

**MINUTES OF THE CHILDREN AND EDUCATION SCRUTINY COMMITTEE
MEETING
HELD AT 7PM ON THURSDAY 18 JULY 2019
BOURGES/VIERSEN ROOMS, TOWN HALL, PETERBOROUGH**

| | |
|-----------------------------------|---|
| Committee Members Present: | Councillors J Goodwin (Chairman), G Casey, L Coles, N Day, A Dowson, D Jones, T Haynes, S Lane, D Over (Vice Chairman), L Robinson, B Rush Co-opted Members: A Kingsley, Rizwan Rahemtulla, P Cantley, F Vettese and Parish Councillors J Bhatti and S Lucas |
| Also Present: | Councillor Ayres, Cabinet Member for Children's Services and Education, Skills and University |
| Officers Present: | Lou Williams, Service Director for Children's Services and Safeguarding Jonathan Lewis, Service Director, Education Belinda Evans, Customer Services Manager |

CHAIRMAN'S ANNOUNCEMENT

Item 6. Attendance of Sue Baldwin, Regional Schools Commissioner

The Chairman advised the Committee and those present at the meeting that due to a family bereavement the Regional Schools Commissioner who was due to attend the meeting to speak to item 6 had submitted her apologies. The Chairman asked the Committee if they wished to defer the item to another meeting in order that the Regional Schools Commissioner may attend and take questions. The Committee unanimously agreed to defer the item and not discuss the report at this meeting.

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST AND WHIPPING DECLARATIONS

There were no declarations of interest or whipping declarations.

3. MINUTES OF THE CHILDREN AND EDUCATION SCRUTINY COMMITTEE MEETING HELD ON 14 MARCH 2019.

The minutes of the Children and Education Scrutiny Committee meeting held on 14 March 2019 were agreed as a true and accurate record.

4. CALL IN OF ANY CABINET, CABINET MEMBER OR KEY OFFICER DECISIONS

There were no requests for call-in to consider

5. APPOINTMENT OF CO-OPTED MEMBERS

The Senior Democratic Services Officer introduced the report which recommended that Alistair Kingsley, Rizwan Rahemtulla and Parish Councillor Susie Lucas be appointed as non-voting co-opted members. The report also recommended that Parish Councillor Junaid Bhatti be appointed as either a non-voting co-opted member or as a nominated substitute for Susie Lucas should she be appointed. All appointments to be reviewed at the beginning of the next municipal year.

Councillor Rush seconded by Councillor Over recommended that all four nominated Co-opted Members be appointed on to the Committee.

The Committee agreed unanimously to appoint Alistair Kingsley, Rizwan Rahemtulla, Parish Councillor Susie Lucas and Parish Councillor Junaid Bhatti as non-voting Co-opted members of the Committee for municipal year 2019/2020 to be reviewed on an annual basis.

The nominated persons were in attendance at the meeting and the Chairman invited all four newly appointed Co-opted Members to join the Committee for the remainder of the meeting.

AGREED ACTIONS

The Children and Education Scrutiny Committee considered the report and **RESOLVED** to

1. Appoint Alistair Kingsley to the Committee as a non-voting Independent Co-opted Member for the municipal year 2019/2020. Appointment to be reviewed annually at the beginning of the next municipal year.
2. Appoint Rizwan Rahemtulla as a non-voting Co-opted Member to represent the Muslim Community for the municipal year 2019/2020. Appointment to be reviewed annually at the beginning of the next municipal year.
3. Appoint Parish Councillor Susie Lucas as a non-voting Co-opted Member to represent the rural area for the municipal year 2019/2020. Appointment to be reviewed annually at the beginning of the next municipal year.
4. Appoint Parish Councillor Junaid Bhatti as a second non-voting Co-opted Member to represent the rural area for the municipal year 2019/2020. Appointment to be reviewed annually at the beginning of the next municipal year.

