

## CHILDREN'S SERVICES SCRUTINY COMMITTEE

MINUTES of a meeting of the Children's Services Scrutiny Committee held in the Council Chamber, at County Hall, Lewes on 27 June 2016.

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- Present Councillors Kathryn Field (Chair), Stephen Shing (Vice Chair), Claire Dowling, Kim Forward, Roy Galley, Barry Taylor, and Alan Shuttleworth.
- Simon Parr (Roman Catholic Diocese Representative)
- Lead Members: Councillor Sylvia Tidy (Lead Member Children & Families / designated statutory Lead Member for Children's Services);
- Councillor Nick Bennett (Lead Member for Education and Inclusion, Special Educational Needs and Disability)
- Other Members Councillors David Elkin (Deputy Leader of the Council and Lead Member for Resources), Rosalyn St Pierre and Michael Pursglove.
- Also present Stuart Gallimore, Director of Children's Services; Fiona Wright, Assistant Director (Education & ISEND), Reg Hooke, Independent Chair of the LSCB Douglas Sinclair, Head of Children's Safeguards & Quality Assurance, Claire Roberts, Senior Manager: Improvement and Intervention.

Stuart McKeown, Senior Democratic Services Advisor.

### 1 MINUTES OF THE MEETING HELD ON 21 MARCH 2016

1.1 RESOLVED – to confirm as a correct record the minutes of the last Committee meeting held on 21 March 2016.

### 2 APOLOGIES FOR ABSENCE

2.1 Apologies for absence were received from Councillor Johanna Howell, Dr Ann Holt (Church of England Diocese) and Nicola Boulter (Parent Governor Representative).

### 3 URGENT ITEMS

3.1 No urgent items were notified.

### 4 SCRUTINY REVIEW OF KEY STAGE 1 EDUCATIONAL ATTAINMENT

4.1 Following a request from Councillor Michael Ensor (Chair of the Review Board), Councillor Alan Shuttleworth introduced the report. The Review Board consisted of Councillors Michael Ensor, Claire Dowling, Alan Shuttleworth, Angharad Davies, and Johanna Howell (Borough and District Representative).

4.2 The scrutiny review of educational attainment in Key Stage 1 was established by the Committee to build on the work and recommendations made by the Early Years Attainment Review Board (September 2014). However, it quickly became apparent to the Key Stage 1 Review Board that a review of this area was impractical because of recent changes to the National Curriculum and the introduction of a new assessment framework that replaced national curriculum levels with a process of 'Assessment Without Levels' (AWL). These changes made effective comparison of year on year data across the key stage very difficult. The Review Board also decided that the new National Curriculum and AWL were fundamental changes that impact on all the key stages and therefore were beyond its remit.

4.3 With the above in mind, the Review Board decided to conduct a focused, 'table top' review on Phonics testing as, amongst other factors, only Key Stage 1 pupils sit these tests and it remains possible therefore to compare educational attainment year on year (table top reviews are shortened scrutiny reviews which might only need a few evidence-gathering meetings, with the resultant report and recommendations usually only being presented to the parent scrutiny committee). The Board accepted there are different views about the degree to which schools should focus on phonics and that there are other methods for teaching reading which produce positive outcomes. However, the Board decided there is clear evidence of the benefits of phonics. As a result it was felt important, in the context of reduced resources, to try and find ways of keeping the momentum behind the teaching of phonics. The recommendations of the Board were therefore developed with these factors in mind. In support of this, a key recommendation is that each school should identify a 'Phonics Champion', whose role would be to promote phonics and to help sustain the improvements this method of teaching has produced. With regard to the introduction of AWL, the Board decided a key issue was to ensure that all relevant stake holders (such as Members, governors and parents) were made more aware of the new assessment framework and its implications. Councillor Shuttleworth also explained that the Review Board felt it was important that the Committee be given the opportunity to review progress on the implementation of AWL across all the Key Stages.

