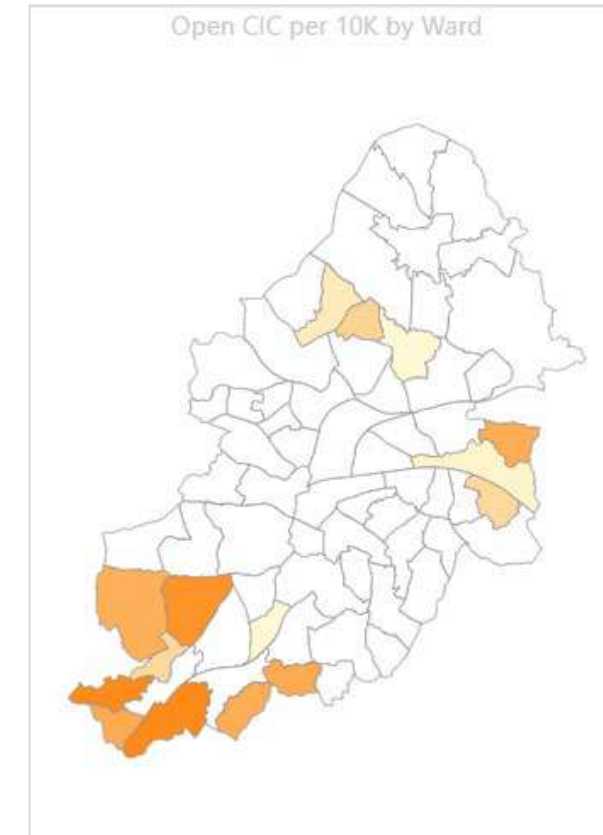
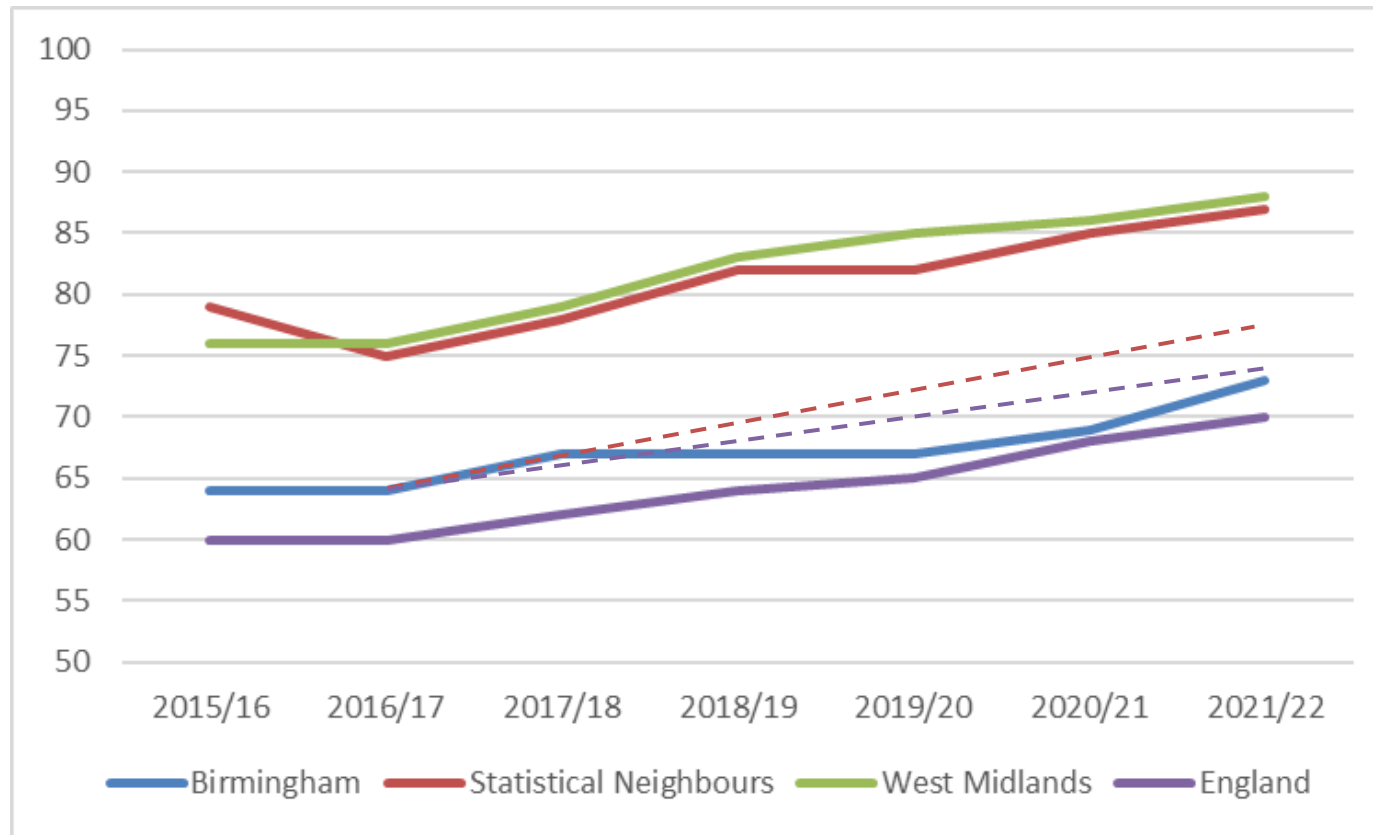
- Actual trend is following the 3.7% forecast and costing £3.6m per annum
- Complexity of need 27 to 77 children costing £11.0m per annum

