

## **CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE**

Monday, 4 January 2021

**PRESENT** – Councillors C L B Hughes (Chair), Bartch, Mrs Culley, Ali, Crudass, Lister, Renton and Snedker

**STATUTORY CO-OPTees** – None

**NON-STATUTORY CO-OPTees** – None

**APOLOGIES** – Councillors Bell and Lucas; Carly Spence Tim Fisher, Nick Lindsay and John Armitage

**ABSENT** – Malcolm Frank, Maura Regan and Janet Woodcock

**ALSO IN ATTENDANCE** – Carla Scaith (Darlington Parent Carer Forum) and Marjory Knowles (Skerne Park Community Enterprise Association)

**OFFICERS IN ATTENDANCE** – Sharon Raine (Head of Performance and Transformation), Allison Hill (Democratic Officer), Tony Murphy (Head of Education and Inclusion), Nicola Davies (Early Years Project Officer), Helen Ellison (Head of Education Partnerships), Christine Shields (Assistant Director Commissioning, Performance and Transformation), Chris Bell (Head of Service) and Elizabeth Davison (Assistant Director Resources)

### **CYP17 DECLARATIONS OF INTEREST**

There were no declarations of interest reported at this meeting.

### **CYP18 TO APPROVE THE MINUTES OF THE MEETING OF THIS SCRUTINY COMMITTEE HELD ON 2 NOVEMBER 2020**

Submitted – The Minutes (previously circulated) of the meeting of this Scrutiny Committee held on 2 November 2020.

With reference to Minute CYP12/Nov/20, final paragraph, second line the Chair proposed amended wording to read ‘that the Director of Adults and Childrens’ Services of the authority is attending or being represented and that all lead Members are attending their six monthly meetings as set out in governance arrangements’.

With reference to Minute CYP16/Nov/20 the Chair advised Members that she had received a response from Durham Constabulary that will be shared with Members of this Scrutiny.

**RESOLVED** – That the Minutes of the meeting of this Scrutiny Committee held on 2 November 2020 be approved as a correct record.

### **CYP19 MEDIUM TERM FINANCIAL PLAN**

Submitted – A report (previously circulated) of the Chief Officers Executive which had been considered by Cabinet at its meeting held on 8 December 2020, in relation to

the Medium Term Financial Plan (MTFP) 2021/22 to 2024/25, including setting a budget and council tax increase for 2021/22.

It was reported that the Council had faced significant challenges over the last decade following the economic downturn and reduction in public sector spending; that to date, the Council had been successful in responding to these challenges but this was becoming increasingly difficult, particularly in respect of a growing elderly population, pressure in the children's social care sector and the major economic impact of Covid-19 which had a direct impact on the Council's finances this year.

The submitted report outlined details of the core offer budget, which had been agreed following a significant consultation exercise in 2016 and allowed reduced expenditure and services to a risk based minimum level with a small investment fund of £2.5m per year. It was noted that in subsequent MTFP's unallocated balances of £6.5m were invested in five areas, namely Community Safety, maintaining an attractive street scene, maintaining a vibrant town centre, developing an attractive visitor economy and neighbourhood renewal.

The submitted report highlighted areas of saving within the plan and areas of pressure, in particular the significant effect of Coronavirus pandemic on the Council's expenditure and income budgets. It was reported that estimates had been made on the direct service impact of the pandemic in 2021/22 with the assumption services would return to normal in 2022/23; and Members noted the projected expenditure for 2021/22 of £95m.

Reference was made to projected income, including core grant funding to Local Government; in particular the continuation of the Sales, Fees and Charges recompense scheme from April to June 2021 which was estimated to be £0.616m; and the increase in Council Tax and National Non-Domestic Rates (NNDR), which would provide an increase in income over the period of the MTFP. Members noted the projected income of £94m for 2021/2022.

Reference was made to the Futures Fund allocation, with £3.401m committed to the futures fund themes to date with a balance of £0.699m remaining; and Members noted the recommendation to utilise £0.914m of the unallocated balances to continue the Futures Fund ongoing priorities and commitments into 2024/25.

It was reported that by 2024/2025 the projected general fund balance was £3.504m however this relied on building around 433 Band D equivalent houses per year, no significant overspending, assumptions of a cash equivalent position materialising in the settlement and a Council Tax increase of 1.99 per cent and a further 3 per cent Social care precept totalling 4.99 per cent.

Members discussed in particular the yearly increase in costs for children's services and children coming into care and questioned if this was the appropriate action to be taken and suggested that there was a lot of learning and best practice in other authorities and it was time to make some changes.

Chris Bell, Head of Service, Children's Services, advised Members of the ongoing partnership work with Leeds City Council, Stronger Families Programme, with funding from the Department for Education, which has a key focus on early intervention and

supporting families working over the last 12 to 18 months; expansion of the Family Group Conference service; and it was noted that there was a decrease in the number of children coming into the looked after system.

Members questions related to the implications of no increase to spending for other services i.e. Voluntary Sector, Youth Offending and Anti-social behavior and the Assistant Director of Commissioning, Performance and Transformation advised Members of the work with the Commissioning Unit to examine ways to bring placement costs down; utilising models of practice from other authorities that could be implemented locally to bring costs down; and assured Members that plans were being looked at to address all these issues.

Members also referred to future investment in two schools with the units that had been commissioned at Red Hall Primary School and Rise Carr College to provide additional places for children with specialist needs and were advised that both projects were on track for admitting pupils in the next academic year.

