

SCRUTINY BOARD (CHILDREN AND FAMILIES)

WEDNESDAY, 11TH MAY, 2022

PRESENT: Councillor A Lamb in the Chair

Councillors H Bithell, E Flint, A Forsaith,
Z Hussain, J Illingworth, J Lennox,
A Marshall-Katung, K Renshaw, L Richards
and R. Stephenson

CO-OPTED MEMBER (VOTING)

Mr E A Britten - Church Representative (Catholic)

Ms J Ward – Parent Governor Representative (Secondary)

CO-OPTED MEMBERS (NON-VOTING)

Ms C Foote – School Staff Representative

Ms H Bellamy – School Staff Representative

Ms L Whitaker - Young Lives Leeds

73 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

74 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

75 Late Items

No formal late items of business were added to the agenda. However, the following supplementary information had been despatched to Members prior to the meeting and published to the Council's website:

- Appendix 1 to the report for agenda item 7 (Ofsted Inspection Report); and
- Appendix 1 to the report for agenda item 8 (Notification of Serious Child Safeguarding Incidents Review Update).

76 Declaration of Interests

There were no declarations of interest.

77 Apologies for Absence and Notification of Substitutes

Apologies for absence were received from Councillor Gruen, Councillor Lay, Councillor Senior and Co-opted Members Kate Blacker and Andrew Graham.

Councillor J Lennox attended as substitute for Councillor Gruen.

78 Minutes - 30th March 2022

RESOLVED – That the minutes of the meeting held on 30th March 2022 be approved as an accurate record.

79 Ofsted Inspection Report

The Head of Democratic Services submitted a report which invited the Scrutiny Board to consider and discuss the findings of the recent Ofsted inspection of children's services in Leeds.

The following were in attendance for this item:

- Councillor Fiona Venner, Executive Member for Adult and Children's Social Care and Health Partnerships
- Councillor Jonathan Pryor, Executive Member for Economy, Culture and Education
- Sal Tariq, Director of Children and Families
- Julie Longworth, Deputy Director of Children and Families
- Shaheen Myers, Deputy Director Learning
- Val Waite, Head of Service, Learning Inclusion

In introducing this item, the Chair briefly explained that the full inspection report had been formally published by Ofsted on Monday 9th May 2022. Once published, this was then shared with Board Members in readiness for today's meeting. The Chair then invited the lead Executive Members and the Director of Children and Families to provide further introductory comments on the Ofsted inspection report. In doing so, the following key points were made:

- That since the last full inspection of Leeds City Council in 2018, Ofsted has found that services for children have remained outstanding in their overall effectiveness.
- As one of the largest cities in the UK, Ofsted had recognised that Leeds has been significantly affected by the COVID-19 pandemic. To maintain an outstanding judgement, particularly during this very difficult period too, has been acknowledged as a huge achievement and is testament to the strong commitment and hard work of frontline staff and other key partners.
- Linked to this achievement, Ofsted had particularly found that the restorative and relational practice model has been further embedded into practice and continues to be reinforced under the banner of 'child-friendly Leeds', along with corporate support and investment that recognises that children living in Leeds are of the highest priority.
- As part of the inspection, Ofsted had also acknowledged the action plan put in place to address the areas for improvement identified at the last focused visit and found that all of these areas have now improved through this planning.

- An improvement plan is to be put in place to address the two improvement areas identified within the Ofsted report and once available, this will also be shared with the Scrutiny Board.
- Moving forward, it was stressed that Council would not become complacent and is keen to continue to learn and improve in collaboration with partners and also via the engagement of scrutiny.

The Chair relayed his congratulations surrounding the positive outcome of the Ofsted inspection and also acknowledged and welcomed the recognition that had been given to the role of scrutiny by Ofsted in terms of being robust and challenging.

In consideration of the Ofsted inspection report, other Board Members joined the Chair in congratulating the leadership and staff within the Children and Families directorate. The following matters were also discussed by the Board:

- The areas for improvement referenced in the Ofsted report, which had been reflective of the Council's own self-assessment process.
- The continued focus on recruitment and retention of social work staff in helping to reduce current workload pressures.
- The benefits arising from well-established and extensive early help support, including interventions available through cluster arrangements with schools and children's centres.
- The importance of transition planning into adulthood.
- The significant impacts of poverty on children and families and the continued efforts being made through the Child Poverty Strategy.
- The focus on vulnerable learners and the positive feedback received by Ofsted on the Council's approach towards inclusion, which had acknowledged the work of the Area Inclusion Partnerships and the support provided to families who elect to educate their child at home.
- Children's identity and cultural needs and the support provided particularly to unaccompanied asylum-seeking children.
- The value of restorative practice and the importance of capturing the voice of young people.

The Chair thanked everyone for their contributions and highlighted that the improvement plan stemming from the Ofsted inspection would be brought back to the Scrutiny Board once available.

RESOLVED –

- (a) That the contents of the report, along with Members comments, be noted.
- (b) That the improvement plan stemming from the Ofsted inspection be shared with the Scrutiny Board once available.

80 Notification of Serious Child Safeguarding Incidents Review - Update

The Head of Democratic Services submitted a report which presented an update from the Leeds Safeguarding Children Partnership (LSCP) on its

review of the Notification Process with regards to Serious Child Safeguarding Incidents.