4.4 The Committee then discussed the report and the Board's recommendations, with their comments including the following points:

- Clarification was sought as to whether the recommendations of the Board would be implemented, given the review was a 'table top' process. Councillor Field also stated that the Education Performance Panel should have the opportunity to consider AWL and its impact on attainment;
- Given the challenging nature of the subject and so as to increase their understanding of the wide-ranging changes AWL is introducing, the Committee asked for a clear and succinct overview of the assessment framework and its implications. To help understand the context within which phonics teaching is delivered, the Committee also asked for an explanatory note on the alternative methods mentioned in the report for teaching children to learn to read;
- It was noted that the report compares phonics results in East Sussex with results at a national level. In this context, reassurance was sought that the Department's goal remains to exceed the national average in this field.

4.5 In response to these comments, Fiona Wright, Assistant Director, welcomed the Review Board's decision to focus on phonics and the resultant recommendations in the report. It was confirmed that the recommendations would be taken forward. It was also agreed that if it was felt appropriate to do so, a report on AWL would be submitted to the Education Performance Panel. The proposed additional recommendation regarding monitoring the implementation of AWL, to include a report for the September 2017 meeting of the Committee was also welcomed. It was confirmed that the requested additional information regarding AWL and alternate teaching methods would also be provided to the Committee. With regard to the comparison of the outcomes for phonics in East Sussex with national outcomes, the Committee were assured that the Department's ambition is to exceed the national average. Claire Roberts, Senior Manager: Improvement and Intervention, also clarified that as the Government identified synthetic phonics

as the approach children would be tested on in Year 1, schools tend to employ the associated phonics teaching method (so as to ensure the best chance of success). Having said this, there are a wide range of different methods for helping children to learn to read and on occasion some of these other methods will be used by schools as appropriate.

4.6 RESOLVED:- It was resolved to:

- 1) agree the report of the Review Board;
- 2) request that the Committee are provided with briefing notes which set out for Members an overview of both of the Assessment Without Levels framework and the alternative methods mentioned in the report for teaching children to learn to read; and
- 3) to add to the Scrutiny Work Programme monitoring of the implementation of the Assessment Without Levels assessment framework. This will include a report being brought to the Committee by September 2017.

## 5 EAST SUSSEX LOCAL SAFEGUARDING CHILDREN BOARD SERIOUS CASE REVIEWS

5.1 Reg Hooke, Chair of the East Sussex Local Safeguarding Children Board (LSCB) introduced the report by explaining that it is a statutory duty of the LSCB to conduct a Serious Case Review (SCR) where a child has either died or has been seriously injured and it is suspected there has been abuse or neglect (and that there is likely to be learning from the case for relevant agencies). If there are recommendations, an action plan is then formulated which is managed and overseen by the LSCB to ensure the learning is taken on.

5.2 The Committee were also informed about some of the key findings of the Wood Report (Alan Wood was appointed by the Government in January 2016 to lead a fundamental review into the role and functions of LSCBs). The review was prompted in part by the absence of a national framework for learning and that learnings from SCRs were not being effectively shared more widely. There was also a concern that the accreditation and standardisation of the independent reviewers who conduct the SCRs was variable across the country, as were the review approaches and methodologies adopted across the country by different LSCBs. Against this backdrop the Wood report was submitted in March of this year, with the Government response being issued the following May. The Government largely accepted the findings of the Wood report that, amongst other recommendations, there should be a national learning framework which would have the role of collecting and disseminating the learnings for local SCRs; that this framework should be overseen by a national body and that there needs to be in future the capacity to commission and carry out National SCRs. As things stand it is not clear how these proposed changes will impact at the local level.

5.3 Douglas Sinclair, Head of Children's Safeguards & Quality Assurance then took the Committee through a presentation on the two serious case reviews contained within the report. As a general point, the Committee were first informed that it was the view of both the Panel and the Independent Author that whilst there were learning points from both cases, neither death could have been predicted or prevented.

