

CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY PANEL 24 JULY 2017

(7.16 pm - 9.45 pm)

PRESENT: Councillors Dennis Pearce (in the Chair), Pauline Cowper, John Dehaney, Edward Foley, Joan Henry, James Holmes, Jerome Neil, Michael Bull and Adam Bush

Co-opted Members Mansoor Ahmad, Helen Forbes and Colin Powell

ALSO PRESENT: Councillor Caroline Cooper-Marbiah (Cabinet Member for Education), Paul Angeli (Assistant Director Childrens' Social Care and Youth Inclusion), Jane McSherry (Assistant Director of Education), Yvette Stanley (Director, Children, Schools & Families Department) and Karla Finikin (Service Manager - SEN & Disabilities Integrated Service)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Cllrs Brunt, Taylor and Chirico (Cllrs Dehaney, Bush and Bull substituted). Apologies were also received from Cllr Akyigyina OBE and Cllr Katy Neep, Cabinet Member for Children's Services.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the previous meeting were agreed as a true and accurate record.

Matters arising: in response to a member question, Yvette Stanley, Director, Children, Schools and Families, clarified that the department has been working with Steve Langley in Housing to develop a care leaver accommodation offer with private landlords. This would provide multiple occupation dwellings supported with wrap-around care. However, these have not come to fruition at the current time and further work is ongoing. The successful innovation fund bid was also highlighted. A grant of £1m from the Department for Education (DFE) will be used in partnership with five other south London boroughs to meet the needs of looked after children including improving access to high quality residential care and foster placements.

4 CABINET MEMBER PRIORITIES (Agenda Item 4)

Cllr Caroline Cooper-Marbiah, Cabinet Member for Education, provided an update to members, highlighting the following:

1. Merton's response to the Grenfell Tower fire: the DfE has requested a local authority report on any school buildings that are four stories high and over. All school buildings in Merton with cladding are two storeys or less and therefore do not fall into the DfE's higher risk category. However, as a precautionary measure, checks are currently being carried out to establish the type of cladding used on some of Merton's schools. Additionally, the fire safety arrangements of all community schools in the borough are being reviewed through a survey. So far this has established that all fire safety arrangements are up-to-date;
2. Outcomes of school Ofsted inspections: the Cabinet Member congratulated the staff and Headteacher of Rutlish School that moved from a good to outstanding judgement as a result of its recent inspection. Aragon, Hatfield, Joseph Hood and Pelham schools were all highlighted as having retained their good Ofsted judgements. However, it was noted that Merton Abbey has moved from a good to a requires improvement judgement;
3. Special school expansion: having previously expanded the lower school at Perseid, work has now started on the expansion of the upper school. The Cabinet Member highlighted that the publication *Children and Young People Now*, has recently featured Perseid, highlighting its best practice. The Cabinet Member gave her thanks to Tina Harvey, the Headteacher at Perseid, for all she has achieved;
4. School attendance: new data shows that Merton schools are doing better than the national average at all levels for attendance (primary, secondary, special and pupil referral unit);
5. Merton resident survey: this has shown an increase in the number of Merton residents who regard the borough's schools as good; and
6. Harris Wimbledon: the planning application to move Elim Church to Merton Hall was rejected because the planned frontage was not in keeping with the existing exterior of Merton Hall. Officers have a new plan in place to address this.

In response to member questions, the Cabinet Member clarified:

1. Merton Abbey Primary: officers were aware of areas needing improvement prior to the Ofsted inspection and were already providing support and challenge. This will be increased where necessary. The Cabinet Member checks with officers that all the support needed is being given. The proximity of Merton Abbey to Harris Wimbledon is a positive development given the facilities that will become available to the primary school as a result;
2. Future Ofsted inspections: highlighted this is a rolling and on-going programme. Officers maintain a list of schools that are due an inspection and when this is likely to happen. The Cabinet member is regularly briefed on our schools causing concern;
3. Governing bodies: the Cabinet Member checks with officers that all schools have a full governing body and that governors have the skills that are needed. The importance of schools having a full governing team with the necessary skills was highlighted. Noted that governor training is provided by the Council and that all are encouraged to participate; and

4. Merton's response to the Grenfell Tower fire: officers are still working on the results of the survey of school fire safety arrangements. However, the Cabinet Member noted she is pleased with the results already received. Also, noted that Merton is going further than the requirements stipulated by the DfE as all schools with cladding are being tested and not just those that are four storeys and higher.

