

At a meeting of the CHILDREN, EDUCATION AND SKILLS SCRUTINY COMMITTEE held in COMMITTEE ROOM 1 of the CIVIC CENTRE, SUNDERLAND on THURSDAY 1st DECEMBER, 2016 at 5.30 p.m.

Present:-

Councillor Smith in the Chair

Councillors Beck, Bell, Scullion, Stewart and Tye together with Ms. A. Blakey and Mr. S. Williamson.

Also in attendance:-

Councillor Norma Wright (Chair of the Scrutiny Coordinating Committee)

Ms. Karen Brown, Scrutiny and Member Services Coordinator

Mr. James Diamond, Scrutiny Officer

Ms. Rhiannon Hood, Assistant Head of Law and Governance

Mr. Alex Hopkins, Director of Children's Services

Ms. Ruby Johnston, Member of the Youth Parliament

Ms. Elaine Matterson, Attendance Manager

Ms. Beverley Scanlon, Head of Educational Attainment and Lifelong Learning

Ms. Joanne Stewart, Principal Governance Services Officer

Mr. Gavin Taylor, Deputy Independent Reviewing Manager

Chairman's Announcement

Prior to the commencement of the meeting the Chairman, Councillor Pat Smith, read out a statement which she request be fully recorded in the minutes, namely that;-

Members will recall that a recommendation was put forward by the Children, Education and Skills Scrutiny Committee that an extraordinary meeting of the Committee be convened.

The Chairman was really sorry to say that despite best efforts, a date was not able to be secured prior to this meeting of the Committee and there was a number of reasons for this, not least because Officer's diary's did not allow it. However, the Chairman advised that she was very aware of the strength of feelings of the issues that were and raised and the many unanswered questions that Members had and for that reason Members would notice that she had ensured that Item 4, Early Help was to be the first item on the agenda, once Mr. Alex Hopkins was in attendance, who would be available to answer any questions that Members had relating to the Youth Offending Service; Early Help Services and Youth Service.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Francis, Jackson, O'Neil and G. Walker

Minutes of the last ordinary meeting of the Children, Education and Skills Scrutiny Committee held on 3rd November, 2016

1. RESOLVED that the minutes of the of the last ordinary meeting of the Children, Education and Skills Scrutiny Committee held on 3rd November, 2016 (copy circulated), be confirmed and signed as a correct record.

Declarations of Interest (including Whipping Declarations)

Councillor Tye made an open declaration in the Early Help Update item in relation to his Council appointment to the Youth Almighty Project.

Change in Order of Business

At this juncture the Chairman proposed that Item 8 – Local Authority Designated Officer – Progress Report be considered first to allow time for Mr. Alex Hopkins, Director of Children Services, to arrive to present his reports.

Local Authority Designated Officer – Progress Report

The Director of Children's Services submitted a report (copy circulated) which updated the Committee on the progress and performance of the Local Authority Designated Officer service with regards to its relationship with religious organisations as requested following the presentation of the LADO Annual Report in September, 2016.

(for copy report – see original minutes)

Mr. Gavin Taylor, Deputy Independent Reviewing Manager, presented the report advising that following a recommendation from the Committee in September, 2016 around a further report on the progress being made for the LADO service to improve links with the Muslim religious community a meeting had taken place with two religious leaders from the Majid Mosque and the Majid ibn Taymeeyah Mosque in October, 2016. A further briefing had been arranged at the Bangladeshi Community Centre to meet with the elders of the three Mosques in Sunderland to explain the LADO function and offer on-going support to them.

Mr. Taylor advised that they were currently developing a training programme with the elders and the wider community and that it was taking longer than originally expected but that this was down to Officers being sensitive to the needs of the community. A training day was arranged for January, 2017 where it was intended to share the referral process and contact details with attendees.

Within the wider context of religious organisations in the city, contact via emails and telephone calls had been made with the main religious organisations and a meeting had been held with the Safeguarding Leads for both the Church of England and Roman Catholic Dioceses. A meeting with the Safeguarding Lead for the Methodist Church was being progressed.

Mr. Williamson thanked Mr. Taylor for the helpful report back to the Committee and felt that it identified that progress was being made and in relation to specific outcomes for particular areas of concern of radicalisation, Mr. Taylor advised that the training provided would predominately focus on the provision of the LADO function and service and that it was expected that there would be a large number of people on the training day they were keen to have them involved as part of a more joined up approach, considering the same agenda topics. In relation to radicalisation, Mr. Taylor advised that they were taking a wider approach, although work was already undertaken to identify any areas of concern, but that they would continue to talk to the leaders and cover those areas as part of their on-going relations with them.

