

SCRUTINY BOARD (CHILDREN AND FAMILIES)

WEDNESDAY, 6TH SEPTEMBER, 2023

PRESENT: Councillor D Cohen in the Chair

Councillors D Blackburn, J Bowden,
E Bromley, Amanda Carter, R Downes,
O Edwards, C Gruen, J Heselwood,
N Manaka, L Martin, K Renshaw and
T Smith

26 Appeals Against Refusal of Inspection of Documents

There were no appeals.

27 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

28 Late Items

There were no formal late items.

29 Declaration of Interests

No interests were raised.

30 Apologies for Absence and Notification of Substitutes

Apologies were received on behalf of Cllr Senior and Cllr Stephenson.
Councillor Amanda Carter attended in place of Councillor Stephenson.

Apologies were also received from Co-Opted Member Mr Andrew Graham
and Julie Longworth, Director of Children and Families.

31 Minutes - 5 July 2023

RESOLVED – That the minutes of the previous meeting held 5th July 23, be approved as an accurate record.

CHAIRS COMMENT - JOINT OFSTED/CQC THEMATIC VISIT - ALTERNATIVE PROVISION

The Chair indicated that the Board would briefly turn to an item that was not contained in the agenda pack for the meeting. This was an update on a Joint Ofsted/CQC Thematic Visit of alternative provision in Leeds. Given the timing of the visit it was felt appropriate to hear a brief update on this visit to Leeds.

Phil Evans, Chief Officer Service Transformation and Partnerships, provided the update.

The purpose of the visit is to:

- find out the extent to which alternative provision is meeting the health, care and/or education needs of children and young people
- better understand the purposes for which alternative provision is used
- identify the enablers and barriers to local area partners working together to commission and oversee alternative provision placements
- highlight good practice in commissioning and oversight arrangements for alternative provision

Inspectors from Ofsted and the CQC will be in person in Leeds week commencing 18th September and in the interim period colleagues across the Council and partners will be preparing information for the visit and will be sharing that with the inspectors.

This type of visit should not be confused with Area Joint SEND Inspections. Whilst similar in length there are important differences in the focus of the two types of visit. An Alternative Provision thematic visit looks at alternative provision from a national, systems perspective, which means that all of the findings will be collated into a national report. There is no judgement attached to the visit, and no published letter or report that covers specific Leeds findings.

Following questions from Board Members, the following additional detail was provided:

- The visit will include meetings with parents, children and practitioners with a survey provided to these groups for completion as part of the evidence gathering process.
- Formal feedback from the thematic visit will be provided on the final day of the three-week visit to the nominated officer from the Council and also the ICB.
- The report from the visit is expected to be published in November.

32 The independent review of children's social care (Macalister Review) – Implementation Update

The report of the Director of Children and Families provided a summary of the national Independent Review of Children's Social Care, led by Josh MacAlister, and the government response to this review and implementation of its recommendations – the 'Stable Homes Built on Love' strategy and consultation. This item also considered the work in Leeds to keep and bring Leeds children closer to home, both through preventative and edge of care support and the approach to placements and the residential estate for children looked after.

The following were in attendance for this item:

- Farrah Khan, Chief Officer Family Help
- Clare Slaney, Head of Service Area Social Care
- Councillor Pryor Executive Member for Economy, Culture and Education

- Councillor Venner, Executive Member for Children’s Social Care and Health Partnerships

Councillor Venner, Executive Member for Children’s Social Care and Health Partnerships introduced the report setting out the similarities in approach between existing practice in Leeds and the approach recommended in the Independent Review, a key theme being the moving of resource from crisis prevention into early intervention and prevention which has been a key focus in practice in Leeds for a number of years.

It was noted that Leeds is not a pathfinder local authority area which are being established as part of the government response to the independent review, and it was felt that this was to encourage local authorities who had not previously been involved in that type of activity, or who had been assessed as outstanding via Ofsted inspection, to be identified as pathfinders and to develop best practice approaches.

In terms of the Leeds response to the recommendations in the MacAlister Review, Cllr Venner highlighted the ongoing expansion of Early Help Hubs from three to seven, increases in the number of children’s homes to address issues around sufficiency of placements and edge of care work in Leeds is already active in terms of keeping children close to home and in their families where it is safe to do so. Kinship care is already a key element of the services offered by Leeds with many more placements in kinship care than the national average and Leeds has previously been highlighted by an All-Parliamentary Group in terms of good practice in relation to kinship care.

