

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Children and Young People Select Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 12th November, 2015 at 2.00 pm

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

County Councillors: L. Guppy, R. Harris, M. Hickman, D. Jones, M. Powell, M Fowler (Parent Governor Representative) and C Robertshaw (Parent Governor Representative)

OFFICERS IN ATTENDANCE:

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| Sarah McGuinness | Chief Officer, Children & Young People |
| Tracey Jelfs | Head of Childrens Services |
| Hazel Ilett | Scrutiny Manager |
| Sarah King | Senior Democratic Services Officer |
| Andrew Evans | Senior Management Accountant |
| Claire Marchant | Chief Officer Social Care, Health & Housing |
| Mike Moran | Community Infrastructure Coordinator |
| Ian Saunders | Head of Tourism, Leisure and Culture |
| Tyrone Stokes | Accountant |

APOLOGIES:

Councillors P. Clarke, S. Howarth and K Plough (Association of School Governors)

1. Declarations of Interest

There were no declarations of interest.

2. Public Open Forum

There were no members of the public in attendance.

3. To confirm the minutes of the previous meeting

- i) We confirmed and signed the minutes of the Children and Young People's Select Committee meeting held on Thursday 17th September 2015.
- ii) We confirmed and signed the minutes of the Special Children and Young People's Select Committee meeting held on Wednesday 21st October 2015.

4. Future models for Play in line with the Play Sufficiency Assessment Review

Context:

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To consider a future delivery model for staffed play provision; to consider the Play Sufficiency Action Plan for 15/16 and to inform members of the proposed timetable for the review of the Play Sufficiency Assessment.

Key Issues:

The LSB commissioned a review of current managed play provision (the summer play scheme) based on concerns that the current provision is unsustainable on several grounds.

The review report by Torfaen Play Service, considered the potential benefits and risks associated with the current and alternative delivery models and the potential to deliver jointly on all or some aspects of the scheme. The current model of providing closed access play is regulated childcare and as such subject to CSSIW inspection and legislative restrictions.

The authority is unusual in continuing to provide a closed access scheme. In light of the current delivery challenges, the future legislative changes and the equality challenge the review proposes a shift to community based "open access" play provision utilising a model successfully deployed in other authorities and potentially allowing wider geographical provision across the County.

Option 4 of the report, was the most balanced and provides leisure centre provision then community based play scheme with volunteers, which provides equal access across the authority.

Member scrutiny:

- Further information and evidence was requested in relation to how childcare would be addressed, if the play provision was open access. A member recognised that there would be limited support for working parents if the model was not operated as a play scheme. In response, we were advised that there would be opportunity for children to play and take part in physical activity.
- The committee were informed that closed and open access play were operated differently, sessions within open access were shorter and not regulated by CSSIW. Closed access sessions included more staff facilitation and support.
- We were reminded that the purpose of the report was to look at alternative options, as current models were not sustainable and funding was not available. Positive responses had been received within towns and further discussions would be held regarding support from town and community councils.

Play sufficiency audit

Officers confirmed that the first play sufficiency audit was carried out 3 years ago. Welsh Government required play as statutory responsibility for local authorities, however, it was recognised that there was no funding for this responsibility.

The committee were informed that the Council did not have dedicated staff and responsibilities were shared to a number of existing staff, along with normal duties.

The authority would have difficulty in producing a play sufficiency audit, as sufficiency was not clearly defined in any legislation. The work was ongoing and a report would be presented to Cabinet in early 2016.

Recommendations:

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1. To receive and scrutinise the future delivery model for staffed play provision and the Play Sufficiency Action Plan for 15/16 prior to its consideration by cabinet.
2. To note the proposed timetable for the review of the Play Sufficiency Assessment and the intention to report the draft results of the Play Sufficiency Assessment and Action Plan for 16/17 to a future meeting of this committee.

Committee's Conclusion:

Chair's Summary:

Members expressed concern as to how the safeguarding of children can be ensured through implementation of the preferred option for a future model for play. Members recognise that officers reassure that they safeguarding will be ensured, however, they seek clarification as to exactly how that will be done.

The Committee requested officers return with a safeguarding action plan before the report is taken to Cabinet for decision.

This scrutiny has been tabled for 24th January, prior to consideration of the Draft Play Sufficiency Assessment 2016-19 and the Action Plan for 2016-17 on 17th March.

Thanks to officers for presenting the report.

5. Scrutiny of the Budget Monitoring Report - Period 6

Context:

The purpose of the report was to provide Select Committee Members with information on the forecast revenue outturn position of the Authority at the end of reporting period 2 which represents month 6 financial information for the 2015/16 financial year.

