



**CHILDREN AND YOUNG PEOPLE SCRUTINY
COMMITTEE
19 NOVEMBER 2021**

PRESENT: COUNCILLOR R J KENDRICK (CHAIRMAN)

Councillors S A J Blackburn, T A Carter, R J Cleaver, C Matthews, N Sear, J Tyrrell and M A Whittington

Added Members

Mrs M R Machin - Parent Governor Representative

Councillor: S P Roe attended the meeting as an observer.

Officers in attendance:-

Matthew Clayton (Admissions & Education Provision Manager), Robert Close (Democratic Services Officer), Andy Cook (Service Manager - Future4Me), Tracy Johnson (Senior Scrutiny Officer), Jo Kavanagh (Assistant Director of Early Help), Dave Pennington (Head of Property Development), Tony Pryce (Joint Diversionary Panel Co-Ordinator), Heather Sandy (Executive Director of Children's Services), Martin Smith (Assistant Director for Children's Education) Janice Spencer OBE (Assistant Director of Children's Safeguarding), and Matthew Stapleton (Senior Project Manager, Corporate Property)

Officers attending via Teams:-

Linda Dennett (Assistant Director for Children's Health and Commissioning)

Guests in attendance:-

Dr Sue Bond-Taylor (University of Lincoln) and Chief Inspector Daryl Pearce (Lincolnshire Police)

36 APOLOGIES FOR ABSENCE / REPLACEMENT MEMBERS

Apologies for absence were received from Councillor W H Gray.

Apologies for absence were also received from Councillor Mrs P A Bradwell OBE (Executive Councillor for Children's Services, Community Safety and Procurement).

37 DECLARATIONS OF MEMBERS' INTEREST

No declarations of Members' interest were made at this stage of the proceedings.

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38 MINUTES OF THE CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE MEETING
HELD ON 15 OCTOBER 2021

RESOLVED

That the minutes of the Children and Young People Scrutiny Committee meeting held on 15 October 2021 be agreed and signed by the Chairman as a correct record.

39 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLOR FOR CHILDREN'S
SERVICES, COMMUNITY SAFETY AND PROCUREMENT AND CHIEF OFFICERS

The Chairman informed the Committee of the passing of Councillor B Adams who was the former Vice Chairman of the Children and Young People Scrutiny Committee between 17 May 2013 and 15 May 2015 and continued to be a member of this Committee until April 2017. The Committee held a minute's silence in honour of Councillor Adams.

40 JOINT DIVERSIONARY PANEL - UNIVERSITY OF LINCOLN EVALUATION

The Committee considered a report which provided the key findings of the evaluation of the Joint Diversionary Panel undertaken by Dr Sue Bond-Taylor, University of Lincoln. An overview of the throughput of cases from September 2020 to August 2021 was provided, breaking down statistics by age, gender, offence and outcome. Considered against its objectives, it was concluded that the Joint Diversionary Panel (JDP) delivered a robust and effective process for making informed decisions about young people in conflict with the law, through prevention of unnecessary criminalisation and diversion into supportive and preventative interventions. Furthermore, the introduction of the Youth Restorative Intervention for use by the Panel was considered to have significantly improved outcomes for young people in the county whilst maintaining community safety. The delay in the final report due to Covid-19 complications presented an opportunity to revisit some professionals involved in the early stages of the report to gather their experiences.

Members were provided with the opportunity to ask questions to Dr Sue Bond-Taylor from the University of Lincoln, Chief Inspector Daryl Pearce from Lincolnshire Police and the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- Members endorsed of the restorative nature of the JDP, particularly appreciating the opportunities for young people to reflect on how their actions affected the community consequently building empathy and responsibility.
- It was confirmed that an action plan would be compiled to identify time frames for implementing the recommendations made within the report. Engagement with the National Youth Justice Board's best practice hub would present an opportunity to share best practice with other local authorities who may have been in a similar situation to the Council. Moreover, Dr Bond-Taylor's report was now a publicly available document, expected to garner attention from interested parties.