The Chair added that when looking through the report it is clear that Leeds is an exemplar in terms of practice that is already embedded in how the city works.

Responding to question from members the following discussion points were raised:

- On recruitment and retention there are significant workforce pressures in social work currently. Leeds has already established a newly qualified social work programme over a two-year period which includes well-being support and resilience. However, recruitment remains a problem with less people coming into the profession and more social workers leaving. Leeds does offer an apprenticeship programme with 13 unqualified staff working towards qualification through apprenticeships and also the ‘step up’ programme which supports recruitment to the profession.
- In terms of recent recruitment and existing vacancies, there are 71.5 vacancies across the 500 FTE social work posts (14%), this is offset by 26.5 agency social workers and a programme of additional social work assistants, unqualified staff used to support social work teams where there are vacancies and also additional advanced practitioners used to increase capacity. A further recruitment effort has seen 13 internationally recruited social workers with provision for a total of 20 to be recruited from that source.

- In response to a question around targeted early help and the concept of family help, it was explained that this was about reducing barriers to early help meaning that support can be available without a social work referral. Family help is aimed at reducing the steps that families have to go through to get support and retaining staffing consistency in the people that children and families deal with. Furthermore, family help means family help, in that it is available to the whole family and enhances consistency in support.
- On placement sufficiency board members were keen to understand more about smaller group children's homes and any recruitment challenges that are faced given some of the complex needs and challenging behaviours that can be displayed in those settings. Residential staff now receive enhanced therapeutic training designed to meet additional needs and support requirements. Recent recruitment has also factored in the support available through the therapeutic social work team, which has led to a successful recruitment campaign into the residential support team.
- In relation to children's homes, and children looked after generally the challenges around transition are particularly difficult to manage and can lead to problems around transition planning. However, the overall aim in Leeds is to plan for transition early and have early discussions with colleagues in adult services and in health services to ensure that support is in place and that transition between children's and adult services is as smooth as possible from a commissioning point of view.
- The Board were keen to understand the use of the third sector in residential settings in Leeds. Children are placed in third sector settings and it is often used to increase capacity and retain children from Leeds in Leeds based settings. The private sector is also used and more funding is spent in that sector, compared to the third sector, with a key aim of keeping children and young people closer to home. These settings are monitored and visited regularly to determine how care is provided and this is supported by an independent reviewing officer who reviews care plans to ensure placements are appropriate. This also applies to children and young people who are placed outside of Leeds.
- The Board expressed concerns about profit margins in the private sector both through Independent Foster Agencies and private residential care homes and also the funding available to foster carers through the private sector where often a foster carer is able to receive a higher allowance for their work. To try to address this an additional £2m was put into the budget for 2023/24 to provide an uplift in foster carer pay which has led to Leeds being the top paying authority regionally for some age ranges. In addition, foster carers are supported by a comprehensive package of support which includes the 'mockingbird hubs' where more experienced foster carers support a network of foster carers in their roles.
- Following further questions from members details were provided on the frequency of visits made to children and young people placed in the private sector, which is a minimum of one per month often supported by advocates and/or independent reviewing officers. There can be logistical issues in terms of staff time having to travel further to see the

child in care when they live outside Leeds. Overall visits are regular, but they can vary depending on the needs of the child in care.

- Discussion also covered private homes established in Leeds which are used for external placements by other local authorities and the difficulties in identifying these homes when they are established, with the planning process often the only means by which new homes of this nature can be identified. Once children are placed in these private sector homes the Council is informed of this and becomes aware of the facility but during set up of a new home of this nature it is not always the case that the 'home' local authority is aware. However, in Leeds this has been reviewed and there are now links between planning and children and families to deal with these types of children's homes when they are being established. Private sector providers are subject to the same inspection process through Ofsted who regulate children's homes and where any concerns about care arrangements can be picked up. Children's homes Ofsted inspections take place annually along with other regulation 44 visits.
- On SEND needs which can often be difficult to meet capacity has recently been expanded to increase capacity in the city for complex needs and will facilitate more children returning to care arrangements in Leeds as opposed to being placed externally which will have benefits to the families as well as financially to the city.
- The Board were reassured that the Council is looking into increasing diversity within the foster carer cohort in the city to diversify the workforce in line with the Council's EDI ambitions and to enhance the range of settings available to those requiring care, this is an active workstream currently.