Ms. Elliott asked if the Bethany City Centre at Bede Tower had been included in the process and Mr. Taylor advised that he was not aware that they had been contacted but that he would be happy to approach them to arrange a similar meeting.

Councillor Bell asked if, in light of recent press coverage, the service were looking to reach out to the Football Association and Sunderland Football Club and Mr. Taylor advised that this process had already been undertaken at the beginning of the year and they had advised football clubs not to make a referral and offered any training they may need in relation to the LADO service.

In response to a further question from Councillor Bell around the approach being made with the religious leaders, Mr. Taylor advised that they approached them as a friend and available support. There were clear messages shared around the anxieties faced, and the service would look to help them in their approach to dealing with issues and areas of concern whilst still delivering the key messages to them and the wider community.

The Chairman referred to paragraph 3.3 of the report and the multi-agency briefing scheduled for late February, 2017 and suggested that it may be beneficial to receive a further report following this meeting. Mr. Taylor advised that he intended to return to the Committee a month after the briefing with the Annual Report and suggested that he may incorporate findings from the February meeting into this report for the Committee's consideration.

Members, having fully considered the report, it was:-

2. RESOLVED that:-

- a) The LADO continue to forge links with the religious communities within Sunderland; and
- b) All religious organisations be invited to the LADO briefing in February, 2017 with an update to be included in a future report to the Committee in March, 2017.

Early Help Update

The Director of Children's Services submitted a report (copy circulated) which provided an update on the development of a proposed model for Early Help Services in the transition to Together for Children in April, 2017.

(for copy report – see original minutes)

Ms. Beverley Scanlon, Head of Education Attainment and Lifelong Learning, presented the report advising that she had been put in place as caretaker manager of the service following the recent departure of Ms. Simone Common, as the new Officer would not be in post until 1st February, 2017 due to having to work notice in their current position.

Ms. Scanlon advised that the Ofsted Inspection in July, 2015 noted that 'gaps in provision of early year help means that families experience inequality of access to the provision they need' and that 'help is not always available at the right time and in the right place.' The proposal for future Early Help Services was to move forward towards a more targeted and preventative approach, supporting children and families whilst children remain in the care of the family.

The Committee were advised that between now and April, 2017 the service structure was being reviewed and further aligned to the proposed new Early Help model and the available budget in the new financial year. The newly appointed Director of Early Help would have a key role in the reshaping of both the model and the structure over the coming weeks.

Mr. Williamson referred to the model based on the tiered delivery of services and particularly c) Early Help alongside social workers at the initial contact and referral stage and commented that the workloads of social workers were trying to be reduced and asked if this would allow allocations to be made quickly enough and how referrals were directed at the initial stage. Mr. Hopkins advised that referrals could not get social care until they had been through the Early Help but it may be that when referrals are called in they are directed toward other services that could help and that the referral does not need to progress any further through the referral process, thus allocating the correct route at the point of referral and not waiting until initial contact. If working well then it should not pressure statutory services and an element of social work be available in everyone's offer where needed or when it is recognised that a child or young person needs more support than currently involved then better support would be available to support families at tier three. Mr. Williamson commented that it was a big ask on already stretched services but great to have.

In response to a query from Mr. Williamson in relation to e) a tiered and targeted approach to services which provides the right help at the right time; Mr. Hopkins advised that at the moment there was a broad range of different interventions and the introduction of the streamlined pathway for families would see the level of need met with services that were designed to target ranging from the highest level of need, level four and the introduction of the CAMHS service down. The new model would bring an order and structure to the approach to Early Help and if something was not working for a young person how to progress them through further services available.

Mr. Williamson referred to the budget proposals for Children's Services in relation to children remaining in the care of the family, whereby it was looked to make a saving of £0.317m for 2017/2018 and £0.940m for 2019/2020 through review and that the streamlining of services may have both a positive and negative impact on children and young people which would be fully considered during the completion of the equality analysis and asked if there was a clear budget plan to actually deliver in line with the proposals as it was a large chunk of money to be saved. Mr. Hopkins

advised that they were working on an Early Help Strategy which was not complete and very challenging but that there were efficiencies to be made and there were tried and tested programmes which could make a difference to the delivery of services and they would focus resource there. The money that was available to the services would have to be used as well as possible to ensure service delivery and there were key areas which worked well together which would be outlined in the Early Help Strategy and Key Plan.

Mr. Williamson requested that the Committee have further sight of the budget plan and assurances that the new Children's Company could deliver the level of services that were set out in the plan without negatively affecting children and young people in the city.

