



To be submitted to the Council at its meeting on the 27<sup>th</sup> July 2023.

## **CHILDREN AND LIFELONG LEARNING SCRUTINY PANEL**

**9<sup>th</sup> March 2023 at 4.30pm**

### **Present:**

Councillor Silvester (in the Chair)  
Councillors Boyd, Brasted, Cairns (substitute for Abel), Croft, Hudson, Patrick and Westcott

Co-opted Member: Reverend Ian Robinson

### **Officers in attendance:**

- Janice Spencer (Interim Director of Children's Services)
- Guy Lonsdale (Finance Group Manager)
- Eve Richardson Smith (Deputy Monitoring Officer)
- Wendy Jackson (Head of Standards and Effectiveness)
- Paul Windley (Democratic and Scrutiny Team Manager)
- Joanne Paterson (Scrutiny and Committee Advisor)

### **Others in attendance:**

- Councillor Cracknell (Portfolio Holder for Children and Education)
- Councillor Holland (Ward Councillor – Freshney Ward)

No members of the press and no members of the public were in attendance.

### **SPCLL.58 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Abel, Goodwin and McLean for this meeting.

### **SPCLL.59 DECLARATIONS OF INTEREST**

There were no declarations of interest received in respect of any item on the agenda for this meeting.

## **SPCLL.60 MINUTES**

RESOLVED – That the minutes of the Children and Lifelong Learning Scrutiny Panel meeting held on 19<sup>th</sup> January 2023 be agreed as a correct record.

## **SPCLL.61 QUESTION TIME**

There were no questions from members of the public for this meeting.

## **SPCLL.62 FORWARD PLAN**

The panel received the Forward Plan and members were asked to identify any items for examination by the panel via the pre-decision call-in procedure.

Mr. Windley drew members attention to the Skills Strategy and Action Plan and noted that this was due to be considered by Cabinet in June. Mr Windley further advised that arrangements were being made to hold a joint panel with the Economy Scrutiny Panel prior to the report going to Cabinet.

RESOLVED - That the update be noted.

## **SPCLL.63 TRACKING THE RECOMMENDATIONS OF SCRUTINY**

The panel considered a report from the Statutory Scrutiny Officer tracking the recommendations of the Children and Lifelong Learning Scrutiny Panel.

At SPCLL.9 (children's education and social care out of area figures), Ms. Spencer advised that officers were still collating this information. Ms. Spencer was confident that the information would be ready by the end of March and advised that this would be brought back to the next panel meeting. Ms Spencer stressed this was a large piece of work and the importance of ensuring the data was correctly validated and accurate.

A member sought assurance around officer accountability in relation to this data going forward noting that historically officers had not been held accountable. Ms. Spencer provided assurance to the panel that as Interim Director of Children's Services she would be accountable for the data going forward, however she could not comment on officer accountability prior to her being in post.

At SPCLL.12 (SEND update), in terms of a joint workshop with the Health and Adult Social Care Scrutiny Panel, officers were awaiting the start for life submission and it was hoped there would be a workshop at the beginning of the new municipal year.

At SPCLL.54, Safeguarding Children Partnership Board, it was noted that although the panel were due to receive their next update in July, due to timescales the Annual Safeguarding Report was more likely to be available for the panel in September.

The Chair noted that upon a recent visit to Lincolnshire County Council's Scrutiny Panel the Chair of the Safeguarding Children's Partnership had provided an annual report to the panel. The Chair had requested that Mr Cook be invited to attend this panel to provide the Annual Safeguarding report for North East Lincolnshire.

RESOLVED

1. That the tracking report be noted.
2. That the Annual Safeguarding Report be added to this panel's Work Programme.

## **SPCLL.64 FINANCIAL MONITORING REPORT 2022/23 – QUARTER 3**

The panel considered a report from the Portfolio Holder for Finance, Resources and Assets providing key information and analysis of the council's position and performance for the third quarter of the 2022/23 financial year. This report was referred to scrutiny by Cabinet at its meeting on 15<sup>th</sup> February 2023.

A member queried the 28.1% overspend in children's services against the original revenue spend and how this compared with previous years. Mr. Lonsdale acknowledged this was a larger overspend than in previous years and confirmed he could provide some comparison data to Members.