BUT

- Cost of care is increasing at 19% (more than 3.8% inflation assumption)
- Sufficiency remains a key challenge
- Combined impact of market failure is c. £7.4m per annum



Children in care population (per 10k)



Unaccompanied Asylum Seeking Children

Demographic Profile

UASC Referred to Trust	(f)	Aged	(f)	Gender	%
Since Oct 2021	127	Under 16	22	M	98
Since Sept 2022	45	Aged 16-17	105	F	2
		Total	127		

Hertitage	(f)	Hertitage	(f)
Afganistan	30	Albania	2
Eriteria	17	Chad	2
Iran	28	Egypt	2
Sudan	23	Iraq	3
Vitenam (trafficked)	10	Kuwait	1
Syria	6	Pakistan	1
		Somalia	2

Additional Resourcing			
Staffing	(F)	Full Year (£)	Total (£)
Agency SW	3	56,000	168,000
Agency PA	3	38,000	114,000
Agency IRO	1	67,000	67,000
		Total	349,000

Accommodation & Allowance	Full Year	Total (£)
Under 18	118	27,000
Over 18	118	14,500

Nature of Referral to BCT

UASC CiC Tracker Oct 22 to Date	Nature of Referrals						Outcome	
	Trafficking	Legal Challenges From Hotels in the Main	NTS	Spontaneous	Other	Total	Accommodated	Age Assessments Considered
Total	8	67	23	27	1	127	112	50
%	6	53	18	21	1	100	88	39

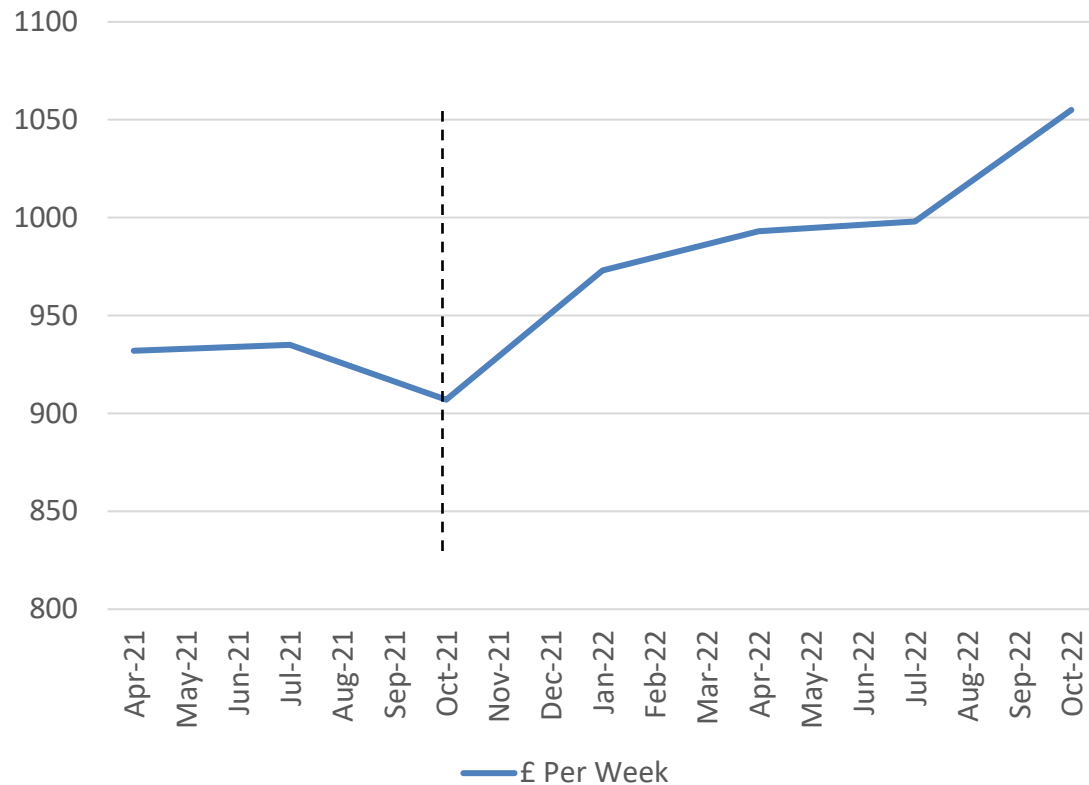


Placement Market – Context

- Legislative changes driving demand towards regulated provision
- Post-Covid Staffing shortages across the sector
- Ofsted regulation creating risk aversion throughout the market
- Local planning constraints stifling growth
- Inflation and cost of living driving prices
- Nationally commissioned secure market sees circa 50 children vying for each bed
- Tier 4 bed shortages putting pressure on residential beds



