

At a meeting of the CHILDREN, EDUCATION AND SKILLS SCRUTINY COMMITTEE held in the COUNCIL CHAMBER, CIVIC CENTRE on THURSDAY 9th SEPTEMBER, 2021 at 5.30 p.m.

Present:-

Councillor P. Smith in the Chair

Councillors Crosby, Dodds, Dunn, P.W.L. Gibson, S. Johnston, Mason-Gage, McKeith, Samuels and Tye.

Also in attendance:-

Mr Martin Birch, Director of Children's Social Care, Together for Children
Ms Jill Colbert, Chief Executive, Together for Children
Mr Jim Diamond, Scrutiny Officer, Law and Governance, Corporate Services Directorate
Elaine Matterson, Attendance Manager Practitioner, Neighbourhoods Directorate
Mr David Noon, Principal Governance Services Officer, Law and Governance, Corporate Services Directorate
Ms Gillian Robinson, Scrutiny and Members Support Coordinator, Law and Governance, Corporate Services Directorate

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Noble and Scanlan and on behalf of Ms Anne Blakey.

Minutes of the last meeting of the Children, Education and Skills Scrutiny Committee held on 10th June, 2021

1. RESOLVED that the minutes of the last meeting of the Children, Education and Skills Scrutiny Committee held on 10th June, 2021 be confirmed as a correct record.

Declarations of Interest (including Whipping Declarations)

There were no declarations of interest made.

Ofsted Inspection of Children's Care Services - Feedback

The Chief Executive of Together for Children submitted a report (copy circulated) on the outcome of Ofsted's full Inspection of Children's Care Services in Sunderland undertaken between 28 June and 9 July 2021 and which presented the Ofsted letter

summarising the findings of the Inspection published on 20 August, a copy of which was appended to the report for information.

(for copy report – see original minutes)

Ms Jill Colbert, Chief Executive of Together for Children, provided the Committee with an overview of the Inspection, placing it in context, and introduced Mr Martin Birch, Director of Children's Social Care, who briefed the Committee on the key aspects of the letter which rated Children's Services in Sunderland as outstanding.

Members were thanked for their many messages of congratulations and advised that TfC were overwhelmingly pleased with the contents of the Ofsted letter. The Letter had ranked Sunderland as outstanding in 3 categories, firstly, 'the impact of leaders on social work practice with children and families', secondly, 'the experiences and progress of children in care and care leavers' and thirdly, 'overall effectiveness'. The remaining category ('the experiences and progress of children who need help and protection') was ranked as good. Mr Birch informed members that the letter with regard to this category noted that Sunderland was not just good but "Solidly Good".

Mr Birch went on to highlight the many positive comments made by Ofsted in delivering their Outstanding judgement including:-

- "Early help provision is comprehensive and well embedded."
- "The vast majority of children and families get the appropriate level of help and support at the right time delivered by skilled professionals, which makes a difference to their day to-day lives."
- "Exemplary work by the pre-birth team is highly effective in helping and protecting vulnerable children either to remain safely in the care of their parents or to achieve permanence with extended family or by adoption."
- "An area of strength is workers' persistence in developing relationships, which becomes the means for positive change for children and families. Strenuous efforts have been made throughout the pandemic to visit children face to face."
- "Strong and effective partnership working helps to better protect children from harm."
- "Tenacious staff work tirelessly to ensure that children are at the centre of all work and interventions. Staff are strong advocates for their children."
- "High-quality and timely decisions are made to ensure that children become cared for at a time that is right for them..... feedback from the judiciary and the children and family court advisory and support service supported the view that the service improvements were benefiting children and families at this critical and important time."
- "Hearing the voice of the child is an exceptional strength in Sunderland. Cared for, and care experienced, children have a voice and they are encouraged to use it."
- "In the past year, impressive improvement in permanence planning means that many more children live with loving carers who are meeting their needs well."
- "There is highly effective recruitment, assessment and training of foster carers with a steady flow of prospective carers joining the fostering service."
- "Social workers and personal advisors (PAs) spoke knowledgeably and with affection for the care experienced young people that they are supporting."

- “There are now 27 care experienced young people at university, which is a high proportion of these young people and once again reflects the ambition of TfC and the council.”
- “highly impactful work has been facilitated by the robust support and the commitment of the Chief Executive of Sunderland City Council, the council members and staff across the council.”
- “Performance management information is of an exceptionally high quality.”
- “Listening to children is central to all the service improvements.”
- “the Change Council is a dedicated and influential group of young people who are having an extraordinarily positive impact on the delivery of services for children in Sunderland.”

Sunderland was now one of only eighteen Services within the country ranked as Outstanding and the first ever to move from Inadequate to Outstanding in a single inspection cycle. As an Outstanding Service this would be the first time in 6 years that it would not be the subject of a full inspection regime. The next full Inspection would be undertaken in 5 years time, however there would be check points during this period with short focused visits undertaken in respect of specific aspects of the Service.

The Chair thanked Ms Colbert and Mr Birch for their report, adding her own congratulations to the Team, and invited questions and comments from Members.

