

## Education and Children's Social Care Overview and Scrutiny Committee

**Wednesday 14 September & Thursday 13 October 2022**

### **PRESENT:**

Councillor Laing, in the Chair.

Councillor Mrs Pengelly, Vice Chair.

Councillors Briars-Delve, Dr Cree, Cresswell, Harrison, Hulme, Poyser, Salmon and Tippetts.

Also in attendance: Sharon Muldoon (Director of Children's Service), Jean Kelly (Service Director for Children, Young People and Families), Jane Anstis (Head of Service), Emma Crowther (Strategic Commissioning Manager), Karl Knill (Head of Service), John Clements (Independent Scrutineer), Louise Jenkins (Finance Business Partner for schools and learning), Helen Slater (Principal Technical Accountant) Ross Jago (Head of Governance, Performance and Risk) and Jake Metcalfe (Democratic Advisor)

The meeting started at 13:00 on 14 September and was adjourned at 12:01. The meeting reconvened on 13 October at 12:00 and finished at 15:10.

*Note: At a future meeting, the Panel will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

### 98. **Declarations of Interest**

<b>Name</b>	<b>Minute Number</b>	<b>Reason</b>
Councillor Laing	102 – Education and Children's Social Care Policy Brief	Governor for Horizon Multi-academy Trust

### 99. **Minutes**

The minutes from 15 June 2022 were agreed as a true and accurate record.

### 100. **Chair's Urgent Business**

There were no items of urgent business from the Chair.

### 101. **Tracking Decisions**

Members discussed the action log and its progress and received updates on actions that had not been marked complete.

102. **Education and Children's Social Care Policy Brief**

Sarah Gooding, Policy and Intelligence Advisor introduced this item to members and advised that since the reports had been published Kit Malthouse had been appointed as the new Education Secretary.

In response to questions raised it was reported that:

- a) Data of Plymouth's looked after children that had been placed more than 20 miles from the city would be circulated to the Committee;
- b) Members of the Committee would be advised how Plymouth responded to the Department for Education's consultation on Early Years Funding Formula;
- c) The sufficiency and quality of early year's providers had either been good or outstanding;
- d) Plymouth had continued discussions with the Department for Education on ensuring that the quality and safety of children in Early Years settings continued even if the ratio changed from its current 1:4 format into 1:5;
- e) An Early Years setting which closed in the City, had done so due to not having a registered person which had been a legal requirement. Plymouth City Council informed OFSTED who ordered the setting to close immediately. The Council had been in close contact with parents and other providers in the city to respond to the closure;
- f) Plymouth City Council did not use the alternative registered provision register and alternative provision could only be used as a supplementary to education in school and children should not be removed from their registered setting to attend an unregistered setting. Plymouth did not have any pupils attending unregistered provision and due to this had not responded to the consultation.

The Committee agreed to note the report.

103. **Josh MacAlister's Independent Review of Children's Social Care - Briefing**

Councillor Carlyle, Jean Kelly (Service Director for Children, Young People and Families) and Jane Anstis (Head of Service for Children, Young People and Families) and Emma Crowther (Strategic Commissioning Manager) presented this item to members and highlighted the following key points:

- a) The Independent review had 72 recommendations of which two thirds required a government response either through legislation, updating statutory guidelines or whether additional financial resource was required. Josh MacAlister's report recommended additional funding of £2.6 billion and a five year plan to put those changes into action;

- b) The report would transform what had been a succession of incremental changes over 30 years since the Children's Act 1991. The review had 7 key themes from early help through to children, young people and families within Social Care systems;
- c) Changes were unable to take place until legislation had been passed;
- d) The review had highlighted Plymouth's commitment to its care experienced young people and many of the recommendations that hadn't required government involvement had already been or was being implemented in Plymouth;
- e) It was acknowledged that Plymouth had a recruitment and retention issue, but this had also been a national problem. Plymouth did not have an experience of this being more than other local authorities;
- f) Plymouth had experienced placement sufficiency challenges which had led to children being placed outside of the city boundaries and also into residential and Independent Sector foster care placements;
- g) Plymouth had been experiencing difficulties in recruiting foster carers and within the review, Josh MacAlister recommended the recruitment of 9,000 foster carers in three years;
- h) 'A Bright Future' set out Plymouth's ambitions for its children in care. This had included the ambition to increase the number of local foster placements and to increase the skills and expertise of foster carers locally. Plymouth wanted children to remain in Plymouth so that they remained in their schools and maintained important links with family and friends;
- i) There had been a challenge in opening new children's homes in Plymouth and it had been reported that it would cost £1 million to set up a new home due to associated costs. There had been a challenge in the availability of placements in managing need, particularly for children and young people with complex needs and in relation to the volume of placements required;
- j) Whilst OFSTED did provide good quality assurance on current placements, it was recognised that the organisation could provide a disincentive due to the risk and fear of receiving an inadequate rating. It was noted that it could end a care home managers career if those inspections had been poor;
- k) Foster carers had been leaving the profession in greater numbers due to a number of factors including; an aging population, health vulnerabilities and due to COVID many foster carers reflected on their own lifestyles. This current climate had led to children who required foster placements being placed within residential placements and in turn led to less residential beds and in turn led to more use of emergency, short term, unregulated

placements;

