



**CHILDREN AND YOUNG PEOPLE
SCRUTINY COMMITTEE
18 JANUARY 2019**

PRESENT: COUNCILLOR R L FOULKES (CHAIRMAN)

Councillors R J Kendrick (Vice-Chairman), M D Boles, Mrs W Bowkett, M T Fido, C Matthews, S R Parkin, M A Whittington, L Wootten and R Wootten.

Added Members

Church Representatives: Reverend P A Johnson.

Parent Governor Representatives: Miss A E I Sayer.

Councillors D Brailsford (Executive Support Councillor for Children's Services) was also in attendance.

Officers in attendance:-

Jill Chandar-Nair (Inclusion and Attendance Manager), Katrina Cope (Senior Democratic Services Officer), Simon Evans (Health Scrutiny Officer), Mark Popplewell (Head of Finance (Children's Services)), Heather Sandy (Interim Director of Education), Sally Savage (Chief Commissioning Officer - Children's Services), Janice Spencer OBE (Interim Director of Children's Services), Sheridan Dodsworth (Children's Services Manager - responsibility for SEND), Teri Marshall (Senior Commissioning Officer, Transport Commissioning Team) and David Robinson (Commissioning Manager, Transport).

47 APOLOGIES FOR ABSENCE / REPLACEMENT MEMBERS

Apologies for absence were received from Councillor A P Maughan, Mr S C Rudman (Church Representative) and Mrs P J Barnett (Parent Governor Representative).

An apology for absence had also been received from Councillor Mrs P A Bradwell OBE, Executive Councillor for Adult Care, Health and Children's Services.

48 DECLARATIONS OF MEMBERS' INTERESTS

Reverend P A Johnson (Church Representative) wished it to be noted that he was the Chairman of a Multi-Academy Trust, which had two Grammar Schools as part of its Trust.

Councillor M A Whittington wished it to be noted that he had a 23 year old adopted son who was potentially able to receive support up to the age of 25 under the Barnardo's scheme.

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49 MINUTES OF THE MEETING OF THE CHILDREN AND YOUNG PEOPLE
SCRUTINY COMMITTEE HELD ON 30 NOVEMBER 2018

RESOLVED

That the minutes of the Children and Young People Scrutiny Committee meeting held on 30 November 2018 be agreed and signed by the Chairman as a correct record.

50 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLOR
FOR ADULT CARE, HEALTH AND CHILDREN'S SERVICES AND THE
ACTING EXECUTIVE DIRECTORS OF CHILDREN'S SERVICES

The Chairman advised the Committee that Councillor A Maughan had recently visited the Swingbridge Children's Centre in Grantham; and had been very impressed with the facilities available and the range of services provided to support the most vulnerable of families. Councillor Maughan had also been very impressed by the dedication of the Children's Services Team.

The Chairman invited the Executive Support Councillor and Senior Officers to update the Committee.

Councillor D Brailsford, Executive Support Councillor for Children's Services advised that work was currently being undertaken to review the Corporate Parenting Sub-Group, which could include amending the name to the Corporate Parenting Panel; and increasing the number of meetings per year from four to six.

The Committee was also advised that the Executive Support Councillor was due to have a meeting with the Corporate Parenting Manager, to discuss better promotion of Looked After Children and Care Leavers.

Janice Spencer OBE, Interim Director for Children's Services explained to the Committee the interim staffing arrangements that had been put in place for Children's Services. These were as follows:-

- Debbie Barnes OBE, was now the Head of Paid Services;
- Janice Spencer OBE, was acting up as the Interim Director of Children's Services, which included Safeguarding, Early Help and Regulated Services. Janice would be supported by Roz Cordy, Interim Assistant Director for Safeguarding and Jo Kavanagh, Assistant Director Early Help and Youth Offending Services. It was noted that Janice would continue to be responsible for Regulated Services, and that Cornelia Andrecut would be the Improvement Director when working at Northamptonshire and would be line managed by Janice;
- Heather Sandy was the Interim Director of Education. Heather would be supported by Martin Smith as Interim Assistant Director with responsibility for Education. Sally Savage would be responsible for Children's Public Health

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and Commissioning. It was noted that Heather would continue to operationally manage Special Educational Needs/Disability; and

- Andrew McLean was acting as Transformation Director being directly responsible to Debbie Barnes.

The Interim Director for Children's Services confirmed that details of the interim arrangements would be circulated to all members of the Committee.