The following were in attendance for this item:

- Councillor Fiona Venner, Executive Member for Adult and Children's Social Care and Health Partnerships
- Councillor Jonathan Pryor, Executive Member for Economy, Culture and Education
- Julie Longworth, Deputy Director of Children and Families
- Jasvinder Sanghera CBE, Independent Chair of the Leeds Safeguarding Children Partnership
- Chief Superintendent Damien Miller, Leeds District Commander and LSCP Executive Member
- Jo Harding, Executive Director of Nursing and Quality and LSCP Executive Member
- Rebecca Roberts, Section Head, Social Care Legal and legal adviser to the Leeds Safeguarding Children Partnership

The Chair explained that following the Board's initial discussion on this matter in February, the Board was now receiving a further update on the review work being undertaken by the LSCP. A briefing paper had been provided by the LSCP Executive and the Chair also welcomed the attendance of the LSCP Executive Members to help address any further questions from the Board.

In introducing the briefing paper, the Independent Chair of the LSCP firstly reflected on the importance of her role in maintaining an independent perspective. The Board was then reminded of the rationale for the independent review of the notification systems in Leeds. The Board was also advised that the review continues to be a work in progress and that once completed, a full report on the outcome of the review would be shared with the Scrutiny Board. In the meantime, the Board was informed that the LSCP Executive is considering options to deal with differences of professional opinions. With regards to the three options set out in the briefing paper, it was reported that while the majority preference of the LSCP Executive is to proceed with option 2, the legal advice given by the LSCP Legal Advisor was that this option would be deemed unlawful and therefore efforts are continuing to achieve an appropriate way forward.

The other LSCP Executive Members were invited to add any further comments and in doing so had shared their commitment towards the review process and also their desire to reach a consensus approach in dealing with cases where there are differences of opinion amongst partners in terms of whether or not it meets the criteria for notification to the National Safeguarding Practice Review Panel.

The Scrutiny Board Chair then invited the legal adviser to the Leeds Safeguarding Children Partnership to elaborate on the advice that had been provided to the LSCP Executive in terms of option 2 set out within the briefing paper. In doing so, the legal adviser explained that the Children Act 2004

confers upon a local authority the function of making a notification. In making that decision it is an integral part of the decision-making process that they are informed and guided by the views of statutory partners. However, the ultimate responsibility to notify, or not to notify, lies with the local authority as there are no provisions within the legislation which permit a local authority to delegate this statutory duty to partners. The local authority is therefore accountable in law for the decisions made and given that option 2 implies that the local authority will base its decision to notify on the outcome of a vote taken by the LSCP Executive, this approach could be seen as delegating its statutory duty to partners, which would therefore be unlawful.

In consideration of the LSCP briefing paper, the Board discussed the following key areas:

- The criteria for notification, including the definition of what constitutes serious harm.
- The distinctive roles of the LSCP Review Advisory Group (RAG) and the LSCP Executive as part of the notification process.
- The importance of respecting the views of other statutory partners and overall transparency of the decision-making process.
- The merits and limitations of the 3 options set out in the briefing paper, including details of legal advice that had been provided separately by West Yorkshire Police.
- How other LSCPs in the country manage decision making where there is no consensus on whether a case should be notified to the National Safeguarding Practice Review Panel or not.
- In receiving confirmation that a specific 2021 case has now been retrospectively notified, the Board discussed how the rationale for this decision had been communicated to other LSCP partners.
- The purpose of the forthcoming workshop on 16th May 2022 with the LSCP Executive, the Chair of the National Safeguarding Practice Review Panel and the three National Safeguarding Reforms Facilitators for Health, Police and Local Authorities, which will help to inform the review process.
- The value of seeking further 'independent' legal advice as part of the ongoing review work in terms of the specific roles of other statutory partners as part of the notification process.
- A proposal for the Chair of the Scrutiny Board to write to the Department of Education on the issues that have been raised and highlighting a need for greater clarity and guidance in terms of the legislation surrounding the notification of serious child safeguarding incidents.

In conclusion, the Chair thanked everyone for their contributions and reiterated the commitment made by the LSCP Executive to share the full report on the outcome of the notification review with the Scrutiny Board once it had concluded.

RESOLVED –

- (a) That the contents of the report and the LSCP briefing paper be noted.
- (b) That once finalised, the full report on the outcome of the notification review be shared with the Scrutiny Board.

- (c) That the Chair of the Scrutiny Board writes to the Department of Education on the issues that have been raised and highlighting a need for greater clarity and guidance in terms of the legislation surrounding the notification of serious child safeguarding incidents.

81 Work Schedule

The Head of Democratic Services submitted a report that presented the work schedule for the remainder of the municipal year (set out in Appendix 1), as well as a draft work schedule of the successor Scrutiny Board for the 2022/23 municipal year (set out in Appendix 3).

In consideration of the draft work schedule for the 2022/23 municipal year, it was suggested that issues surrounding teacher recruitment and retention also be added into the work schedule for the successor board to consider.

In conclusion, the Chair acknowledged that this was the Scrutiny Board's final meeting of the municipal year and therefore thanked all Board Members and the officers for their contributions and support throughout the year.

RESOLVED –

- a) That the current work schedule, as presented at Appendix 1, be noted.
- b) That the draft work schedule for the 2022/23 municipal year, as presented at Appendix 3, be updated to include teacher recruitment and retention as a potential area for consideration by the successor board too.

82 Date and Time of Next Meeting

The next meeting of the Children and Families Scrutiny Board is provisionally scheduled for Wednesday 8th June 2022 at 10.00 am (pre-meeting for all Board Members at 9.45 am).