6. ATTENDANCE OF SUE BALDWIN – REGIONAL SCHOOLS COMMISSIONER

Item deferred as per Chairman's announcement.

7. FUNDING CUTS AND IMPACT ON SCHOOLS - FEEDBACK FROM SCHOOL LEADERS

The Service Director for Education introduced the report accompanied by the Cabinet Member for Children's Services and Education Skills and University. The report provided the Committee with information on the current financial pressures being experienced by Peterborough Schools. The Service Director highlighted some of the key challenges faced by Peterborough Schools:

- Both pension and pay awards had not been fully funded and schools have had uncertainty over what funding they would be receiving.
- Impact of austerity - the reduction in support services across Local Authority services, health and the voluntary sector have meant schools were providing more support than ever especially around pastoral areas.
- No allowance had been made for inflation in schools funding since the introduction of the Dedicated School Grant.
- Incremental drift in salaries with a teacher shortage and demand exceeding supply.
- Accountability framework demands more support and a constantly rising bar.

The Children and Education Scrutiny Committee debated the report and in summary, key points raised and responses to questions included:

- In order to identify challenges that schools were facing a survey was sent out to 79 educational establishments in the city, 75% of which responded. The information received would help to inform a letter to be sent from the Cabinet Member for Education to the Secretary of State for Education.
- The Director for Education advised the Committee that he was a member of the Academy Trust CEO Network Group where the question of funding continued to be discussed. The Academy Trusts support the Local Authority campaign and many of the responses received in the survey came from Academy schools.
- Schools were required to fund the first £6k for pupils with needs that support an Education Health and Care Plan (EHCP). The Government assess the schools needs and then notionally allocate an amount of money in total to schools to cover those with an EHCP in place. This did not cover all the funding needed and could therefore take a large amount of the schools budget. The funding formula was complex and was very difficult to explain to parents.
- Members felt that the lack of funding of SEND pupils and those with an Education Health and Care Plan in place was a deeply felt issue and wanted to know what the Local Authority was doing to join forces with other authorities to articulate the concerns to Government effectively. The Director for Education advised that the LA sat next to one of the lowest funded authorities in the country who were part of the group called F40 which were the 40 lowest funded authorities in the country. Peterborough was able to access their materials and were jointly working with them to put forward to Government what was different about Peterborough and what the unique challenges were to provide a more personalised response. The Education Review published two years ago had identified the unique issues in Peterborough and an action plan had been put in place to try and deal with these issues and concerns. The LA had asked for more money per pupil funding to assist with the school improvement plan to raise attainment across Peterborough.
- The Regional Schools Commissioner did not have a direct role in funding for schools but was aware of the local pressures and funding issues at a local level.
- Recruitment of qualified teachers was difficult, Members were concerned that schools may feel pressured into reducing costs by employing less experienced staff which may then have an impact on behaviour and attainment and this could have an impact on the reputation of a school.
- Clarification was sought as to whether schools were obliged to have reserve funds and if so at what point were they allowed to use them. Members were informed that schools were allowed to retain their balances from one year to the next. However keeping large reserves was not a good use of resources and the Local Authority challenged this rigorously. Maintained Primary Schools were allowed to retain up to 8% of their budget as carry forward and maintained Secondary Schools were allowed to retain up to 5% of their budget to carry forward. If the schools went above this amount then the LEA would remove the excess which would then be redistributed in to school improvement. The majority of schools were spending more money than they had in the next financial year

which had meant that they were having to use their reserves. There were only two schools in a moderate deficit position.