- l) Plymouth had a lack of suitable housing provision within the city which would allow young people to move on;
- m) There had been 100 referrals for one vacant bed for foster placements. There had been further reports from those foster care placements of a rise in complexity for children, usually seen in teenagers;
- n) Plymouth had used unregistered placements sparingly, it was acknowledged that Plymouth did not want to use these provisions and would proactively find suitable provision quickly. These arrangements are illegal but Plymouth worked with OFSTED to notify them of these occurrences. There were a number of factors as to why these placements were used which included welfare secure beds seeing a large volume of referrals for one vacant bed, challenges in accessing tier 4 mental health beds or alternatives where children/young people had significant mental health needs. Providers become worried in taking on children who present that level of risk and the longer a child/young person stayed in an unregistered placement the more difficult it had been to place that child in a more suitable provision. Because of this, Plymouth has had to use deprivation of liberty placements due to the staffing ratios being very high. Plymouth ensured that for those children in those placements they had significant oversight with legal safeguards in place due to the restriction of their liberty;
- o) Plymouth had been working to provide a framework for staffing agencies contractually to ensure that they provided a quality provision for Plymouth's children;
- p) Plymouth had worked hard to bring more providers to the City since 2012. Currently Plymouth had 17 block contract beds with a further 8 coming online. Those placements had brought positive national attention in providing positive outcomes for children with a reduction in placement breakdowns, providing stable placements, children being able to come back to the City/to stay in the city and also to either go to fostering placements or being able to return home. OFSTED ratings on these homes had a 100% rating of being graded good;
- q) Plymouth needed to :
  - i. refresh its placement sufficiency plan
  - ii. intervene at earlier points to prevent children and young people coming into the care of the Local Authority,
  - iii. recommission the block contract for provisions within the city,
  - iv. grow the number of local foster carers;
  - v. commission a significant piece of work in relation to housing within

the city

- vi. complete work around transitions and how Plymouth could support children/young people with complex disabilities live independent and happy lives
  - vii. reduce the use of bespoke and unregistered placements
  - viii. seek staff for the social care system through the Health and Adult Social Care skills partnership
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- r) 69% of social workers would leave the profession within the first five years. Plymouth's vacancy rate climbed in 2020 with a peak in the summer of 2021. The Council invested in 9 new qualified social worker posts and when discounted from the data, Plymouth had a vacancy rate of 16.8% which followed the national average;
  - s) Plymouth had struggled with the recruitment and retention of social workers particularly in teams where families required medium to longer term responses;
  - t) There had been an emergence of a digital market which had seen social workers being able to work across the country but separate to this base. This has disrupted the market nationally and Plymouth had been trying to adapt;
  - u) Plymouth had recruited project teams as an interim solution which had just started to exit from and would move to overseas recruitment as part of the exit plan;
  - v) Social workers nationally experienced a high degree of trauma impact and Plymouth would be addressing this in a robust way to support its staff;
  - w) Plymouth had been in the middle of a recruitment process for overseas workers and had moved into an interview and selection phase;
  - x) Plymouth had retained staff well and although two teams had signalled high throughput, many social workers remained in Plymouth but moved teams within the service;
  - y) Plymouth had been working on a new recruitment and retention strategy that would be available at the end of November subject to final checks. There would be new and supported pathways to support retention;
  - z) Plymouth launched its Ask Jan service for care experienced young people

18 – 25 and gave 24 hour access to a range of services including counselling, free at the point of access;

In response to questions raised it was reported that:

- aa) The prevalence of children with more complex needs had been due to a combination of factors which included more understanding of the way in which adverse childhood experiences had impacted their development, this trend had been seen locally and nationally. Fostering agencies had transformed the way in which they responded to children and young people and employ therapists, clinicians and others to respond fully to the child;
- bb) The Committee would write to Kelly Tolhurst MP, Minister of State (Education) to request no more drift on the government's response to the review and requested a response no later than the end of 2022. The letter would also endorse the recommendations from the review and endorse the calculations of £2.6 billion of required funding;
- cc) Plymouth had been putting a number of things in place if children/young people wanted to stay in their placements which included staying put foster placements. A new 5 bed home for 18+ young people had opened with a provider in the city which had been designed specifically for those young people that are ready to move into something more independent but not entirely to enable planning for their next steps;
- dd) Plymouth City Council would be unable to directly market to foster carers currently operating for Independent sector foster care agencies (IFA) and would not look to do this either as they provided an invaluable service for the city and Plymouth would not want to unsettle or undermine the relationship;
- ee) Plymouth used agency staff to cover posts to ensure that Plymouth safeguarded children appropriately. The creation of posts had been covered by agency workers but it had always been the intention to replace agency workers with in house workers. The Council wanted to reduce caseloads to allow social workers to work with families in a more engaged way and to reduce risks;
- ff) There had been very few staff that had been on long term sickness. It was acknowledged that there had been an issue in the profession due to the stressful nature of the work carried out by social workers that would be a reason for social workers to be on long term sickness. In those instances cases would be reallocated to ensure Plymouth fulfilled its statutory duties to children;
- gg) Plymouth had been looking into ways in which social workers could be supported with the amount of admin required, to ensure social workers could spend more time working with families;

- hh) Plymouth had been working to introduce a guarantor scheme for care experienced young people to reduce risks of homelessness;

The Committee agreed to note the report.

104. **Risk Monitoring Report**

Ross Jago (Head of Governance, Performance and Risk) presented this item to the Committee and highlighted the following key points:

- a) One risk had been identified as a red risk for the continued demand on Children's Social Care with two amber risks concerning school improvement and the fulfilment of statutory duties. One further risk had been identified as green concerning early intervention and prevention.

In response to questions raised it was reported that:

- a) Plymouth monitored its pressures in relation to financial risk consistently, there had been an increase in the number of children in care which was being managed through early help and intervention.
- b) Following a deep dive of the Children's Social Care budget at the Performance, Customer Focus and Finance Overview and Scrutiny Committee on the 30 November, the deep dive may be something that the Committee would want to have a focus on and therefore would go on the work programme.

The Committee agreed to note the report.

105. **Financial Monitoring Report - Month 4**

Louise Jenkins (Finance Business Partner for schools and learning) and Helen Slater (Principal Technical Accountant) presented the item to the Committee and highlighted the following key points in relation to month 5:

- a) The Children's budget had been showing a gross pressure 3.843 million with mitigations of £1.951 million which left a net pressure of £1.928 million at month 5;
- b) The pressure had been due to a number of reasons but mainly a £1.4 million increase for high cost placements for children with complex needs and disabilities. £634,000 for an increase in home to school transport costs. An adverse variation of £370,000 for short break services due to the additional needs and volume of children accessing services. There had also been additional costs associated with legal and specialist assessments;
- c) Children's services had a delivery plan target of £3.942 million with the majority of those savings being achieved or on track to be achieved.

In response to questions raised it was reported that:

- a) Within the mitigating actions for the budget there had been £500,000 from the Integrated Care Systems (ICS) with negotiations taking place. For every new entrant into Care there had been a panel looking at all aspects of care and there would be respectful challenges to the ICS to ensure a fair contribution was in place;
- b) As part of the deep dive into the finances, Councillors requested a breakdown of associated high cost placement to better understand the spend;
- c) A financial analysis had been completed against Plymouth's statistical neighbours and England and Wales local authorities that are good or outstanding to benchmark Plymouth's spending. The majority of that review demonstrated that Plymouth was a low/medium spending authority and had not been an authority that had been commissioning highly;
- d) The Committee agreed to write a letter to the Secretary of State for Education requesting more money within the government settlement to help with the costs of inflation.

The Committee agreed to note the report.

106. **Performance Scorecard**

Councillor Carlyle, Paul Stephens (Performance Advisor) and Hannah Daw (Performance Advisor) presented the Performance Scorecard report to members of the Committee.

In response to questions raised it was reported that:

- a) Children on repeat Child Protection plans had been relatively high. The figure reported had been reporting on whether a child/young person had returned onto a child protection (CP) plan in the last 12 months or at some stage in their lifetime. Many of the children subject to CP plans had been living with neglect issues relating to domestic abuse which could improve and change over time. Plymouth had been working hard to work to one significant plan to improve outcomes and then step them down or out of the service once the risk had reduced. It was recognised that this could take a long time.

The Committee agreed to note the report.

