

SCRUTINY BOARD (CHILDREN AND FAMILIES)

WEDNESDAY, 4TH OCTOBER, 2023

PRESENT: Councillor D Cohen in the Chair

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

CO-OPTED MEMBER (VOTING)

Mr E A Britten - Church Representative (Catholic)

Mr A Graham – Church Representative (Church of England)

CO-OPTED MEMBERS (NON-VOTING)

Mr N Tones – School Staff Representative

Ms H Bellamy – School Staff Representative

37 Appeals Against Refusal of Inspection of Documents

There were no appeals.

38 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information considered by the Board.

39 Late Items

There were no late items.

40 Declaration of Interests

There were no declarations of interest.

41 Apologies for Absence and Notification of Substitutes

The Board received the following apologies:

Ms K Blacker – Co-opted Member

Ms J Ward – Co-opted Member

42 Minutes - 6 September 2023

The Board noted that the minutes from the meeting held on 6 September did not reference attendance from the Board's co-opted members and therefore need to be amended to reflect those that attended.

The Board also raised a query in respect of an item considered at the September meeting on the Impact of Asylum changes on children in Leeds, with a view to potentially bringing back a further update item once the impact of the recent Illegal Immigration Act (2023) was being felt in Leeds. It was agreed that this would be picked up under the Work Programme item.

RESOLVED:

That subject to the amendment to the attendance at the meeting, the minutes of the meeting held on 6th September 2023 be agreed as an accurate record.

43 Leeds Safeguarding Children Partnership - Update

The report of the Head of Democratic Services set out to the context and background of the Board's past interest in the work of the Leeds Safeguarding Children's Partnership (LSCP).

In 2022/23 the Board considered a number of work items in relation to the Notification of Serious Child Safeguarding Incidents. The board requested and received updates from the LSCP Executive throughout this period the last of which was during the meeting on 8 March 2023.

Following discussion, and recorded in the minutes from the meeting held on 8 March 2023, agreed actions that formed the basis of the latest update report and presented to the Board were:

- The findings from the LSCP Executive's twelve-month review of its revised notification processes, which will be undertaken in July 2023.
- Progress on the work being undertaken around practitioner escalation and resolution of concerns.
- Capturing the voice of the child and evidencing how the learning stemming from reviews is being disseminated and is improving outcomes for children and young people.
- Addressing the use of language and jargon and understanding the use of definitions used in the sector.
- The work being undertaken to ensure the use of accurate and timely risk assessments and improving awareness and understanding amongst practitioners around differing risk assessment processes.
- The Leeds input into the review of the Working Together to Safeguard Children 2018 guidance, with an update on progress dependent upon the timing of the national review process.
- Clarification of the levels of oversight, including democratic oversight, that surrounds those Child Safeguarding Practice Reviews that are notified to the National Safeguarding Practice Review Panel.

The following were in attendance for this item:

- Julie Longworth, Director of Children and Families
- Jo Harding, Director of Nursing and Quality, NHS West Yorkshire Integrated Care Board
- Councillor Pryor Executive Member for Economy, Culture and Education
- Phil Coneron, Interim Business Unit Manager for the Leeds Safeguarding Children Partnership
- Rebecca Roberts, Section Head of Social Care Legal and legal adviser to the Leeds Safeguarding Children Partnership

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

- Members were interested in hearing more detail about how the child's voice is captured by the partnership as discussed under section 3 of the submitted report and specifically around how feedback from children and young people has impacted the findings of reviews and the wider work of the LSCP. The Board were informed that feedback can vary depending on the age of the child involved but through the independent authors that are commissioned to conduct Child Safeguarding Practice Reviews (CSPRs) meetings with the child or young person do take place and also feedback is provided to them on learning that has resulted from their case. It was acknowledged that when recommendations are made during CSPRs there is more work to do in terms of ensuring that reviews impact practice and make a difference on the frontline and outcomes for children and young people. Further work is planned over the coming year on quality assurance and the impact that the reviews have had on practice in Leeds.
- More generally the Board were assured about the voice of the child being a central theme in the work done by Children and Families in terms of consultation from the Voice and Influence Team on key strategic policies such as the Children and Young People's Plan and ensuring the child's voice is heard in Looked After Children Reviews with feedback incorporated into practice through a 'you said, we did' approach which clearly shows how services have responded to feedback.
- The ILAC inspections that are carried out by Ofsted also involve detailed reviews of case files through which an assessment is made on how the voice of the child has impacted on services and impacted on practice. Section 11 inspections are also relevant in ensuring services in the LSCP capture the voice of the child these are carried out under Section 11 of the Children Act (2004) and contained in those is a question on how the voice of the child is used to shape and develop services which informs service development and improvements.
- The Board sought clarification in relation to paragraph 7 of the submitted report which related to the notifying of child safeguarding cases to the National Panel and who decides on the threshold that is reached that leads to a national notification. The Board were informed that this is a joint decision at the Review Advisory Group (RAG) of the three partners on the LSCP, Health, Police and Children and Families services supported by legal advisors and the involvement of the independent scrutineer who

