

## MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Children and Young People Select Committee held at County Hall, The Rhadyr, Usk, NP15 1GA on Monday, 22nd February, 2016 at 2.00 pm

**PRESENT:** County Councillor P. Jones (Chairman)  
County Councillor P. Farley (Vice Chairman)

County Councillors: M. Hickman, S. Howarth, M. Powell, M Fowler (Parent Governor Representative), D. Dovey, V. Smith and E. Hackett Pain

### OFFICERS IN ATTENDANCE:

Sarah McGuinness	Chief Officer, Children & Young People
Claire Marchant	Chief Officer Social Care, Health & Housing
Sharon Randall-Smith	Head of Achievement and Attainment
Tracey Jelfs	Head of Childrens Services
Hazel Ilett	Scrutiny Manager
Richard Williams	Democratic Services Officer
Nikki Wellington	Finance Manager
Stephanie Hawkins	Principal Officer ALN, Additional Learning Needs
Tyrone Stokes	Accountant
Andrew Evans	Senior Management Accountant

### APOLOGIES:

Councillors P. Clarke, L. Guppy, R. Harris and C Robertshaw (Parent Governor Representative)

#### 1. Declarations of Interest

County Councillor P. Jones declared a personal, non-prejudicial interest regarding the item in respect of Scrutiny of the performance of the South East Wales Adoption Service (SEWAS). She is a Local Authority Member of the Adoption Panel.

#### 2. To consider a call-in in relation to the Cabinet Decision dated 3rd February 2016 'Proposed changes to the Funding Formula for Schools'. The following papers are attached for Members' consideration:

We received a Call-In request in respect of the decision taken by Cabinet on 3<sup>rd</sup> February 2016 regarding the proposed changes to the Funding Formula for Schools.

The Scrutiny Manager explained the Call-In process to the Select Committee so that the contribution of all participants at the meeting was understood, in order to fulfil the Council's corporate objectives of openness and transparency in decision making. The Children and Young People Select Committee will consider the appropriateness of a decision that has already been taken by the Council's Executive, a decision that has already been 'called in' by Members of the Children and Young People Select Committee. This Select Committee was not able to make a decision upon the Funding

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Formula for Mounton House School, but having followed the Council's Call-In procedure, could do one of three things:

1. Accept the Cabinet's decision.
2. Refer the matter back to Cabinet for re-consideration (with reasons).
3. Refer the matter to Council for consideration (with reasons).

The Call-In process allowed for the Members who requested the decision be called-in to speak first, outlining their reasons for calling-in the decision.

Reason for the Call-In:

In the light of new information brought to the Children and Young People Select Committee on 14<sup>th</sup> January 2016, concerns were raised concerning the size and immediacy of cuts, the effect it will have on the school and the absence of a strategic plan for the school.

The following information was provided by the Members who had called in the Cabinet decision:

- Mounton House School was currently operating in a deficit budget and would be facing a further cut in its budget of £250,000.
- It was considered that the views expressed by the NAHT Trade Union had not been taken sufficiently into account.
- There had been neglect of the school's funding in previous years.
- Additional Learning Needs (ALN) Provision had not yet been completed.
- This matter had been discussed previously at Council and it was considered that the minutes of that meeting had not reflected the discussion in depth.
- Cabinet had not taken on board the concerns that had been raised.

The Cabinet Member for Education outlined the following points:

- There was no representation from the Select Committee at Cabinet in respect of this matter.
- The Schools' Funding Formula was reviewed annually which allows equity across the County.
- All schools and Trade Unions are consulted on this matter.
- The Schools' Funding Formula is then presented to the Budget Forum.
- With regard to residential funding at Mounton House, the teaching element is funded for 42 children. The residential aspect had been based on 42 children but

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there are now only 10 residential children at Mounton House. In future the residential aspect will be funded for 18 children.

- Across the County, Cabinet is looking at only funding what is being used. Therefore the proposal is to fund 18 residential places and for 42 children at Mounton House. Therefore, funding is only being cut for the residential aspect of the school.

The following information was received from Gareth Jones, Chair of the Governing Body at Mounton House and Beverly Randall, Executive Head Teacher for Mounton House School:

The funding of Residential Provision.