- It was clarified that, within the recommendations of the report, further evaluation was suggested through an enhanced data analysis and to consider the longer-term outcomes of the JDP.
- It was noted that the Out of Court Scrutiny Panel, chaired by Chief Inspector Daryl Pearce, took interest in the case studies presented by the JDP. Through the move to a restorative approach for minor offences for adults, as a result of changes to Out of Court Disposals, a reduction in reoffending was expected in accordance with that seen for youth offending.
- Members were advised that any young person who came into police custody would be seen by the criminal justice liaison and divergence scheme, to allow a practice nurse to address vulnerabilities.
- Some Members observed a discouraging narrative within the report toward previous actions taken by Police towards youth offending. In response, officers stressed that the Police prompted the call to reform the approach to youth offending and collaborated admirably throughout the process. It was felt that the move to a holistic approach was mutually advantageous to both victims and offenders. It was added that the Police and Crime Commissioner (PCC) endorsed the work of the JDP.
- While appreciating the strategy demonstrated by the JDP, Members stressed the need for preventative measures to be undertaken to avoid the necessity for enforcement and divergence entirely. Furthermore, they felt that the social issues behind the offence needed to be identified as part of the process for tackling youth anti-social behaviour. Officers noted that as a result of the JDP, Police Officers were granted the opportunity to take a holistic approach to youth offending through home and school visits.
- Observing the change in Police enforcement of youth offending from previous generations, Members sought detail on the rationale for appropriate response for offences. Officers noted that, on the whole, any young person who came into conflict with the criminal justice system would be discouraged from committing further offences through the experience of criminal justice alone. Those who continued to offend would still be subject to the court system and the determination of the JDP. Furthermore, some offences, due to their seriousness, went beyond the gravity of the JDP and would be treated directly through the courts.
- Noting that, within the report, it was stated that the JDP only reviewed the cases of those young people where there was an admission of responsibility, Members sought detail of the offences for those youth offenders who hadn't accepted responsibility. Officers advised that approximately half of the cases didn't go through the process of the JDP for various reasons, of that proportion, a number of those were a result of an omission of guilt. Moreover, it had been observed that several offenders may plead 'not guilty' if they felt there was a chance their case wouldn't go to court. Officers offered to come back to the Committee with a detailed breakdown of the cohorts.
- Some Members feared that public perception of the scheme would be that of a lesser sanction than the previously used Youth Out-of-Court Disposals. It was advised that the comparison made compared the intervention of the JDP with that of a formal caution. Members were advised that these cases would not have gone to court in the

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first place, therefore, instead of the offence being settled with a caution, the youth offending engagement process was extended.

The Chairman thanked Dr Sue Bond-Taylor and Chief Inspector Daryl Pearce for their attendance and contributions to the meeting.

RESOLVED

1. That the Joint Diversionary Panel evaluation be noted and the proposed actions to continue the on-going development of the Joint Diversionary Panel be endorsed.
2. That an update on progress against the proposed actions be brought to the Committee in 12 months' time.

41 CHILDREN IN CARE (CIC) TRANSFORMATION - RESIDENTIAL ESTATE EXPANSION PROGRAMME

The Committee considered a report which set out the business case for the use of £1.5m of allocated Council capital funding from the Residential Children's Home Capital Programme to invest in two new children's homes in Lincolnshire, prior to a decision being taken by the Executive Councillor for Children's Services, Community Safety and Procurement between 22 and 30 November 2021.