Additionally, Yvette Stanley, Director, Children, Schools and Families, clarified that further information on the schools budget, as a result of the new funding formula, is still awaited and only when this information is provided will the implications be known for the Special Educational Needs budget. Highlighted that the new schools funding formula won't necessarily come with the ability to move funding between the various funding blocks as is currently the case with the Direct Schools Grant. Currently, this allows for some movement of funds which has been able to support the increase in revenue costs driven by the growing need for Special Educational Needs support. However, under the new formula, the funding is split into discrete blocks. Whilst a surplus has been built-up that will alleviate the initial pressure, it is not clear what will happen after this has been used. Highlighted that as a result the schools budget will need to be discussed as part of the Council's overall budget.

5 PERFORMANCE UPDATE: EDUCATION CARE AND HEALTH PLANS (EHCPs) (Agenda Item 5)

Jane McSherry, Assistant Director of Education, introduced the item highlighting that the timeliness of EHCPs has been a focus for the Panel for some time and that as a result it had requested a deep dive in order to fully understand this matter. The increase in the number of EHCPs requested was noted as being higher than the increase in Merton's population. However, not all requests are accepted; there is a process used to assess if requests should be accepted. Agreed that the number of plans issued within the statutory 20 week timescale is lower than wanted but that this has improved (47% of plans are now issued within 20 weeks). It was also noted that the number of tribunals resulting from the EHCP process has notably decreased. This is seen as resulting from the extent parents are now positively involved in the EHCP process. At the same time as having to issue EHCPs within the 20 week timeframe, existing SEN statements all have to be transferred to EHCPs by March 2018. The Department is on track to achieve this target.

In response to member questions officers (Jane McSherry and Karla Finikin, Service Manager, SEN & Disabilities Integrated Service), clarified:

1. Streamlining: examples of how the EHCP process has been streamlined in order to meet the 20 week target include getting requests to the assessment panel quicker (now within two rather than six weeks) which allows additional time for processing if the request is accepted, documentation has been reviewed to ensure it is easier to complete and training has been undertaken with personnel in other departments to ensure they are able to engage in the process effectively and efficiently;
2. Online files: the process is necessarily information heavy which has historically resulted in a lot of paper files. Now that this is all online through the new Mosaic system, it means all information is kept in one place and can be more easily

accessed by all those involved. However, it is not yet possible for Mosaic files to be accessed externally and cannot yet be used by the SEN team;

3. Assessment of requests for ECHPs: there is a multidisciplinary approach to assessing requests for ECHPs; whilst schools are involved in the assessment process this isn't solely reliant on the information schools provide. Others such as educational psychologists, social care, paediatric specialists etc are also involved;
4. Rejected requests: where requests for an ECHP are assessed and rejected, the expectation is that a child's needs will be met through the SEN Support provision;
5. Independent provision: the increase use of independent provision reflects the overall increase in ECHPs being issued (resulting from the increase in the Merton population and the rise in the age requirements; going from 18 to 25 years). The use of independent provision is something that is being kept under review and which the department is seeking to address through increased maintained provision (for example, through the expansion at Perseid). Continued use of independent provision will depend on need – use will continue if demand continues to grow. Highlighted the use of dynamic purchasing and working through a consortium to keep costs down;
6. Expansion of maintained provision: it is difficult to suggest that the need for Perseid to expand should have been predicted earlier. This started in 2009 and reflects a changing profile of needs resulting from an increase in prevalence, changes to diagnosis and expectations; and
7. Children and young people from a Black and Minority Ethnic background: the number of children and young people from a Black and Minority Ethnic background that have a SEN Statement or EHCP is proportionate to the composition of the school population in Merton.

6 ACTION PLAN: ROUTES INTO EMPLOYMENT FOR VULNERABLE COHORTS TASK GROUP (Agenda Item 6)

This item has been deferred until the Panel's meeting in November 2017.