- Members were concerned that many schools were having to reduce their KS4 offer and cut subjects which may have an impact on results. Members were informed that the new Ofsted Framework which was about to be put in place talked about the breadth and range of opportunities that the curriculum will need to offer, however the finances and resources did not support this.
- Peterborough had a full range of secondary schools with mixed needs and children were entering the system at different levels. The perception was that secondary schools focussed on KS4 and in primary schools the emphasis tended to be on KS2. Primary schools were being encouraged to change the emphasis to the Early Years to improve reading and phonics.
- Pensions. An allocation had been made to schools for pensions but the Government did not fund the cost of pensions. There was a formula generated that allocated money to the schools based on pupil numbers not necessarily the cost of pensions. Some schools had received additional funding others less which meant that there was a gap in funding.
- Pay awards had not been funded and an announcement from Government was pending in relation to this. Pensions and pay awards were an ongoing issue.
- The Cabinet Member advised that she would be writing to the Secretary of State for Education informing him of the Peterborough issues and challenges quoting the anecdotal evidence received via the survey which have been caused by the current funding pressures and the impact it was having on children. Next steps would be to engage with parents to see how they can support the case to the Secretary of State. It was hoped that the letter would encourage the Secretary of State to meet with the Cabinet Member.
- Members suggested including the more emotive issues in the letter.
- Members were informed that the national funding formula was unlikely to change and the Peterborough area was not particularly disadvantaged but there was not enough money in the education system to deal with the challenges.

AGREED ACTIONS:

The Children and Education Scrutiny Committee considered the report and **RESOLVED** to support officers and the Cabinet Member in highlighting to Central Government the ongoing challenge Peterborough schools were facing in relation to schools funding.

8. OUTCOME OF OFSTED INSPECTION OF PETERBOROUGH CHILDREN'S SERVICES, SERVICE DIRECTOR REPORT AND PORTFOLIO HOLDER REPORT

The Service Director, Children and Safeguarding Communities and Safety accompanied by the Cabinet Member for Children's Services and Education Skills and University introduced the report. The report provided the Committee with an overview of key performance measures within Children's Services, and updated the Committee on the recent Ofsted visit. The report also provided information on the relevant activities and functions completed by the Cabinet Member for Children's Services. It was noted that this had been a recent appointment for the Cabinet Member.

The Service Director advised Members that the title of the report was incorrect in that there had not been an Ofsted Inspection and that it had been an Annual Conversation which was part of the new Ofsted Framework. Under the Ofsted 'Inspection of Local Authority Children's Services' [ILACS] inspection framework, local Ofsted inspectors visited authorities once a year to hear from senior officers about the development of children's services, any areas where there was good progress, and any areas where there were emerging challenges. This was called the 'annual conversation'.

There had been a recent peer review of Corporate Parenting, Children in Care and Care Leavers. The outcome was very positive and feedback received was that a lot of progress had been made. The Corporate Parenting Committee received particularly good feedback.

The Children and Education Scrutiny Committee debated the report and in summary, key points raised and responses to questions included:

- Members commented that the progress and improvement in Children's Services compared to a few years ago was good.
- Members were informed that Peterborough was classed as a good performing authority with a very lean service. Recruitment of good social workers still remained a challenge, particularly in the assessment teams and that had an impact on some areas of performance. Recruiting and retaining experienced qualified staff was a challenge nationally and regionally and therefore Peterborough was not alone in this position. A recruitment campaign had just been launched and another one would be launched in September. There was still too much work coming through the system a large amount of which was coming from the police. Work was being done with the police to look at how domestic abuse referrals were being responded to.
- Members referred to Chart 5, Number of children on Child Protection Plans. It was noted that there had been an upward trend in the number of referrals but the number of children on Child Protection Plans had not increased and appeared to be declining. Members sought clarification as to whether the threshold for children being placed on Child Protection Plans was too high. Members were informed that the threshold for Child Protection Plans should be high. There were also children subject to Children in Need Plans as well. Much work had been done with regard to the Family Safeguarding Model which had included additional adult family workers being placed in the children's services teams to support and work with parents and families who had alcohol, drug use or substance misuse problems. This had assisted in reducing the number of children being placed on Child Protection Plans.
- PCC also took part in Peer Reviews which provided an opportunity to see how other authorities worked. The Eastern Region had a commitment to undertake Peer reviews for other authorities.
- Children's Services were not responsible for children's health and child immunisation, this was the responsibility of Public Health.
- Members were concerned about the challenges around the recruitment of social workers and wanted assurance that there was a strategy in place. Members were advised that there was a recruitment strategy in place but the recruitment of qualified social workers was an issue across the South East and the Eastern region not just Peterborough. In the Eastern region there was a Memorandum of Understanding (MoU) in place which limited the amount that could be paid per hour for locum social workers which was a maximum of £32 per hour. This meant that agencies could no longer play one authority off against another, resulting in pay inflation. However Peterborough was on the very edge of the Eastern region and so compete with other authorities who were not part of the MoU, some of which paid higher rates. The aim was to recruit as many permanent staff as possible. The plan was to grow our own social workers and this was being done by promoting staff internally and starting a social worker apprenticeship programme. There had also been some recruitment of overseas social workers. The message was getting out that Peterborough was a great place to work.
- Members sought evidence of qualitative data around Personal Education Plans (PEPs). Chart 12 portrayed a very positive picture of PEP's month by month but it had not provided detail of the quality of those plans or the impact of the plans on pupil achievement. Members were informed that the Peer Review had identified that the content and quality of the PEP's were very good. It was however difficult to measure the impact of PEPs on pupils achievement. The Service Director advised that the Quality Assurance team could