Cost of Care

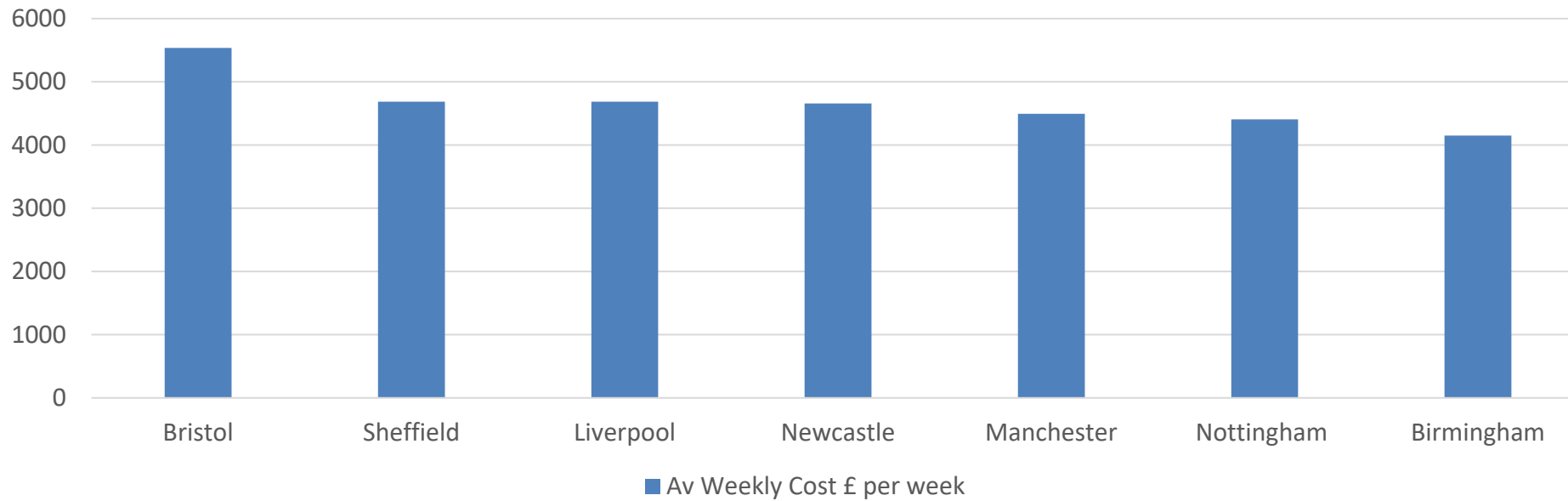


Increases coincide with changes to legislation in Sept 2021 -

- 16% increase in overall Av cost of care
- 11% increase in residential care
- Costs substantially driven by unregulated supported accommodation, 67% increase in last 12 months.



Core City Comparisons – Cost of Residential Care



* Last full comparison Dec 21

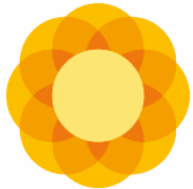


Andy Couldrick

Chief Executive

Birmingham Children's Trust

Andy.Couldrick@birminghamchildrenstrust.co.uk



**BIRMINGHAM
CHILDREN'S TRUST**



Education and Children's Social Care O&S Committee: Work Programme 2022/23

Chair:	Cllr Kerry Jenkins
Deputy Chair:	Cllr Des Hughes
Committee Members:	Cllrs: Shabina Bano, Jilly Bermingham, Debbie Clancy, Morriam Jan, Shehla Moledina, and Simon Morrall Education Representatives: Justine Lomas, Roman Catholic Diocese, Osamugi Ogbe, Parent Governor, Rabia Shami, Parent Governor, and Sarah Smith, Church of England Diocese
Officer Support:	Senior Overview and Scrutiny Manager: Fiona Bottrill (303 1731) Scrutiny Officer: Amanda Simcox: (675 8444) Committee Manager: Sofia Mirza (675 0216)

1 Introduction

- 1.1 The remit of the Education and Children's Social Care O&S Committee is 'to fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities concerning schools and education, the Children's Trust, vulnerable children, corporate parenting, children and young people's health and wellbeing and other child social care and safeguarding functions of the council'.
- 1.2 The Overview and Scrutiny Committee dealing with education matters shall include in its membership the following voting representatives: a) Church of England diocese representative (one); b) Roman Catholic diocese representative (one); and c) Parent Governor representatives (two, who are on the Committee until 30th April 2026).
- 1.3 This report provides details of the scrutiny work programme for 2022/23.

2 Recommendation

- 2.1 That the Committee considers its work programme, attached at Appendix 1, and agrees any amendments required.

3 Background

- 3.1 *"Scrutiny is based on the principle that someone who makes a decision...should not be the only one to review or challenge it. Overview is founded on the belief that an open, inclusive,*



member-led approach to policy review...results in better policies in the long run.” (Jessica Crowe, former Executive Director, Centre for Governance and Scrutiny).

- 3.2 Developing an effective work programme is the bedrock of an effective scrutiny function. Done well, it can help lay the foundations for targeted, inclusive and timely work on issues of local importance, where scrutiny can add value. Done poorly, scrutiny can end up wasting time and resources on issues where the impact of any scrutiny work done is likely to be minimal.
- 3.3 As a result, the careful selection and prioritisation of work is essential if the scrutiny function is to be successful, add value and retain credibility.