Councillor Tye commented that they were being informed that Early Help was not good enough and that a Director was being appointed to manage that service and asked why the review was taking place now, before the Director had taken up post? He went on to comment that surely the new Director would want to shape their own service and that it was preposterous to start a review now before they were in place. Mr. Hopkins advised that Early Help had been through a restructure already and that the new Director was looking to work alongside them in the review process but that if you were to look at any recognised good model of Early Help Services they would be in line with the model proposed at 3.4 of the report and include a streamlined pathway similar to those bullets set out at a)-h). There was then the need to tailor those services and to work with partners to ensure that it was the most appropriate for the city and its needs. He understood the concerns of the Councillor but this was a process he had been involved with in previous positions and he would not have continued with the review if he felt it were a job that he was not able to do. He also felt that there was nothing in the proposed approach to the new model that the new Director would disagree with.

Councillor Wright concurred with the comments that had been made by her colleagues and raised her own concerns:-

- There appeared to be confusion around Early Help and it would be useful if the Committee had a better understanding;
- A better understanding of the rationale behind Ofsted stating that it was not fit for purpose;
- Around experienced staff members who have left the authority and taken valuable knowledge with them;
- The contradiction in terms that millions of pounds need to be put into Children's Services and yet there are further efficiencies to be made; are the assurances that the skills and staff are available in Early Help to support the new model as it was absolutely vital to it being successful and what assessments were taking place to ensure there were sufficiently skilled people in place in the services?; and
- Was there a specific formal model for Early Help services that was being followed and were the Council fully reliant upon that model, even if they did not know yet as to how successful it would be?

Mr. Hopkins advised he would try to address each of the concerns, informing the Committee that once the new Director was in post, in February 2017, it may be beneficial to bring the whole team along to a session with the Committee to give the full detail of the service and clarify for Members the Early Help Service.

With regards to efficiencies, Mr. Hopkins advised that it had been really difficult as all external monies had gone into social care, to help manage caseloads and provide additional support but that once the social work service improves it was planned to move more resources out of social care and into Early Help. Unfortunately, efficiencies needed to be made and it had to be about choices and the priorities of the Council at the time and although it was not easy to make those decisions it had to be done.

In relation to the skills base of the staff, Mr. Hopkins informed the Committee that the staff that had left the service had done so through the severance scheme and that those remaining had certain skills and had wanted to stay within the service. He would look into how many members of staff had left and not been replaced for Members but it was important that the team that remained had the right skills and/or training to best suit the service, which was most important of all.

With regards to the model proposed for the future Early Help Services, he informed Members that it was based upon models that had been used in other local authorities which had received very good Ofsted reports. It was a very simple model which focussed on what works for the Early Help Service and simplified the paperwork process to make it easier for all parties to use. For instance, the Early Help Assessment was designed to become the beginning of the social work assessment so that it was not work that had to be recreated and carried out twice. He advised that if the Committee were to look at other authorities around the country where the Early Help Service was successful they would find a very similar model overall; basic principles being all the same; and suggested that it may be beneficial for the Committee to look at other information from some of those local authorities.

Councillor Wright commented that it would be most useful if information from some of the authorities Mr. Hopkins had referred to could be looked into further to consider areas of good practice or even for Members of the Committee to highlight and visit a particular area with recognised good Ofsted to gather further evidence.

Councillor Tye referred to the review of the youth service and asked where the findings of the first review had gone which had been carried out under the agenda of the previous Director of Children's Services. He informed Mr. Hopkins that Members had been given assurances that funding towards the youth zone provision was separate funding from capital spend and that budget continuity would remain and asked when discussions had been had formally to change this position.

Mr. Hopkins advised that unfortunately, there were some things that he could simply not answer, having not been in post at the time but he could look to find out what had happened to the outcome of the previous review. He could inform the Committee that the piece of work that was now being asked to be undertaken by Ms. Scanlon's team was to look at youth service provision and given the proposals in the budget look to see what could be done to mitigate the effect. He advised that meetings had been held with youth organisations in the city who currently received £2.5m in funding, with a proposed reduction of £0.5m from the Council budget, but that there were other potential resources in funding which could meet that funding gap if applied for and secured. Ms. Scanlon advised that there was funding available as part of the Youth Initiative Fund Grants and if successful, the decision was to be made in February, and then this would offset some of the £0.5m reduction. The VCS could then look to become more sustainable as it was a three year funding initiative.