Furthermore, Mr Lonsdale explained that the council would have to draw down upon reserves to reach a balanced position by the end of the year. The upcoming Financial Outturn report would provide a breakdown of what reserves had been drawn down. Also, as part of the budget setting process, officers would be reviewing the reserves and balance sheet going into the new financial year. It was noted that the financial sustainability of the council was under threat as outlined within the report. However, the council was in a position to re-establish some of its reserves.

Mr. Lonsdale reiterated that the overspend in children's services was unsustainable over the medium term, stressing the importance of managing demand within this particular area of business.

The Chair wished to comment on the reasoning behind the substantial overspend and wished to note that forecasts around the number of social workers required had been miscalculated previously. In terms of setting this year's budget, the Chair sought reassurance around accurate projections and requested performance information against forecasts within this year's budget in order to prevent future overspends within the service.

The Chair suggested the panel monitor performance against the children's services budget on a quarterly basis.

Mr. Lonsdale assured the panel that going forward into 2023/24 finance officers were working closely with the service around what were reasonable numbers in terms of trajectories. It was confirmed that as part of the budget setting process £12m funding had been allocated to children's services within the next financial year.

Ms. Spencer explained that the Council were currently focusing on those children that they could safely exit such as those living in kinship arrangements to convert to special guardianship arrangements. However, the council needed to specifically focus on those children in high-cost placements as these were the most vulnerable children with complex needs. It was confirmed that there had been a reduction in out of area placements, and the medium-term financial plan had shown reductions in the budget over time.

Members required further reassurance regarding the overspend and had concerns regarding some of the forecasts and how realistic these were. Mr Lonsdale referred to the statement from the Section 151 Officer around the robustness of estimates and adequacy of the council's reserves.

A member highlighted that one of the biggest expenditures for this council was the number of children it had placed out of area. Ms Spencer advised that a small cohort with significant needs were funded through education and health provision and that children with complex challenges were always going to exist. Given that the borough did not have a huge cohort it was unlikely that a service would be developed solely for these needs and therefore the council would have to look to meet their needs outside of the borough.

A member enquired how many children with severe complex needs were placed out of area. Ms Spencer advised that there was around 72 solely being supported by educational health and social care. It was noted that some residential provision was funded solely by the local authority and some by both the local authority and health. Ms Spencer assured the panel that work was being undertaken currently to review 600 care plans and this was a significant piece of work that needed to be completed in a robust manner.

A member was concerned that although the council had now set a balanced budget, this had included the need to dip into reserves and specific reference was made to the 100 long standing cases within the system. It was explained that unless the council could make significant savings in the forthcoming year, the council might not be able to achieve a balanced budget next year.

In the context of placements for our children locally, a member commented on the sale of old school sites and stressed how something needed to be

done to address this. Ms. Spencer confirmed that the council had been successful in a bid for 'better value' and negotiations were ongoing where that might be best placed.

In response to concerns around placements, Ms Spencer noted it was their intention to keep children local and this authority was not alone in terms of the numbers of placements it required.

RESOLVED

1. That the report be noted.
2. That further information on comparison data with previous years around the overspend in children's services against the original revenue spend be circulated to members of this panel.

### **SPCLL.65 COUNCIL PLAN PERFORMANCE REPORT 2022/23 QUARTER 3**

The panel considered a report from the Leader of the Council providing oversight of performance against the council plan for the third quarter of the 2022/23 financial year.

This report was referred to scrutiny by Cabinet at its meeting on 15<sup>th</sup> February 2023.

RESOLVED – That the report be noted.

### **SPCLL.66 CHILDRENS SOCIAL CARE IMPROVEMENT UPDATE**

The panel considered a report from the Director of Children's Services providing the panel with an overview of the performance measures which evidenced the impact of the delivery of the children's services continuous improvement plan.

Ms Spencer gave a brief summary of each of the four key priorities within the continuous improvement plan and took questions on each priority. Some of the key highlights included: -

#### Priority A - Planning and Safety

It was pleasing to report that the number of children in need was on target and work was ongoing to reduce demand in the system to allow the right services to be delivered to the right children and this included reconfiguration of the operation of the Integrated Front Door.

It was recognised that there were too many children on child protection plans and work was underway to review them. The teams were becoming much more proactive in improving early help and overall progress was being made.

Initial Child Protection Conferences held within timescales were below target although work was ongoing to ensure the right processes were in place.