The Committee considered the report, and during the discussion the following comments were noted:-

- The two new children's homes would provide additional capacity to place children in care within Lincolnshire and deliver a forecasted annual saving of £0.561m by reducing the number of out of county placements which were very costly for the Council.
- The Committee was pleased with the very low rate of return on investment of 2.67 years for the £1.5m capital cost for the two new children's homes as this was a lot shorter than the usual rate of return on investments.
- The benefits of children in care being placed in accommodation within Lincolnshire was recognised as this enabled these young people to maintain contact with friends and families.
- Some out of county placements would still be required where specialist accommodation was needed.
- There were several young people placed in out of county placements during the Covid-19 pandemic due to a shortage of placements within Lincolnshire. Consideration was being given to how to carefully transition these young people back into Lincolnshire accommodation when they were now settled in their current placements. These young people were being closely monitored by Children's Services.
- The proposed two new children's homes were the first stage for increasing in county placements, and it was hoped that a third new children's home could be developed in the future.
- The number of children in care would start to decrease as the family courts begin to consider more cases.

- Several factors were taken into consideration when deciding the location of children's homes. These included demographics, criminality in the area, access to education including post 16, access to public transport, and whether high quality staff could be recruited in the area to ensure stability of staff in the children's homes. Ofsted would ensure that these factors were taken into account. It was confirmed that Ofsted was satisfied with the proposed locations for the two new children's homes.

RESOLVED

1. That the Children and Young People Scrutiny Committee unanimously agreed to support the recommendations to the Executive Councillor for Children's Services, Community Safety and Procurement as detailed in the report.
2. That the comments listed above be passed on to the Executive Councillor in relation to this item.

42 LINCOLN CHILDREN'S HOME

The Committee considered a report which invited them to consider and comment on the relocation of Lincolnshire County Council's existing short breaks home to a location on the St. Francis Special School site in Lincoln, prior to a decision being taken by the Executive Councillor for Resources, Communications and Commissioning and the Executive Councillor for People Management, Legal and Corporate Property between 23 and 30 November 2021.

The Committee considered the report, and during the discussion the following comments were noted:-

- The Committee was reassured that the risks to the supply chain had been fully assessed and that the costs compared well to the BCIS benchmarking, demonstrating good value for money for the project.
- It was expected that children would be first placed in the new children's home at St Catherine's in September 2022. Concern was raised that this would coincide with the new academic school year, and it was suggested that the children should be moved into the new children's home before September. It was confirmed that this could not be guaranteed to happen as the remodelling works may not have been completed by then due to the current supply issues. Careful planning would be undertaken when moving children into the children's home to ensure that they did not change schools at the same time to allow them time to settle into their new placement first.

RESOLVED

1. That the Children and Young People Scrutiny Committee unanimously agreed to support the recommendations to the Executive Councillor for Resources, Communications and Commissioning and the Executive Councillor for People Management, Legal and Corporate Property as detailed in the report.

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2. That the comments listed above be passed on to the Executive Councillors in relation to this item.

43 SPALDING ACADEMY BASIC NEED PROJECT

The Committee considered a report which invited them to consider and comment on the procurement of the expansion and remodelling to Spalding Academy, prior to a decision being taken by the Executive Councillor for Resources, Communications and Commissioning and the Executive Councillor for People Management, Legal and Corporate Property between 23 and 30 November 2021.

The Committee considered the report, and during the discussion the following comments were noted:-

- The total allocated project budget of £3.5m was set two years ago with Children's Services. However, the recent volatility in the supply chain had seen the price constantly changing, and as a result it was decided that an actual price would be sought through the tendering process, and the pre-tender estimate was now £3.67m. The tenders for the contract were due back in the next couple of weeks.
- The South Lincs Academy Trust (SLAT) was congratulated for taking the school from being significantly under-subscribed to being popular and now over-subscribed.

RESOLVED

1. That the Children and Young People Scrutiny Committee unanimously agreed to support the recommendations to the Executive Councillor for Resources, Communications and Commissioning and the Executive Councillor for People Management, Legal and Corporate Property as detailed in the report.
2. That the comments listed above be passed on to the Executive Councillors in relation to this item.

