

SCRUTINY COMMITTEE FOR CHILDREN'S SERVICES

MINUTES of a meeting of the Scrutiny Committee for Children's Services held at County Hall, Lewes on 17 November 2014.

PRESENT:

Councillors Kathryn Field (Chair), Stephen Shing (Vice Chair), Peter Charlton, Claire Dowling, Michael Ensor, Kim Forward, Roy Galley, Alan Shuttleworth and Francis Whetstone.

Nicola Boulter (Parent Governor Representative).
Catherine Platten (Parent Governor Representative).
Ann Holt (Church of England Diocese Representative).
Cllr Johanna Howell (District & Borough Council Representative).

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

Scrutiny Lead Officer

Martin Jenks

Also present

Stuart Gallimore, Director of Children's Services; Louise Carter, Assistant Director (Communications Planning & Performance); Liz Rugg, Assistant Director (Safeguarding, Looked After Children and Youth Justice); Fiona Wright, Assistant Director (Schools, Youth & Inclusion Support); Mark Whiffin, Head of Finance.
Louisa Havers, Head of Performance, Engagement & Community Safety (ASCCS); Vicky Finnemore, Head of Specialist Services (CSD); Tania Riedel, Youth Offending Team Manager; Sammie.
Reg Hooke, Independent Chair LSCB; Marion Rajan LSCB Business Manager.

21. MINUTES OF LAST MEETING

21.1 RESOLVED – to confirm as a correct record the minutes of the last Committee meeting held on 15 September 2014.

22. APOLOGIES FOR ABSENCE

22.1 Apologies for absence were received from Simon Parr (Roman Catholic Diocese Representative).

23. DISCLOSURES OF INTERESTS

23.1 None.

24. URGENT ITEMS

24.1 No urgent matters were notified.

25. SAFER COMMUNITIES PERFORMANCE, PRIORITIES AND ISSUES REPORT DOMESTIC ABUSE AND YOUTH RE-OFFENDING

25.1 Louisa Havers introduced the report on the current community safety priorities outlined in the East Sussex Safer Communities Partnership business plan (appendix 1 of the report). The priorities agreed by the Safer Communities Partnership include domestic abuse and youth offending, which are of particular interest to the Children's Services Scrutiny Committee. Background information on domestic violence and youth offending is provided in appendix 2 of the report.

25.2 Overall reported crime has decreased by 7% in East Sussex during 2013/14. However, over the same period there has been an increase in the reporting of domestic abuse and sexual exploitation. The Safer Communities Partnership Board is meeting later this month to develop priorities for the next year. It will take into account the developing priorities and focus around child sexual exploitation, and the progress made in increasing the reporting of violence against women.

Domestic Abuse

25.3 Domestic abuse is a key priority but is still under reported. A quarter of all 18-24 year olds say that they have been exposed to domestic abuse. Sussex Police receive 60 reports of domestic abuse each day in East Sussex, but the true level may well be higher.

25.4 Sussex Police Neighbourhood Response Teams use body cameras to gather evidence when dealing with domestic abuse incidents. They are all trained in the use of the domestic abuse and honour based violence risk assessment tool. There is a multi agency approach to high risk cases, which are dealt with through the Multi Agency Risk Assessment Conferences (MARAC). Last year there were 495 cases referred to the MARAC process. Partners have put in place action plans to tackle repeat abusers/offenders.

25.5 Evidence suggests that people experiencing domestic abuse will have experienced an average of 35 incidents, before they report it to the Police. The challenge for the Partnership is how to increase the reporting of domestic abuse.

25.6 The Committee heard from Sammie, who described her experience of domestic abuse. She explained the problems of being isolated and not being aware of the services that were available to provide help and support. She highlighted the impact that it can have on children and the need to raise awareness so that people know how to get help. Awareness also needs to be raised so that public attitudes are changed and domestic abuse is not tolerated.

25.7 Sammie has worked to set up the National Society for the Prevention of Domestic Violence charity to raise awareness and a web site will be launched shortly. She believes the situation regarding domestic abuse can get better if:

- Awareness of the issue is raised;
- The support and help available for victims and perpetrators of domestic abuse is publicised and;
- Domestic abuse is seen as unacceptable by society.