51 COUNCIL BUDGET 2019/20

Consideration was given to a report from Heather Sandy, Interim Director of Education, which outlined the Council's budget proposals for the next financial year 2019/20, based on the four year funding deal announced by the Government as part of the 2016/17 Local Government Finance Settlement.

In guiding the Committee through the report, the Interim Director of Education highlighted that the budget proposals were open to consultation; and that Members of the Committee were invited to consider and comment on them, prior to the Executive meeting on 5 February 2019.

Paragraph 1.4 on page 16 of the report highlighted that in the provisional Local Government Finance Settlement, the Secretary of State had announced that the referendum threshold for general Council Tax would be 3% for 2019/20; together with a 2% Council Tax increase for Adult Social Care in 2019/20, which meant that Lincolnshire County Council could increase the Council Tax in 2019/20 by up to 5%. It was highlighted further that the Executive at its meeting on 18 December 2019 had agreed proposals for the Council's revenue and capital budgets to be put forward as a basis of consultation and had made the decision to consult on a proposed Council Tax increase of 4.95% for 2019/20.

The Committee considered the 2019/20 budget implications for the following commissioning strategies under its remit:

- Readiness for School;
- Learn and Achieve;
- Readiness for Adult Life: and
- Children are Safe & Healthy.

Details relating to the commissioning strategies' were found on pages 16 to 22 of the report presented. Particular reference was made to Revenue Budget Proposals for 2019/20 for each of the above mentioned commissioning strategies.

It was reported that the Readiness for School strategy was not proposing to make any savings or reporting any cost pressures.

It was highlighted that the Learn and Achieve Strategy was proposing to make savings of £0.259m and that there was a proposed cost pressure of £0.306m. It was highlighted that the proposed cost pressure within the strategy was for Home to School/College Transport of £0.306m in 2019/20. This was as a result of the

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Government's desire to deliver national living wage rises to £9.00 per hour by 2020; and that a lot of individuals delivering transport services were paid at this rate. It was further highlighted that the Home to School/College Transport budget was a challenging and volatile budget as a result of unfavourable economic conditions and changing legislation. The budget therefore remained a financial risk to the Council; although the service was taking every step it could to achieve efficiencies.

The Committee was advised that the Readiness for Adult Life strategy was proposing to make a saving of £0.300m; and that there was no cost pressure for 2019/20. It was noted that the proposed savings of £0.300m related to the Local Authority's legal duty to safeguard and promote the welfare of all young people by providing supported housing accommodation. The Committee noted that transformational work had resulted in a new accommodation pathway. This comprised of in-house provision delivering value for money and better outcomes for young people.

It was reported that the Children are Safe and Healthy strategy was proposing to make a saving of £0.250m and had proposed cost pressures of £1.194m in 2019/20.

It was reported further that the proposed savings related to Children's Services insourcing of the 0 - 19 health services in October 2017. This had enabled savings to be delivered by having a lower cost base infrastructure and through the utilisation of existing Children's Services sites, and a realisation of new ways of delivery.

The Committee noted there had been an increase in the number of Special Guardianship Orders (SGOs); and that the Local Authority was required to fund SGOs (subject to means testing). It was highlighted that the expected increase had identified a proposed pressure of £0.246m in 2019/20.

In conclusion, the Committee noted that Lincolnshire continued to be one of the most successful local authorities in providing value for money. However, due to the government's direction of travel, placing additional responsibilities onto local authorities, the financial implications for the authority were unclear.

During discussion, the Committee raised the following points:-

- The cost pressures affecting the authority as a whole across all areas;
- The impact of the Government's comprehensive spending review and the Council's Fairer Funding campaign;
- Most members expressed their support for the 4.95% Council Tax increase; and to the fact that the Council would continue to rely on reserves for the coming years;
- Some clarification was sought regarding the amount of funding for the SEND project. Confirmation was given that the figure had not increased and that it was as quoted in the report considered by the Committee at their 19 October 2018 meeting;
- The impact of the SEND project on Home to School Transport. Officers confirmed that there would be some cost pressures as it was an anticipated

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that there would be an increase of 500 places and that this would be modelled over the next five years;