RESOLVED –

- a) To note the update given in this report and the work underway to implement the recommendations of the Josh MacAlister review.

33 Impact of asylum changes on children in Leeds

The report from the Director of Children and Families set out how recent changes to the asylum system in the UK has impacted children in Leeds.

The following were in attendance for this item:

- Farrah Khan, Chief Officer Family Help
- Patsy Burrows, Head of Service Corporate Parenting
- Sara Townend, Principal Legal Officer
- Jonathan Nevill, Service Delivery Manager
- Councillor Pryor, Executive Member for Economy, Culture and Education
- Councillor Venner, Executive Member for Children's Social Care and Health Partnerships

Councillor Venner, Executive Member for Children's Social Care and Health Partnerships introduced the report highlighting the particular impact of recent changes on Unaccompanied Asylum Seeking Children (UASC). These children often arrive in Leeds having experienced significant trauma, in some

cases having escaped difficult, inhumane conditions and very difficult journeys to arrive in the United Kingdom. This means that they often present in Leeds with very complex needs and mental health challenges. A further challenge relates to the age at which young people arrive in Leeds, typically aged 16/17 years old meaning that they often very quickly become care leavers and are at an age where finding placements in foster care can be difficult due to availability of suitable places.

The Executive Member also highlighted some funding challenges linked to meeting the needs of UASC both in Leeds and nationally with a particular impact on border area councils such as Kent. In addition, there are problems associated with age assessments for UASC arriving in the country. This has led to young people being wrongly identified as an adult and subsequently being placed in inappropriate provision. 30 out of 35 UASC who were referred for further assessment due to concerns about the accuracy of age assessments were then identified as being a child or young person.

Despite this Leeds delivers positive work in this area an example highlighted by Cllr Venner was the 'Cooked with Love' project which saw the creation of a cookbook through a joint project between the Council and British Library containing recipes from the UASC young people that have arrived in the city. The book will live in the British Library forever and is provided to all UASC that arrive in Leeds.

Responding to question from members the following discussion points were raised:

- In terms of age assessments and UASC being wrongly identified as adults, the board were informed that the age assessment carried out in the ports in Kent are not as detailed as those carried out in Leeds. Following identification of an individual who may be under 18 through welfare assessment in the hotels used in Leeds, a 'Merton Assessment' is carried out promptly, often within days of arriving in Leeds. This is a full assessment which can lead to a more accurate picture of age being determined. This can be time consuming and involve several appointments with appropriately qualified social workers and interpreters these can take between 6 and 8 weeks to finalise. There are no additional costs associated with this other than the use of officer time. It was also noted that age assessments do not feature medical assessments.
- The Board also heard a legal view on age assessments and the potential for challenge when an age assessment is made, potentially through Judicial Review. There have been examples of this in Leeds usually relating to those assessed as being over 18 who have sought to challenge that.
- Support available to UASC arriving in Leeds was an area of interest for board members. UASC receive a welcome meeting which is funded through Department of Health and Social Care funding this means that professionals meet the new arrivals provide a welcome pack and also put them in touch with other UASC and the networks that are available. The UASC groups and networks are often led by UASC who have

become care leavers and who are able to pass on their knowledge and experiences to new arrivals. Many of the new arrivals are Muslims so appropriate faith related support is provided such as the provision of prayer mats. Welfare assessments in terms of health checks are also provided through looked after children nurse appointments.