25.8 In 2012 there were 2766 children and families referred to Children's Services as a result of domestic abuse. A lot of work is being undertaken to help families at risk of significant harm, which includes THRIVE and the Early Help programmes. The SWIFT programme has a dedicated domestic abuse team for those families involved in care proceedings. Many families are known to the Council through other services and the department is working to ensure the East Sussex County Council (ESCC) workforce is really aware of this issue.

25.9 The Committee discussed range of issues concerning domestic abuse, these area summarise below.

Awareness Raising

25.10 Most people call the Police when they want to report domestic abuse and there is a need to raise the awareness of other services and sources of help and support e.g. the Independent Domestic Violence Advisor (IDVA) service. Information needs to be more widely available and to reach into all our communities. There is under reporting of domestic abuse from Black and Ethnic Minority (BME) communities. An information leaflet has been developed for these communities and the feedback has been that it is more relevant to professionals. A revised leaflet will be available from March 2015.

25.11 In ESCC workforce training is taking place across the organisation. The Children's Services department is working with Personnel and Training and colleagues in Adult Social Care on staff training. A one hour e-learning training programme has also been developed for staff to use by the Local Safeguarding Children Board (LSCB) and Adult Social Care training teams.

25.12 The Domestic Homicide Review of the murder of Mrs B outside her workplace in Brighton & Hove, recommended that work was undertaken with businesses and employers to address domestic abuse. A domestic abuse policy has been developed for managers to use when working with staff who are experiencing domestic abuse (both as victims and perpetrators). This policy can be used as part of an employee relations policy to support staff and managers, and raise awareness of this issue.

Domestic Abuse and Personal, Social and Health Education (PHSE) in schools

25.13 It was confirmed that it is proposed to use the Expect Respect toolkit in schools and there is an expectation that high quality work will be done in schools. There is a conference being held on the 25 November 2014 where schools will be supported to address domestic abuse in a better way through the use of the toolkit.

25.14 There is a need for greater input into schools to show children and young people what a healthy relationship looks like and to help them identify abusive behaviour. This may help tackle some of the inter-generational issues that arise from children and young people witnessing and experiencing domestic abuse.

Work with Perpetrators

25.15 There are programmes to change the behaviour of perpetrators of domestic abuse. However, the evidence base of what works is limited (e.g. there is no evidence that anger management courses reduce domestic abuse). The Probation Service is running a 9 month programme called "Building Better Relationships". This is a programme for people with no previous prosecutions and therefore attendance is voluntary. There are 13 people on the programme, but it is too early to judge the effectiveness of the programme. However, early indications are encouraging and attendance (adherence) to the programme has been good.

25.16 Most of the people on the programme have been referred through safeguarding work. They are involved in child protection plans or care proceedings where they have been required to take part in the programme. Some of the people involved are still living with their family, but others are not.

Tackling Isolation

25.17 Isolating the victim is the main tool of the abuser, so addressing this issue is important. This can take a number of forms. Often there is an intense relationship where the abuser convinces the victim that they do not need anyone else. The abuser can be very controlling. Gradually friends and family will stop visiting, or staying in touch, as they are dissuaded from making contact.

25.18 The abuser may try to convince the victim that no one cares about them, or that they will not be believed if they report the abuse. The victim may not give out any signals that they need help. This may be due to fear, embarrassment, or they may be protecting children and others.

25.19 Isolation is a factor in domestic abuse in rural communities. The Safer Communities Partnership is developing actions to address rural isolation, which was identified as part of the equalities impact assessment of action plan.

Reporting and Prosecutions

25.20 The increase in reporting should be viewed as a positive development as historically domestic abuse has been under reported. It is also positive because it means more people are getting help and support. The priority in the Safer Communities action plan is to increase awareness as this will lead to increased reporting.

