

## SCRUTINY BOARD (CHILDREN'S SERVICES)

THURSDAY, 11TH JANUARY, 2007

**PRESENT:** Councillor J Bale in the Chair

Councillors B Cleasby, R D Feldman, A Harrison,  
V Kendall, L Mulherin, K Renshaw and B Selby

**CO-OPTED MEMBERS:  
(VOTING)**

Mr E A Britten	- Church Representative (Catholic)
Prof P H J H Gosden	- Church Representative (Church of England)
Mrs S Knights	- Parent Governor Representative (Primary)
Mr C Macpherson	- Parent Governor Representative (Special)

**CO-OPTED MEMBERS:  
(NON-VOTING)**

Mr T Hales	- Teacher Representative
Ms C Foote	- Teacher Representative
Mrs S Hutchinson	- Early Years Development and Childcare Partnership Representative
Mr P Gathercole	- NCH Representative

### 83 Chair's Opening Remarks

The Chair welcomed all in attendance to the January meeting of the Scrutiny Board (Children's Services) and congratulated Councillor Cleasby who had recently been nominated to serve as Leeds City Council's Lord Mayor for the 2007/2008 municipal year.

### 84 Late Items

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair admitted to the agenda a report from the Chief Officer of Libraries, Arts and Heritage entitled, 'Impact of the Introduction of Charges for Late Return of Books Borrowed by Children' (Minute No. 91 refers).

The report had been unavailable at the time of the agenda despatch and needed to be considered by the Scrutiny Board prior to any budgetary decisions relating to the trial policy being taken.

### 85 Declarations of Interest

The following Members declared personal interests in relation to agenda item 9 entitled, 'Implementing the Children Act – Update' due to their respective positions as either school or college governors (Minute No. 90 refers):-

Councillors Bale, Cleasby, R D Feldman, Harrison, Kendall, Renshaw, Selby, Mrs S Hutchinson, Mr E A Britten and Mrs S Knights.

Councillors Cleasby and Kendall both declared personal interests in relation to agenda item 9 entitled, 'Implementing the Children Act – Update' due to their respective positions on the South Leeds Fostering Board and the Skyrack Adoption Panel (Minute No. 90 refers).

Mr P Gathercole declared a personal interest in relation to agenda item 9 entitled, 'Implementing the Children Act – Update', due to being a representative of NCH which was a provider of children's services (Minute No. 90 refers).

Councillor Harrison declared a personal interest in relation to agenda item 12 entitled, 'The Implications of Trust Schools for the Local Authority – Draft Terms of Reference', due to being a governor of Garforth Community College (Minute No. 93 refers).

Mr T Hales and Ms C Foote both declared personal interests in relation to agenda item 12 entitled, 'The Implications of Trust Schools for the Local Authority – Draft Terms of Reference', due to being members of a trade union which could potentially be invited to submit evidence to the Board as part of the inquiry into the implications of Trust Schools for the Local Authority (Minute No. 93 refers).

Councillor Cleasby and Prof P H J H Gosden both declared personal interests due to being members of the School Organisation Committee.

**86 Apologies for Absence**

Apologies for absence from the meeting were received on behalf of Councillors J Chapman, T Murray and Mr R Greaves.

**87 Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the meeting held on 14<sup>th</sup> December 2006 be approved as a correct record.

**88 Minutes of the Overview and Scrutiny Committee**

**RESOLVED** – That the minutes of the Overview and Scrutiny Committee meeting held on 4<sup>th</sup> December 2006 be noted.

(Councillor Mulherin joined the meeting at 9.40 a.m. at the conclusion of this item)

**89 Members' Questions**

As prior notice of questions had been received from Members, the Head of Scrutiny and Member Development submitted a report which afforded Scrutiny Board Members the opportunity to put questions to the relevant service Director.

Rosemary Archer, Director of Children's Services, was in attendance to answer Members' questions.

(a). Who was responsible for exercising a 'duty of care' for children and young people travelling to and from school by contract buses? How were issues of behaviour, bullying and safety in the event of breakdown dealt with?

In response, the Director of Children's Services informed Members that the Local Education Authority had a responsibility to provide appropriate facilities for home to school transportation and offer the same level of care which would be taken by any reasonable parent or guardian.