participates in the RAG decision making process. This is further supported by consideration at the LSCP Executive who have oversight of RAG decisions on notifications. If the decision is to notify to the national panel rationale for this decision is also provided. For those cases that are not at the threshold of national notification, these are subject to further action at a local level comprising of lessons learned reviews or local thematic reviews. It was also noted that when a case involving significant harm arises a strategy meeting takes place involving all partners and this can lead to referral to the RAG and independent scrutineer, this can be to consider a national notification but also where learning and review will be beneficial and lead to improvement in practice. Professional judgement is the key factor in determining referrals to the National Panel or other courses of action.

- Board members sought further details on the involvement of the third sector in the work of the LSCP in particular the involvement of Women's Aid and their recent work. It was noted that input from the Third Sector would be welcomed by the LSCP and that contact should be made via the LSCP Business Manager and would lead to the involvement of the Third Sector Safeguarding Group. It was also noted that the newly appointed independent scrutineer has a particular interest in third sector organisations which could offer an opportunity for further links to the work of Women's Aid.
- A further area of interest was around collective decision making and how disagreements about notifications between the three LSCP partners are resolved. Over the past 12-18 months this has been the subject of significant development and scrutiny at both the Executive Board and at this Scrutiny Board. It is still the case that the local authority is the responsible body in terms of making a notification, but it was stressed that these decisions are reached collaboratively between the three partners and there has not been a situation over the past 12-18 months where a consensus has not been reached on a particular case. Effectively the legal duty is for the Director of Children and Families to make a decision on notifications but in practice this is a collaborative process through which a consensus is reached on whether to make a notification to the National Panel or other courses of action.
- Responding to further questions on the Review Advisory Group (RAG) the board were informed that where a decision not to undertake a Child Safeguarding Practice Review is made this is subject to wider scrutiny at a national level which acts as a 'sense check' on those processes.
- The Board recognised that over the past year and more the processes surrounding national notifications have improved and that democratic oversight both through this Board and more widely has played a significant part in that.

Resolved:

- a) Members noted the content of the report.
- b) Agreed that an annual update on LSCP activity should feature on the Board's work programme each municipal year.

44 School Attendance Update

The Board received the report from the Director of Children and Families providing an overview of school attendance in Leeds. This included relevant Leeds data, an overview of actions the LA has taken to support schools in their work to improve attendance and a summary of planned actions the LA will take to support schools in their work to improve attendance and reduce absence.

The following were in attendance for this item:

- Councillor Jonathan Pryor, Executive Member for Economy, Culture and Education
- Julie Longworth, Director of Children and Families
- Rebecca McCormack, Head of Service Vulnerable Learners
- Jancis Andrew, Headteacher Virtual School Looked After Children

In opening remarks both the Chair and Executive Member for Economy, Culture and Learning stressed the importance of school attendance and the importance it plays in effective learning and attainment and ensuring that children and young people reach their potential.

The Executive Member provided a summary of the attendance position highlighting the national trends that have seen an increase in persistent absence since the pandemic from approximately just over 10% to now being slightly over 20%, that position is also reflected in Leeds.

Leeds ranks 74th out of 152 local authorities overall and attendance is a key element of the 3As strategy at priority 2. Cllr Pryor also noted that the data does not identify underlying causes of the increases in absence and further highlighted the need for additional resources within schools to tackle the problem and welcomed the comments of Board members on the issues faced in relation to school attendance in the city as part of this report.

