

SCRUTINY COMMITTEE FOR CHILDREN'S SERVICES

MINUTES of a meeting of the Scrutiny Committee for Children's Services held at County Hall, Lewes on 16 June 2014.

PRESENT:

Councillors Kathryn Field (Chair), Stephen Shing (Vice Chair), Peter Charlton, Michael Ensor, Roy Galley, Jim Sheppard (substituting for Cllr. Claire Dowling), Alan Shuttleworth and Francis Whetstone.

Ms Nicola Boulter (Parent Governor Representative).
Catherine Platten (Parent Governor Representative).
Simon Parr (Roman Catholic Diocese Representative).

Lead Members: Councillors Sylvia Tidy (Lead Member Children & Families / designated statutory Lead Member for Children's Services) and Nick Bennett (Lead Member Learning & School Effectiveness).

Scrutiny Lead Officer Martin Jenks

Also present Stuart Gallimore, Director of Children's Services; Liz Rugg, Assistant Director Children's Services (Safeguarding, Looked After Children and Special Educational Needs); Fiona Wright, Assistant Director (Schools, Youth & Inclusion Support); Nathan Caine, Head of Inclusion Support.

1. MINUTES OF LAST MEETING

1.1 RESOLVED – to confirm as a correct record the minutes of the last Committee meeting held on 10 March 2014.

2. APOLOGIES FOR ABSENCE

2.1 Councillor Claire Dowling, Councillor Kim Forward and Councillor Gill Mattock (District/Borough Representative).

3. DISCLOSURES OF INTERESTS

3.1 There were no disclosures of interests.

4. URGENT ITEMS

4.1 An update was requested on the recent Ofsted inspection of local authority arrangements for supporting school improvement.

5. UPDATE ON SCHOOL EXCLUSIONS AND ATTENDANCE FOLLOWING THE PEER REVIEW

5.1 The Scrutiny Committee received an update report in November 2013, at which time a Peer review of school exclusions was taking place. The peer challenge was carried out by the Director of Children's Services at Milton Keynes, the Assistant Director of Children's Services from Oxfordshire County Council, together with representatives from Brighton & Hove City Council and Waltham Forest Council. The performance data and planned activities since the peer review are contained in the report, together with performance data on school attendance.

5.2 There have been improvements in the number of exclusions, but not at the rate the Council would like to see, and in particular the number of fixed term exclusions in primary schools remains high. Some schools are responsible for a high proportion of exclusions and some are taking decisions to exclude pupils before seeking any advice or support. These schools have been the focus of targeted work by the Standards and Learning Effectiveness Service (SLES) working together with the East Sussex Behaviour and Absence Service (ESBAS).

5.3 There have been improvements in attendance rates of pupils and a reduction in levels of persistent absence. Since April 2013 the service has changed the way it operates and is using a more targeted approach alongside referrals which has led to better results.

5.4 Since the Peer review the service has taken a different approach to managing attendance and exclusions. The Standards and Learning Effectiveness Service (SLES) and the East Sussex Behaviour and Absence Service (ESBAS) have been working together more closely. A number of projects have been developed to reduce exclusions in primary schools, which are described in the report. Since April, there has also been a change in the way that support for behaviour is offered to maintained schools in that all schools are offered access to resource rather than just at the time of a crisis. It is hoped that this will lead to better early identification and intervention for children at risk of exclusion.

5.5 The Committee discussed a number of aspects of the report in more detail. From these discussions a number of topics emerged that are noted below.

Past performance on school exclusions

5.6 The Committee noted that the past performance of East Sussex on exclusions was worse than other Councils. Historically East Sussex schools have used exclusions as a response to challenging behaviour and this was accepted practice in many schools. Now there is an approach that focusses on individual children, as well as the quality of teaching, so that there is support for the child and the teacher in managing exclusions.