The Board was advised that although there was no national protocol relating to this issue, every effort was made to ensure that all legislative requirements were met. Having noted that a transport agency agreement was held between Education Leeds and Metro, Members were informed that all vehicles used for home to school transport were inspected every term and only those companies which adhered to the Council's safety standards were contracted to provide such services.

Members also noted that in addition to a state of the art fleet of buses being introduced in Leeds, initiatives such as the 'Safe Mark' scheme and behaviour contracts had been introduced in conjunction with schools, which aimed to promote the behavioural standards of pupils whilst travelling on the buses.

Following the detailed response to the question, Members raised further issues in relation to the matter. The main areas of discussion were as follows:-

- The Board suggested that the issue of home to school transport could be referred to the Young People's Scrutiny Forum for further consideration;
- Members asked to be informed of the results from an investigation into an incident relating to home to school transport which had triggered the original Members' question;
- The Board asked for information on the number of incidents involving school buses in Leeds;
- Members enquired whether there was a code of practice for school transport and asked about the levels of training which were received by the drivers of the vehicles.

In conclusion, Members acknowledged the wide range of issues associated with home to school transport which had arisen from the discussion.

**RESOLVED –**

- (a). That the information provided be noted;
- (b). That the information requested by the Board be forwarded to Members for consideration;
- (c). That the issue of home to school transport be referred to the Young People's Scrutiny Forum for consideration.

(b). How many children in each ward were receiving free fruit?

Having noted that 29,511 pupils from 226 schools were receiving free fruit in Leeds, Members welcomed the large number of children who were benefiting from the national initiative and discussed the wider issues relating to the provision of free fruit in schools. The main areas of debate were as follows:-

- The possibility of obtaining a ward breakdown of the figures;
- The arrangements in place for the national initiative, specifically in relation to the age range of those pupils who benefited from it;
- The possibility of the initiative being expanded to include those children using the Early Years Service;
- The extension of the service in some schools to older children not covered by the free distribution, whether a consistent approach was being taken to charging in these circumstances, and the impact that such charges may have upon low income families. The Director of Children's Services was asked for further information on charging practices.

In conclusion the Board welcomed both the nutritional and the broader educational value of the initiative, noted that at least one community group had undertaken to provide certain local schools with free fruit beyond the age range covered by national funding and enquired whether local businesses could also be encouraged to become involved in the programme.

**RESOLVED –**

- (a). That the information provided be noted;
- (b). That the information requested by the Board be forwarded to Members for consideration.

**90 Implementing the Children Act - Update**

Further to Minute No. 45, 12<sup>th</sup> October 2006, the Board received an update from the Director of Children's Services on the implementation of the Children Act 2004 in Leeds. The report also provided Members with a detailed summary of recent developments linked to the provision of children's services.

Appended to the report for Members' information was an Action Plan advising Members of the progress made in relation to the recommendations of the Scrutiny Board's inquiry into the implementation of the Children Act in Leeds.

Rosemary Archer, Director of Children's Services, was in attendance to advise Members of the main issues detailed within the report and respond to any questions raised.

Following a brief overview of the key points within the report a question and answer session ensued. The main areas of debate were as follows:-

- The ways in which the impact of Council activity on children and young people was being assessed and how such processes were becoming routinely embedded within the decision making structure;
- The procedures established which would enable children and young people, in addition to other partners, to have a greater opportunity to influence the provision of children's services in Leeds;