25.21 The Committee questioned why the number of prosecutions for domestic abuse was so low. Unfortunately victims withdraw from prosecutions, so the cases do not proceed. There are also delays in the criminal justice system in bringing cases to court, which is thought to increase the drop out rate. The Safer Communities Partnership is working to improve this situation. Louisa Havers will email a breakdown of the prosecution figures to the Committee members.

25.22 How the Safer Communities Partnership Works

A diagram of the inter relationships of the partners, would help the Committee understand how the Partnership works and who is involved. Louisa Havers will make a diagram available (via email) to Committee members.

Youth Offending

25.23 Tania Riedel, Youth Offending Team (YOT) Manager introduced the part of the report concerned with youth offending. The YOT is a multi agency team made up of staff from Sussex Police, the Probation Service, Health and ESCC. The business plan for the Youth Offending Team is overseen by the Chief Officer Group (COG). The established priorities for the team include:

- Maintaining the reduction in the number of first time entrants into the criminal justice system;
- Maintaining the reduction in the use of custody;
- Increasing the work with families by developing family interventions within the YOT;
- Increasing service user participation and;
- Developing restorative justice practices across the YOT.

Changes to the YOT Caseload

25.24 Over the period of the current business plan there have been significant reductions in the number of first time entrants into the criminal justice system. This has been due to the use of community reparation and the work of the Targeted Youth Service (TYS) to divert offenders via the pathways out of offending work. Two thirds of young offenders did not re-offend and the number of offences committed by each young person has dropped from an average of 1.6 offences to 1.2 offences.

25.25 There have been real reductions in the use of custody, which is down to six in the last year. The focus of the team is now on the re-settlement of offenders after they have completed their sentences. The current target is to get 95% off offenders into suitable accommodation.

25.26 There has been a change in the case load of the team, who are now dealing with fewer young people who have more complex offending behaviour. The team has been re-structured to provide an intensive intervention team that can work with the whole family. Each young person has a case manager who assesses the young person's needs and draws up an intervention plan. This may involve family key work, education and mental health services.

25.27 A key target is to get 70% of young people with offending behaviour into education employment or training, as this has been shown to reduce offending. This is a challenging target which has been met in the first quarter of this year for young offenders of school age and those above school age.

Looked After Children (LAC)

25.28 The Youth Offending Team is focussing on Looked After Children (LAC) as they are over represented in the number of young people the team deal with. Looked After Children represent 11-15% of the team's case load. The team has sought to develop a Sussex specific protocol for dealing with LAC, especially where the offences relate to residential homes. These are offences that, in other circumstances, might not get reported to the Police and can be dealt with via restorative justice solutions.

Probation Service

25.29 There are changes to the way the Probation Service works. It has been split into two parts:

- A National Probation Service that deals with the high risk offenders.
- Local community based reparation services, that have been tendered to community rehabilitation companies, who work with lower risk offenders.

25.30 Representatives from the National Probation Service and the community rehabilitation companies continue to be key partners who are part of the YOT Board. The YOT will continue to have a seconded probation officer who will deal with high risk offenders and transfers from other local authorities. The YOT has taken over responsibility for unpaid work for 17 year olds, which is supervised by YOT staff. From April 2015, ESCC will be responsible for the provision of a junior attendance centre. This will initially be in Brighton and Hove where the current centre is located.

25.31 RESOLVED:– It was resolved to note the report and the Safer Communities Partnership Business and Action Plan regarding domestic abuse and youth offending.

26. LOCAL SAFEGUARDING CHILDREN BOARD ANNUAL REPORT

26.1 The 2013/14 annual report of the East Sussex Local Safeguarding Children Board (LSCB) was introduced by Reg Hooke, the Independent Chair of the LSCB, who took over this role from Cathie Pattison in July 2014.

26.2 It is the Independent Chair's responsibility to deliver the annual report to the Scrutiny Committee each year. The LSCB has a scrutiny, monitoring and co-ordination role and does not deliver services itself. The report is comprehensive and outlines everything the LSCB does and what the statutory agencies have been doing over the last year.

26.3 The structure of the LSCB is outlined on page 62 of the LSCB annual report. The Independent Chair, chairs the Board and the Steering Group and there are seven sub groups. There is also an east and a west liaison group within the LSCB structure.