- In addition, there is now a thriving football team for UASC who have been successful winning a cup and achieving promotion last season. This can involve as many as 50 UASC and care leavers supported by staff and wider volunteers.
- In terms of countries where the most UASC arrive from these were listed as Somalia, Afghanistan, Eritrea, Sudan, Syria, Iraq and a small number from Chad.
- The Board was interested in how protected characteristics are dealt with and how that impacts the approach to newly arrived UASC. This has not yet been requested by any new arrivals, but it was accepted that more work is required in this area to see if there are any additional services or support that can be provided. It was noted that work on integration into the city and identity is part of the approach taken by the team in Leeds.
- In term so the type of accommodation that UASC use in Leeds the Board were informed that typically UASC are housed in supported lodgings which is a family home but is not a foster placement and semi-independent living. On the latter this is a mature type of accommodation aimed at groups of UASC over the age of 16 who live in supported group settings. UASC under the age of 16 live in foster placements and this offer can be extended to those over 16 who have additional or more complex needs that would be better supported through living in a family home.
- The Board were interested in forced removals which form part of the Illegal Immigration Act (July 2023). As yet the implications of this new legislation have not been felt in Leeds. For those UASC that become care leavers they are supported by Personal Assistants in the same way as all care leavers. Given the possible impact of legislation the service is trying to ascertain the legal status of UASC before they turn 18 to provide more certainty for them about their status and potential to stay in the UK.
- The Board were also interested in support and access to education for UASC. All Looked After Children have an education plan which is personal to them and will also be supported by social workers to identify additional support requirements. In addition, there are some schools in Leeds that have a strong approach to diversity and welcoming young people from diverse communities and backgrounds.
- The Board were also interested in UASC who were younger than the most common age group 16-17.5. These are relatively uncommon with two arrivals in the past year with these often being 'sent' by family members in their home countries and arriving at Leeds Bradford Airport. These arrivals have typically experienced challenging circumstances in their home settings.

RESOLVED –

- a) Scrutiny noted and endorsed this update report.
- 34 Provision of EHCP support – Terms of Reference**

The report of the Head of Democratic Services set out Terms of Reference for Board Members to agree to guide the inquiry into the Provision of EHCP support in Leeds.

The following were in attendance for this item:

- Councillor Pryor, Executive Member for Economy, Culture and Education
- Councillor Venner, Executive Member for Children Social Care and Health Partnerships
- Farrah Khan, Chief Officer Family Help
- Phil Evans, Chief Officer Transformation and Partnerships
- Ben Allchin Statutory Provision & Assessment Lead
- Sandra Pentelow Deputy Head of Business Administration

The Principal Scrutiny Advisor presented a report setting out the revised Terms of Reference for the inquiry into the provision of EHCP support in Leeds. This followed consideration of a draft terms of reference at the July Board meeting with the Terms of Reference presented today taking account of member amendments made in July.

Members were also informed of a change in the scope of the inquiry which will now feature the findings of independent work being carried out by Price Waterhouse Cooper (PWC) into EHCP support in the city.

The Board were also reminded that a remote Working Group on the EHCP inquiry will take place on 22 September at 10.00AM.

The Chief Officer Transformation and Partnerships provided some additional context on the PWC work. They are currently conducting the work and will attend the planned working group on the 22 September, at that meeting an update will be provided by PWC on their initial findings and hypotheses. In addition, discussion will take place on future work both in terms of PWC and the Children and Families Scrutiny Board and seeking to align those two work streams.

Responding to questions from members the following discussion points were raised:

- The Board were keen to ensure that stakeholder consultation was thorough, and that parents, young people and carers were contacted as part of the PWC work and were keen to be involved in engagement with stakeholders as part of the inquiry, if appropriate and in conjunction with PWC.
- The Board also raised wider concerns around school SEN support for children who have additional needs but do not fall into the EHCP support category. In Leeds there is Funding For Inclusion (FFI), and it

was thought that the inquiry could cover aspects of this around timeliness of funding being provided to support children and young people in school. The Board were also assured that the PWC work is broader than just the statutory framework of EHCPs and will cover FFI as well.

RESOLVED –

The Board:

- a) Approved the Terms of Reference for the Inquiry into the Provision of EHCP Support in Leeds, including the work being undertaken by PWC
- b) Noted the scheduling of a remote Working Group on 22 September at 10.00AM to begin consideration of this inquiry through a report from the directorate and attendance from PWC.

35 Work Programme

The report of the Head of Democratic Services presented a report setting out the Board's work programme for the 2023/24 municipal year. Appended to the submitted report were a copy of the work programme and the Executive Board minutes from the meeting held Wednesday, 26th July 2023.

Responding to a question on the planned school attendance update scheduled for the October Board meeting, The Principal Scrutiny Adviser noted that the item has been scoped based on member comments from the June meeting of the Board and will include some of the challenges linked to children and young people who are struggling to attend school settings due to additional needs and support requirements, particularly in light of the Covid-19 pandemic but also more broadly.

RESOLVED – To note the contents of the report and work schedule for the 2023/24 municipal year.

36 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Wednesday, 4th October 2023 at 10am (with a pre-meeting for Board members at 9:30am)

The meeting concluded at 12.05PM.