The report was considered by Select Committees as part of the 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:

Officers presented the Month 6 outturn report for Children and Young Peoples Select Committee and in doing so key issues were highlighted as:

- £1.066 million potential over spend, has continued to be mitigated significantly by anticipated net Council Tax receipts and favourable treasury considerations. The net cost of pressure is £2,146,000, with the main overspending areas being:
 - Children's social services (£1.1 million overspend),

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- Enterprise Directorate (£601K overspend), relating to markets, community education, community hubs, IT, Leisure and Museums
- Operations Directorate (£339k overspend) relating to Home to School transport, and Property services
- School balances at the beginning of the financial year £1,140,000. The schools budgeted draw upon balances is forecasted to be £456,000 for 2015/16, therefore leaving £683,000 as forecasted closing reserve balances. 5 schools exhibited a deficit position, two have seen an increase in their deficit balance at month 6.

Member Scrutiny:

- A member queried whether the cash injection of £400k was bringing the budget back in line. The committee were informed that this was not the case as there had been an impact due to Looked After Children increased by 20. In response to whether this was comparable with other authorities, officers advised that it was variable across areas.
- Officers confirmed that the budget overspend of £190k was an improvement on the previous quarter, £300k allocated to schools to fund redundancies has been fully spent, and the overspend will be picked up by schools. A small contingency of £20,000 has been and will be allocated at the end of the year if not fully used. The individual schools budget is over spent by £28k, majority relating to protection for staff. ALN under spent by £102k through recoupment income, youth service had mandate and savings were reporting £137k overspend.
- Officers continued and provided an overview of the schools position, 6 schools were in a deficit position and Overmonnow had gone into £8k deficit, work was being undertaken with the school on a recovery plan, there had been increased pupil numbers and additional teacher. Chepstow school were still in deficit, which had increased at quarter 2, but had been reviewed with school and confident it would be recovered within the 3 year timeframe. A meeting would be held with the school to discuss.
- The Vice Chair requested clarification to the term fluctuating trend. Officers confirmed that this related to the school balance increase and that schools in deficit have a recovery plan, which are being met (one school excepted).
- In relation to scrutiny of Children's services, members requested reassurance on how the position would be mitigated. The Chief Officer highlighted two critical issues, one being the use of agency workforce, which required financial planning to ensure sustainable budget going forward. The finance officer reiterated that sustainability was an important factor, as LAC numbers in the system and shifting of base budget, LAC could stabilise but finance could still go up, due to complication of cases
- The committee stressed the importance of scrutiny in understanding reports that were presented, officers confirmed that a key could be added into reports to ensure consistency and continuity. We noted that report format had been changed and comments would be considered.
- A member asked officers to identify areas of concern and were informed that ALN was an area of volatility as well as the significant deficit at Chepstow that would be closely monitored.
- The Chief Officer reassured the committee that it was critical for plans to be in place, workforce in place and ensuring that services were in place.
- A service forward plan would be presented to the committee for future scrutiny.

Recommendations:

We resolved to agree recommendations within the report:

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1. That Members consider the position concerning the second period of revenue monitoring in 2015/16 (£1.066 million deficit) and seek a further report back to the next Cabinet outlining the Recovery Plans to be put in place to address the overspends in service areas.
2. That Members note the forecast use of earmarked reserves and, in order to ensure adequacy of reserves for the MTFP, approve the following change in practice:
 - Increase workforce planning and redeployment to reduce the need for reserves to cover redundancies
 - Any request for reserve funding must first explore whether existing budgets, or external funding sources can be used for the proposal accepting this may require a change in priorities if existing budget are used
 - Use of reserves to implement budget savings must use the saving first to repay the reserve
 - IT investment bids will need to be considered in the core capital programme when the IT investment reserve is extinguished, this may necessitate displacing some of the core capital programme allocations depending on the priorities agreed
3. Members consider the position concerning period 2 Capital Monitoring with a revised budget of £60.496 million for the 2015/16 financial year.

Committee's Conclusion:

Chair's Summary:

The committee noted that school deficit balances were being discussed and welcomed future report on the progress of recovery plans.

Thanks to officers for presenting the report.

6. Her Majesty's Inspection of Probation Report on the Youth Offending Service

Context:

We received a report which advised the Children and Young People's Select Committee of the outcome of the inspection of Youth Offending work in Monmouthshire & Torfaen conducted by Her Majesty's Inspectorate of Probation (HMIP) between 22-24th June 2015.

Key Issues:

Monmouthshire & Torfaen Youth Offending Service (YOS) was established in 2000 as a statutory function of the Crime and Disorder Act 1998. The primary purpose of the service is to prevent offending and re-offending by children and young people (aged 10-17 years).