conduct an audit of some PEPs and feedback could be provided in the next Service Directors report to the committee.

AGREED ACTIONS:

The Children and Education Scrutiny Committee considered the report and **RESOLVED** to:

1. Note the content of the report in relation to performance by children's social care and actions being taken to maintain and improve this in certain areas;
2. Note the information relating to oversight by Ofsted through the Inspection of Local Authority Children's Services framework;
3. Note the work of the newly appointed Cabinet Member for Children's Services in carrying out her duties.

The Committee also requested that the Service Director provide evidence regarding the quality of the Personal Education Plans in the next Service Director report to the committee.

9. ANNUAL CHILDREN'S SOCIAL CARE STATUTORY COMPLAINTS REPORT 2018-19

The Customer Services Manager accompanied by the Cabinet Member for Children's Services introduced the report. The report provided an annual summary on information relating to the statutory complaints process applied to complaints presented by or on behalf of 'children in need' or 'looked after' (meaning in the council's care) as defined by the Children Act 1989.

The Children and Education Scrutiny Committee debated the report and in summary, key points raised and responses included:

- Members were informed that the number of complaints received this year had slightly increased and it was being monitored to see if this was a continual trend.
- The number of complaints coming from young people continued to grow which was good news as it meant that young people were able to access the complaints process easily.
- There had been a significant improvement in responses to complaints.
- Table 6. Complaint Categories. Members sought clarification as to why there had been a significant upward trend over the past three years in complaints relating to delayed/failed service. Members were advised that across all services of the council delayed/failed services complaints were most common. This was attributed to customers who felt that services were not being provided as quickly as they would like e.g. phone calls not being returned quickly enough, not seeing a social worker as often as they had wanted to.
- It was noted that in the findings of the Peer Review between Peterborough City Council and Milton Keynes Council, Peterborough had scored significantly lower than Milton Keynes in the following categories:
 - Principle 1: Ensure the complaints process was accessible. Peterborough had scored 78 and Milton Keynes had scored 89.
 - Principle 4: Ensure that the complaints process is resolution focused. Peterborough had scored 67 and Milton Keynes had scored 94.

Members were informed that the assessment tool would need to be looked at to understand the scoring. The Peer Review which was an assessment of the whole complaints process not just children's social care highlighted that Milton Keynes had a very joined up and integrated complaints system which meant that complaints were handed to the service area much more quickly. It was also noted that Milton Keynes still provided paper literature on the complaints process where as Peterborough had moved away from paper literature and over to online information. The move to online information had proved successful for young

people but had not been as successful for adults. This therefore has scored Peterborough as less accessible.