26.4 The East Sussex LSCB was inspected by Ofsted in January 2014 and was judged to be 'Good'. Last year the Board was heavily committed as it undertook four Serious Case Reviews. The four main priorities identified in the LSCB's business plan are to:

- Provide help directly to families at the earliest opportunity to prevent problems escalating. This means investing in early help and having a commitment to early help.
- Improve the quality of safeguarding data, increase useful analysis and disseminate the information effectively. This is not just getting data from all the agencies, but drawing on the information to identify areas for further work e.g. identifying that East Sussex has a high number of children on child protection plans compared with other local authorities.
- Achieve wide recognition of the importance of quality assurance in improving outcomes for children. This means complying with Section 11 of the Children's Act to have quality assurance systems in place so that all agencies are carrying out audits and are aware of their responsibilities.
- Continue an effective programme of training and work force development. Delivering a training programme is a statutory responsibility. This is shown on page 70 of the LSCB annual report.

26.5 Looking forward, the main challenges for the LSCB are:

- Engaging with schools. The LSCB needs to have a clear understanding that safeguarding in schools is being complied with.
- Work with the Children's Services Department (CSD) on the high number of children on child protection plans. There is a need to understand why this is the case and what factors are involved.
- The impact of austerity. What are the risks of the re-structuring of services to children's safeguarding?
- The impact of specialist areas of work such as domestic abuse, child sexual exploitation and female genital mutilation (FGM).

26.6 The Committee discussed the annual report and commented that it was comprehensive and addressed the issues that the Committee had previously raised. The Ofsted judgement of 'Good' was welcomed. Looking forward, the Committee asked what obstacles to better working the LSCB faced, and how the LSCB could be sure it was being effective in its role.

Future Work

26.7 The key to effective working is to identify the safeguarding data needed. Firstly, to make sure the data from agencies is on the areas that need to be focussed on. Secondly, analyse the data effectively so that we can be certain about what it is telling us. The challenge then is for the LSCB to agree what action is needed, do it, and then follow up to monitor the impact.

26.8 Priority setting is important for the LSCB to work effectively. The LSCB will review its priorities in March 2015. It will work with the Children and Young People's Trust (CYPT) and the Health and Wellbeing Board to make sure priorities are aligned. There is a current recruitment process in place for the Child Death Overview Panel Co-ordinator. The LSCB will also be looking at the effectiveness of the Early Help programme.

Serious Case Reviews

26.9 The Scrutiny Committee is interested in the recommendations and action plans from the serious case reviews that have been undertaken. The Chair of the LSCB indicated that he would welcome the opportunity to report back on the findings of the Serious Case Reviews to the Committee.

26.10 There is a committee process involving all the agencies that decides whether a serious case review is required. Any agency can refer a case to the serious case review sub group. The Serious Case Review sub group is not chaired by the Independent Chair. However, it is the responsibility of the Independent Chair to ensure that any review undertaken is carried out effectively, and that if it is a Serious Case Review, that the final Overview Report is usually published. It is the LSCB's position that it will publish all Serious Case Reviews unless there are exceptional circumstances not to publish.

26.11 RESOLVED:– It was resolved to note the report and to timetable opportunities for the Committee to receive feedback from the outcomes of the Serious Case Reviews.

27. OFSTED INSPECTION OF LOCAL AUTHORITY ARRANGEMENTS FOR SUPPORTING SCHOOL IMPROVEMENT

27.1 The Director of Children's Services introduced the report. The department was disappointed by the outcome of the inspection, but the Ofsted inspection did not identify anything that was not already being addressed through the Excellence for All strategy. The action plan to address areas for improvement, and additional funding to implement the action plan, is contained in the appendix 2 of the report. A re-inspection will take place in the next 12 months (possibly in April 2015).

