

SCRUTINY BOARD (CHILDREN AND FAMILIES)

WEDNESDAY, 27TH MARCH, 2024

PRESENT: Councillor D Cohen in the Chair

Councillors E Bromley, Amanda Carter,
O Edwards, M France-Mir, Graham,
C Gruen, J Heselwood, N Manaka,
L Martin, K Renshaw and R. Stephenson

CO-OPTED MEMBERS (VOTING)

Mr A Graham – Church Representative (Church of England)

Co-Opted Members (Non-Voting)

Ms H Bellamy – School Staff Representative

83 Appeals Against Refusal of Inspection of Documents

There were no appeals.

84 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

85 Late Items

There were no late items of business.

86 Declaration of Interests

There were no declarations of interest.

87 Apologies for Absence and Notification of Substitutes

The Board received the following apologies:

Cllr Blackburn
Jackie Ward
Cllr Bowden, Cllr France-Mir attended as substitute
Anas Khitou
Tony Britten
Nick Tones

Cllr Downes
Laura Whitaker
Cllr Venner, Executive Board Member for Children's Social Care and Health Partnerships

88 Minutes - 22 February 2024

RESOLVED – That the minutes of the previous meeting held on 22 February 2024, be approved as an accurate record.

89 The Independent Review of Children's Social Care (Macalister Review) - Implementation Update

The Board considered a report from the Director of Children and families providing an update on implementation of the Macalister Review in Leeds, following consideration of these issues in September 2023 which outlined the plans to implement the findings of the Review (known as this hereafter).

In attendance for this item were:

- Cllr Jonathan Pryor, Executive Member for Economy, Culture, and Education
- Julie Longworth, Director of Children and Families
- Farrah Khan, Deputy Director Children and Families

By way of introduction the Director of Children and Families highlighted the further national developments through the publication of further statutory guidance from Government, which support the recommendations of the Review. Leeds has progressed a number of the recommendations in the Review despite there being delays to implementation at national level, a key driver behind this is a desire to develop and improve services and improve outcomes for children and young people in Leeds.

Following comments and questions from board members the following issues were discussed:

- The Board asked about the pathfinder projects that Leeds hoped to be selected for in terms of any update on the success of those bids. In response the Board heard that Leeds had unfortunately not been selected as a pathfinder authority for the Family Network Pilot or the Families First for Children Pilot Phase 2. Despite this there is still a commitment to develop services in the city and behave as if it were a pathfinder authority particularly given that Leeds has already been shaping and developing its services in recent years in the way set out in the Review, for example in areas such as family help, trusting relationships, kinship care and family group conferencing. The Board were supportive of this approach and that Leeds is leading the way in many of these areas.

- The Board were concerned about developing these services without the funding that might be associated with being a pathfinder authority particularly given the wider financial challenge being faced by the authority. The Board were informed that Leeds is committed to continuous service improvement so many of the developments are happening anyway and the multi-agency, partnership approach was also stressed as a way of maximising resources and developing new approaches such as family help. Working collaboratively with agencies across the city including the third sector was emphasised as a way in which the challenge of reduced funding could be faced and improved services delivered despite that challenge.
- The Board wanted to know more about kinship care and welcomed the work already being done in this area, a key area of interest was comparison with other local authorities. In response the Board heard that Leeds has a greater proportion of children cared for by family or kin compared to other local authorities. This is driven by the commitment to think family and where possible and safe ensure that children and young people are looked after by family. It was also noted that the offer to special guardianship carers has recently been revised to ensure that there is no financial detriment to looking after children and that through these arrangements there is less statutory intervention in the lives of children and young people which can be intrusive. The Board also heard that a key driver for service improvement is listening to feedback from carers and children and young people.
- The Board requested if details from this meeting could be fed back to those behind the recent council deputation on children and young people in care being a protected characteristic. This was agreed to by attending officers.
- Members asked about kinship care when it is not appropriate or safe for the child to meet or interact with parents. The Board heard that it can be difficult to manage the dynamics within families. But the Board heard that the regular reviews of the placement and Section 47 processes mean that social workers are assigned to both the child or young person and the kinship carer. In practice Section 47 means that safeguarding responsibilities apply and include partnership strategy meetings (including police and health) which develop approaches to safeguard the child and appropriate investigations carried out to ensure that the child is safeguarded.
- The Board were keen to ensure that the dynamics of family are managed as part of kinship placements to ensure that all elements of the placement including the impact on the caring family and young people within that. The Board noted that the collaborative, strength based approach and the commitment to listening to kinship carers is an important element of how the service deals with this, the 'think family' approach. The Board also heard that the Council has one of the largest family group conference services in the country to support families along with the therapeutic social work team who provided consultation for both foster and kinship carers.
- Members were keen to know more about how much weight is given to what the child wants. In response the Board heard that the child's voice is