Between 22-24th June 2015 HMIP conducted a Short Quality Screening (SQS) of work in Monmouthshire & Torfaen. The inspectorate examined 14 cases of children and young people who had recently offended and were supervised by Monmouthshire & Torfaen YOS. The SQS

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inspection focuses upon the quality of work at the start of a sentence through to the point when initial plans should be in place post sentence. This period is chosen because the quality of work completed at this stage is deemed to be critical to the likelihood of positive outcomes being achieved following completion of the sentence. The YOS had received two weeks advanced notice of the inspection.

In summary the inspectorate found “that the performance of the Monmouthshire and Torfaen YOS was consistent with our findings from our previous inspection in 2010. Staff were well supported in their work and they engaged positively with children and young people and partner organisations. There is scope for improving the quality of practice by ensuring that all assessments and plans are underpinned by an analysis of relevant case issues and integrate diversity matters when required. Achieving consistency between staff in this respect would help to improve the quality of the services offered by the YOS as a whole.”

The inspectorate identified a number of key strengths, including:

- **The quality of advice given to Courts**
- **The engagement of children and young people and parents/carers in assessments**
- **Priority was being given to addressing compliance and non-engagement issues**

The areas for development identified by HMIP included:

- **The need for all assessments and plans to be informed by an analysis of relevant issues**
- **Reviews need to reflect any significant changes in the circumstances of children and young people**
- **Evidence of the impact on quality of management oversight of cases needed to be better recorded.**

The YOS welcome the findings from the SQS inspection and have completed a post inspection improvement plan in response to the recommendations. The inspection improvement plan includes a commitment to reviewing existing quality assurance and case recording policies and processes and training for frontline practitioners.

Member Scrutiny:

- In terms of action plan, practice library was more quality work of experienced staff was shared, need to provide examples of good quality work. Operational managers have planning meetings, to ensure that diversity issues are followed through.
- Management team have taken on board and welcomed recs from HMIP.
- We recognised that it was difficult for all aspects to be covered within a scrutiny briefing report, however, welcomed further discussion and detail at meetings.

Recommendations:

We resolved to agree the recommendation within the report:

That the Children and Young People’s Select Committee scrutinise the inspection report and highlight any concerns relating to performance in achieving outcomes for children and young people.

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Committee's Conclusion:

Chair's Summary:

Members welcomed the first report by this inspectorate, which reflected positively on the service, however the Committee requested the Youth Offending Service Manager return in 9 months' time with evidence of the implementation of the action plan drawn up in response to recommendations made by the inspectorate.

Recommendation:

That the Children and Young People's Select Committee scrutinise the inspection report and highlight any concerns relating to performance in achieving outcomes for children and young people.

7. Annual Complaints Report for Children's Services

Context:

We received the Annual Complaints, Comments and Compliments report for Children's Social Services, the purpose was to provide Children and Young People Select committee with information on the number and types of complaints, comments and compliments received and dealt with from 1 April 2014 until 31 March 2015 about Children's social services.

Key Issues:

All Local Authority Social Services are required to follow the new Social Services Complaints Procedure (Wales) Regulations 2014 and The Representations Procedure (Wales) Regulations 2014.

Guidance is also issued under Section 7 of the Local Authority Social Services Act 1970. This means that local authorities must comply with it.

Member Scrutiny:

- The committee welcomed that complaints had been reduced and thanked the officer for the report.
- Members requested approximate costs for second stage of complaints. We were informed that the second stage was more complex, however, costs are incurred from every complaint, the budget was £17.5k. Difficult to forecast exact costs but on average complaints cost £2000 each.
- Officers advised that the complaints process had changed, that families were able to go straight to stage 2, therefore, accuracy had to be considered. The first stage of the complaint, would be trying to resolve the issue.
- Members highlighted the need for complaints to be recorded in an appropriate manner, however, were mindful of confidentiality and not being able to identify individuals.

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Committee's Conclusion:

Chair's Summary:

Members highlighted the underlying theme of most complaints was 'communication' with service users and requested the Complaints Manager discuss this with the new Chief Officer for Children's Services.

Recommendation:

To note the contents of the report.

8. Performance Report on School Exclusions

Context:

We received the report on Young People Excluded from Schools, the purpose was to share information so that members are aware of the progress in reducing exclusions from schools and the current levels of exclusion in Monmouthshire Schools and enable comparison with statistical neighbours

Key Issues:

If children and young people are excluded from schools, research suggests that there is a higher probability of them being involved in anti-social behaviour and becoming disaffected with education.