- Issues relating to the Executive and support arrangements which had been established for the provision of children's services;
- The wide ranging levels of need for children's services in Leeds and the ways in which such need was being managed;
- The integral role to be played by the Scrutiny Board in relation to the delivery of children's services in Leeds and the need to ensure that the visibility of the Board's work in this field was maximised. In response, the Director of Children's Services undertook to ensure that Members' views on this issue were taken into consideration;
- The possibility of the Board monitoring the extent to which young people and families were consulted on the delivery of children's services in Leeds;
- Members highlighted the sophisticated way in which the Youth Council operated and emphasised the need to ensure that the Youth Council continued to be integrated into the Council's scrutiny and decision making processes;
- Members requested further information relating to the staffing structure of the Director of Children's Services Unit, including the responsibilities of each role. In response, Members were advised that although the information currently available could be provided in the interim, a more comprehensive staffing structure was proposed to be circulated to Members in the future, when all relevant posts had been filled;
- The strategic and thematic nature of the senior roles in the Unit, and how this was reflected in job titles which were not felt to be easily understandable for the public;
- The role which was intended to be played by the 'Locality Enablers' and the specific localities in which they would work;
- Members raised concerns over the uncertainty experienced by voluntary organisations with regard to the commissioning of children's services and enquired when the arrangements for the commissioning of such services would be finalised and disseminated to all concerned;
- The wide range of Council services and the large volume of resources which fell within the Scrutiny Board's remit and the extent to which the Board had the capacity to comprehensively scrutinise such an extensive range of service provision, balanced against the need to maintain one strategic overview body for all children and young people's services;
- The costs associated with the new posts being created within the Children's Services Unit, whether recruitment to such posts would complete the Unit's structure and the funding available for such recruitment;
- Members expressed the need to receive budgetary information relating to the provision of children's services. In response, the Board was advised that such information could be submitted to the Board at the time of the next update on Children's Services scheduled for April 2007;
- Members welcomed the proposal to appoint a Director of Adult Social Services, stressed the importance of developing a link between children's and adults' services in Leeds and discussed the possible need for a Scrutiny Board to be established which would solely focus upon the provision of adult services. It was then proposed that Members' views on

the issue could be relayed to Overview and Scrutiny Committee for consideration;

- The possibility of the Contact Service in Leeds being expanded to include private law cases, in a bid to reduce the level of delays which had been experienced. In response, the Board was advised that the suggestion could be referred to Social Services for consideration;
- The availability of Government guidance regarding the governance arrangements to support schools which were developing children's centres and extended services;
- The ongoing attempts to train the workforce within Residential Services and the current levels of staff turnover in this field;
- The lack of child and adolescent mental health services listed within the health priorities for 2007/2008;
- Members sought clarification on the arrangements for the free 7.5 hour session which was being offered to 750 2 year olds as part of the Pathfinder Status achieved by the Early Years Service and questioned whether parents of young children would be given the opportunity to access community and voluntary sector organisations in addition to the local authority;
- The role which was played by Area Management Boards in Leeds and the extent to which they were fully operational in each area of the city;
- The actions taken to ensure that the reasons given by schools to exclude pupils were appropriate;
- The possibility of future reports concerning the provision of children's services being split between those which addressed strategic issues and those which considered the functional aspects, in a bid to enable such a wide ranging issue to be considered in a more comprehensive way. Members also requested that the Director of Children's Services was accompanied by appropriate officers when presenting similar reports in the future, so that the extensive range of questions arising from such reports could be answered.
- The Board extended its congratulations to Education Leeds for winning the Public Sector Power 100 award within the category of 'Team Excellence', and to the North West SILC for its good Ofsted report.

#### **RESOLVED –**

- (a). That the contents of the report and Members' comments arising from the report be noted;
- (b). That the information requested by the Board be forwarded to Members for consideration;
- (c). That the Board's views which relate to the scrutiny of adult services be relayed to Overview and Scrutiny Committee for consideration.

#### **91 Impact on the Introduction of Charges for the Late Return of Books Borrowed by Children**

A report was submitted by the Chief Libraries, Arts and Heritage Officer which updated Members on the impact of a trial policy which enabled the library service to charge for the late or non return of items borrowed by young people.

Catherine Blanshard, Chief Libraries, Arts and Heritage Officer, was in attendance to field Members' questions.

A question and answer session relating to the key points detailed within the report ensued. The main areas of discussion were as follows:-

- The Board raised concerns over the fact that each individual user was permitted to borrow up to a maximum of 20 items at any one time and stated that such a rule could limit the availability of books for young people. In response, the Chief Libraries, Arts and Heritage Officer indicated that the limit had been raised in response to public request. However she undertook to further review the limit and report back;
- In addition to the initiatives being introduced to remind service users that items were overdue, Members enquired whether such reminders could also be circulated via email;
- The level of resources available to invest in library books per capita and the proportion of such resources invested in children's books;
- Clarification was sought on the timetable for sending out reminders and issuing charges for overdue items;
- Having noted that there had been a decline in the number items borrowed by 11-15 year olds since the introduction of the policy, Members questioned what actions were being taken to promote library usage in that age group;
- The access that young people had to libraries, the initiatives being undertaken to improve access across the city and the ways in which such access could be further developed.