Primary schools

5.7 The Committee expressed their concern about the rise in the number of fixed term exclusions in primary schools and asked for an explanation. The rate of permanent exclusions is largely due to the school profile. The number of fixed term exclusions is falling faster than the national profile, but has not caught up with the national average yet. The recent rise in fixed term exclusions may be related to the practice at a small number of schools with high exclusion rates. These schools are being targeted through project work with the expectation that the number of exclusions will reduce.

5.8 The data collected by schools allows children at risk of exclusion to be identified early. A more nurturing approach that focusses on early intervention is showing signs of success. The challenge now is to extend the sort of pilot projects outlined in the report to change practice in all schools. Some schools already have a have a policy of not using exclusions to manage behaviour.

Pupils with Special Educational Needs & Disabilities (SEND)

5.9 The Committee expressed concern at the high numbers of children with special educational needs (SEND) that are excluded from schools. This could be an indicator that schools do not have the resources to deal with the increasing number and complexity of special needs that the schools are required to meet.

5.10 The changes that have been introduced as part of the SEND reforms provide an opportunity to look at how children and schools are supported and how best to meet their needs. The re-organisation of the service is looking to support schools and parents early before a crisis is reached. Schools will also be able to draw on a central resource.

5.11 The department has contacted all schools and teachers about the skills and training that they may need. A questionnaire has been used to identify areas of professional development to support this area of work. The best way forward is to have high quality teachers and an approach that tackles both the child's and teacher's needs. The department is also examining primary level support for children with additional needs.

Data Collection

5.12 The data on exclusions is collected over the period of a financial year (rather than academic year) and is expressed as percentage to allow for national comparisons. The Council does collect the data as actual numbers as well as percentages and can look at the parts of the County where there are higher numbers of exclusions. The exclusion data is circulated on an annual basis and the Head of Inclusion Support can send Committee members a link to this data if that would be helpful.

Academies

5.13 The department is holding individual academies to account on their behaviour management. Their performance is challenged through work with Principals, governing bodies and Trusts. Academies have been purchasing more behaviour support services from the Council.

5.14 Guidance issued in May 2014 states that local authorities should raise concerns about academies directly with the Secretary of State for Education. The department will continue to approach academies, but will use the option to go directly to the Secretary of State if necessary. The events in the Birmingham academies during May this year, may lead to a re-affirmation of local authority responsibilities with regard to academies.

Other issues raised during the discussion

5.15 The academy chain that manages Bexhill High School has taken the decision to cease operating. The responsibility for running the school remains with the academy chain and the Department for Education (DfE). Legislation means that East Sussex County Council (ESCC) does not have a legal duty to take control of the school. ESCC has approached the DfE about Bexhill High School and will do all it can to ensure the school continues to be well managed.

5.16 **RESOLVED:**– It was resolved to note the report and the progress being made to reduce exclusions and improve attendance.

6. THRIVE PROGRAMME PROGRESS REPORT

6.1 THRIVE is a three year programme. In the first year changes to the service were identified and 'quick wins' were implemented. In the second year changes were extended and embedded. There were three main building blocks of the THRIVE programme:

- Working in partnership;
- Early Help interfaces within the Council;
- Re-shaping and re-building the social care workforce.

There has been an external evaluation of the programme and the recent Ofsted inspection of children's social care was very positive about the transformation programme.

6.2 At the start of the programme, East Sussex was out of line with other similar local authorities on some key performance indicators. The THRIVE programme has recalibrated processes and is now on track to meet most of the targets set at the beginning of the project, and most of the performance indicators are moving in the right direction. The growth in expenditure has been arrested. The Looked After Children (LAC) placement cost rose by 32% and 19% respectively in the two years before the programme started. This cost pressure has been reduced to 2% in year 1 and 3% in year 2.

6.3 The Committee discussed some of the key performance indicators of the THRIVE programme in more detail to understand the patterns and trends behind the data in appendix 2 of report.

Child Protection Planning.

6.4 The number of child protection plans has reduced since the start of the programme but has risen again more recently. From talking to other local authorities they have also seen a rise in child protection planning. So this may be a general trend rather than one due to local conditions. The 2013/14 data is not available yet, but the department will examine the underlying causes carefully to understand the reasons behind the increase.