### Comments and Questions

5.4 The Committee then discussed the report and debated a number of issues which are summarized below.

- The Committee questioned why some agencies are not meeting the targets set by the LSCB and what is being done to ensure that they do so in future. For example, a

concern was raised about individual GP practices that are not complying with the LSCB's recommendations. In response the Committee were informed that in common with many services where there are a significant number of individual practices, ensuring compliance can be a challenge. It is therefore a constant process for the LSCB of monitoring and checking. With regard to the particular issue of GP practices, this is being flagged up with the Clinical Commissioning Groups. There is also a GP designated lead who is actively delivering training for local GP practices.

- A query was raised about the limited resources available to public bodies to implement LSCB recommendations. In response the Committee were informed that whilst the LSCB accept the financial situation is challenging for all public bodies, it is the role of the LSCB to ensure that relevant agencies are complying with their statutory duties. There are also two sub-groups (East and West) which act as multi-agency liaison groups which are comprised of operational managers. These groups provide a forum for agencies to discuss their services and any pressures their services maybe experiencing.

- The appropriateness of the wording being applied to both SCRs that 'the death of the child was neither predictable or preventable' was questioned, as some Members felt it was potentially misleading. In response the Committee were informed that the LSCB understood why the Committee had raised this issue as the Board itself has recently explored the use of this wording in relation to another SCR. Although it was clarified that the purpose of the wording was to flag up whether there are systematic failings in the processes followed by relevant agencies which meant they failed to predict and prevent an incident. The terminology was not meant therefore to indicate that nothing at all could have been done to prevent the death of a child or serious harm to them – as there are individual perpetrators who are responsible for their actions. The LSCB's role is to constantly seek to reduce the chances that such tragedies will happen by reviewing the processes followed by relevant agencies.

- It was clarified to the Committee that the role of the LCSB is not to attach blame, as each individual organisation will have its own disciplinary procedures they will apply as appropriate. Instead it is the role of the LCSB to identify learnings and to look to the future so as to prevent similar incidents happening again.

- It was noted that in relation to Child P, there was evidence, or at least a strong suspicion, that on three separate occasions the mother's address was inadvertently released to the father. It was also noted that due to lengthy court proceedings relating to Child P, the associated case papers were very extensive and that as a result significant information may have become lost. With this in mind, clarification was sought from the LSCB regarding its recommendations to agencies about ensuring sensitive information is kept secure – and why this was not already being done by agencies as a matter of course. In response, the Committee were informed that whilst it is vital organisations have in place robust systems for keeping sensitive information secure, agencies should not just rely on this as being sufficient – thought must be given at all times to building in safeguarding when conducting risk assessments. With regard to extensive case papers where involvement may stretch over a number of years, the Department are very clear that a chronology must be provided so it is very easy to identify Council involvement in complex cases. This also helps the department identify more easily whether there is an emerging pattern of incidents/behaviour requiring further action.

5.5 After being invited by the Chair to speak, Cllr Tidy, Lead Member for Children and Families assured the Committee that the LSCB undertakes detailed, careful investigations into the SCRs it conducts. Cllr Tidy also noted the recommendation of the Wood Report to have SCRs conducted at a national level and raised the question of whether such reviews would impact on the timely delivery of reviews. Consideration will also need to be given as to how the learnings from such national reviews would be implemented locally.

5.6 **RESOLVED:** to note the findings and learning from the Serious Case Reviews contained within the report.

## 6 EDUCATIONAL EXCELLENCE EVERYWHERE

6.1 The Department for Education (DfE) published its white paper 'Educational Excellence Everywhere' in March 2016. At that time, the most high profile aspect of the white paper was the proposal to force all schools to become an academy. Since that time, the government has set aside this proposal. However, in his introduction to the report, Stuart Gallimore, Director of Children's Services, stated that it is clear the Government remain committed to converting all schools to academies. In support of this, the Government indicated it is their intention to bring forward legislation to trigger the conversion of all schools within a local authority area in the following two specific circumstances:

- where it is clear the local authority can no longer viably support its remaining schools because a critical mass of schools in that area have converted;
- where a local authority consistently fails to meet a minimum performance threshold across its schools, demonstrating an inability to bring about meaningful school improvement.