4 Work Programme

- 4.1 Appendix 1 sets out the future work programme for this Committee. This provides information on the aims and objectives, together with lead officers and witnesses, for each item. The attached work programme also includes items to be programmed where dates are still to be confirmed, and any outstanding items including the tracking of previous recommendations.
- 4.2 As the work programmes for the Committees have developed a number of cross cutting issues have been identified. To avoid duplication Members will be invited to attend different Overview and Scrutiny Committee meetings for relevant reports as set out below:

Lead Committee	Meeting and Agenda Item	Members to be invited and reason
Resources O&SC	17 November 2022: Monitoring recommendations from Council Asset Inquiry	Economy and Skills O&SC The Economy and Skills O&SC undertook the inquiry; however, this work now falls within the remit of the Resources O&SC.
Education and Children’s Social Care O&SC	30 November 2022: report from Birmingham Children’s Trust (BCT) 4 January 2023: Report from Birmingham Safeguarding Children’s Partnership (BSCP)	Members of the CYP Mental Health Inquiry from the Health and Social Care O&SC (Cllrs: Mick Brown (Chair), Kath Hartley, Gareth Moore, Julian Pritchard, and Paul Tilsley (Deputy Chair). Information from the BSCP and BCT will inform the CYP mental health inquiry.
Health and Social Care O&SC	14 October 2022 Report from Forward Thinking Birmingham	Members of the Education and Children’s Social Care O&SC It was agreed at Co-ordinating O&SC on the 8 July 2022 that the Health and Social Care O&SC undertakes scrutiny of children’s mental



Lead Committee	Meeting and Agenda Item	Members to be invited and reason
		health (under the overview and scrutiny role set out in the National Health Service Act 2006 as amended by the Health and Social Care Act 2012) and Members of the Education and Children's Social Care O&SC will be invited to attend as mental health is included within the Committee's terms of reference.
Commonwealth Games, Culture and Physical Activity O&SC	Meeting: TBC Report on employment and skills Legacy of the Commonwealth Games	Members of the Economy and Skills O&SC At the meeting on the 8 July Co-ordinating O&SC decided that this issue falls within the remit of the CWG, Culture and Physical Activity O&SC, and as it has been identified during the work planning for the Economy and Skills O&SC as an issue of interest. Members of this Committee would be invited to the relevant meeting.
Co-ordinating O&SC	14 October 2022 Report on Devolution Trailblazer Deal	Members of the Employment and Skills Inquiry Task and Finish Group The Deputy Leader will report to Co-ordinating O&SC on the devolution deal and this discussion will inform the work of the Employment and Skills Inquiry.

5 Other Meetings

5.1 There are no other meetings scheduled at this time.

Call in Meetings:

None scheduled

Petitions

None scheduled

Councillor Call for Action requests

None scheduled

Committee approved Wednesday at 10.00am as a suitable day and time each week for any additional meetings required to consider 'requests for call in' which may be lodged in respect of Executive decisions.



6 Forward Plan for Cabinet Decisions

- 6.1 Since the implementation of the Local Government Act and the introduction of the Forward Plan, scrutiny members have found the Plan to be a useful tool in identifying potential agenda items.
- 6.2 The following decisions, extracted from the CMIS Forward Plan of Decisions, are likely to be relevant to the Education and Children's Social Care O&S Committee's remit. The Committee may wish to consider whether any of these issues require further investigation or monitoring via scrutiny. The Forward Plan can be viewed in full via Forward Plans (cmis.uk.com).

ID Number	Title	Proposed Date of Decision	Date of Decision
010410/2022	Birmingham Youth Justice Strategic Plan 2022/23	06 Sep 22	06 Sep 22
010734/2022	Home to School Casual / Agency Transport Guides Procurement Strategy	13 Dec 22	
010735/2022	Corporate Safeguarding Policy	13 Dec 22	

7 Legal Implications

- 7.1 There are no immediate legal implications arising from this report.

8 Financial Implications

- 8.1 There are no financial implications arising from the recommendations set out in this report.

9 Public Sector Equality Duty

- 9.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 The Committee should ensure that it addresses these duties by considering them during work programme development, the scoping of work, evidence gathering and making recommendations. This should include considering: How policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic;



Whether the impact on particular groups is fair and proportionate; Whether there is equality of access to services and fair representation of all groups within Birmingham; Whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

- 9.3 The Committee should ensure that equalities comments, and any recommendations, are based on evidence. This should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