- Currently the school has 38 boys on roll, with 10 of those being residential pupils. 4 of the latter are from Monmouthshire. The number of residential pupils has declined drastically from 2010. Why there has been such a dramatic reduction in residential placements is an important question which has yet to be discussed or answered. Unlike mainstream schools, placements at Mounton House are determined by the Local Authority. Knowing the cause of the decline would help in determining how best to manage the future, especially in light of the review of ALN currently underway.
- As our response to the consultation on changes to the funding stated, we recognise and agree that it is appropriate to review and reduce the funding for residential provision, given the significant reduction in the number of residential pupils since 2010. Our concern is not the direction of travel but the timing.
- Currently, the school is forecast to end this financial year with a deficit of some £140,000. This is the consequence of the prompt and positive action which had to be taken by the Governing Body, with support from the Local Authority, to resolve concerns that had been raised by an Estyn Inspection and by the EAS Challenge Advisor.
- The 3 year recovery plan, which has to be agreed with the Local Authority, will involve the school having to reduce its staffing costs by some £50,000 per annum with effect from April 2016.
- For any small school and especially one focused on meeting the needs of boys who present a range of severe behavioral and learning difficulties, achieving that without an impact upon the learning experience of the pupils will be a challenge but is feasible.
- The same cannot be said if the school needed to reduce staffing costs by an additional £250k for 2016-17, which is what the cut in residential funding suggests.
- The loss of a significant number of well qualified and experienced staff in a short time scale would inevitably result in a poorer learning experience for the boys.

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- One option for the Governing Body to the cut in residential funding is to close the residential facility with effect from April 2016. As the consultation response indicated, this could result in greater costs for Monmouthshire than the saving of £250,000.
- Alternative strategies for the school and LA?
  - Phase in the reduction over a 3 year period?
    - Even if the reduction is to be phased in over 3 years, the result is that the Governing Body will have to amend its budget planning so as to reduce staffing costs by some £83,000 per annum in addition to the £50,000 referred to previously. A reduction of over £130,000 per annum, i.e 7% will not be without consequences and it is the impact upon the learning experiences of the boys which is always our main concern. That reduction will involve mapping out the staff skills and experience now and for the future. That is a difficult exercise at the best of times, even more so when we do not know if, or what the future holds for Mounton House, as a result of the review of ALN provision.
  - Phase in over 5 years?
    - If possible within the constraints of regulations regarding school funding, this would require an annual reduction in costs of some £100,000 i.e., over 5% per annum. This would still leave the Governing Body with the challenge of determining a revised staffing structure without knowing what staff expertise will be required as and when the ALN Review is completed.
  - Defer the funding formula change until April 2017?
    - This would enable the Governing Body to resolve the existing forecast budget deficit and for staffing changes resulting from the reduction in residential funding to fit any proposed role for Mounton House in the longer term.
    - It would also give time for the marketing and recruitment drive being prepared by the staff of the school to be implemented. 5 additional residential pupils from out of county would, at present rates, provide the £250,000 that the Local Authority seeks to balance its budget. This would reduce the level of cost cutting required. The positive support of the Local Authority in marketing the school would be helpful.
    - It would also give time for negotiations between the Local Authority and other Local Authority's to establish a realistic charge for a placement at Mounton House to be completed. Is Monmouthshire currently charging the market rate for the services offered by

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Mounton House? Is there a significant difference between the rate charged by Monmouthshire for boys and what it pays for the out of county placement of girls? Is there is a gap between what Monmouthshire receives from other Local Authority's and how much it delegates to the school?

- Ironically, should the ALN review require the issuing of a closure notice for the school, as a result of a proposed change in the focus and role of the school, any budget deficit at that point would become the responsibility of the Local Authority, hence, the £250,000 saving for the Local Authority may not actually be realized.
- Since January 2016, there has been scope for income generation and Mounton house School and the staff team were ready for this.

The following points were made by Officers:

- Mounton House is a school central to the Council's consideration and was pleased that the support of the Local Authority had been recognised.
- Mounton house School was able to reduce the current budget deficit.
- The Funding formula for Mounton House School is funded for staffing ratios but there was an element of protection for Mounton House.
- The Deficit recovery plan for the school was over a three year period. However, the Authority could consider extending it if required.

The Select Committee raised the following points:

- The ALN review would be completed at the end of April 2016 for consultation.
- It was considered that we as an Authority should market Mounton House School with a view to increasing the number of residential places. It was noted that the Head Teacher had been on post only six weeks but it was expected that a marketing scheme in respect of the school would be undertaken.
- In response to a Select Committee Member's question, the Cabinet Member stated that she would be willing to discuss the matter further with the Chair and Vice-Chair of the Select Committee relevant officers and the Chair of the Governing Body and the Executive Headteacher. Concern was expressed that as the ALN stage three review had not been completed, this might affect the type of staffing to be reduced.