7 FINAL REPORT: RAPPORTEUR SCRUTINY REVIEW OF USER VOICE (Agenda Item 7)

Cllr Neil Jerome provided a detail introduction to his report highlighting the recommendations made:

- That Children and Young People Overview and Scrutiny Panel (CYP) examine the implications of the Staying Put policy increasing the cohort of looked after children (LAC) for which the council is responsible and its effects on participation within the borough;
- That a working group – perhaps with the involvement of the Children in Care Council (CICC) – be set up to consider the viability of introducing a “Mentor/Champion Scheme for Looked After Children” as considered by Leicester City Council;
- That CYP ask the Children, Schools and Families Department to continue to monitor its use of feedback loops and report on this at regular intervals through the department update report during this municipal year; and

- That CYP examine how best to engage the LAC and care leaver cohort in its work.

In response to member questions, officers (Yvette Stanley, Director, Children, Schools and Families and Paul Angeli, Assistant Director Children's Social Care and Youth Inclusion) clarified:

1. Staying put policy: this is the relatively recent change that allows those in foster care to stay within their current provision beyond their 18th birthday potentially up until they are 21 years (or to 25 years if they are at University). Currently, the department is reviewing awareness of the policy amongst young people - it is felt that there is more to be done in explaining the provision. However, it was noted that it can be difficult for foster carers to accommodate the new policy; having young people in their homes can make it difficult to have younger foster children, and affect income and benefits. Ultimately foster carers might not wish to agree to Staying Put arrangements;
2. Impact of user voice: there are lots of examples of where user voice is influencing services. Examples provided include the independence guide for foster carers which was written by looked after children and care leavers, the influence that those in care have on their own individual plans and the 32 promises that comprise the care leaver pledge which were compiled from a survey of those leaving care; and
3. Social media: use of social media to maintain contact and communicate with looked after children and care leavers is restricted due to corporate security requirements. However, funding is available to develop a dedicated website. The CSF Department is awaiting the ability of the corporate centre to secure the skills to do the technical aspects of this work.

Yvette Stanley, Director, Children, Schools and Families responded to Cllr Neil's paper:

- Ofsted has noted listening to young people as a service strength;
- Care needs to be taken when engaging with looked after children and care leavers to manage expectations; aspirations can be great and impossible for the Council to achieve. Care also needs to be taken to qualify the feedback and experience of any one individual;
- Expressed reservations about any form of befriending scheme based on prior experience. This can take a lot to get right including training for Councillors. Highlighted the trauma and loss of looked after children and care leavers which can make short term relationships difficult;
- Noted that engagement of young people in scrutiny and other meetings requires preparation and that opportunities for engagement through the Youth Parliament and the Children in Care Council need to be used wisely; young people involved in these have their own objectives they want to achieve and are only willing to give up a limited amount of time to adults' concerns;
- Noted that the Department does undertake a lot of consultation with looked after children and care leavers but could do more to ensure this is shared with the Panel;

- Thanked Cllr Neil for his report and the good ideas it contains but noted the care that is needed to take these forward. Recommended a meeting with Cllr Neil and Cllr Neep (Cabinet Member for Children's Services) to discuss this further following which a response to the paper could be provided by the department to the Panel.

RESOLVED: to thank Cllr Neil for his paper and for Cllr Neil, Cllr Neep, (the Cabinet Member for Children's Services), and Yvette Stanley, (Director, Children, Schools and Families), to meet and discuss the recommendations resulting from the review. Following the meeting the Department will provide the Panel with a response to the paper.

8 TERMS OF REFERENCE: PREVENT TASK GROUP (Agenda Item 8)

In response to member questions, officers (Yvette Stanley, Director, Children, Schools and Families and Paul Angeli, Assistant Director Children's Social Care and Youth Inclusion) clarified:

- Community input to the task group: the Panel has already heard from the community groups which might be able to provide an insight to the effect of the *Prevent* duty. Given that 50% of referrals currently received are for primary age children, it will be important for the task group to hear the views of parents who have children who are affected by the duty;
- Scope of the *Prevent* duty: this is broad and covers risk of any form of radicalisation. It is not exclusively concerned with Muslim fundamentalism;
- *Prevent* practice: this refers to the duty the Government has placed on schools to provide a range of inputs to prevent radicalisation. Keith Shipman, Education Inclusion Manager, is the lead officer working with schools on their *Prevent* practice. This is supported through the Safer Schools Partnership.

RESOLVED: to approve the terms of reference for the task group. Cllrs Henry, Holmes, Foley and Neil volunteered as members.