Councillor Tye reiterated that Members had been misled as they had been told that there would be no reduction in funding towards youth services for 2017/2018 and yet the realignment of the budget to the Children's Company would now see the budget proposal stating that it would be cut in its entirety and that someone had to be accountable for that change and come before the Scrutiny Committee to provide the reasoning behind it. He also referred to information that had been given to Members by the Children's Commissioner who had advised of how funding would be protected for youth services and then three months later it appeared that they were in a completely different place.

Councillor Wright commented that it was well known the cuts that were having to be made to the VCS and that she had been hearing that there were some youth services who were simply not able to continue in the current financial climate, so it would make Members query the availability to secure further funding and how it would pan out in future for the service provision if it was not available as hoped.

With regard to particular Officers who may have provided that information at the time, Mr. Hopkins advised that they did not report to him and as he was not able to comment on what had occurred at that time, as he was not in post, he would need to take it up with the Director of People's Services to look at how best to address the issue and come back to the Chairman of the Scrutiny Committee with proposals. Councillor Wright commented that the Scrutiny Coordinating Committee were due to meet the following week on 8th December, 2016 where they would be discussing the budget proposals and asked if it would be possible to have that discussion with the relevant Officers and have a response available for that meeting as there needed to be a better understanding of the background to the proposals.

Councillor Bell commented that it had been clear to see 3-4 years ago where the funding cuts were going to hit and now youth services were being hit in the same manner. There was not a bottomless pit of funding available and one option could be for the Area Committees to step in and look to fund services in their areas to ensure contributions were being made to secure youth services in their area.

The Chairman having thanked Ms Scanlon for her attendance, and Members having no further questions or comments, it was:-

3. RESOLVED that :-

- a) the report be received and noted;
- b) further information on the newly developed Early Help strategy within the new Children's Company and assurances given as to how it would be delivered in line with its budget be submitted for consideration to a future meeting;
- c) the Committee invite the new Director of Early Help (and team) to a future meeting of the Scrutiny Committee to give a clear distinction of Early Help;
- d) further information on other authorities where the new Early Help model had been implemented successfully be gathered and shared with the Committee; and

- e) that the Director of Children's Services follow up on the discussions that had taken place around the history and background of the issues in relation to the provision of youth services, and provide feedback prior to the meeting of the Scrutiny Coordinating Committee to be held on 8th December, 2016.

Sunderland Safeguarding Children Learning and Improvement Plan – Progress Update

The Director of Children's Services submitted a report (copy circulated) on the progress being made on the Safeguarding Children Learning and Improvement Plan.

(for copy report – see original minutes)

Mr. Alex Hopkins, Director of Children's Services, presented the report advising that the report provided an update on key areas of progress in relation to Children's Services and that it provided a summary of the key actions and any changes in the Implementation Plan and the impact on performance. He advised that the current Improvement Plan was under review, being a year old, and that he would continue to bring along updated versions of the Improvement Plan to share at each future meeting of the Committee so that Members could get a sense of the improvements being made.

He explained that the report identified the current RAG rating assigned to actions by priority and that on the production of an updated Improvement Plan it would be noticeable that there would be a lot more actions marked red as work would only be commencing following the findings of the on-going review.

He advised that where an action was identified as completed in this report it would be removed on the next report and that the report helped to highlight where an area was not progressing. Mr. Hopkins commented that the services were intentionally tough on themselves when measuring to ensure the robustness of the plan and that actions were only marked as green and complete when it had been completed and checked over a specific timescale.

The Chairman having thanked Mr. Hopkins for his briefing, invited questions and comments from Members.

Councillor Stewart stated that he understood that the current Virtual Headteacher was on long term sick leave and asked for an update on the situation. Mr. Hopkins advised that had been the case and they were now in the process of looking to appoint a permanent alternative over the next couple of months and he would look to keep the Committee advised of progress.

In response to a question from Councillor Bell in relation to agency workers within the social work teams, Mr. Hopkins advised that at times it could be difficult as social workers would report to each other their opinions on local authorities and it would take time for attitudes to change and positive messages to circulate. Once the positivity of the changes and improvements made begins to spread they would find that there were more social workers looking to consider a permanent role with the authority and new company as the good reputation as employers circulates by word of mouth.

Mr. Williamson stated that he had been very concerned to see that priorities 2, 4, 6 and 7 looked as there were no movement and had stalled, especially as Ofsted would only be looking to see if work had been completed and wondered what the strategy would do to make sure that things continued to move on. Mr. Hopkins advised that the priorities did appear to look as though they were stalling but that this was around the need for a new plan as some actions had been completed and now the next plan needed to be more detailed and sophisticated so that it was much more targeted for the next stage of developments. They were spending a huge amount of time talking with teams and ensuring that the feedback from them married up with what is set out in the new plan and the RAG ratings would be amended if it was not as reported. Actions against priorities were consistently checked and having the Councillors recently talking with the social workers was a really useful way in triangulating all of the information.