The Chairman advised the Select Committee that it needed to consider the way forward and to advise that they have the opportunity to choose one of the following three courses of action:

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1. Accept the Cabinet's decision; or
2. Refer the matter back to Cabinet for re-consideration (with reasons); or
3. Refer the matter to Council for consideration.

Having considered the options available, we resolved as follows:

**Decision:** To refer the matter back to the Cabinet for re-consideration given the reasons outlined in the call-in request and highlighted by the Select Committee Members at the meeting regarding the immediacy and extent of the funding reduction, whilst the strategic direction of the school remains unclear.

**Recommendation:** The Select Committee unanimously agreed that a meeting should be held to discuss the funding reduction further prior to the decision being reconsidered by the Cabinet. Members agreed that the Chair and Vice-Chair of the Select Committee would meet with the Cabinet Member, relevant Officers, the Chair of the Governing Body and the Executive Head Teacher to discuss this in order to prepare a new report on this for future Cabinet decision.

### **3. Revenue & Capital Monitoring 2015/16 Month 9 Outturn Forecast Statement**

#### Context:

- To provide Select Committee Members with information on the forecast revenue outturn position of the Authority at the end of reporting period 3 which represents month 9 financial information for the 2015/16 financial year.
- The report will also be considered by Select Committees as part of their responsibility to,
  - assess whether effective budget monitoring is taking place,
  - monitor the extent to which budgets are spent in accordance with agreed budget and policy framework,
  - challenge the reasonableness of projected over or underspends, and
  - monitor the achievement of predicted efficiency gains or progress in relation to savings proposals.

#### Key Issues:

The Select Committee received an update on the revenue and capital monitoring 2015/16 Month 9 outturn forecast statement.

#### Member Scrutiny:

- Concern was expressed that Monmouthshire Youth Service had taken on a difficult mandate by being generator of income and providing its core business which was to provide a Youth Service. Therefore, creating pressure on the service. It was considered that the Select Committee would benefit from receiving an update on its service.

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- In response to a Select Committee Member's question it was noted that professional fees for 21<sup>st</sup> Century Schools provision was funded via capital funding.
- The Finance Manager would provide the Select Committee with a breakdown of costings in respect of professional fees.
- In response to a Select Committee Member's question, the Finance Manager stated that early interventions were put in place to prevent schools going into deficit. With regard to the schools currently in a deficit budget, it was noted that these schools were reducing their budget deficit.
- A budget had been set in the sum of £83M in respect of the new schools at Caldicot and Monmouth. However, tenders received had been in excess of this figure. In order to reduce costs, certain aspects of the tender were being reviewed.
- It was intended to reduce the number of agency staff working in Social Services with the aim of employing a permanent work force. The Social Services Directorate had been avidly recruiting for permanent social workers but had not been successful as there was not a large pool of social workers in the current market. However, the Directorate was looking to appoint newly qualified social workers which would be mentored internally.
- It was noted that demand was increasing within Children's Services.
- The Chief Officer stated that a report regarding recruitment of social workers would be presented to a future meeting of the Select Committee.

#### Recommendations:

We resolved to support the following recommendations proposed to Cabinet:

- That Members consider the position concerning the third period of revenue monitoring in 2015/16 (£162,000 overspend), and seek assurance that Chief Officers will continue to work on delivering the £1.6 million Recovery Plan reported to December 2015 Cabinet.
- That Senior officers follow the requirement of the Protection of Employment Policy which requires that all redundancy and pension costs must be reported to and agreed by Cabinet before final approval.
- Members consider the position concerning period 3 (Month 9) Capital Monitoring 2015/16 of an estimated £23.8million spend against a net budget of £23.9million, after proposed slippage of £37.7 million, notes the improvement in a need for slippage reported by managers (after excluding 21c schools), and the reservation that this necessitates managers incurring £12.5million expense during the last quarter, when collective they only spent £11.3 million in preceding periods this year.

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- Requests the addition of two wholly funded section 106 funded capital schemes to the capital programme, which managers report will be fully utilised by the end of March 2016:
  - A capital budget of £40,000 to allow for the construction of a Puffin crossing in the vicinity of the development at Saw Mill house funded from S106 contributions from the development at Saw Mill house, Little Mill.
  - A capital budget of £6,800 to continue the implementation of the Monmouth Links Connect 2 walking and cycling network funded from Section 106 contributions received from the development at the Almshouses, St James' Square Monmouth.

#### **Committee's Conclusion:**

The Select Committee would receive the following update reports at a future meeting:

- Monmouthshire Youth Service.
- Recruitment of Social Workers.

#### **4. Scrutiny of the performance of the South East Wales Adoption Service (SEWAS).**

##### Context:

To scrutinise the progress that had been made by the South East Wales Adoption Service (SEWAS) since it was formed in as part of the National Adoption Service in April 2014.