The resolution focus score was more about children social care complaints. There was a problem around speaking to customers when a complaint was received. When the team managers receive the complaint to deal with it, it was good practice to contact the complainant as soon as possible to understand the complaint fully and to try and resolve it. This was not happening as much as it should be.

- It was noted that there was a large number of complaints that could not be accepted under the statutory process, the top 3 reasons being:
 - The case was in court or there was a criminal investigation ongoing
 - The complainant had 'insufficient interest' (in relation to the child)
 - The complaint was out of time/or out of jurisdiction

Members sought clarification as to what 'insufficient interest' (in relation to the child) meant. Members were informed that there was a statutory list of people that could be included in the complaints process starting with children and young people, parents, carers and foster parents and then other interested parties. Unfortunately some family members such as grandparents who may wish to use the complaints process but were classified as those who had insufficient interest could not use the process.

- Members were pleased to see the section on compliments included within the report.
- Members referred back to Table 6. Complaint Categories and the issues regarding delayed / failed service and noted that it was a 9% rise from last year and wondered if this highlighted any training needs to assist in reducing this number. Members were advised that the increase in complaints had been more generalised and about people not knowing what to expect rather than specific areas of concern which had made it difficult to identify specific areas for training.
- The complaints report was important to be able to identify any areas requiring improvement. Since the Peer Review a check list had been put in place for team managers to ensure they considered carefully what had led to the complaint and how they should respond. Members were concerned at the overall increase in complaints to 83 in 2018/19 from 66 in 2017/18. The Service Director for Children's Services and Safeguarding highlighted to Members that children's social care was the most controversial part of the service in that most people did not welcome the intervention of children's social services. Out of 3625 open cases last year there were only 83 complaints which was about 2% of the overall caseload.

AGREED ACTIONS:

The Children and Education Scrutiny Committee considered the report and **RESOLVED** to note the contents.

8.38PM - Councillor Dowson left the meeting.

10. REVIEW OF 2018/2019 AND WORK PROGRAMME FOR 2019/2020

The Senior Democratic Services Officer presented the report which considered the 2018/19 year in review and looked at the work programme for the new municipal year 2019/20 to determine priorities and agree the proposed way forward for monitoring future recommendations.

There being no discussion on this item the following actions were agreed.

AGREED ACTIONS:

The Children and Education Scrutiny Committee **RESOLVED** to:

1. Consider items presented to the Children and Education Scrutiny Committee during 2018/19 and make recommendations on the future monitoring of these items where necessary.
2. Determine its priorities, and approve the draft work programme for 2019/2020 attached at Appendix 1.
3. Note the Recommendations Monitoring Report attached at Appendix 2 and consider if further monitoring of the recommendations made during the 2018/2019 municipal year is required.
4. Note the Terms of Reference for this Committee as set out in Part 3, Section 4, Overview and Scrutiny Functions and in particular paragraph 2.1 item 1 Children and Education Scrutiny Committee as attached at Appendix 3.

11. FORWARD PLAN OF EXECUTIVE DECISIONS

The Committee received the latest version of the Council's Forward Plan of Executive Decisions, containing key decisions that the Leader of the Council anticipated the Cabinet or individual Cabinet Members would make during the course of the following four months. Members were invited to comment on the Forward Plan and where appropriate identify any relevant areas for inclusion in the Committee's work programme.

AGREED ACTIONS:

The Children and Education Scrutiny Committee considered the report and **RESOLVED** to note the latest version of the Forward Plan of Executive Decisions.

12. DATE OF NEXT MEETING

The date of the next meeting was listed as Thursday 5 September 2019. The Chairman advised that she would not be available to attend this meeting and asked the Committee if they would be in agreement for the Senior Democratic Services Officer to look for an alternative date. Members advised that they would be agreeable to a change of date for the September meeting if a suitable date could be found. The Chairman thanked Members for their understanding.

CHAIRMAN
7.00pm to 8.43 pm