10 Use of Appendices

10.1 Appendix 1 – Work Programme for 2022/2023

APPENDIX 1 - 2022-23 WORK PROGRAMME

Date of Meeting: Wednesday 20th July 2022 at 10am in the BMI, Margaret Street

Item/ Topic	Type of Scrutiny	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information (Including joint working / links with other O&S Committees)
SEND Improvement and the Accelerated Progress Plan	Update Report	Advise current position on SEND Improvement, and the Accelerated Progress Plan (APP).	Sue Harrison, Director, Children and Families	Sue Harrison, Director, Children and Families Victor Roman, SEND Improvement Programme Manager	None Required	
Home to School Transport (HTST)	Update Report	Assurances on improvements to the HTST service including arrangements for Sep 2022.	Sue Harrison, Director, Children and Families	Mike Fagan, AD, Home to School Transport John Elsegood, Head of Communications Satinder Sahota, Interim City Solicitor & Monitoring Officer	None Required	
Youth Justice Plan	Consultation	To discuss the priorities prior to the plan going to Cabinet and City Council for adoption.	Seamus Gaynor, Head of Executive, Children's Trust	Dionne McAndrew, AD, Vulnerable Young People, Children's Trust Janine Saleh, Head of Service, Youth Offending Service	None Required	
Work Programme Development	Decision	Approve work programme for 2022-23	Fiona Bottrill, Senior Overview and Scrutiny Manager	None	None Required	

Final Deadline: Monday 11th July 2022, and Publication: Tuesday 12th July 2022

Date of Meeting: Wednesday 7th September 2022 at 10am in Committee Rooms 3 & 4, Council House

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
SEND Improvement	Update Report	Improvement Journey	Sue Harrison, Director, Children and Families	Sue Harrison, Director, Children and Families	None Required	
Cabinet Member Portfolio Overview	Update Report	Report providing a summary of Cabinet Member priorities for 2022-23, and identify opportunities for O&S to add value	Suman McCarthy, Cabinet Support Officer	Cllr Karen McCarthy, Cabinet Member for Children, Young People and Families	None Required	Cabinet Member Portfolio Overview
Work Programme Development / Inquiry Proposal	Decision	Approve work programme for 2022-23	Fiona Bottrill, Senior Overview and Scrutiny Manager	None	None Required	

Final Deadline: Friday 26th August 2022

Publication: Tuesday 30th August 2022

Date of Meeting: Wednesday 19th October 2022 at 10am in Committee Rooms 3 & 4, Council House

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
SEND Commissioner	Update Report	To provide information on the work of the SEND Improvement Board and how O&S can add value to the SEND improvement journey.	Sue Harrison, Director, Children and Families	John Coughlan, DfE Commissioner	None Required	
HTST / Children and Young People Travel Service Update	Update Report	Update on the service delivered in Sep 2022.	Sue Harrison, Director, Children and Families	Sue Harrison, Director, Children and Families John Elsegood, Interim Lead Birmingham Children's Travel Service	None Required	

Final Deadline: Monday 10th October 2022

Publication: Tuesday 11th October 2022

Date of Meeting: Wednesday 30th November 2022 at 10am in Committee Rooms 3 & 4, Council House

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
Children's Trust	Update Report	To receive the Business Plan and Priorities (including an update on the paper that is going to Cabinet on the 8 Nov regarding the contract)	Seamus Gaynor, Head of Executive, Children's Trust	Andy Couldrick, Chief Executive, Children's Trust David Stringfellow, Executive Director Dionne McAndrew, AD, Vulnerable Young People, Children's Trust	None	Last attended a formal committee meeting on 1st September 2021 Members of the Children and Young People Mental Health Inquiry from the Health and Social Care OSC have been invited (Cllrs: Mick Brown (Chair), Kath Hartley, Gareth Moore, Julian Pritchard, and Paul Tilsley (Deputy Chair))
Special Educational Needs and Disabilities Information Advice and Support Service (SENDIASS)	Private Session	To update the Committee on the independent review of SENDIASS, commissioned from the National Children's Bureau	Sue Harrison, Director of Children's Services	Sue Harrison, Director of Children's Services Rosemary Kew, Independent Report Author, National Children's Bureau	None	

Final Deadline: Monday 21st November 2022

Publication: Tuesday 22nd November 2022

Date of Meeting: Wednesday 4th January 2023 at 10am in Committee Rooms 3 & 4, Council House

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
Birmingham Safeguarding Children's Partnership (BSCP)	Update Report	To receive the BSCP Two-Year Report and the Independent Chair's Accountability Report	Simon Cross Business Manager, BSCP	Penny Thompson, Independent Chair, BSCP Simon Cross Business Manager, BSCP	None	BSCP last attended a formal committee meeting on 16 th February 2022 Members of the Children and Young People Mental Health Inquiry from the Health and Social Care OSC have been invited (Cllrs: Mick Brown (Chair), Kath Hartley, Gareth Moore, Julian Pritchard, and Paul Tilsley (Deputy Chair))
Improving Services for Children and Families: Progress Report	Update	Update on the improvement journey so far in Children and Families, including headline improvements and a summary of the Improvement Plan	Sue Harrison, Director, Children and Families	Sue Harrison, Director, Children and Families Kerry Madden, Programme Manager		
Children and Young People Plan	Consultation	Part of the consultation		Colin Michel, Strategy & Partnership Lead		

Final Deadline: Thursday 22nd December 2022 and Publication: Friday 23rd December 2022

Date of Meeting: Wednesday 22nd February 2023 at 10am in Committee Rooms 3 & 4, Council House

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
School Attainment	Update Report		Lisa Fraser, AD, Education and Early Years	Lisa Fraser, AD, Education and Early Years Tim Boyes, Chief Executive, BEP		

Final Deadline: Monday 12th February 2023

Publication: Tuesday 13th February 2023

Date of Meeting: Wednesday 5th April 2023 at 10am in Committee Rooms 3 & 4, Council House