- A question was asked whether Children's Centres were feeling any impact as a result of the proposed budget. Officers confirmed that services had been re-configured to provide improved services; and reassurance was given that centres would continue to be refurbished as they continued to receive funding in-line with inflation;
- Some concern was expressed to the amount of savings made compared to the overall budget. Particular reference was made to the Readiness for School strategy; and to the fact that the strategy was not proposing to make any savings for 2019/20. Officers clarified this strategy had made savings in the previous year, and that the services within the strategy operated efficiently;
- One member expressed concern relating to the 4.95% Council Tax increase. Officers expressed their sympathy to the proposed increase; and highlighted that residents still expected to receive services. The Committee was also advised that the cost of delivering children's services in Lincolnshire was one of the lowest in the country;
- One member enquired whether the service was fully staffed. Confirmation was given that the budget took into consideration for the service to be fully staffed. The Committee was advised that the vacancy rate for social workers in Lincolnshire was 4.2%, compared to the national average of 18%. The Committee was advised further that the service had worked hard to create the right working environment for its staff; and
- One member enquired whether cost of IT (Mosaic) formed part of the budget proposals. It was confirmed that this would be part of the corporate infrastructure for the network and systems, and that individual services paid for their own laptops and phones.

Advice was given to the Parent Governor Representative concerning voting rights that a parent governor could only vote on educational matters.

On behalf of the Committee the Chairman extended thanks to the Interim Director of Education and the Head of Finance, Children's Services for their presentation.

RESOLVED

- (1) That the Committee agreed to support the proposed council tax increase of 4.95% for the 2019/20 year; and to support the proposed budget for 2019/20 for Children's Services, including the rationale for the cost pressures identified in two of the commissioning strategies:
 - The Learn and Achieve Commissioning Strategy (£306,000); and
 - The Children are Safe and Healthy Commissioning Strategy (£1.194 million).
- (2) That the Committee's comments to the Executive make reference to the impact of the Government's comprehensive spending review, and the Council's Fairer Funding campaign, the outcomes of which were currently unknown. Given the uncertainties, the Committee's support for the council

tax increase, which was above the rate of inflation, was difficult, but the pressures on the Council, including Children's Services, were genuine. It was also acknowledged that the County Council would continue to rely on reserves for the coming years.

52 LOCAL AREA SEND INSPECTION BY OFSTED AND CQC

The Committee gave consideration to a report from Sheridan Dodsworth, Children's Services Manager – SEND, which provided information about the outcome of the Local Area inspection, undertaken jointly by Ofsted and the Care Quality Commission, in October 2018.

Attached to the report were the following Appendices:-

- Appendix A – A copy of Lincolnshire's Final Outcome Letter; and
- Appendix B – An extract of the SEND Steering Group Action Plan.

Whilst guiding the Committee through the report, particular reference was made to the background behind the inspection; the three questions the inspection focussed on (These were detailed at the bottom of page 27 of the report).

The Committee noted that the inspectors from Ofsted and the Care Quality Commission (CQC) had conducted focus groups with a wide range of professionals, and that when reaching their judgement, the inspectors had also tested the accuracy and rigour of the local area's self-evaluation; to the extent as to whether the Council knew it's strengths and weaknesses, and whether appropriate development plans were in place.

It was noted further that the inspectors had also met with the Lincolnshire Parent Carer Forum, and parents and carers across the county to understand how well the local area engaged with parents and carers, their children and young people. The inspectors had also met with children and young people to hear their experiences. The Committee was advised that a week-long on-line survey had also taken place to enable parents and carers to feedback their experiences of the support their children had received through the wide range of services and organisations in the county.

A copy of the final report was detailed at Appendix A to the report. The report highlighted the main strengths the inspectors recognised throughout the inspection, as well as the areas identified by the inspectors requiring further development.

In conclusion, the Committee was advised that the joint Ofsted and CQC inspection had identified many strengths in Lincolnshire; areas that needed improvement. It was highlighted that there had been no surprises with regard to the development areas highlighted, as these had mirrored those the Local Authority and the Clinical Commissioning Group had identified as part of the Self-Evaluation, and that these formed part of the wider action plan, which was detailed at Appendix B to the report. The Committee gave consideration to the said Action Plan.

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The Committee was also advised that congratulations had also been received from the Children's Minister on the report; and to the reduced number of tribunals.