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

- Board members highlighted the issues with children and young people who are unable to attend mainstream secondary school settings for a variety of reasons but a key reason being the size of schools and also problems in diagnosing children and young people due to backlogs both nationally and locally in identifying conditions that children and young people might have. Members believed that there was a need for a different kind of provision between mainstream and SILC settings to provide appropriate places of learning for this cohort of children and young people. Members suggested a piece of work at a national and local level to understand the barriers and reasons for this cohort not attending

school. It was believed that mental health is a key issue much of which has been evident post pandemic.

- Members further noted that EHCPs are not always the answer to the issues that have been identified with many pupils who are persistently absent often needing short term support that the model offered by EHCPs does not fit and this links into some of the demand issues being felt by the SENSAP team. The Board noted that waiting lists for diagnosis of conditions for children and young people is a priority for the Integrated Care Board in terms of speeding assessments up through services such as CAMHS, it was further noted that these issues are prevalent nationwide.
- The Board discussed how the family help model established in the MacAilister Review could be applied to locality support for schools. A key area of interest being how the city can wrap family help approaches around schools to ensure that they can respond to the needs of children and young people effectively through development of a whole system approach and working collaboratively and collectively across organisations to develop solutions for the city.
- Building on earlier comments around resources in schools the board recognised that there is a need for more support staff to be available in schools to support children and young people in schools, an important factor being recruitment and retention and some of the terms and conditions that are found in support staff contracts, such as term time only contracts. The Board also recognised that national approaches are an important contextual factor when discussing the situation in Leeds, the issues being identified around persistent absence and wider school attendance are not unique to Leeds and are being felt nationally.
- The Board were interested in best practice in the city and the possibility of pairing schools up who are performing well in terms of attendance management with other schools who are doing less well. The Board felt that sharing of the methods being used in schools that are working effectively on attendance could deliver improvements more widely. It was noted that this is a priority area for the service in the current academic year. To support the Board's understanding of this a request was made to share more data on school performance on attendance, it was agreed that this would be shared following the meeting.
- Responding to a question around working with statistical neighbours and other local authorities the board were informed that the Council is active in working within the region and trying to adopt best practice where that is evident. In addition, the Board heard that there is additional support in place for this through DfE provided Attendance Advisors that are aimed at supporting local authorities and exploring learning from other authority areas that are performing well.
- The Board were also interested in transition between primary and secondary provision. During the pandemic some of the strategies used to assist and smooth transition had to be ceased due to necessity but these arrangements are now operating again as they were pre-pandemic. In addition to that there is a renewed focus on the individual student and understanding the barriers to attendance and seeking to remedy them.

- Following questions from Board members they were assured that children and families services were fully committed to developing early intervention and prevention measures. A recent example of this is the expansion of the Early Help Hubs from three to seven and plans to have SEND co-ordinators as part of their teams to accompany existing staff such as Domestic Violence and Mental Health Co-ordinators.
- Members discussed how students who are regularly or persistently absent are responded to when they return to school and were cautious of approaches that saw large amounts of 'catch up' work given to them as often that can lead to the student being overwhelmed and could lead to further absence. Whilst emphasising the need for a strong focus on attainment the Board thought that taking a different view on attainment and more carefully managing re-introduction to school could be beneficial for students who have been persistently absent.
- Developing on this theme the board noted the impact that core groups of persistently absent students have on a school's overall attendance figures and ultimately attainment figures. Responding to questions about how much freedom schools have to manage returns from persistent absence, the board were informed that resource is a key limiting factor in what options schools have to develop potential solutions such as phased returns or more nuanced approaches to individual students to meet their needs and drive better attendance in the future and ultimately higher attainment.
- When discussing other limiting factors on this theme the role of Ofsted was noted and the Board were informed of positive recent discussion between the Directorate and Ofsted that touched on the unintended consequences of Ofsted judgements.
- Board members highlighted an issue around awareness of neurodiversity amongst children and young people. It was recognised that workforce development and enhancing skills within the workforce would be important in this potentially by developing partnership working between agencies to encourage and facilitate workforce development.
- The Board requested more information on attendance broken down by ethnically diverse communities, which it was agreed will be looked into and provided.
- On penalty notices for absence the Board were keen to know more about the approaches referred to in the submitted report. It was noted that the majority of penalties issued were linked to family holidays. The Board were informed that the local approach is still being developed and it was recognised that a standardised approach both across Leeds and in line with the national approach is one of the issues. A potential problem in relation to standardised approaches is that it is the school's responsibility to request that a penalty notice is issued by the local authority which can lead to different approaches being taken. In addition, understanding the reasons behind absence is an important element before issuing penalty notices.
- The Chair asked about attendance of children looked after in the city and the challenges faced and was keen to hear more about the approaches taken to improving attendance amongst that cohort. The Board were informed of attendance levels before the pandemic and how Children