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
Children's Trust	Update Report	To provide an update on Progress with the Priorities	Seamus Gaynor, Head of Executive, Children's Trust Suman McCarthy, Cabinet Support Officer	Andrew Christie, Chair, Children's Trust Andy Couldrick, Chief Executive, Children's Trust Cllr Karen McCarthy, Cabinet Member for Children, Young People and Families (tbc) Sue Harrison, Director, Children and Families (tbc)	To be discussed	

Final Deadline: Monday 27th March 2023

Publication: Tuesday 28th March 2023

Date of Meeting: Wednesday 17th May 2023 at 10am in Committee Rooms 3 & 4, Council House

Item/ Topic	Type	Aims and Objectives	Lead Officer	Witnesses	Visits	Additional Information
Young People's Substance Use Service	Update Report	<p>To update Members on the Service (under the HSC Act 2012, local authorities have a legal duty to protect children from harm, reduce health inequalities and improve the health of their local population by ensuring that there are public health services aimed at reducing drug and alcohol misuse)</p> <p>Outstanding Information:</p> <ul style="list-style-type: none"> • The referral process for elected members, so they can add this to their resource toolkit when they are dealing with casework to be provided. • Data to see young people's transition out of substance misuse is to be provided. 	Karl Beese Commissioning Manager - Adult Public Health Services	<p>Chris Baggott, Service Lead (Health Protection)</p> <p>John Freeman, Commissioning Manager, Adults Social Care</p>	None required	<p>This item was last discussed on 24 November 2021</p> <p>Members of the Health and Social Care O&S Committee to be invited to attend for this item.</p>

Final Deadline: Friday 5th May 2023 (Monday 8th May 2023 is a bank holiday)

Publication: Tuesday 9th May 2023

TO BE SCHEDULED:

1. Grand Challenges, City Observatory data indicators by committee remit.
2. Scrutiny Inquiry: Child Criminal Exploitation.
3. Joint Scrutiny Inquiry with Health and Social Care O&S Committee: Children and Young People's Mental Health.
4. Visits.
5. Student attendance at school during their period (Period Poverty Inquiry). The focus of the report would be on the learning / good practice that has been identified and how this being shared with schools across the city, and members of the Health and Social Care O&S Committee to be invited to attend for this item.
6. The DfE SEND Commissioner to attend a committee meeting early next year.
7. Janie Berry, City Solicitor to be added to update Members on tribunals and delays etc., and feedback on how the role of Legal Services contributes and makes risk informed decisions.



Education and Children's Social Care Overview and Scrutiny (O&S) Committee: Terms of Reference

Chair:	Cllr Kerry Jenkins
Deputy Chair:	Cllr Des Hughes
Committee Members:	Cllrs: Shabina Bano, Jilly Bermingham, Debbie Clancy, Morriam Jan, Shehla Moledina, and Simon Morrall Education Representatives: Justine Lomas, Roman Catholic Diocese, Osamugi Ogbe, Parent Governor, Rabia Shami, Parent Governor, and Sarah Smith, Church of England Diocese
Officer Support:	Senior Overview and Scrutiny Manager: Fiona Bottrill (303 1731) Scrutiny Officer: Amanda Simcox: (675 8444) Committee Manager: Sofia Mirza (675 0216)

1 Recommendation

- 1.1 The Committee:
- 1.2 Agree the Terms of Reference for the Child Criminal Exploitation (CCE) Inquiry attached as Appendix 1.

2 Background

- 2.1 The Inquiry was agreed by Co-ordinating O&S Committee at the meeting on the 8 July 2022 as one of the four Inquiries to be carried out during 2022/23.
- 2.2 Following discussions with the Chair and key officers, the draft terms of reference attached were considered by the Task and Finish Group on 15 November 2022.

3 Terms of Reference

- 3.1 The Terms of Reference for the CCE Inquiry are attached as Appendix 1.
- 3.2 The aim is to complete the Inquiry and report to City Council in June 2023. In line with the Scrutiny Framework Procedure Notes the final report will be considered by the Task and Finish Group including representatives of the three main political parties and the report will be signed off by the Chair of the Task and Finish Group in consultation with the Chair of the Education and Children's Social Care O&S Committee.



4 Legal Implications

- 4.1 There are no immediate legal implications arising from this report. However, the final inquiry report will include legal implications relating to any recommendations that are put forward for consideration by City Council

5 Financial Implications

- 5.1 There are no immediate financial implications arising from this report. However, the final inquiry report will include financial implications relating to any recommendations that are put forward for consideration by City Council.

6 Public Sector Equality Duty

- 6.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.2 The Task and Finish Group should ensure that it addresses these duties by considering them during the scoping of the inquiry, evidence gathering, identifying its key findings and making recommendations. This should include considering: how policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; whether the impact on particular groups is fair and proportionate; whether there is equality of access to services and fair representation of all groups within Birmingham; whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.
- 6.3 The Task and Finish Group should ensure that equalities comments, and any recommendations, are based on evidence. This should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

7 Use of Appendices

- 7.1 Appendix 1: Terms of Reference for CCE Inquiry.