27.2 The action plan has been agreed by Ofsted and has been approved by Sir Robin Boshier, Ofsted's regional director. The Director of Children's Services has also met with David Laws, the School Minister, to discuss the action plan. The ministerial team had no additions to the plan and ESCC should now take steps to implement the plan. School attainment levels have been included in the plan and East Sussex primary schools are close to being at the National average level for attainment across all key stages. There is a need to do more work at Key Stage 4 due to the poorer results this year.

27.3 The Lead Member for Learning and School Effectiveness added that the original Excellence for All strategy, as well as the improvement plan, had been endorsed by the Department for Education (DfE). The DfE's aspirations for ESCC have increased. Visits are being undertaken to primary schools that are not performing as they should, and frank and robust discussions are taking place with under performing secondary schools. School improvement is at the core of the work of the Education Performance Panel.

27.4 The Committee acknowledged the commitment and vigour with which the department had responded to the inspection, and is tackling the areas identified for improvement. There was a broad discussion of the report, during which the following points were raised.

Changes in the Inspection Framework

27.5 It is hoped the changes in the Ofsted inspection framework will reflect the local authority roles. In East Sussex this means taking into account the pattern of education provision delivered academies and post 16 providers.

Indicators of Success

27.6 ESCC uses the Fischer Family Trust measures to analyse school attainment. Many of the schools in East Sussex have been assessed by Ofsted as 'good' schools. It is important to look at the data on attainment in context, and judge performance by using like for like comparisons with similar local authorities. The location of schools does not have a bearing on attainment. There are 'outstanding' schools in poor urban areas and 'under performing' schools in affluent rural areas.

Narrowing the Attainment Gap

27.7 Narrowing the gap in attainment for disadvantaged groups is more complex than looking at family income alone. ESCC has narrowed the gap and improved attainment for children eligible for free school meals (FSM) in all areas in the primary phase. The gap in attainment has been closed, whilst attainment levels across the cohort have risen. There is no risk of losing pupil premium, and attainment is moving in the right direction.

Pace of Change and Capacity

27.8 Having enough resources to bring about rapid change is important. It is believed that with the additional investment being made, there is enough capacity to bring about change within the timescales expected by Ofsted. However, the real challenge is how to use the resources effectively and re-model the relationship with schools to achieve long term change. ESCC does not want to get into a situation where attainment falls once the additional resources are withdrawn.

School Leadership

27.9 Change is also dependent on really good school leadership and good teachers. The challenge is to get the environment right to allow children to thrive. So it is important to be able to attract good Head Teachers and School Governors. ESCC is taking part in a pilot of the Teacher Leaders scheme which is due to start in September 2015. As part of this pilot scheme, East Sussex will be allocated four people from a national pool. School leadership in East Sussex is improving with fewer, higher quality, interim leaders and more leadership stability.

Poorer Performing Schools

27.10 There is no underlying pattern or clustering of poorer performing schools in particular parts of the County. The situation is complex when looking at why some schools are not performing well. The department employs a range of programmes to improve performance and targets schools working at similar levels. This includes self-improvement networks of school to school support that includes schools that are performing well and those that are under performing. However, small schools that are below one form of entry (i.e. a single class) are particularly vulnerable to variation in performance.

27.11 RESOLVED:– It was resolved to:

- (1) note the Ofsted inspection letter and action plan for improvements;
- (2) approve the approach for reviewing progress against the action plan.

28. RECONCILING POLICY, PERFORMANCE AND RESOURCES (RPPR)

28.1 The Director of Children's Services introduced the report. The overall savings total for the department has not changed, but the management team has reviewed the delivery of savings for 2014/15 and 2015/16. This review has identified a shortfall of around £400,000 for 2014/15 and around £1 million for 2015/16. Therefore, the department has identified some new savings (page 210) to offset the anticipated shortfalls elsewhere in the savings plan. The department uses the term 'mitigation' (page 210) to identify other ways of meeting the savings targets.

28.2 The downward trend in the number of looked after children (LAC) has not resulted in the anticipated reduction in placement costs. The savings in this area (item 6 on the savings plan) are significantly lower than the targets that were previously set. The previous savings plan was based on a reduction in the number of children with a child protection plan. Adjustments have been made to the saving plan to reflect this and achieve additional savings in the least disruptive way.