During debate, the Committee raised the following points:-

- The need to promote and communicate the Local Offer better to ensure that families and practitioners were all aware of it;
- The need to ensure that more information was fed into the Joint Strategic Needs Assessment;
- That the waiting times for the diagnosis of autism were too long; and that more support was needed. A question was asked whether this had been included in the NHS Long Term Plan. Confirmation was given that there would be an action plan concerning this matter, and that work was on-going with health colleagues, and that there was likely to be an improvement over the next few months. Some concern was expressed relating to the impact the delay had on the young people and their families. Officers highlighted that a diagnosis would not change the need of a young person and that schools and professionals would be able to meet the needs of the young person without a diagnosis. It was highlighted further that there was a significant waiting time for assessment in Lincolnshire, and that less than 50% actually received a diagnosis following assessment. The new pathway enabled self-help and early intervention. It was noted that families needed to be made aware of the pathway in order to support the young person better. The Committee noted further that the number of children who received a medical response was small;
- Some concern was raised with regard to the checks for two and a half year olds, as it was felt that the whole process had now become more complicated. It was highlighted that the two and half year old check was the last mandatory check prior to starting school. It was highlighted that a two, two and half year old education check was conducted in early year's settings. Officers highlighted that steps were being taken to look into combining checks, providing them in the evenings, and at the week-end, and joining up with early years' settings. It was also highlighted that sometimes experienced parents did not feel the need to have the check and therefore did not attend;
- Congratulations were extended to officers for their achievements;
- One member highlighted that the Committee needed to consider how the plan was going to be monitored going forward;
- The Committee was advised that moderate learning would be monitored through the action plan; and
- One member enquired what influence the local authority would have where an Education Health and Care Plan (EHCP) was in place within an Academy setting. The Committee was advised that the local authority had a duty to challenge all schools. If there were concerns about a school, the local authority would work with the Education & Skills Funding Agency (ESFA) and the Department for Education (DfE). It was noted that the same applied to independent schools and home schooling; the local authority had the same responsibility.

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In conclusion, the Committee welcomed the excellent report and the outcomes that had arisen from it.

RESOLVED

1. That the outcomes of the Local Area SEND inspection report by Ofsted and the CQC be received.
2. That the Action Plan in response to the inspection report be considered by the Children and Young Scrutiny Committee at a future meeting.

53 CHILDREN MISSING OUT ON EDUCATION ANNUAL REPORT 2017/18

Consideration was given to a report from Jill Chandair-Nair, Inclusions and Attendance Manager, which invited the Committee to consider the 2017/18 Annual report on Children Missing out on Education in Lincolnshire.

The report highlighted that the local authority had a statutory duty to ensure that all children received an education that was suitable to their age, ability, aptitude and any special educational needs they might have. The annual report attached at Appendix A detailed all the processes that were in place to monitor children who were missing out on education for 2017/18.

In guiding the Committee through the report, particular reference was made to the groups of children who were identified as being at risk of missing out on education, these were:

- Children Missing Education, this was where children were not on the roll of a school;
- Children who were electively home educated, this was where parents were failing to provide suitable education to meet the needs of their child;
- Children not attending school regularly, this would be where a child had not attended school for a period of 10 consecutive days; and that their absence was unauthorised. For pupils for whom a fixed penalty notice had been issued as a result of persistent absence/unauthorised leave; or when pupils parents were being fined or prosecuted due to their child's poor attendance; and
- Pupils receiving less than 25 hours of education per week; it was noted that this would arise when pupils were not receiving full time education e.g. medical needs.

Attached to the report was a copy of the Children Missing Out on Education Annual Report 2017/18 for the Committee's consideration, which covered all the above groups.

During discussion, the Committee raised the following points:-

- The level of the penalty. Officers advised that the level of the Fixed Penalty Notice was set at a £60.00 per incident. Confirmation was given that there

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was no prosecution for non-payment. However, if the matter was to continue, then a fine would be considered. It was also confirmed that the time taken was mainly used for holidays. Confirmation was given that schools had discretion as to what action they took; and would only approach the local authority when there was a problem. Confirmation was also given that where a fine was not paid and it was not the first offence then the matter would be transferred to the legal team;

- Home Educated pupils – A question was asked whether there was any geographical hotspot. The Committee was advised that there was a higher number of home educated pupils in the East Lindsey area. The Committee was advised of the process followed when dealing with such a case. It was highlighted that where there were concerns about provision for a child, the local authority would always try to work with the family for the best interest of the young person. The Committee was advised further that work was on-going to shorten the process; and that quite often where it was identified that home education was not meeting need, the child often went back to school;
- One member highlighted the usefulness of shadowing a social worker for a day;
- The impact of the curriculum on teenagers. Officers confirmed that schools needed to provide education to meet the needs; and that lots of schools had a varied curriculum; and were able to purchase alternative provision, to offer flexibility; and
- It was highlighted that some comparison information might be useful for the Committee to consider in the future. Officers confirmed that this matter would be looked into for future reports.