Contact Officers: Overview and Scrutiny Manager: amelia.murray@birmingham.gov.uk – 07825 979253 and Scrutiny Officer: amanda.j.simcox@birmingham.gov.uk



Work Outline / Terms of Reference

Child Criminal Exploitation

Education and Children's Social Care Overview and Scrutiny Committee

Our key question:	How are the Council and Partners working together to reduce the risks of criminal exploitation for young people?
1. How is O&S adding value through this work?	<p>The criminal exploitation of our young people remains a significant concern for the Council and its partners. As the youngest city in the UK, this is a major and also growing safeguarding challenge for us all to face. Birmingham City Council Overview and Scrutiny has previously undertaken an Inquiry - 'We Need to Get it Right Health Check in Tackling Child Sexual Exploitation'. It is critical that Birmingham is ready to meet the changing nature of exploitation. This Inquiry will seek to explore whether there is effective joint working in place to prevent Child Criminal Exploitation now and in the future and identify improvements to make young people safer in the future.</p> <p><u>What is Child Criminal Exploitation?</u> - 'occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child ... The victim may have been criminally exploited even if the activity appears consensual. Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology' (County Lines Exploitation: Practice Guidance for Youth Offending Teams and Frontline Practitioners, Ministry of Justice 2019). This definition acknowledges CCE's binary nature and herein one of its many complexities, i.e., a young person may be both a victim and an offender at the same time.</p> <p>CCE often occurs within 'county lines' drug-dealing operations. 'County lines' is a term used to describe gangs involved in exporting illegal drugs within the UK, using dedicated mobile phone lines. They are likely to exploit children to move and store the drugs, and will often use coercion, intimidation, and violence (Criminal Exploitation of Children and Vulnerable Adults: County Lines, Home Office, 2017).</p>



Criminal Exploitation

The trauma of young people's experiences is highly likely to have a long-term impact on their future and of future generations. Therefore, an effective and robust partnership approach towards tackling CCE now is critical.

The '[Punishing Abuse](#)' report (Dr Alex Chard, March 2021) was commissioned by the West Midlands Police and Crime Commissioner (WMPCC) and West Midlands Combined Authority (WMCA). This report researched 80 cases of young people known to Youth Offending Teams across the West Midlands (including Birmingham). It identified that:

- Majority are 'educationally disenfranchised leaving (them) vulnerable (to) social exclusion, exploitation, and crime'
- Girls are the most at-risk victims experiencing 'highest levels of abuse and exploitation'.
- Evidence of Criminal Exploitation including through county lines. Nevertheless, there may be higher levels of exploitation as there is a significant chance of under-recording, in particular related to the sexual exploitation of boys.
- 31% of these cases (including all cases relating to girls) had resulted in multi-agency referrals for sexual exploitation.

This research also concluded that known risk factors 'appear to have created a virtual escalator' whereby young people are 'propelled towards crime and the criminal justice system', and which leads to their exploitation and abuse. These risk factors include:

- Poverty
- Physical disabilities or poor mental health
- Family or individual substance misuse
- Known to Criminal Justice system
- Known to Social Care services
- Experienced parental loss
- Family violence
- Family criminality
- Victim or abuse and violence in the community
- Disrupted education
- Special Educational Needs

It highlights 'preventing children from being pushed onto this escalator' as the challenging strategic issue facing organisations.



	<p>In any area, the partnership landscape to address CCE is complex and multi-layered. There are challenges in identifying young people at risk and the appropriate type of responses to deliver. Intervention plans combine responses across statutory and third sector organisations, as well as directly with families. The nature of Child Criminal Exploitation also changes, which puts pressure to plan and adapt. The size of Birmingham increases this complexity and challenge.</p> <p>Birmingham City Council's Council Plan links:</p> <p><u>Grand Challenges</u></p> <p>Opportunities for Children and Young People</p> <p><u>Be Bold Outcomes</u></p> <p>A Bold Inclusive Birmingham</p> <p>A Bold Safe Birmingham</p> <p><u>Corporate Priorities</u></p> <p>8. Support and enable all children and young people to thrive</p> <p>9. Make the city safer</p> <p>10. Protect and safeguard vulnerable citizens</p> <p>A new round of Joint Targeted Area Inspections (JTAI) was announced by the Government in March 2022. These new inspections will consider the multi-agency response to the criminal exploitation of children in Birmingham.</p>
<p>2. What needs to be done?</p>	<p><u>Proposed key lines of enquiry:</u></p> <ul style="list-style-type: none"> a) What is the definition of Child Criminal Exploitation (CCE) being used in the city? If different definitions are being applied by partners, how does this impact upon the effectiveness of joint working? b) What is the current scale and nature of CCE in Birmingham? How has this picture changed over the past four years? What are the projected risks and threats for the future? c) How are organisations informed by evidence-based practice? How do organisations capture 'what works' and 'what doesn't work', and how has this information changed their services? How is Birmingham learning from other areas, and how is this learning being implemented to make a difference?