Looked After at primary level had a better attendance rate than their non-looked after contemporaries. In addition, there was a commitment to re-establish this performance which was impacted by the pandemic. It was also suggested that further details will be provided.

Resolved:

- a) That the contents of the report be noted.
- b) Additional information noted in the minutes above to be circulated to Board members when available.

45 Impact of Vaping on Children and Young People in Leeds

The Board considered a report from the Head of Democratic Services setting out an update on the Board's interest in youth vaping following consideration at its meeting in July 2023.

The following were in attendance for this item:

- Rob Clayton, Principal Scrutiny Advisor
- Helen Goddard, Advance Health Improvement Specialist

By way of introduction the Chair set out recent context linked to this issue. The Government and media coverage has been suggesting that disposable vapes are to be made illegal in the near future. This resulted in the postponement of a planned Scrutiny Working Group on 27 September as it was thought that many of the key aims established for the Board's work were likely to be met through disposable vapes being made illegal.

The following issues were raised in discussion:

- Responding to a question from the Board on how definitive the suggestions from Government and media coverage on disposable vapes had been, the Scrutiny Advisor and Chair noted that it had been covered by a number of different media outlets and that the main risk of progressing with the working group as had been planned was the possibility of duplication and the recommendations being superseded by Government announcements.
- The Chair added that if an announcement on vaping had not been made by the next Board meeting on 29 November the plan to hold a working group would be re-established. The Chair emphasised that the Board is adopting a watching brief on the issue would revisit it if no further announcements were made.

Resolved:

The Board:

- a) Noted the potential for a government announcement that would make disposable vapes illegal
- b) Agreed to adopt a 'watching brief' on this issue to ensure that if no further announcements are made the issue will be revisited through a working group.

46 Provision of EHCP Support in Leeds - Working Group Notes

The Board considered a report from the Head of Democratic Services which provided a summary of the Working Group on the Provision of EHCP support that took place on 22 September 2023.

The Board agreed Terms of Reference for the inquiry at the 6 September Board meeting and the working group considered further details from the children and families directorate in terms of the latest position on EHCP performance and other related matters set out in the Terms of Reference. In addition, the working group also featured input from PWC as they conduct their independent review of EHCP processes in Leeds.

The Chair set out the planned next steps in the inquiry work. The Board has identified stakeholder consultation as an important element of this work and whilst also noting the engagement work being carried out by PWC there remained a desire to meet directly with stakeholders to understand the lived experiences of those who are dealing with EHCP related services.

As a result, it was agreed that a Working Group to facilitate stakeholder engagement will be set up in November 2023.

Resolved

The Board:

- a) Noted the Working Group summary into the Provision of EHCP support in Leeds which was held on 22 September 2023.
- b) Agreed to carry out direct stakeholder engagement through a further Working Group to be set up in November 2023.

47 Work Programme

The Board considered the latest position on the Board's Work Programme for 2023/24 through the submitted report from the Head of Democratic Services.

The Scrutiny Advisor noted the comments made under the Minutes from the 6 September meeting referring to the Impact of Asylum Changes on Children and Young People in Leeds and suggested that the future programming of that will be picked up through consultation with the Chair.

The Chair also noted that the pre-meetings for the remainder of the municipal year will commence at 9.45AM.

Resolved:

The Board:

- a) Noted the contents of the submitted work programme report.

48 Date and Time of Next Meeting

The next public meeting of the Board will take place on 29 November 2023 at 10.00am. There will be a pre-meeting for all board members at 9.45am