In terms of child protection visits within timescales, although these had increased, they remained focused on ensuring children were seen in a timely manner.

In response to concerns raised, it was highlighted that there was an element of anxiety within the council, and culture and practice was now needing to change. This would involve working with partners around thresholds and intervention with families. Also, work was underway with schools to provide additional support through an Early Help Strategy and a more proactive approach from schools was now being taken. Overall, the council was beginning to see improvements, which needed to be sustained over time.

In terms of those children that were on a child protection plan for a long period, the service was working with Independent Reviewing Officers to build into the system a 9-month review to ensure children were not in the system for longer than they needed to be. The average time for a child to be on a Child Protection Plan was measured by the Department for Education as just under 2 years and it was now about being more robust in reviewing those arrangements.

Ms. Spencer explained to members the purpose of the Integrated Front Door service which provided the initial point of contact for members of the public and professionals to make contact with the local authority.

A member queried the percentage increase in Children in Need visits in timescale within January with concerns around the lack of oversight and felt the council needed a better handle on monitoring its own performance. Ms Spencer explained that this related to the reliance on agency staffing, and other authorities offering higher fees and some re-commissioning of other teams had taken place to help resolve this.

Further concerns were raised around agency staffing, Ms. Spencer explained that the council had to get the right balance in order for staff to not become overwhelmed. Ms Spencer advised that to address this the council had brought in two additional agency teams to deal with around 100 cases, many of which were before the courts.

In response to a query around Operation Encompass, a partnership between the police and schools, it was confirmed that the police monitored this. Ms Spencer advised that the Annual Safeguarding Report would provide more detail on this for members.

#### Priority B - Child's journey through the system

In terms of all open cases, these were now reducing although the authority was still above its statutory neighbours. However, the number of contacts

through the Integrated Front Door had increased due to increased recording on the system, which was vitally important.

A member asked for progress on the team around the Family Steering Group. It was reported that there was a really strong commitment from education colleagues and the voluntary organisations and work was underway to review early help arrangements.

Another member referred to the annualised rate of referrals and how quick these happened. Ms Spencer explained that these related to referrals in a 12-month rolling period and explained that where there had been a contact accepted as meeting threshold following closure within the timescale it became a re-referral. It was noted that there had been an increase recently which related to two large sibling groups.

In terms of the steering group and Cluster of Schools' Pilot, Ms Spencer confirmed it was the intention to work with schools and support them to become lead professionals. The school forum was an approach that had been considered to increase support to schools and this was an area of work they wanted to grow. Members suggested it would be useful for the panel to scrutinise the Early Help Strategy and asked that this be added to the panel's future work programme.

A member referred to the percentage of contacts into early help and was concerned that the quality of some of the referrals remained poor. Ms Spencer advised that this was due to the system used in North East Lincolnshire through the Integrated Front Door and call handlers. There remained a system in place which allowed a partner agency referral online to be completed.

#### Priority C - homes and families for children who are looked after.

In terms of Children Looked After this was an area of work the service was keen to focus on and this continued to reduce. Ms Spencer advised that clear efforts had been made to exit the children from care safely but stressed the council was still a long way from where it needed to be.

Members considered it positive news that slowly the numbers of children looked after were reducing.

Ms. Spencer advised that the council was looking to fund some additional capacity to help exit those children from care including those that lived with their relatives or under a care order. In terms of budgets, Ms. Spencer advised that £242k had been awarded to support this piece of critical work.

A member referred to children placed out of area and enquired about permanent funding from central government for this. Ms Spencer confirmed that it was not the responsibility of the Department for Education to fund the demand in the system.

## Priority D - People and Workforce

It was reported that social work average caseloads were reducing however this was being monitored closely. The new cohort of Assessed and Supported Year in Employments (ASYE) and two cohorts of overseas workers were all progressing well, with caseloads gradually increasing as their induction progressed.

A member referred to the number of empty beds in the council's residential homes. Ms. Spencer explained that Ofsted had previously issued compliance notices and this was also dependent upon how many staff were employed. Ms Spencer reassured the panel that this was a key area of focus at present.

In terms of the quality and standard of care in children's homes it was recognised by the panel that some of these homes required additional work. Members further noted that historically, councillors had visited children's homes across the borough to meet both the managers and children. It was therefore suggested that this be re-enforced, to allow dedicated members to visit individual children's homes.