28.3 The department may face a further significant financial challenge from the financial year 2016/17 onwards, as ESCC as a whole faces a potential need to make a further £70million - £90million in savings.

Looked After Children

28.4 The Committee expressed a concern about the impact of changing a child's, or young person's placement, as placements start to be reviewed. The Director of Children's Services assured the Committee that ESCC will ensure that it has got the right children, in the right placements, for the right amount of time. ESCC is duty bound to have children in the best placement to meet their needs. Reviews of each placement will be undertaken to ensure it still meets the child's or young person's needs and continues to represent value for money.

Rose Cottage

28.5 Re-deploying the staff from Rose Cottage to other establishments has enabled the department to reduce the need to use agency staff in those other establishments, thereby making a revenue saving. If the building is sold, any capital receipt will be returned to corporate funds.

Parent and Baby Placements

28.6 The number of parent and baby placements (item 6, page 202) has gone down and is currently four placements. The department expects to see the number of parent and baby placements and care proceedings reduce. Last year there were 120 care proceedings compared with 77 so far this year.

Children's Centres & Fun Bus

28.7 The description and impacts in the savings plan may change as the proposals are implemented. In the case of the Children's Centres, a number have been de-designated to allow them to provide nursery provision for 2 year olds. Most Children's Centres have remained open, but some services are being provided from different Centres. The Director of Children's Services will provide some figures on the use of the Fun Bus to Councillor Dowling.

Targeted Youth Service

28.8 The department is monitoring the impact of the savings on this service to mitigate the possible impacts identified in the savings plan.

School Transport

28.9 A statutory framework determines where home to school transport will be provided by ESCC. The department has reviewed policies and worked with colleagues in Communities, Economy and Transport to reduce costs and the use of taxis.

28.10 New Savings (Mitigations) and New Income (page 210)

- The reduction in ICT expenditure reflects the fact the department has historically been paying a larger contribution towards ESCC's data network costs. This has now been adjusted, which has resulted in a saving. The ICT savings previously identified in item 35 of the savings plan will be achieved through re-negotiation with contractors.
- The savings in the Safeguarding Unit are possible because the number of looked after children and the number of child protection plans has reduced, and therefore less people are needed to review them. The department has used agency staff to carry out this work, so it can now reduce its agency costs.
- Management controls (item 44 on the savings plan) reflects a prudent approach on how the department will use capacity to make future adjustments in its budget.
- The Troubled Families Programme has been very successful and East Sussex has been invited to take part in the second wave of the scheme. This will start in January 2015, which will result in £500,000 income that the department had not included in the budget.

28.11 All members of the Committee are invited to participate in the RPPR Board Meeting on the 8 December 2014. Committee members are asked to notify the Scrutiny Lead Officer of their intention to attend the RPPR Board meeting.

28.12 RESOLVED:– It was resolved to:

- 1) Note the report and the further information provided;
- 2) Establish a Review Board to consider the department's portfolio and savings plan and to submit comments on them to Cabinet.

29. SCRUTINY WORK PROGRAMME

29.1 The Committee discussed the work programme and the potential areas for future scrutiny reviews.

29.2 The Committee asked if a report could be brought forward to advise them of the progress and actions being taken on the requirement to improve outcomes for care leavers, as identified by the Ofsted inspection of Children's Social Care.

29.3 The Committee also asked for an opportunity to receive feedback on the outcomes of the Serious Case Reviews to be included in the work programme (paragraph 26.11)

29.4 RESOLVED:– It was resolved that the work programme will be amended in line with paragraph 29.2 and 29.3 above.

30. FORWARD PLAN

30.1 The Committee considered the Forward Plan for the period 1 November 2014 to 28 February 2015.

30.2 RESOLVED:– It was resolved to note the Forward Plan for the period 1 November 2014 to 28 February 2015.

31. URGENT ITEMS

31.1 None received.

The meeting ended at 13.00

The date of the next meeting is Monday 16 March 2014.

COUNCILLOR KATHRYN FIELD
Chair