Looked After Children (LAC).

6.5 The number of Looked After Children has reduced over the 2 years of the programme. The target for the end of year 2 of the programme was missed by 11 children. Each day children are coming into and out of care and the figures are a snapshot but the underlying trend is down.

6.6 There remain some historic costs from children in stable agency placements. It is not proposed to change these arrangements, but the department is looking at the financial impact of these placements and whether there is an opportunity to change them at an appropriate time. It is not assumed that they will remain the same until the child is 18 years old, and they may change as the needs of the child change.

6.7 The cost of managing contact arrangements for Looked After Children has also been reduced. This has been achieved through reduced demand and the use of more cost effective options for supervised contact.

Referrals to Children's social care.

6.8 The referral rates are going down with more effective Early Help and the earlier identification of needs. The Committee asked Officers if the threshold for action and intervention was set at the right level. The department is managing referral thresholds to reduce the number of referrals, but is using early help appropriately rather than referring to the social work team.

6.9 All children who need help and support are receiving it. Vulnerable families who need social work intervention are getting more help and support through the screening and assessment process.

Fostering and Adoption.

6.10 There has been some good news with the number of adoptions going up and the number of foster carers going up. More children have been adopted and more quickly. The Adoption service received an 'outstanding' rating in the recent Ofsted inspection and the number of approved adoptive and foster care households has gone up.

6.11 The service is not target driven and remains focussed on what is best for the child. It can be difficult to strike the right balance in deciding when to intervene. There is better and more focussed planning throughout the child protection planning process. It is important to have the right interventions early enough. Once a decision has been made that a child should be adopted, the department aims to complete legal proceedings within 26 weeks in line with national targets.

Workforce issues

6.12 Conclusion four of the THRIVE interim evaluation report highlights the issue of work-related stress. The Committee asked what the underlying causes were and what actions were being taken to address this issue. Some of the work related stress was thought to be caused by the organisational changes, and the changes in roles that have taken place. The department is working to support, train and develop Early Help staff to deal with the more complex cases..

6.13 Conclusion eight of the report looked at the feedback from the Council's partners in delivering these services. Children's Community Health Services were highlighted as being the least positive about the THRIVE programme. The department is working with Community Health colleagues to address the issues highlighted in the evaluation report.

Future financial sustainability of THRIVE programme

6.14 The Council's medium term financial plan has meant that there are new, more demanding, financial targets for the service. The Committee expressed concerns about the sustainability of the programme and the need to maintain progress against the targets set with fewer resources. The Committee wished to understand how the financial pressures were likely to affect the programme.

6.15 The department has fundamentally changed services by using the THRIVE programme investment budget and the departmental base budget to try different types of service provision. This has helped to change working practices and build a sustainable model of service provision. The major cultural change and service re-design could not have been achieved without THRIVE underwriting of additional investment, even though many changes have come about from within base budgets. This galvanised staff and partners to engage with the changes needed. Staff and partners have worked together to bring families down the continuum of need, helping them earlier where they cannot help themselves.

6.16 There is no project within the THRIVE programme that relies solely on the THRIVE investment budget. The most heavily reliance is within Early Help services. The department is working via its workforce strategy to support, train and develop Early Help staff to manage more complex work. For the Key Worker role the majority of the money comes from the Troubled Families budget. There are not many people who are in roles that will finish at the end of the programme.

6.17 There has been a major shift in the way the department provides services and a fundamental change in the way staff work. The department has reviewed where it spends money, so that it can be sure it is spent on services that are the most beneficial. Some open access activity has stopped and there have been some areas of one-off expenditure that have been re-allocated. This has helped to reduce the need to draw down money from the THRIVE investment budget.