Mr. Williamson commented that he had understood that the update was to be on Early Help but there was no detail regarding it in the report and asked if the Director could ensure that the next report had clarity around the plan and the RAG priority and programme against that particular priority; priority 2 – providing coherent and coordinated early help services to children and their families.

Mr. Hopkins advised that when the plan had initially been put in place they had had to make sure that children in the city were safe and the early help had not been as important then, although the next plan could focus more now that improvements in other areas had been made.

Mr. Williamson commented that he had attended the meeting of the Health and Well Being Scrutiny Committee the previous evening, where they had discussed the introducing of a Housing First approach and referred to priority 6 around supporting young people leaving care to have a positive and successful transition to adulthood and independence and asked for assurances that services were tying in with Housing 21 and the model that Mr. Caddick, Head of Housing Support and Community Living, had described at the meeting. Mr. Hopkins advised that accommodation for care leavers had been very problematic in the past but that they were looking to provide a range of accommodation options that was suited to each care leaver, rather than one type fits all. Some care leavers were ready to live in their own property but others that were not ready for that much independence were offered support in the way that they needed, whether that be in supported living, or by the authority underwriting their tenancy agreement for example. He advised that Ofsted had recognised that significant improvements had been made but there was still more that could be done.

Councillor Bell asked if there would be a report back to the Committee on the recent visit some Members had made to a group of social workers and was informed that a report would be submitted to the January meeting. Councillor Bell advised that he had some very interesting and frank discussions with the social workers and it would be of interest to those who could not attend the visit. Councillor Smith thanked those Members that had been able to attend the visit as it was important for Officers to have the opportunity to speak with Members and feel that their voices and opinions were being heard.

Councillor Scullion advised that he had attended the meeting and was happy to have seen that discussions were very much driven by the social workers and felt that they

could be open and honest with them. There had been one or two issues they had raised which could improve the efficiency of the service, one of which was the provision of back office support staff who could offer administrative support which did not require the high level of skills of the social workers to complete but were still vitally important. Mr. Hopkins advised that the current model within the Council structure was that business support was a central function with a team of clerks available to offer support when required. He was aware that there was some friction towards the amount of resource available to them but that one option when moving to the new company could be to have a coordinating team clerk role which was fully embedded into the service but discussions would continue as the new company was structured.

In response to Councillor Beck's query around social workers and staff parking in the Council car park and having to walk to the new premises, possibly late on an evening and alone, Mr. Hopkins replied that staff safety was always of concern and importance and the logistics would need to be looked at.

Councillor Bell commented that it was rare for Councillors to meet with social workers nowadays whereas in the past they had carried out regular visits. The vulnerable adult team was another service they had not been involved with for a number of years and he felt that Councillors miss that level of interaction with staff. Mr. Diamond advised that the feedback given was that both parties had really appreciated the opportunity to share their views and the social workers had asked for their thanks to be passed on to the Councillors who had taken part in the visit for taking the time to listen to them.

Councillor Wright referred to page 23 of the report and referred to the Health Passports and the challenge in ensuring that medical histories were passed on as young people left care and stated that it was really important that health partners are mindful to the importance of this information and their involvement in ensuring they are shared. Mr. Hopkins advised that the situation had improved but that there was a way to go to make sure that all care leavers had their information passed on and that the issue could be raised through the Corporate Parenting Board. There is now a dedicated CLA nurse in post at the CCG and there needed to be better practices embedded so as the young person prepares to leave care all of the health information is pulled together to be passed on with them.

Ms. Johnston, Youth Parliament Members, asked if a young person's mental health record would be included in the health passports and was advised that if a young person had had issues with mental health then it would form part of the passport prepared for them leaving care.

Ms. Johnston went on to advise that the NHS Youth Forum had found that young people often felt moved around between services and having to repeatedly explain themselves and their situation and that the passport she referred to was to record a young person's history and what treatments, etc they preferred to relieve this. Mr. Hopkins advised that for care leavers there was a slightly different process in the production of health passports and he didn't think the two would cut across each other.