RESOLVED

That the Children Missing Out on Education Annual Report 2017/18 be received.

54 GRAMMAR SCHOOL TRANSPORT - 2018 REVIEW

The Chairman welcomed to the meeting David Robinson, Commissioning Manager, Transport and Teri Marshall, Senior Commissioning Officer, Transport Commissioning Team.

The report provided the Committee with the outcomes of the Grammar School Transport 2018 Review.

Attached for the Committee's information was:

- Appendix A – A copy of the Children and Young People report on Grammar School Transport Policy 2016;
- Appendix B – A copy of the Lincolnshire County Council Transport Policy 2018/19 booklet; and
- Appendix C – A copy of the Designated Transport Area (DTA) map showing grammar School DTAs.

The Commissioning Manager reported that the transport entitlement policy for grammar schools had not changed since the CYPSC Review published in 2016. It was reported further that the Lincolnshire policy offered free transport to young people living in the designated transport area for their grammar school. It was noted that this entitlement was not subject to income; but to the statutory walking distance (3 miles for secondary school children, which would be amended, where a low income threshold and proximity to a school of choice allowed a statutory entitlement).

Table 1 on page 68 of the report provided the Committee with details of the number of pupils receiving transport to Lincolnshire grammar schools with costs as at September 2018. It was noted that in comparison to 2016, the figures shown in Table 1 had revealed an increase in the total annual costs of £59,899.85 with 170 less pupil being transported. The Committee was advised that this was not as a result of reducing numbers, but because parents and schools were making alternative arrangements in some cases.

It was highlighted that the Council's policy was more generous than that offered by any other local authorities that provided transport to grammar schools; and that the cost of providing the service was budgeted for was in line with costs for other mainstream transport provision.

It was highlighted further that there had been no change in national statutory requirements in respect of grammar school transport; and that the Council provided transport irrespective of income; and that the Council would be able to meet any new criteria if introduced; and that the Council would benefit from any funding available. It was noted that the policy met the needs of young people in Lincolnshire, and that there had been no complaints against the policy.

During discussion, the Committee raised the following points:

- One member who had contributed to the previous scrutiny review advised that there was very little call for change and that the policy was still fit for purpose, and as such a review was not needed;
- A question was asked whether Academies helped to fund transport. Officers advised that some Academies did make their own arrangements for transport;
- Some concern was expressed regarding the effect on non-selective schools, of children going on to grammar schools;
- Clarification was sought regarding the Spilsby King Edward VI Academy; and whether it was in fact a selection school. Officers confirmed that it was a partially selection school and that the figure of 67 was the number of pupils being transported. It was highlighted that some children in the Spilsby area actually travelled to Skegness; and
- Confirmation was given that the policy did not discriminate.

RESOLVED

1. That the outcomes from the 2018 review be noted.

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2. That support be given to the continuation of the existing policy in relation to grammar school transport.

55 CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK PROGRAMME

Consideration was given to a report from Tracy Johnson, Senior Scrutiny Officer, which enabled the Committee to consider and comment on the content of its work programme for the coming months.

Appendix A to the report on page 155 provided a copy of the Work Programme for the Children and Young People Scrutiny Committee to consider.

Simon Evans, Health Scrutiny Officer, presented the report and advised of one amendment to the work programme. The Committee noted that a report on a new Section 117 Policy would be added to the agenda for the meeting on 19 July 2019 as a pre-decision scrutiny, prior to an Executive Councillor decision being taken. It was noted further that the item would also be considered by the Adults and Community Wellbeing Scrutiny Committee on 3 July 2019.

Other items suggested included:

- CQC Inspection report 0 – 19 Health Service – July Meeting;
- SEND Transport Review – June Meeting; and
- NHS 10 year Long Term Plan and how it affects Children's Services - Future meeting.

The Interim Director of Children's Services advised that if any member of the Committee wished to spend some time with a social worker, she would make the necessary arrangements.

The Senior Democratic Services Officer confirmed that a response would be made to the Parent Governor Representative regarding voting rights in relation to the Council Budget 2019/20 item following the meeting.

RESOLVED

That the Children and Young People Scrutiny Committee Work Programme be received subject to the inclusion of the above mentioned items.

The meeting closed at 12.25 pm