Criminal Exploitation

	<p>d) What is the current partnership strategy in place to address CCE in the city? How is this strategy being supported and delivered through partners? What are the partnership mechanisms for collaboration, and how effective are they? How effective is its governance structure?</p> <p>e) Who are the key statutory organisations and what are their respective roles in addressing CCE? What investment is provided to these organisations, and has this changed over the past four years? What are the current plans for investment to meet future demands?</p> <p>f) What is the role of third sector and community-based organisations involved in tackling CCE? What are the key challenges they face, and what are the solutions they have identified to tackle these challenges? How effective is the cross sector working?</p> <p>g) How does the Council and Partners identify and assess risk for children and young people together for CCE? How are they responding to the challenge in identifying girls and young women as victims? How are the Council and Partners working together to deliver effective interventions when children and young people are likely to be both victims and involved with committing offences at the same time?</p> <p>h) How are the Council and Partners working with families to support children and young people at risk, or involved with CCE? How are schools and partners working together to reduce the risk of school exclusion?</p> <p><u>Equalities Impact</u> This will be monitored throughout the course of the inquiry.</p>
3. What timescale do we propose to do this in?	A report to City Council is proposed for June 2023.
4. What outcomes are we looking to achieve?	<p>Our overall outcome is to:</p> <ol style="list-style-type: none"> 1. Reduce the number of children and young people becoming at risk of Child Criminal Exploitation. 2. Improve the effectiveness of partnership working to reduce the risk of Child Criminal Exploitation.
5. What is the best way to achieve these outcomes and what routes will we use?	This is an Inquiry proposed by the Education and Children's Social Care OSC and will be undertaken by this Committee. As the Housing and Neighbourhoods OSC has the statutory function as the Crime and Disorder Committee for Birmingham under their



remit, they will be kept informed about the progress of this Inquiry.

Call for Evidence:

- Public – citizens and communities will have the opportunity to provide information as part of a 'Call for Evidence'. We will be particularly focusing on hearing about the experiences and capturing the views of families, who have had children at risk of, or involved with, Child Criminal Exploitation.
- Members – all Members will be invited to provide their views.
- Stakeholders – relevant stakeholders will be identified to provide evidence to the Inquiry. They may be local, regional, or national stakeholders.

Stakeholders invited to provide evidence include:

- Birmingham and Solihull Mental Health NHS Foundation Trust (BSMHFT)
- Birmingham City Council
- Birmingham Safeguarding Children's Partnership (BSCP)
- Birmingham Children's Trust
- Birmingham Community Safety Partnership
- Schools (primary and secondary)
- Forward Thinking Birmingham
- Lived Experiences
- Other Local Authority areas
- Probation Service
- Third sector organisations (Aquarius; Barnardo's; Catch 22; Children's Society; Choices Resettlement; Inside Out Resettlement Services; KIKIT; Lighthouse Consortium; NSPCC; NWG Network; St Giles; Victim Support)
- West Midlands Police
- West Midlands Police and Crime Commissioner
- Violence Reduction Partnership

Task and Finish Group – this will be set up comprising Members from the Education and Children's Social Care Overview. The Task and Finish Group will be chaired by Councillor Des Hughes. This group will monitor the progress of the Inquiry.



Criminal Exploitation

Member / Officer Leads

Lead Member:	Councillor Des Hughes (Chair, Inquiry Task and Finish Group)
Membership of Inquiry Task and Finish Group:	Councillors: Shabina Bano; Morriam Jan, Shehla Moledina, and Simon Morrall
Lead Officer:	Amelia Murray, Overview and Scrutiny Manager

Birmingham City Council

Education and Children's Social Care

Overview and Scrutiny Committee

Date: 30 November 2022



Subject: SENDIASS

Report of: Sue Harrison, Director of Children's Services

Report author: Rosemary Kew, Independent Report Author, National Children's Bureau

1 Purpose

- 1.1 To update the Committee on the independent review of SENDIASS, commissioned from the National Children's Bureau.

2 Recommendations

- 2.1 Members note the report and agree any comments/recommendations.

3 Any Finance Implications

- 3.1 There will be a need, based on the recommendations of the NCB report, to reassess the funding levels of the SENDIASS Service.

4 Any Legal Implications

- 4.1 Local authorities must arrange for children with SEN or disabilities for whom they are responsible, and their parents, and young people with SEN or disabilities for whom they are responsible, to be provided with information and advice about matters relating to their SEN or disabilities, including matters relating to health and social care.
- 4.2 As per the SEND Code of Practice 2015, SENDIASS are also expected to comply with the Minimum Standards for SEND Information Advice and Support and a set of Quality Standards ratified by the Department of Education, Health, and Social Care.
- 4.3 This report is being considered in closed session, as the implications of the report might contain information that is not conducive to be discussed in a public meeting, as would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.
- 4.4 This follows advice from the DfE SEND Commissioner, and accepted by the Monitoring Officer, that this is not a public report and therefore cannot be considered at a meeting in public. The report will be presented by the Director of Children's Services and the Independent Author will also attend. This will enable members to

have an open and full debate and fulfil the Committee's scrutiny function. Further information from the SENDIASS service may come to a future meeting of the Committee.

- 4.5 The item will be held in closed session under the Local Government Act 1972 Section 12a Para 3,

5 Any Equalities Implications

- 5.1 n/a

6 Appendices

- 6.1 Appendix 1 – NCB Review of SENDIASS Report (Exempt)