6.18 There are financial pressures but Officers believe most of the THRIVE programme is sustainable.

Transition/exit plan

6.19 The THRIVE programme has done what it set out to do, but the challenge now is to achieve a balanced budget as resources decrease in the future. The exit plan will focus on what we can expect to sustain. The Committee suggested that the department refer to the exit plan as a transition plan. This more accurately reflects the need to embed and maintain services developed by THRIVE programme in the future.

6.20 The transition plan at the end of the THRIVE programme will look at what services will need to continue and the opportunity cost of providing them. It will establish where more work needs to be carried out on the performance indicator targets, and how long this work will need to continue for. The Lead Member for Children & Families informed the Committee that she had discussed the availability of funding to help the transition of services going into year four of the programme.

Concluding Comments

6.21 The evaluation of the THRIVE programme has largely been positive and the Early Help initiative is targeting the right families. The workforce and most partners are very positive about the programme.

6.22 RESOLVED:– It was resolved to note the report and incorporate discussion of the financial impacts of the THRIVE transition plan into the Reconciling Policy, Performance and Resources (RPPR) process.

7. PRIMARY SCHOOL HEAD TEACHER RECRUITMENT AND RETENTION

7.1 It is of prime importance to have high quality leadership in all schools to achieve the highest levels of attainment in the County. The report describes the challenges in the recruitment of Head Teachers for primary schools that the County faces. There are 153 primary schools in East Sussex with a significant proportion that are small schools or diocesan (faith) schools. In both cases the proportion of schools that are small or faith schools is higher than the national average.

7.2 Many of these small schools are also in rural areas, where housing costs tend to be higher. The pay grades for Head Teachers mean that the Head Teacher of small rural school may be paid at the same level as Assistant Head Teacher of larger (urban) primary school. The combination of all these factors makes recruitment in East Sussex more challenging. At present there are 35 Head Teacher vacancies, for which 26 system leadership solutions have been found, where school leaders have been found through school alliances and partnerships.

7.3 A number of strategies have been adopted to tackle the recruitment and retention of Head Teachers. These are:-

- The Primary Review Programme (PRP) explores different forms of school partnerships, such as school federations, school alliances and the amalgamation of Infant and Junior schools to develop different models school leadership.
- There has been more professional development for leadership roles to support existing leaders and to identify potential leaders who may take up leadership roles in the future. This helps with both succession planning and the retention of staff.
- There are 4 Teaching Schools in East Sussex which support staff development activities.
- Recruitment agencies have been used to fill vacancies.
- Interim leaders are appointed to temporarily fill vacant posts. This was initially from staff within East Sussex County Council, but this has been extended to look outside East Sussex.
- An internship programme operating in Brighton & Hove, East and West Sussex schools has been used to develop 26 prospective school leaders. To date five people from this programme have been placed in schools, one as a substantive Head and the others in supporting leadership roles.

7.4 The report gives a clear picture of Head Teacher recruitment and retention problems in East Sussex and the solutions that are being pursued to tackle them. The Committee discussed a number of issues that arose from the report.

Executive Heads

7.5 The Committee expressed concerns that the sharing of Head Teachers between schools, such as Executive Heads, may weaken the 'donor' school. There is evidence that where a Head works across a number of schools, the performance of all the schools improves. There are benefits not only for the 'recipient' school but for the 'donor' school where teaching practice and specialist skills are shared between schools.

7.6 Care has to be taken not weaken school leadership when sharing a Head Teacher. The department now has a much better understanding of the support needed to share a Head Teacher. An assessment of the leadership capacity below the Head Teacher in the 'donor' school is carried out to ensure there is not a detrimental impact. This includes the appointment of a Head of School or Deputy where appropriate. Smaller schools may not be chosen to share a Head Teacher due to a lack capacity beneath them.

7.7 Executive Headship is a more strategic role which requires a different structure beneath it. The systems underneath the Executive Head have to change to provide the right amount of support. Roles such as the Head of School provide the day to day, on site leadership of the school.