There being no further comments or questions for Mr. Hopkins, it was:-

4. RESOLVED that:-

- a) the report on progress in relation to the implementation of the Safeguarding Children Learning and Improvement Plan be received and noted,
- b) a further report in relation to priority 2 of the improvement plan, providing coherent and coordinated early help services to children and their families be submitted to a future meeting of the Committee;
- c) assurances be given to the Committee that services were tying in with the new model as part of introducing a housing first approach;
- d) a feedback report on the visit to the Social Workers be submitted to a future meeting of the Committee; and
- e) the Committee's thanks be forwarded to those Social Workers who met with Members of the Committee for their input.

Fixed Penalty Notices

The Director of Children's Services submitted a report (copy circulated) which provided Members with an update on Fixed Penalty Notices for primary and secondary schools in Sunderland.

(for copy report – see original minutes)

Ms. Elaine Matterson, Attendance Manager, presented the report, setting out the current position in Sunderland in relation to the issuing of Fixed Penalty Notices in schools in Sunderland and invited questions and comments from Members.

Ms. Matterson advised that penalty notices were intended to be used as an early intervention strategy in order to deter patterns of unauthorised absence and do not replace the wider powers under the Education Act 1996. Unlike other regional local authorities, penalty notices are only issued by the local authority and that this was put in place to ensure that all fixed penalty notices were issued fairly and consistently and could be defended.

During the academic year 2016/17 to date, Ms. Matterson advised that 32 fixed penalty notices had been issued; 9 issued due to children failing warning notice period; 6 cases of no further action and 17 cases currently within the monitoring period for the fixed penalty warning; of the 17, 5 had been paid, 3 had failed to pay and the authority were taking legal action and 9 were still within the payment period of 28 days.

In relation to term time leave, Ms. Matterson advised that a fixed penalty notice was a decision for the head teacher of a school to request and to date there had been 53 requests made; 9 requiring no further action as it was not appropriate to issue a fixed penalty notice, 44 fixed penalty notices had been issued, of which 30 had been paid, 12 were awaiting payment and 2 had failed to pay and were being processed to S444(1) prosecution.

Councillor Bell stated that as a school governor he understood the vexations and it was an unenviable task to have to issue fixed penalty notices on parents but

something had to be done if the authority were looking to improve attendances within schools in the city.

Councillor Stewart sought clarification on the 20 or more continuous sessions as set out in 3.7 of the report as it was not clear within the local code of conduct and Ms. Matterson advised that it was 20 continuous sessions within 10 school days, for unauthorised absences the triggers were for secondary 5 days within 10 weeks and in primary schools 2.5 days within 6 weeks. Any child hitting these thresholds would then be automatically referred to the attendance team to raise the issue.

Councillor Stewart also stated that some parents may be happy to pay a fine to take a holiday within school term times and asked if evidence and/or statistics showed the same parents offended habitually.

Mr. Williamson stated that he had a number of points which he wished to raise if Members would bear with him for just a moment, and also asked that it be clear he was speaking as a co-opted Member of the Scrutiny Committee and not in relation to his own school. He advised the Committee he had undertaken his own research into this issue which included but was not exhaustive to consulting; five Headteachers, 4 primary and 1 secondary, six local authority websites, news articles published on the issue; and that he had six key areas he wished to raise:-

- current policies have been legally challenged and a case won due to the findings that that child had an acceptable level of attendance;
- current policies were felt to be outdated and schools/local authorities were not issuing fixed penalty notices for particular reasons for unauthorised absences;
- fifteen cases had been sent to request a fixed penalty notice issued and there had been no responses received from the authority and they were now out of the timescales to issue;
- Headteachers feel unsupported and think that they should not bother to issue fixed penalty notices for parents taking holidays during term time;
- In relation to unauthorised term time absence after five sessions if an improvement is made in the attendance for three weeks then the attendance team write off the case which does not encourage long term improvements in attendance; and
- Because of the 20 sessions absence in 10 consecutive days for holidays and then only a 3 week monitoring period Headteachers feel there is not enough in place to safeguard pupils effectively, for instance, parents may say the absence is a holiday but there is no assurance of this.

Firstly, Ms. Matterson stated that she would like to have further information on the fifteen referrals that had been made by schools and not had responses and this would need to be investigated further.

Ms. Matterson informed the Committee she had seen no local authorities that had withdrawn from issuing fixed penalty notices for holidays, in light of the recent court findings, and that the issue of fixed penalty notices for unauthorised term time leave remain at the discretion of the Headteacher in line with their policy. The team continued to receive these requests from schools and they would continue to be considered by herself to ensure they were compliant to issue.