If children and young people of school age are permanently excluded from schools then the Local Authority would need to ensure that educational provision is provided at the next nearest school or via the Pupil Referral Service until appropriate educational provision is secured. If pupils are permanently excluded then this could result in the Local Authority having to provide transport to enable the pupil to be able to attend educational provision. This could have a significant impact upon transport budgets.

Welsh Assembly Guidance – Exclusions from Schools and Pupil Referral Units (81/2012) describes informal or unofficial exclusions, as unlawful regardless of whether they are done with the agreement of parents or carers. Unlawful, unofficial or informal exclusion refers to schools:-

- sending learners home for disciplinary reasons, but not following the procedures required for formal exclusion
- learners being sent home for either short periods of time, or for longer indefinite periods which can sometimes result in the learner not returning to school at all.

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Unlawful exclusions deprives parents and young people of their rights to appeal against a head teacher's decision to exclude them. If this is suspected within Monmouthshire, schools would be challenged by Local Authority Officers.

If Children and Young People are subject to unlawful exclusions then there are potential safeguarding issues as children and young people would be out of educational provision.

Pupils from vulnerable groups such as Black Minority Ethnic Groups (BME), Looked After Children (LAC), Gypsy Traveller Pupils can experience higher rates of exclusion than pupils not in these vulnerable groups. Exclusions amongst these cohorts are monitored rigorously.

Levels of primary fixed term exclusion in Monmouthshire were too high and the Local Authority were allocated an additional resource July 2012 to provide intervention to reduce levels of primary fixed term exclusions

Member Scrutiny:

- The Chair queried what had been involved during 2 secondary schools restructure. The committee were informed that in 2013/14 there was an ALN unit in place, place in one of the schools, which had been restructured and resources redistributed throughout the school the following year 2014/15 and the decision was reversed for this academic year 2015/16.
- Reassurance was requested that the section worked with youth service in order to reduce NEETS. It was clarified that meetings were held with the youth service and coordination of PRS and Youth Service intervention was discussed to avoid duplication of intervention
- A member highlighted that it would be beneficial for scrutiny to be aware of reasons for exclusion. In response, the process was clarified that the school would signify to the local authority the reason, most prevalent would be disruptive behaviour. Officers confirmed that overall percentages would be included within future reports (without individuals being identified). In the event of disruption due to permanent or lengthy exclusions, routine conversations were held between the head teacher and Principal Officer Inclusion
- Members recognised the importance of continued support for a child that had been excluded and requested clarification that this was in place. Officers confirmed that the circumstances of individual cases would be considered. Individual pupil tracking assisted in terms of identifying children who may present with problems. All vulnerable pupils and attendance were tracked and reports produced on a monthly basis.
- A member referred to preventative work and whether the authority was well equipped in terms of teacher training. The committee were reassured that a range of varied training being introduced, to ensure that programme in place to address issues.

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Committee's Conclusion:

Chair's Summary:

Members acknowledged the potential safeguarding issues in relation to unlawful school exclusions - given that young people would be outside of educational provision.

Members recognised that historic levels of primary fixed term exclusions in Monmouthshire were too high and that the Local Authority had allocated an additional resource in July 2012 to provide intervention to reduce levels of primary fixed term exclusions.

The Committee agreed that every effort was required to ensure interventions were working to ensure school exclusions were kept to a minimum and agreed to monitor this annually. Members acknowledged the potential safeguarding issues in relation to unlawful school exclusions - given that young people would be outside of educational provision.

Members recognised that historic levels of primary fixed term exclusions in Monmouthshire were too high and that the Local Authority had allocated an additional resource in July 2012 to provide intervention to reduce levels of primary fixed term exclusions.

The Committee agreed that every effort was required to ensure interventions were working to ensure school exclusions were kept to a minimum and agreed to monitor this annually.

Recommendation:

For members to accept the content of the report and for this agenda item to be reported annually.

9. Children and Young People Select Committee Work Programme

The Scrutiny Manager presented the Children and Young People Select Committee Work Programme. We noted items which would be added to the future work programme:

- Youth Offenders Recovery Outcome
- ICT in Schools
- Healthy Meals in schools

The next meeting would be joint with Adults Select Committee at 2pm on 15th December 2015, the meeting had been arranged as a special to consider partnership scrutiny around families, poverty and other programmes which support families. CSSIW would also be in attendance and the social services report would be presented.

10. To confirm the date and time of the next meeting

We confirmed the next meeting of the Children and Young People's Select Committee as Tuesday 15th December 2015 at 2.00pm (joint with Adults Select Committee).

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The meeting ended at 4.00 pm