The Chair was keen for this to be taken forward.

It was confirmed that the number of cases for ASYEs and overseas colleagues was between 5 and 6 currently, increasing according to ability. Work had also taken place with the Social Worker Academy to support their induction and undersetting of policies, procedures, and guidance. Members were keen to ensure the council was supporting overseas social workers. Ms Spencer reiterated the importance of the council being able to recruit and retain more staff to live locally.

It was noted that the Social Worker Academy had been very successful.

In terms of the future, Ms Spencer was optimistic noting that there were some small improvements already being made, however, they were not fully embedded across the whole system. This now needed to be driven forward and the council needed to work differently to achieve this. In terms of improving children looked after, there was still more work to be done. Ms Spencer assured the panel she would do her utmost to drive forward the required changes and improvements that needed to take place.

### RESOLVED

1. That the report be noted.
2. That the Early Help Strategy be added to the panel's future work programme.

## **SPCLL.67 ACADEMIC OUTCOMES 2021/22**

The panel received a report from the Assistant Director Education and Inclusion which outlined the attainment outcomes achieved by our schools in the academic year ending August 2022.

The Chair enquired what percentage of schools had sent through the required data. The Chair advised that at a recent council meeting in Lincolnshire, officers stated that Lincolnshire council only received 60% of the information it had requested. Ms Jackson advised that all councils had access to all schools' attainment and outcomes data. Some of this data was submitted via a Department for Education portal and some was submitted via the Primary Assessment Gateway and the local authority was responsible for submitting some of the data.

A member asked whether the Special Educational Needs (SEN) schools were also required to send through this data. Ms Jackson confirmed that these were included.

The Chair enquired whether the Local Authority had enough provision for children with SEN. Ms Jackson reported that the council had been successful in securing a bid for grant funding to secure two new primary schools due to open in 2024. These new schools would have Specialist Resource Based Provision for SEND children instead of nursery provision. It was also noted that a new SEN school would be built within the borough by 2027.

The Chair asked what this meant for those children placed out of area.

Ms Jackson explained that it was not the intention to place children in special schools if their needs could be met in a mainstream setting. The council were now looking at being able to provide specialist support for children with SEN in mainstream schools and were currently exploring this with several schools across the area. It would take some time for this specialist provision to be embedded into these settings.

A further discussion ensued with members enquiring about different scenarios for children. Ms Jackson assured the panel the authority would try to find the most appropriate place to support the child's needs. The council also worked closely with schools and parents to try and keep children with their friends and in their local area. The long-term challenges of Covid-19 meant many children still had no nursery education and were therefore not school ready, as such there was now a huge uplift in Social Emotional Mental Health needs.

A member asked what level of support was being provided to children in Key Stage 4 to allow them to catch up. Ms Jackson assured members that there was now a lot of support in schools including government funding to enable these children to catch up where they had fallen behind. Schools were also investing heavily in wellbeing and mental health support.

RESOLVED – That the report be noted.

## **SPCLL.68 COUNCIL PLAN REFRESH**

The panel received a report from the Assistant Director Policy Strategy and Resources providing a refresh of the Council Plan to reflect new and emerging priorities.

RESOLVED – That the report be noted.

## **SPCLL.69 CHILDREN AND LIFELONG LEARNING SCRUTINY PANEL WORK PROGRAMME – REVIEW 2022/23 AND WORK PROGRAMME 2023/24**

The panel received a report from the Assistant Chief Executive (Statutory Scrutiny Officer). The report reflected on the 2022/23 municipal year and the work undertaken by the Children and Lifelong Learning Scrutiny Panel. The panel would also consider, within its terms of reference, suggestions to be included in the 2023/24 work programme.

Mr. Windley advised that this was an opportunity to review the current work programme and ensure the panel were satisfied that they had covered everything they had intended. It was also a time to consider the Annual Scrutiny Report and reflect on anything the panel wished to include and look ahead to next year's work programme.

Officers were invited to put forward any suggestions they wished members to be involved in. The panel were reminded that there was another opportunity to put forward suggestions at the informal workshops that would be held in June.

The Chair referred to the Council Plan Refresh and in particular he felt it important that the panel focus on the four areas within children's social care and suggested these be reported to the panel via quarterly reports. Ms. Spencer advised that in terms of quality of practice and how this impacted outcomes, her team were undertaking audits and learning by sharing findings. Ms Spencer gave a real case example of best practice.