In relation to the three week monitoring period, Ms. Matterson advised that there were five members of the attendance team who dealt with 1,000 referrals. If a pupil's attendance improves continuously for a three week period then the team pass the monitoring of the attendance back to the school. The team do not have the capacity to monitor for any greater length of time than that but should there be concerns around the pupil or if they go on to meet the threshold triggers again then the school can re-refer that pupil. The attendance team cannot continuously monitor specific pupils as that can be seen as oppressive.

Mr. Hopkins asked how the Committee would feel about a number of Headteachers coming together and working through the current policy and raising any concerns or issues they had with it. Through working together with the attendance team they could look to make sure that the policy in place for the authority is fit for purpose and works for schools in the city.

Mr. Williamson commented that the current thresholds for Sunderland were out of sync with those set nationally; quoting:-

- Suffolk - 1 day absence;
- Rochdale - 5 days absence;
- Northumberland - 5 days absence;
- Leeds - 5 days absence; and
- Northampton - 10 days absence.

In relation to Northampton, he advised that following a review they had found that for them to achieve their aspirations and the very best educational outcomes it was felt missing five consecutive days was the threshold and they looked to change this in line with other local authorities nationally.

Ms. Matterson acknowledged that other local authorities had lower thresholds than the ten days Sunderland set but stated that when Sunderland issued a fixed penalty notice, they had to be confident that they could support that decision and defend that action and the ten days allowed that and showed that the authority worked fair and consistently in their approach.

Mr. Williamson asked where the issue of the safeguarding of the child was and it was an issue all Headteachers were very concerned about and Ms. Matterson commented that this was not just about the prosecution of families and the issuing of fixed penalty notices but also about getting those children and young people back into education without having to go down those routes. But when prosecution and fixed penalty notices have to be issued the authority have to be able to defend their actions. She also referred to those schools that may have lower thresholds of days absence before issuing a fixed penalty notice but this did not mean that those authorities would then issue the notice, whereas Sunderland looked to issue all fixed penalty notices that crossed the threshold triggers.

Ms. Blakey advised that she would be happy to be involved in any piece of work that was to be undertaken with Headteachers on this issue, although she did not feel she had any great issue in relation to unauthorised absence in her own school. She had only ever had the need to contact the attendance team around one possible issue and between them they had managed to turn that scenario around.

Mr. Williamson commented that with a duty to safeguard young people and children in the city and a Children's Services that had been deemed inadequate and with serious failings there was a need to show, that as Corporate Parents everything was being done to ensure that children were attending schools. There was a need to make sure that the policy was absolutely right to show that they were fulfilling their duties under the prevent agenda and protecting children from the possibility of being whisked off to other countries for harmful procedures, such as breast ironing or female genital mutilation.

He had prepared five recommendations for the Committee to consider but stated that they could all be encompassed if they undertook some initial work in preparing a policy review of the current code of conduct. Then all Headteachers could be contacted to invite them to be involved in discussions around attendance. It was important not to hit disadvantaged families in the city and to be transparent and open to make sure the public and authority come together to find a solution to the issue.

Mr. Hopkins suggested that it may be beneficial for a small group to meet in the first instance and then whatever findings came from those discussions to share those with a wider body of Headteachers, including Councillor Farthing as Lead Member, before returning to the Scrutiny Committee with any proposals/feedback.

Ms. Elliott commented that as a magistrate she did see cases in relation to unauthorised absences and could state that some parents did view it as a punishment, but that she always appreciated the detailed information that was provided by the authority for them to make their decisions upon.

Councillor Wright commented that as a former Vice Chairman of the Governing Body of Grange Park Primary School she could concur with the concerns that had been raised today and suggested that the Headteacher from the school could be contacted for their involvement to get a broad range of views and explore the issue fully.

Members having no further questions or concerns, it was-

4. RESOLVED that:-

- a) that the report be received and noted; and
- b) that a small group of Headteachers and the Lead Member for Children's Services work with the Attendance Manager to consider the current local code of conduct in relation to fixed penalty notices and whether it remains fit for purpose and report back their findings to a future meeting of the Committee.

Complaints and Feedback – Children's Services Issues

The Head of Law and Governance submitted a report (copy circulated) which provided the Committee with information regarding complaints and feedback received by the Council in relation to Children's Services Issues.

(for copy report – see original minutes)

Ms. Rhiannon Hood, Assistant Head of Law and Governance, presented the report advising that due to the rescheduling of when complaints and feedback reports were submitted to this Committee the report presented an overview of complaints and feedback received by the Council, in relation to Children's Services, for the quarters April to June, 2016 and July to September, 2016. She informed Members that this would now ensure that further quarterly reports would be submitted in a more timely manner which would see the most current monitoring information available being provided to the Committee.