Remuneration

7.8 It would appear that remuneration is a key issue and is important in motivating school leaders. The rules around the pay of Head Teachers can be complicated. Guidance is given to school governors on Head Teachers pay, but the pay package in some cases has not been right to attract a suitable candidate. Prospective Heads will look at the professional development opportunities, as well as remuneration, when assessing the package on offer. The Department for Education (DfE) has agreed to carry out a review of Head Teacher's pay in September 2014.

Turnover and recruitment support

7.9 Staff turnover rates outlined in the report have been going up. The Committee asked what the reasons were for the increase. The age profile of existing Heads shows that the majority are aged between 55 and 59 years old. This means that a large proportion is approaching retirement. Around 18 months ago Ofsted introduced a new inspection framework with a higher minimum attainment level expected of schools (floor standard). Officers believe this has led to a number of Heads taking the decision to retire early.

7.10 The report details the number of recruitment attempts schools have made to recruit Head Teachers. The department does provide a service to support school governors in the recruitment process. Schools can pay the Standards and Learning Effectiveness Service (SLES) and corporate Human Resources to work with the governing body to develop a person specification/job description. Support is available to advertise the post and throughout the selection process. Some schools have successfully used head hunters to recruit a Head Teacher.

Other issues

7.11 The cost of housing in rural areas can be expensive, especially if someone is single. If someone is moving into East Sussex the employment opportunities for their partners/family may also be a factor. The poor transport infrastructure in East Sussex makes it more difficult for people to travel to new jobs and roles.

7.12 RESOLVED:– It was resolved to note the report.

8. SCRUTINY WORK PROGRAMME

8.1 The Committee discussed the work programme and the potential areas for future scrutiny reviews. The Committee decided to wait until the THRIVE transition plan was available before deciding how to progress with this work area. The SEND reforms are due to be implemented this September and Officers will provide a briefing for the Committee.

8.2 The Committee discussed the issues involved in Raising the Participation Age (RPA) and reducing the number of young people Not in Education, Employment or Training (NEET's). Work needs to be carried out to understand why people end up being NEET and the impact of recent changes that require all young people to reach certain standards in English and mathematics.

8.3 It was agreed that Raising the Participation Age (RPA) would be the subject of the next Children's Services Scrutiny Committee review. The Scrutiny Lead Officer was asked to approach members of the Committee to see who wished to be a member of the review board for this scrutiny review.

8.4 RESOLVED:– It was resolved that Raising the Participation Age (RPA) would be the next Children's Services Scrutiny Committee review.

9. FORWARD PLAN

9.1 The Committee considered the Forward Plan for the period 1 June 2014 to 31 October 2014.

9.2 RESOLVED:– It was resolved:

To note the Forward Plan for the period 1 June 2014 to 31 October 2014.

10. URGENT ITEMS

10.1 The Director of Children's Services advised the Committee that a week long Ofsted inspection of School Improvement Services had been undertaken from the 9th to 13th June 2014. The inspection was in the process of moderation and the result will be confirmed in the week beginning 28th July 2014.

10.2 This is a targeted inspection based on areas of concern. The inspection has looked at:

- The number of primary schools assessed by Ofsted as 'inadequate' or 'requiring improvement'.
- Level 4 performance in reading, writing and mathematics.
- The gap in attainment between pupils in receipt of free school meals and other pupils.
- Mathematics at Key Stage 2.
- The proportion of young people who are Not in Education, Employment or Training (NEET's).
- Early Years Foundation Stage – The readiness of children coming into the reception year of primary school.
- Exclusions.

10.3 These areas that the Council has already flagged up as needing improvement in the Excellence Strategy.

10.4 The inspectors spoke to staff and held interviews with schools, officers, the Lead Member, the Chief Executive, the Director for Children's Services and the Chair of the Scrutiny Committee. The inspection will result in one of two judgements, either 'effective' or 'ineffective'. The next stage once the result is known will be to develop an action plan that will be reported to Scrutiny Committee in due course.

The meeting ended at 12.20 pm

COUNCILLOR KATHRYN FIELD
Chair