44 STAMFORD WELAND ACADEMY BASIC NEED PROJECT

The Committee considered a report which invited them to consider and comment on the procurement of the expansion and remodelling to expansion and remodelling to Stamford Welland Academy, prior to a decision being taken by the Executive Councillor for Resources, Communications and Commissioning and the Executive Councillor for People Management, Legal and Corporate Property between 23 and 30 November 2021.

The Committee considered the report, and during the discussion the following comments were noted:-

- There was a need to balance the costs to maximise the number of places available while being as cost effective and environmentally sustainable as possible. The aim was to make all schools sustainable, but this had to be balanced against the need to maximise school places within the funding available.

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- The Council’s policy regarding the installation of solar panels on the Council’s own buildings did not apply as the academy trust was responsible for the school building. The Executive Director – Children’s Services agreed to write to Lincolnshire academies asking them to seek funding from the Department for Education for the green agenda to enable them to become more environmentally sustainable.
- The potential for a sixth form at the academy was separate to this project. To have a sixth form, the academy would have to demonstrate that there was a need for a sixth form for at least 200 pupils.
- The risks for each project were carefully considered and costed, and were mitigated as much as possible.

RESOLVED

1. That the Children and Young People Scrutiny Committee unanimously agreed to support the recommendations to the Executive Councillor for Resources, Communications and Commissioning and the Executive Councillor for People Management, Legal and Corporate Property as detailed in the report.
2. That the comments listed above be passed on to the Executive Councillors in relation to this item.

45 SERVICE LEVEL PERFORMANCE AGAINST THE CORPORATE PERFORMANCE FRAMEWORK - QUARTER 2

Consideration was given to a report which summarised the Service Level Performance against the Corporate Performance Framework for Quarter 2. The report only summarised those measures which were either above or below the target range.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- Members noted the increase in the average days for children to move to an adopted family from quarter one, 397 days, to quarter two, 455 days, while the target remained at 400, and asked if there was any flexibility in targeting. Officers advised that a number of children had recently moved through the court systems, which had been delayed because of the Covid-19 pandemic, prolonging the time it had taken before being found an adopted home. As time progressed, the average days were expected to decrease.
- Members’ disappointment in the unavailability of the Youth Justice Board statistics was noted.
- Referencing the increase of children in care participating in learning, as of October 2021, to reach the threshold within the tolerance range, Members asked what measures were being undertaken to ensure the remaining young people were encouraged to participate too. Officers appreciated that, while the opportunities for

learning may be good for those in the tolerance range, it was essential that all children in care were offered the opportunity to learn. The tolerance thresholds within the reports were determined by the Council and could be amended throughout the year if it was felt necessary. Members were advised about an upcoming proposal for virtual schools, through a grant of approximately £900 per child, to tailor bespoke learning and support packages. Further detail of this would be brought back to the Children and Young People Scrutiny Committee.

- Members sought clarity on why the rate of child protection plans had reduced in quarter two. Officers advised that a number of children were put on a child protection plan during the Covid-19 pandemic due to the significant change in circumstances they faced. As the service moved beyond the Covid-19 challenges, a number of child protection plans were ceased. However, it was noted that, while child protection plans were subject to targets, any child who was considered to require one would be put on a plan regardless of the Council position within its targets.

RESOLVED

That the Committee's satisfaction with the performance of the measures, that were either above or below the target range, and the comments made in relation to the performance measures be noted.

46 CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK PROGRAMME

The Committee considered a report from Tracy Johnson, Senior Scrutiny Officer, which invited members to consider and comment on the content of its work programme, to ensure that scrutiny activity was focused where it could be of greatest benefit.

It was noted that an amendment to the 14 January 2022 agenda was made, with the Pre-Decision Scrutiny item for the expansion of St Lawrence School, Horncastle being deferred until the 17 June 2022 or 22 July 2022 meeting to allow for further work on the scheme.

In addition, the Committee would be considering the Council's budget proposals for Children's Services prior to its consideration at the Executive and subsequently Council in February 2022.

RESOLVED

That the work programme be agreed as amended.

The meeting closed at 12.21 pm