Another member asked whether any quality assurance took place. Ms Spencer stated that Lincolnshire County Council had recently launched some quality assurance testing for managers and explained that this was an area the panel could get involved in.

A member was pleased to see work was continuing to extend the family hubs. The panel suggested that family hubs be added to this panel's work programme given the number of changes that had taken place.

The panel explored the idea of inviting social workers to attend panel meetings to provide feedback. Ms Spencer assured the panel that herself the Portfolio Holder for Children's Services, the Children's Commissioner

and the Chief Executive all met regularly with social workers. The Chair suggested an all-member briefing to discuss progress with social workers.

Members asked about the Autism Pathway and suggested this topic be added to the work programme.

A member asked whether the council was doing anything as corporate parents to provide events/activities for our looked after children. Ms Spencer hoped to re-establish the children in care representative at full Council so that they had a seat on the Corporate Parenting Board.

In response to queries, Ms Spencer noted that there were lots of opportunities for members to get involved in 'big conversations' and meet young people to understand the services and support available. Also, the Children in Care Council co-ordinated events for looked after children including awards nights. Overall, there was a lot that could be done to encourage participation in activities.

RESOLVED –

1. That the report be noted.
2. That family hubs be added to this panel's work programme.
3. That the Autism Pathway be added to the panel's work programme.

## **SPCLL.70 QUESTIONS TO PORTFOLIO HOLDER**

There was one question for the Portfolio Holder for Children and Lifelong Learning at this meeting.

Councillor S. Holland had put forward the following question:

North East Lincolnshire Council has recently recruited over 30 qualified social workers from South Africa. There is the moral dilemma of one of the world's wealthiest countries, with something like 122,000 social workers taking social workers from a relatively very poor country with approximately 8,000 social workers. A country where between 30 and 40% of children suffer sexual and physical abuse and where the need for social workers is probably far greater than even ours. The same dilemma exists within the NHS. Such recruitment will no doubt be looked at closely as a possible solution by other authorities. Whilst the need to recruit and train permanent staff is clearly a 'must-do,' could the portfolio holder give assurances that there will be no further recruitment from abroad without consultation with members. This is a reputational issue that impacts on us all.

Councillor Cracknell, Portfolio Holder for Children and Education, responded that when North East Lincolnshire Council embarked on the process of recruiting international social workers, we did so in line with the Department of Health and Social Care's code of practice for international

recruitment of health and social care personnel in England. Within the guidance it identified those countries which the UK were unable to recruit from. The list was drawn from the World Health Organisation health workforce support and safeguards list, which identified those countries who face the most pressing health workforce challenges, and therefore prevented organisations from the UK from actively recruiting in those countries. South Africa and Zimbabwe were not on that list.

When the decision was made to recruit from South Africa, the council spoke to the agency around the ethics of international recruitment. We were advised at the time, that it was not an issue of resource but one of funding in South Africa. Significant budget constraints across the whole government, means that government departments had hit their limit of the number of workers that they could absorb, and that Non-Profit Organisations are closing due to lack of funding. This had resulted in large numbers of qualified social workers being unable to find jobs once qualified.

It was recognised that the country had a shortage of social workers, but this was not necessarily due to international recruitment taking place, but also due to high turnover in social workers leaving the profession due to working conditions, salary, burnout, heavy workloads, and lack of funding. Within South Africa there were currently 31,000 qualified social workers and 19,000 registered social work students.

The recruitment of staff on an international basis was an operational matter and a matter dealt with by officers at the direction of the Executive Director with consultation with the Head of Paid Services. Operational recruitment issues were not one for members. Members remits were restricted, by the Constitution, to the recruitment of chief officers.

Councillor Holland put forward a supplementary question and asked what other alternatives there were and sought assurance that these factors would be taken into account in future recruitment. In response, Councillor Cracknell advised that the council had recruited staff from other countries such as Canada and not just South Africa and agreed that options would be considered in any future recruitment.

## **SPCLL.71 CALLING IN OF DECISIONS**

There were no formal requests from Members of this panel to call in decisions of recent Cabinet and Portfolio Holder meetings.

There being no further business, the Chairman declared the meeting closed at 6.47 p.m.