Councillor Alex Samuels offered a huge congratulations to everybody at TfC stating that to achieve something so unprecedented would have been fantastic in its own right but to do it against the backdrop of a global pandemic was such a huge achievement.

Councillor Crosby congratulated Ms Colbert on an excellent report and asked her to comment on paragraph 27 of the letter regarding support for young people with ‘complex histories’. Ms Colbert replied that the paragraph referred to the older ‘Care Experienced’ young people. It highlighted the high quality of work undertaken by TfC’s staff who were tenacious at maintaining contact with the young people and were aspirational for them to achieve and do well. A lot of this was sensitive relationship-based work which supported and challenged the young person and in many cases enabled stays in further and higher education.

Councillor P.W.L. Gibson commented that it was a truly excellent report and the workers deserved a “hats off”. The journey from Inadequate to Outstanding in six years was remarkable and given that most of the work had been done in the last three years, it was even more remarkable. In response to enquiries from Councillor Gibson, Mr Birch agreed that work was still required to improve the quality of assessments with the ultimate aim of ensuring 100% of all assessments were ‘comprehensive and analytical.’ To this end the Service was in the process of implementing a 5 year programme based around a new assessment model and was now much closer to achieving that figure than previously anticipated. With regard to being able to liaise with Adult Services to secure additional funding, he informed Councillor Gibson that some of the young care leavers retained a personal advisor until the age of 25. With regard to Ofsted giving TfC more space, Mr Birch advised that while the next full Inspection was now 5 years away, short, focused visits undertaken in respect of specific aspects of the Service would remain. Ofsted

inspections were imminent in relation to Fostering and Adoption and the 6 monthly inspection regime in relation to Children's homes would continue.

In response to an enquiry from Councillor S. Johnston regarding paragraph 12 of the letter regarding an observation that an earlier and more robust intervention may have prevented a small number of children coming into care, Mr Birch advised that this referred to an incident that occurred three years ago. He advised that a new social work model had been introduced and assured Councillor Johnston that the Service was now much more proactive.

Councillor Tye stated that he was over the moon with the report and believed it was important to reflect on the journey having sat on the Committee from the time of the first inadequate rating and the imposition of special measures to the present. He stated that a Scrutiny Committee was not the place to make political statements and he would try not to do so. He recalled his feelings of devastation at the Inadequate rating, given that he'd become an elected member not to put children's lives at risk but to make a positive difference.

He stated that when you're working with children, young people and families in the city you're collectively doing a job to make improvements. It was found that the Council were failing and he believed it took brave people to put their hands up and say 'we got that wrong'. He also believed that equally, when the Council was in the position it was in now it should also be able to say, collectively, this is what we have done as a team, we have done this as elected members setting strategy and appointing the right people to get where we are today. To this end he highlighted statements from the letter which noted the "unstinting commitment" of senior leaders and members of the council to "improving children's outcomes with sustained and significant investment in children's services." "The strong focused work by the highly committed Chief Executive of TfC, the Director of Social Care and the senior management team has resulted in exceptional improvements being made... to the quality of social work support to children and families in Sunderland... This highly impactful work has been facilitated by the robust support and the commitment of the Chief Executive of Sunderland City Council, the Council Members and staff across the council."

In conclusion Councillor Tye stated that absolutely none of this would have been achieved without the children and young people of the city who had been absolutely phenomenal in their support during the process.

Councillor Dunn welcomed the report stating that he had been blown away by the letter and offered his congratulations to all concerned. He referred to the reference in the letter detailed on page 9 of the agenda papers that stated "Leaders have a comprehensive understanding of the quality of practice through strong management oversight..." and asked how that would be maintained going forward? Mr Birch replied that this reference highlighted the strength of TfC's managerial oversight which had been massively turned around. The Service now had a very reflective managerial oversight with some files being reviewed up to 3 times a day.

Councillor McKeith stated that every staff member at TfC was a credit to the children in Sunderland. He referred to the relaxation of the Ofsted inspection regime as a result of the Outstanding rating and asked what mechanisms would be used to ensure standards were maintained. Ms Colbert informed the Committee that Local

Authority Children's Services worked together on a regional basis with regard to peer reviews and that TfC was also subject to the Council's internal quality assurance which sat outside of TfC. Mr Birch added that TfC had cohorts of managers looking at each others work which replaced the system were managers 'marked their own homework.' He assured the Committee that while Ofsted would be relaxing its full inspection regime with regard to TfC, it would by no means, be leaving it alone.

There being no further questions for Ms Colbert and Mr Birch, the Chair thanked them for their report and drew the debate to a close highlighting the two comments in the letter that pleased her in particular. Firstly that "...a new and vibrant culture is now widespread across children's services in Sunderland" and secondly "Senior managers have focused on the right things. They have been decisive in recruiting a permanent and excellent set of social workers to replace the short-term and agency staff that were previously in post."