central to the work of the directorate with trusted relationships a key element to facilitate the sharing of views with adults that can shape services. It was noted that in Leeds past inspections and internal audit work carried out by managers had indicated that the voice of the child is heard in Leeds.

- A query was raised about the Working Together review which is referenced in the report and the response that was planned following past consideration of the issue by this Board. Members were informed that the work was completed and that more detail could be provided to members outside of the meeting.

Resolved

The Board:

- a) noted the content of the update report, and the changes to statutory guidance which it outlines.
- b) Agreed to receive a further update report in autumn 2024, in line with further anticipated developments outlined in this report.

90 Impact of asylum changes on children - Follow Up

The Board considered a report from the Director of Children and Families setting out how recent changes to the asylum system have impacted children in Leeds, as a follow up item to a report on the same subject considered in September 2023.

In attendance for this item were:

- Councillor Jonathan Pryor, Executive Member for Economy, Culture, and Education
- Julie Longworth, Director of Children & Families
- Farrah Khan, Deputy Director Children and Families
- Laura Mitchell-Ghafoor, Principal Legal Officer

Following Board members questions and comments the following issues were discussed:

- Members asked about the impact of inaccurate age assessments in terms of children being placed in accommodation designed for adult asylum seekers and whether this placed them at risk of exploitation. By way of response the Board were informed that age assessments have been a problem in Leeds where unaccompanied asylum seeking children had been housed in adult accommodation. Around the Christmas period in 2023 this had been dealt with and more detailed assessments conducted.
- In response to further questions on age assessments and their accuracy it was noted that the funding provided to the Council to support families and individuals in these circumstances was not sufficient to cover the costs. The Board noted that where an age assessment has been found to be

inaccurate the children and young people involved are dealt with through the established children looked after approaches in Leeds. There is ongoing dialogue with Government around sufficiency of funding in these circumstances.

- Members noted that age assessments of young people who present as unaccompanied asylum seekers is not likely to be straightforward.
- The Board were also informed of the support being offered to young people who may be subject to uncertainty around their asylum status.
- Members asked about processes in relation to families with no recourse to public funds. In response the Board heard about Section 17 provisions which means a panel is used to inform the support provided to families for housing and food and often working with the third sector provide wider support arrangements.
- The Board wanted to know how much the total costs were for providing support to families with no recourse to public funds. The precise details were not available at the meeting but could form the basis of a further update to the Board in 2024/25. A further update on this providing more detail on data, scale and funding was supported by the Board to be considered as part of a watching brief approach to this issue in approximately 6 months' time.
- In response to a question from the Board it was noted that the issue with age assessments relates to children being assessed as being adults and does not reflect adults seeking asylum but trying to access children's provision. The Council's involvement in age assessments is based on a referral by other professionals where there is a view that an individual is a child and not an adult.
- The Board sought assurance on the role of the Council in relation to asylum seekers who have committed a crime against a child whilst in asylum seeking accommodation in the city. The Board heard that where there is a concern that a child is at risk of harm or has suffered harm a strategy discussion will take place between health, police and children's social care, with the police taking a lead on any criminal proceedings and children's social care will fulfil its statutory role of providing effective help and protection for children.

Resolved

The Board:

- a) noted and endorsed the update report provided.
- b) requested a further update to be brought to the board in 6 month time with a focus on age assessments and wider data associated with this issue.

91 Draft Inquiry Report - Provision of EHCP Support

The Board considered a report from the Head of Democratic Services that presented, for discussion, comment and agreement a draft inquiry report

following the Board's scrutiny inquiry into the provision of EHCP support in Leeds.