6.2 The Director highlighted the fact that the white paper contains a range of other proposals which will also potentially have a very significant impact on the local authority and schools in East Sussex if they were implemented. These include a proposal to introduce a national fair funding formula, a shift in responsibility for school improvement from Local Authorities to a school-led system and the introduction of a National Teaching Service.

6.3 The white paper proposes to leave local authorities with responsibility for school place management, Home to School Transport (in terms of provision) and emergency planning. It also appears to leave local authorities with responsibility for children with special educational needs (SEN), Looked After Children (LAC), school attendance, persistent absence, the management of safeguarding and protecting children from extremism. It is also envisaged that the local authority would act as a champion for parents and families to help them, for example, navigate the school admissions process and local SEN arrangements. The white paper seeks to promote the role of the local authority as a facilitator, working with other key groups such as the Regional Schools Commissioner and the local dioceses to help schools convert. The Director informed the Committee that he sees the local authority has helping to ensure, through the Education Improvement Partnerships framework, strong partnerships between schools that will help them deliver excellent school to school support.

6.4 The Committee then discussed the report and made a number of comments, which included:

- Clarification was sought as to the future of the Schools Forum (the forum is a consultative body made of elected members and officers which considers matters such as changes to the local funding formula and changes to or new contracts affecting schools - such as school meals). In response, the Director explained his understanding that as things stand the Schools Forum would continue at least for the next two years and that the white paper does not provide any further advice on this.
- Clarification was also sought as to whether Members would have the opportunity to comment on the proposals or whether this would be something that only the relevant Lead Member and officers would be involved with. In response the Director indicated that he assumed there would be further opportunity to comment, but could not guarantee this as this had not been made clear by the government.
- The Committee asked for more detail about Education Improvement Partnerships (EIP) in East Sussex. The Department therefore agreed to provide the Committee with the details of the schools within each EIP.

6.5 RESOLVED: It was resolved to note that the proposals have significance for the future delivery of services to schools and to note that a further report will be provided once further detail around the proposals and timelines are available.

## 7 SCRUTINY COMMITTEE FUTURE WORK PROGRAMME

7.1 The Committee agreed to appoint a Review Board to meet for a one-off meeting on Monday 4 July 2016 to consider the emerging plans relating to the proposed closures of Rodmell Church of England Primary School and Pells Church of England Primary School. The Review Board's comments will be referred to Cabinet for its consideration at its meeting on 19 July 2016.

7.2 The Committee has three representatives sitting on the East Sussex Better Together Board (ESBT). Until recently one of the representatives was Councillor Michael Ensor. However, given his appointment as Chairman of the County Council, Councillor Ensor has ceased to be a member of the Committee. A vacancy was therefore created on ESBT. A vote to determine who would act as the representative took place as both Councillor Kim Forward and Councillor Francis Whetstone had indicated an interest in acting as a representative on the Board. Councillor Forward was elected as the representative on the Board, winning the election by 5 votes to 4.

7.3 The Committee agreed to appoint a Review Board to consider Key Stage 4, with its first meeting taking place in September 2016. It was also agreed that at its first 'scoping' meeting, the Review Board would identify the issues within the subject area it would like to investigate further. If a suitable subject for review is identified, it is agreed that the Review Board would then agree its terms of reference and key objectives for the review.

7.4 The Committee were also reminded of the two Away Days scheduled for 19 July 2016 and 17 October 2016. Members were invited to inform the Senior Democratic Services Adviser if they had any subjects they would like added to the Away Days.

7.5 RESOLVED: It was resolved that the work programme will be amended in line with paragraphs 4.6 (3), 6.4 and 7.3.

## 8 FORWARD PLAN

8.1 The Committee noted the Forward Plan for the period 1 June to 30 September 2016.

(The meeting ended at 11.43 am)  
The date of the next meeting is 26 September 2016.

COUNCILLOR KATHRYN FIELD  
Chair