##### Key Issues:

South East Wales Adoption Service (SEWAS) commenced on the 1<sup>st</sup> April 2014.

- The report from Blaenau Gwent County Borough Council provided the background and context to the service and provided the data from a national perspective. The report also advised a note of caution as the data contained in the report had been collated for the first time. A need for improved data collection had been recognised and put in place.
- The report did not provide specific data regarding Monmouthshire as the requirement from the National Adoption Service was to provide this on a national and regional basis.
- The local experience since SEWAS was formed has been very positive with an increase in focus on older and more complex children having the same opportunity for a 'forever' family.
- There had been an increase in adoptions as shown in the table below. Figures can vary for adoptions as not all children will have a plan for adoption as an outcome from the Care Proceedings in Court.

Year	Placed for adoption	Children with adoption
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		Orders
15/16 (up to Q3)	6	1
14/15	4	10
13/14	2	
12/13	1	

- The psychology support pre and post adoption had been very effective to moving children on to and settling into their adoptive placements. Work to develop this service further continues with SEWAS.

#### Member Scrutiny:

- The Committee expressed support for the report.
- It was noted that good work was being undertaken within SEWAS with regard to older children.
- In response to a Select Committee Member's question regarding governance, it was noted that there were no plans to undertake any changes with regard to adoption legalities.
- In response to a Select Committee Member's question regarding the average time from initial enquiry to approval as adopters and that South East Wales was the lowest in Wales, it was noted that various discussions had been held at regional and National level regarding the data and the differences across Wales. There was a caveat in the report regarding the data and it was noted that investigations were being undertaken as to how the data was being used going forward.

On behalf of the Select Committee the Chairman thanked the Head of Children's Services for the work that she has undertaken for the Authority and wished her the very best in for the future.

#### **Committee's Conclusion / Recommendations:**

The Chair summed up by noting the recommendations as outlined in the report and thanked Head of Children's Services for presenting the report to Select Committee.

#### **5. Progress report regarding the Social Services and Wellbeing (Wales) Act 2014.**

##### Context:

To brief the Children and Young People's Select Committee on the Social Services and Well-Being (Wales) Act 2014, which provides the legislative basis for social services in Wales from April 2016. The report also sets out the implementation actions required at a regional and local level.

##### Key Issues:

In February 2011, the former Deputy Minister for Social Services published, "Sustainable Social Services for Wales – A Framework for Action", the Welsh Government strategy to "renew social

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services and social care for the next decade". Sustainable Social Services made it clear that radical transformation was needed to address the significant challenges to traditional social services as a consequence of the changed social and financial context. Factors such as changes in family structures, demography, expectations about voice and control for service users, more fragmented communities and the impact of issues like substance misuse meant traditional solutions were not sustainable. Social services departments responded positively to this challenge, developing transformation programmes to achieve a paradigm shift in culture, practice and commissioning. These are programmes of continuous and sustained improvements, moving from deficit based, service led practice towards a person centred approach which focuses on strengths and individually agreed outcomes.

The Social Services and Well-Being (Wales) Act 2014 received Royal Assent and became law in May 2014. The Act provides the statutory framework to underpin the changes in culture and practice. It sets out duties for local authorities corporately and partners in the NHS, as well as social services departments. Authorities are required to integrate social services, to support people of all ages with a focus on well-being, prevention, early intervention, and greater voice and control for people. The Act promotes independence and prevention of the need for commissioned services. By integrating and simplifying the law, the Act seeks to deliver greater consistency, promote equality, improved quality and enhanced access arrangements across Wales.

This paper provides:

- A briefing on the 11 parts in the above Act.
- The local and regional position regarding implementation.

#### Member Scrutiny:

- The Select Committee expressed its support for the Act.
- The Select Committee was invited to an 'open afternoon' in which Members could meet with staff in order to understand the changes to the service as a result of the implementation of the Act in April 2016.
- Regular monitoring by the Select Committee would be undertaken.
- Staff were ready for the changes that will occur.

#### **Committee's Conclusion / Recommendations:**

On behalf of the Select Committee, the Chair thanked the Chief Officer for the report and noted the recommendation. A progress report would be presented to a future meeting of the Select Committee.

#### **6. To confirm the date and time of the next meeting as Thursday 17th March 2016.**

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We resolved that the next Children and Young People Select Committee meeting would be held on Thursday 17<sup>th</sup> March 2015 at 2.00pm.

**The meeting ended at 4.35pm.**

**The meeting ended at Time Not Specified**