In attendance for this item were:

- Councillor Jonathan Pryor, Executive Member for Economy, Culture, and Education
- Julie Longworth, Director of Children & Families
- Dan Barton, Deputy Director – Learning
- Phil Evans, Chief Officer Transformation and Partnerships
- Rob Clayton, Principal Scrutiny Adviser

The Chair thanked Executive Board Members and officers for the transparent and open way in which this inquiry has been dealt with.

The Director of Children and Families set out that the directorate has recognised that improvements needed to be made on EHCP and SEND services more generally to deliver positive outcomes and to meet statutory requirements. Co-production was emphasised as a key element, working with children, families and other partners to improve services.

The Executive Board Member noted that challenges in this area and highlighted the national nature of some of the issues and the asks of Government that the Council has in terms of funding. However, it was also noted that there is a Leeds response and welcomed the input of scrutiny into that ongoing process.

Following questions and comments from board members the following discussion took place:

- In relation to Recommendation 6 on tribunals members suggested that this could be clarified in terms of what the Board is seeking to achieve. This was agreed to, and that the scrutiny adviser will pick that up between now and the next meeting.
- In response to a query around timescales for an EHCP and placements in an education setting the board were informed that it is a 20 week process from a request to assess and the issuing of an EHCP and that includes the naming of a placement in an education setting.
- Members noted the shortage of placements as being part of the problem. That is one of the issues but also the level of demand and ability to process demand is also a key issue. In addition, the Board were also informed of possible ways that the capacity of education psychologists could be increased through work with higher education settings albeit there are challenges in developing that approach and it is in the early stages in terms of scoping the work.
- The Board focussed on the 20 week timescale and asked if a specific recommendation could be included to reflect the views of the LPCF and their frustrations with timescales. The Board noted that the service is focussed on the 20 week timescale and that it is a key priority.

- On the digital EHCPs recommendation it was explained that EHCPs are digitally stored but the proposal being considered by the service is around a multi-access digital platform that will enable access by parents, SENCOs and support staff. The Board noted that the key driver behind use of digital approaches would be increasing efficiency of processes and reducing bureaucracy.
- Members noted the recommendation on practice over process and suggested that it should acknowledge existing difficulties being experienced by parents and carers. It was agreed that the focus of the recommendation should be around practice driving process, to avoid process being the focus.
- Members emphasised the importance of the recommendation on a dedicated inbox for elected members as being of assistance to communication between elected members and residents. And more generally members noted that accessibility is important in terms of digital EHCPs to ensure that residents are able to access and understand the system, which was noted.
- The Board discussed support available for those that do not reach the threshold for an EHCP that sits outside of the EHCP processes and to identify gaps in provision and commission services where possible. More generally it was noted that children and young people who do not meet EHCP thresholds tend to under perform in terms of attainment outcomes. Plans to include SEND navigators as part of the Early Help Hub approaches were also noted.
- In relation to the recommendation on funding a suggestion was made that a letter is sent, on a cross party basis, to Government from this Board to support the increase in funding that would assist the delivery of these services. It was agreed that this would be looked into.

Resolved

The Board:

- a) commented on and agreed amendments to the draft inquiry report on the Provision of EHCP Support in Leeds, following consideration of this issue throughout the 2023/24 municipal year.
- b) noted that a final inquiry report will be brought back to the Board at its meeting on 18 April 2024 taking account of discussion held at today's meeting.

92 Work Programme

The Board considered the Scrutiny Board's work programme for the 2023/24 municipal year.

In attendance for this item was:

Rob Clayton, Principal Scrutiny Adviser

The Principal Scrutiny Adviser provided the following updates:

- That the next meeting is not at the usual time and is on a Thursday 18 April at 1.30PM with a pre-meet at 1.15PM
- The planned item on the Youth Justice Plan which was due to come in April has been delayed and will now be considered early in the next municipal year.
- To respond to comments on co-opted members a review report will be brought to the next meeting in April.

Resolved

The Board noted the Scrutiny Board's work programme for the 2023/24 municipal year and the updates provided.

93 Date and Time of Next Meeting

The next meeting of the Children and Families Scrutiny Board is scheduled for Thursday 18 April 2024 at 1.30PM (pre-meeting for all Board Members at 1.15 pm).

Meeting Closed at 11.55AM