107. **Plymouth Safeguarding Partnership**

Councillor Carlyle, Karl Knill (Head of Service for Plymouth's front door service) and John Clements (Independent Scrutineer) presented the item to members of the Committee and highlighted the following key points:



- a) 'Working Together' was the statutory guidance which outlined what areas had to do in respect of safeguarding children. Within the Partnership there had been three statutory leads; Devon and Cornwall Police, ICB and the Local Authority and they were required to produce arrangements for safeguarding taking into account local and national contexts. This in turn would lead to other partners across the city working together to keep our children safe;
- b) Plymouth had a very committed leadership and membership to safeguarding with good representation at leadership, managerial and practitioner levels. There had also been good representation of a range of different groups in the City;
- c) The work plan for the partnership focussed on neglect, child sexual harm, being trauma informed and getting the right support at the right time and place;
- d) The Partnership had introduced a new quality assurance framework and quality assurance work plan for the year;

In response to questions raised it was reported that

- a) The strategy and its effectiveness had been incorporated in the Partnerships own data set and Sharon Muldoon had been driving this across the strategic partnership but with a focus on the key proxy indicators such as the number of children on CP plans or subject to re-referrals. Behind the plan would be a number of audits taken at key points throughout the year with the first one looking at child sexual harm that would identify what the current practice looked like and the outcomes of those children;
- b) The Scorecard had included more areas to best advise the Partnership how well the system had been working;
- c) Partners in the city would have their own internal training programmes for staff. There had been a document entitled 'keeping children safe in education' which was refreshed annually and then cascaded through all schools. Safeguarding training would be carried out within schools at the start of each year. Multi-agency training had been provided by the Partnership concentrated on those operating in a more specialist area having involvement within Child Protection conference or Team around the child/family meetings. There were also more specialist training for neglect, child sexual abuse or domestic abuse amongst others;
- d) John Clements would explore as to whether an invitation had been sent to faith groups in the city to join the Partnership and report back to the Committee;
- e) Officers would look into a mechanism to report the work of the Partnership more widely for members of Plymouth City Council.

- f) The Committee requested John Clements of the Plymouth Safeguarding Partnership to come back to the last scrutiny of the municipal year to report on how the plan of the Partnership is working and whether John could be accompanied by the young safeguarders to talk to the Committee about what they do.

The Committee agreed to note the report.

108. **National Review into the murders of Arthur Labinjo-Hughes and Star Hobson, National Panel**

Councillor Carlyle and Karl Knill (Head of Service for Plymouth's front door) presented this item to members of the Committee and highlighted the following key points:

- a) The review reported
  - i. information sharing between organisations as having been an issue and nobody having the full picture of concerns for a particular child;
  - ii. There had been a lack of robust and critical thinking challenge;
  - iii. The triggering of statutory child protection processes had not been taking place at the right time and the workforce didn't have the right skills and experience to undertake complex work;
  - iv. There had been a reluctance in challenging and working with reluctant parents;
  - v. There had been a lack of understanding of the lived experience of children;
  - vi. There had been a poor understanding at times of domestic abuse;
  - vii. The uncertainty that the right organisational structures were in place to enable effective child protection work to take place;
- b) Significant work had been undertaken in Plymouth over a 12 month period to address some of the points within the report. Plymouth had worked to ensure education colleagues were involved which significantly improved the likelihood of getting safeguarding right for the children of Plymouth;
- c) The scorecard had been updated for the partnership to bring in more multi-agency data and would enable change in areas across the city;
- d) The report highlighted that within both authorities that they didn't have the right multi-agency oversight in place. Plymouth had already put in place arrangements to change this and the Multi-Agency Safeguarding Hub would report into the Plymouth Safeguarding Partnership to provide oversight and scrutiny on a quarterly basis;

- e) An assurance plan had been created to provide assurances on issues that could be affecting Plymouth to ensure Plymouth families were not experiencing what had been found elsewhere;
- f) An assurance plan had been created to provide assurances on issues that could be affecting Plymouth to ensure Plymouth families were not experiencing what had been found elsewhere;
- g) Government needed to provide some legislative change to enable change within some of the recommendations of the review;

In response to questions raised it was reported that:

- a) The Partnership had introduced a refreshed case resolution protocol to ensure challenge and critical scrutiny is recorded robustly;
- b) There had been a specific training programme offered by the Partnership focussed on domestic abuse. The principal social worker of children's social care had emphasized a specific focus on upskilling the workforce on domestic abuse;
- c) Plymouth had been working with the NSPCC to reduce the level and impact of sexual abuse across the city. There had been a regular range of events that happened such as the PANTS campaign targeted at children in primary school in terms of raising awareness with children at a young age so they are able to think about their safety. The NSPCC had been carrying out healthy relationships work which had been reaching young children in an appropriate and sensitive way;
- d) When it came to concerns that are safeguarding, where it was likely or possible a child would experience on-going significant harm if disclosure regarding a carer was made. There had been agreement within legislation and within mandatory guidance that consent did not have to be sought from a parent to report the concern for investigation.
- e) The Committee would receive the domestic abuse paper that would go to Cabinet in December.

The Committee agreed to note the report.

109. **Work Programme**

Members discussed the work programme and added:

- Recruitment and Retention Strategy
- Plymouth Safeguarding Partnership Update