Ms. Hood referred to the increase in the number of stage one complaints made by children or young people and advised that this was a positive thing. She informed Members that in the past there had been a clear process for young people to lodge a complaint and it had been felt that this information may have lapsed in being openly available and promoted to children and young people. The service had been working on promoting the procedure to children and young people and the increase in the number made between the two quarters showed that this was allowing them to feed their voice and opinions into processes.

Ms. Hood also welcomed Members feedback on the format of the report so that any amendments or inclusions could be addressed for future reports to the Committee.

Councillor Wright referred to the Themes and Trends paragraph set out in the report and asked if, in future reports, more information could be provided which Ms. Hood agreed could be addressed.

Councillor Wright also referred to the small number of compliments recorded and commented that the message needed to get out to staff to report all compliments as they are received as it was so important that these were recorded as well as complaints. She also commented that Councillors often receive compliments which should be forwarded on and recorded within the figures.

Councillor Stewart commented on the number of complaints moving on to Stage 2 and asked how many of the outcomes at Stage 2 simply reconfirmed the decisions made at Stage 1 or how many came to the conclusion that the Stage 1 decision had been the wrong one. Ms. Hood advised that without further analysis she could not say as it varied from case to case. At times it could be difficult for the team to get responses on time from other services and therefore the complainant could be unhappy around that and escalate their complaint further. She explained that the small team worked hard to explain the importance of responding to initial complaints to keep the numbers as low as possible but that some complaints had multiple elements to them that made it more difficult to have them all answered at the Stage 1 level. Some complaints moved to Stage 2 simply as they could not give a full answer in the time frame set to respond at Stage 1.

In response to a further question from Councillor Stewart around staff training, so that complaints didn't progress through the stages, Ms. Hood advised that there had been a lot of staff movement, with various management changes in Children's Services and that the combined complaints team were looking to offer training to staff on letter writing and making resolutions to complaints, so it would be desirable should Officers look to take part in those sessions. Ms. Hood also advised that they looked to receive training from the Local Ombudsman so they were in the process of getting a dedicated session to give focus on responding to Local Ombudsman complaints also.

When asked if the timescales set for responding were statutory, Ms. Hood advised that they were and therefore there was no room to change them.

Councillor Smith referred to the on-going issue that appeared to be raised by complainants in a lack of communication from the Council and felt that some errors and compensation payments could have been avoided. Mr. Hopkins advised that lack of communication was always a common theme in complaints and that this could be down to sometimes cases would move so fast that it was difficult to keep communications timely, although he accepted that it was a recurring theme that was cited. He explained that previous poor practice in report writing were being looked at and that staff looked to resolve complaints and eliminate them from progressing further but at times the complainant would always go to the next Stage as they would want someone else to look into their issues if not given the response they wanted.

Councillor Scullion commented on the use of social workers time in responding to complaints when it could be so better used elsewhere, and suggested that this may be an area whereby a dedicated and experienced back office staff base that could assist in these coordinating and administrative duties would lead to more efficient use of everyone's time and resources.

There being no further questions for Ms. Hood, the Chairman thanked her for her attendance and it was:-

5. RESOLVED that:-

- a) that the report be received and noted; and
- b) that future reports contain more detail around the theme of complaints and compliments and any identified trends.

Notice of Key Decisions

The Head of Member Support and Community Partnerships submitted a report (copy circulated) providing Members with an opportunity to consider those items on the Executive's Notice of Key Decisions for the 28 day period from the 15 November, 2016.

(for copy report – see original minutes)

Members having fully considered the report, it was:-

6. RESOLVED that the Notices of Key Decisions be received and noted.

Annual Work Programme 2015/16

The Head of Member Support and Community Partnerships submitted a report (copy circulated) attaching for Members' information, the work programme for the Committee's work being undertaken for the 2016/17 council year.

(for copy report – see original minutes)

Jim Diamond, Scrutiny Officer, presented the report and advised that a proposed report to Cabinet on CAMHS was to be added to the agenda for January, 2017 for consideration and that as the agenda was already quite heavy, he would hold discussions with the Chairman and Vice Chairman to look at moving some items to another Committee meeting date.

At this juncture Mr Williamson thanked Mr. Diamond for his rapid response to any correspondence sent to him and for the quality of his organising skills when having to diary meetings to try and accommodate the majority of Members of the Committee.

Members having no further questions or comments, it was:-

7. RESOLVED that the information contained in the Work Programme be received and noted.

The Chairman then closed the meeting having thanked Members and Officers for their attendance and contributions to the meeting.

(Signed) P. SMITH,
Chairman.