9 PERFORMANCE MONITORING (Agenda Item 9)

In response to member questions, officers clarified:

- Placement stability: the 15.8% of children subject to three or more moves in a year equates to 22 children (the impact is large in percentage terms because of the smaller size of Merton's looked after children cohort). Typically, these are older children coming into care later (aged 15, 16 and 17 years). These children are often in care due to family breakdown, criminal and/or anti-social behaviour or are at risk of Child Sexual Exploitation. They are very vulnerable and traumatised. Getting placements right can take time with moves often needed in order to protect them from further risk of harm. Placements are regularly monitored and managed by a specialist team. The £1m innovation fund grant from the DfE (Merton leading a consortium of six London boroughs) will be used to address what is a London-wide problem through the provision of placements with wrap-around specialist care (ie: care to tackle the risk of Child Sexual Exploitation). Suggested featuring an specific example as a case study in a

forthcoming update report to enable Panel members to better understand the issues involved;

- Access to Children's Centres: there is no national benchmark or statutory requirement set for access to Children's Centres by families from areas of deprivation – the 75% is Merton's own ambition. Following a borough wide consultation, a new Children's Centre offer has been published and the model has been reshaped to increase take-up. The impact will be reviewed this year; and
- Food poverty: confirmed that there are families suffering food poverty in the borough. Families for which there is no recourse to public funds were highlighted as an example of where this is the case. The department works with charities and food banks to ensure access to food for such families. Currently work is ongoing with public health to try to increase the quality and variety of food available through food banks. The department works with schools to make sure families suffering food poverty are supported to access this help;

RESOLVED: to elect Cllr Brunt as the performance monitoring lead for the Panel.

10 DEPARTMENT UPDATE REPORT (Agenda Item 10)

Paul Angeli, Assistant Director, Children's Social Care and Youth Inclusion, highlighted the formation of a new Family Drug and Alcohol Court (FDAC) which Merton is leading as part of a 10 borough consortium. This aims to achieve better outcomes for vulnerable children at risk from harm caused by parental substance misuse. This approach has been evaluated by the Nuffield Foundation and found to have better outcomes for the children involved as well as providing considerable financial savings. The new service has just gone out to tendering with Merton leading the commissioning process.

In response to member questions, officers clarified:

- Ofsted: the outcomes of the inspection under Ofsted's Single Inspection Framework are likely to be known on or around 25 August 2017. Time has already been allocated at the October Panel meeting to consider this in detail;
- Merton Safeguarding Children Board priorities: these have been extended from 2016/17 through to 2019 because these are challenging strategic priorities which require time and activity to deliver; and
- Social impact bonds: these are part of the current environment although few have yet come to fruition. This means there is yet to be sufficient information on which to fully judge whether they are a successful way to deliver change. However, there is some evidence that they are starting to have an effect. Merton has taken the decision not to be a trail blazer in the use of these but to take the opportunity to learn from the experience of others. Potentially they allow for partnership working and innovation to deliver services that the authority would struggle to provide by itself. They offer the opportunity to respond to children with complex needs.

11 CHILDREN, SCHOOLS AND FAMILIES GLOSSARY (Agenda Item 11)

This item was provided for information.

12 SETTING THE SCRUTINY WORK PROGRAMME FOR 2017- 18 (Agenda Item 12)

It was noted that the work programme has capacity to allow for activity linked to the outcome of the Ofsted inspection to be added as needed. This will be considered in detail once the report is published and may require time in the work programme throughout the remainder of the municipal year.

Members were encouraged to consider the information about experts, visits and lines of questioning provided in the topic suggestion packs (the scrutiny officer will provide this in soft copy to improve ease of access). Guidance is required from Panel members on which external experts and visits they wish to pursue. Additionally, it was suggested that members give feedback on the available questioning guidance to ascertain whether this meets their needs.

It was noted that the Sustainable Communities Overview and Scrutiny Panel will pick-up the topic of care leaver accommodation as part of a housing deep dive at its meeting on 5 September 2017. It has requested that members of the Children and Young People Overview and Scrutiny Panel attend to assist them in this task. Additionally, the Overview and Scrutiny Commission is considering whether to undertake a task group looking at the recruitment and retention of school staff.

RESOLVED: to accept the work programme as presented.