2. RESOLVED that the report be received and noted.

Elective Home Education

The Executive Director of Neighbourhoods submitted a report (copy circulated) which provided members with an overview of the statutory requirements regarding elective home education together with information regarding the number of children who are home educated in Sunderland .

(for copy report – see original minutes)

Ms Elaine Matterson, Attendance Manager Practitioner, Neighbourhoods Directorate presented the report and addressed questions and comments thereon. She advised Members that whilst education was compulsory, attending school was not. Elective Home Education offered families and carers the opportunity to provide education for children and young people in their care that was independent from the Local Authority or establish school provision. The law stated that the responsibility for a child's education rested with their parents.

Members were informed that the legislation associated with elective home education was not a framework for the regulation of elective home education rather it was a system for identifying children and ensuring they are receiving a 'suitable' education. There was currently no national framework in place for local authorities to work to in relation to elective home education. Between April 2019 to 24 June 2019 the government held a consultation that sought views on proposed legislation to establish:-

- A duty on local authorities to maintain a register of children of compulsory school age who are not registered at a state-funded or registered independent school.
- A duty on parents to provide information to their local authority if their child is within scope of the register.
- A duty on education settings attended by children on the register to respond to enquiries from local authorities about the education provided to individual children.
- A duty on local authorities to provide support to home educated families if requested by such families.

The outcomes of that consultation had not yet been published and therefore no changes to legislation had been made.

Councillor Samuels asked if there was any information in relation to why parents decided to deregister their children and if this was quantified on the basis of equalities. Ms Matterson replied that the majority of parents would only say that it's because they want to home educate. The Local Authority could ask for the reason why, but parents were under no obligation to reply and many chose not to do so. The Local Authority tried to obtain as much information as possible. It would look for trends to see if the issue related to a particular school but this was not the case as the de-registrations were occurring randomly across the city.

Councillor Crosby asked if parents were obliged to provide details of the home education being provided if asked? Ms Matterson replied that they were in the form of an education plan. If parents who had deregistered their child failed to respond to the informal enquiries of the Council's Attendance Manager regarding their plan, there was a clear route to escalate this to a formal enquiry which could ultimately lead to the issue of a School Attendance Order.

In response to an enquiry from the Chair regarding how schools coped with the management of pupils de-registering only to re-register further down the line, Ms Matterson replied that it was something they just did as part of their normal duties in the course of the day to day management of any school.

Councillor P.W. Gibson thanked Ms Matterson for her clear explanation of the legal position regarding Elective Home Education and he highlighted the following extracts from the report as particularly worrying:-

- The Council has no statutory duties in relation to monitoring the quality of home education on a routine basis. Nor does it have a right of entry to the family homes of children who are home educated in order to assess the education being provided.
- Parents are under no obligation to meet with the Council to discuss the education being provided with or without their child being present.
- Although local authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis, under Section 437(1) of the Education Act 1996, local authorities shall intervene if it appears that parents are not providing a suitable education. Government guidance encourages Local Authorities to address the issue informally before serving statutory enforcement notices

He believed the legal situation made it very difficult for local authorities to take action if it believed a child was not receiving an appropriate education.

Councillor Mason-Gage noted that the refusal of a parent to grant the attendance officer access to a child could be seen as a 'red flag' and asked what happened if concerns were raised. Ms Matterson replied that if an attendance officer had any safeguarding concerns, there were specific procedures to follow with which staff were well versed.

There being no further questions or comments, the Chair thanked Ms Matterson for her report, and asked that the Committee was kept updated regarding the issue.

3. RESOLVED that the report be received and noted and that an update report be submitted to the Committee in due course.

Annual Work Programme 2021/22

The Scrutiny and Members' Support Co-ordinator submitted a report (copy circulated) which briefed members on the developed of the Committee's work programme for the municipal year 2021/22 and appended a draft copy of the programme for Members' consideration.

(for copy report – see original minutes)

Mr Jim Diamond, Scrutiny Officer, presented the report and advised that the work programme was a 'living' document that could be amended throughout the course of the municipal year as circumstances dictated or issues arose. Any Elected Member could add an item of business to an agenda for consideration as detailed under Protocol 1 within the Overview and Scrutiny Handbook. The Chair added that anyone wishing to do so should contact her or Mr Diamond in the first instance

4. RESOLVED that the report be received and noted.

Notice of Key Decisions

The Scrutiny and Members' Support Co-ordinator submitted a report (copy circulated) which provided Members with an opportunity to consider those items on the Executive's Notice of Key Decisions for the 28 day period from the 16th August, 2021.

(for copy report – see original minutes)

The Committee was advised that if Members had any issues to raise or required further detail on any of the items included in the notice, they should contact Mr Diamond, Scrutiny Officer for initial assistance.

Councillor S. Johnston having sought further information in respect of item 21058/601 – ('To consider the establishment of a Bus Enhanced Partnership') it was:-

5. RESOLVED that the Notice of Key Decisions be received and noted.

There being no further items of business, the Chair closed the meeting having thanked members and officers for their attendance and contributions.

(Signed) P. SMITH,
Chairman.