#### **RESOLVED –**

- (a). That the contents of the report be noted;
- (b). That the information requested by the Board be forwarded to Members for consideration.

#### **92 Recruitment, Retention and Workload of Children's Social Workers**

Further to Minute No. 22, 13<sup>th</sup> July 2006, the Board received an update on the progress made in relation to the recruitment, retention and workload of children's social workers following an inquiry into the issue by the Scrutiny Board (Children and Young People) during the 2005/2006 municipal year.

Tony Griffin, Head of Community Services – Children, was in attendance to advise Members of the main issues detailed within the report.

Following a brief overview of the key themes within the report, a question and answer session ensued. The main areas of debate were as follows:-

- Members clarified the reasons why induction programmes could not be introduced for employees who awaited clearance of their Criminal Records Bureau (CRB) checks;
- Given the reduction in vacancies which had been achieved, Members questioned whether there was sufficient resources within the departmental budget to fund 100% staffing levels;
- In response to Members' enquiries regarding the actions being taken to ensure that employees' terms and conditions of service were comparable

to those of other organisations the Board was reminded that this issue was to be included within the forthcoming draft Scrutiny Board inquiry report into 'Adoption in Leeds';

- Members noted that the average time taken to appoint Social Workers was currently 6.5 weeks.

**RESOLVED –**

- (a). That the report and information appended to the report be noted;
- (b). That no further scrutiny involvement is required in relation to the recruitment, retention and workload of children's Social Workers.

(Councillors Harrison and Renshaw left the meeting at 12.05 p.m. at the conclusion of this item)

**93 The Implications of Trust Schools for the Local Authority - Draft Terms of Reference**

The Board received a report from the Head of Scrutiny and Member Development which sought Members' approval of terms of reference for the Scrutiny Board's inquiry into the implications of Trust Schools for the Local Authority.

Having discussed the draft terms of reference, Members requested that the following issues were incorporated into the draft document:-

- The long term implications relating to the establishment of Trust Schools;
- Issues relating to governance arrangements proposed for Trust Schools;
- The ways in which assets and estates of such schools would be managed, including any implications relating to PFI schools;
- The admissions policy which would be adopted by Trust Schools;
- Evidence being sought from a school in Leeds which had considered adopting Trust status;
- Background information relating to the impact of schools elsewhere which had 'opted out' of local authority control in the past.

Members requested that a brief summary of the Trust Schools proposals were circulated to them as background reading prior to the commencement of the inquiry.

**RESOLVED –**

- (a). That the report and information appended to the report be noted;
- (b). That subject to the above amendments, the terms of reference for the Board's inquiry into the implications of Trust Schools for the Local Authority be approved;
- (c). That the information requested by the Board be forwarded to Members for consideration.

**94 Work Programme**

A report was submitted by the Head of Scrutiny and Member Development which detailed the Scrutiny Board (Children's Services) Work Programme for the remainder of the municipal year.

Appended to the report for Members' information was the current version of the Board's Work Programme, an extract from the Forward Plan of Key Decisions for the period 1<sup>st</sup> January 2007 to 30<sup>th</sup> April 2007 which related to the Board's remit, together with the minutes from the Executive Board meeting held on 13<sup>th</sup> December 2006.

Members requested that an update report on the issues raised by the Scrutiny Board (Children and Young People) inquiry into Specialist Inclusive Learning Centres (SILCs), an issue which was currently listed as an unscheduled item on the Board's Work Programme, was submitted for consideration to a meeting later in the municipal year.

**RESOLVED –**

(a). That the contents of the Board's Work Programme, as appended to the report, be noted;

(b). That a report updating Members on the issues arising from the Scrutiny Board (Children and Young People) inquiry into Specialist Inclusive Learning Centres (SILCs) be submitted to the Board later in the municipal year.

**95 Date and Time of Next Meeting**

Thursday, 8<sup>th</sup> February 2007 at 9.30 a.m.  
(Pre-meeting scheduled for 9.00 a.m.)

(Meeting concluded at 12.25 p.m.)