The Chair agreed that investment needed to be made to ultimately save in the future and also acknowledged the economic down turn and the fight against Covid and that many families were struggling through these testing times.

The Assistant Director of Commissioning, Performance and Transformation advised Members also of the work with Family Group Conferences, Early Help Teams, within the Community and working strongly with the voluntary sector including pilot projects around families with children who are vulnerable and experiencing real stress and challenge; and also regional and sub-regional work which is outlined in the Children and Young People Plan around the needs of the child once they have been placed.

**RESOLVED** – (a) That this Scrutiny Committee has no comment to make on the proposed schedule of fees and charges for those services within its remit; supports the Council Tax increase of 1.99 per cent plus the 3.00 per cent adult social care precept for the next financial year; and supports the Futures Fund continuation into 2024/25.

(b) That the comments made by Members of this Scrutiny regarding children's services be forwarded as part of the consultation process of the MTFP.

## **CYP20 DARLINGTON PARENT CARER FORUM REPORT - TOGETHER FOR BETTER**

Carla Scaith, Co-ordinator for Darlington Parent Carer Forum attended the meeting and presented the report of the Darlington Parent Carer Forum – Together for Better (previously circulated), a report on life for families of children with additional needs during lockdown and thereafter; and outlined her role working with a group of parents, who work with education, health and social care as well as other providers to ensure that the service delivered meets the needs of families in our area.

The submitted report provided some background to the Darlington Parent Carer Forum; the Covid -19 response and feedback on what parents needed; outlined the responses to a survey completed in August 2020; and what the current situation was now.

Carla acknowledged the good participation and engagement in Darlington and the effects of the pandemic and the work that had been undertaken through unprecedented times, however did advise Members that some families did not receive the support that they needed at the beginning of the pandemic. She emphasised within her report that it was key is to involve children and families but unfortunately regarding risk assessments only five families were actually involved in their risk assessment. 51 responses to the survey. She also highlighted within her report that children with an Educational Health Care Plan (EHCP) should have had a school place but that was not the message that families had received and some were advised not to send their children to school.

Members acknowledged that service delivery from the schools at the beginning of the process had given them some concern and questioned the reasons for this so that lessons could be learned. Carla confirmed that the issues were raised and actions taken at that time, however the risk assessments had already been completed at that point.

The Chair also noted that it appeared that children with an EHCP who should have had a school place had received advice not to send their children to school.

Members were also concerned that based on some feedback Carla had received, children with additional need did not receive adequate support for home learning during the first lockdown period and it was agreed that further information on this be provided at the fact-finding event being held in January to examine the effects and ongoing impact of the pandemic on our children and young people to establish any gaps and ultimately made recommendations and challenge partners do more if necessary.

Members also expressed their concerns that families were not being involved in their risk assessments and for early intervention to be effective and questioned if this was a result of the pandemic or a systemic problem and Members agreed to monitor this closely.

The Head of Education and Inclusion thanked Carla and her colleagues for their commitment and experience in supporting parents in Darlington and acknowledged that with regard to the risk assessments it was very disappointing and that guidance was clear that families and children should be integral to that process and that there were lessons that could be learnt from the Forums report. With regard to attendance he confirmed that the details in the report would be discussed further at the Education Strategy Group and Special Educational Need Coordinators Network to address the issues raised.

Regarding attendance the Head of Education and Inclusion advised Members that the Department for Education data as at 10 December 2020 showed that nationally 80 per cent of children with an EHCP were attending school and 77 per cent were attending Special Schools; compared to Darlington where 89 per cent of children with an EHCP were attending school and in special schools 92 per cent were in attendance.

He also stated that there was a gap between primary and secondary schools, 92 per cent of pupils with an EHCP were in attendance in primary and 75 per cent in

secondary schools and he will be working with the Forum and schools as we move in to another uncertain period with the pandemic.

Following a question by a Member on what more the Council could be doing, the Head of Education and Inclusion advised Members that it was a statutory responsibility of the Council to ensure that the needs of a child with additional educational need highlighted in an EHCP are met. He confirmed that he would follow up the Forum's report with his own audit around risk assessments and reemphasise the message to schools around risk assessments that children and families are to be involved.

Regarding ECHP, Carla also advised Members that there was emphasis on school attendance and a lot of guidance from the Department for Education specially around school placements and risk assessments however during the pandemic therapy ceased, NHS staff were seconded to different areas, speech and language and occupational therapy, direct payments and short breaks also ceased during the pandemic. She acknowledged that the CAMHS service did respond well in Darlington with on line appointments and offering in person appointments also and this was reported to the Clinical Commissioning Group (CCG).

**RESOLVED** - (a) That the report of the Darlington Parent Carer Forum be noted.

(b) That Carla Scaith be thanked for her presentation and honest input into discussions thereon.

## **CYP21 CHILDCARE SUFFICIENCY ASSESSMENT 2020/21**

The Acting Director Children and Adults Services submitted a report (previously circulated) to inform Members of the findings of the 2020-21 Childcare Sufficiency Review.

Local authorities are required by the Department for Education's 'Early Education and Childcare Statutory Guidance for Local Authorities June 2018' to ensure sufficient childcare as far as is reasonably practicable, for working parents, or parents who are studying or training for employment, for children aged 0-14 or up to 18 for disabled children; and to report annually to elected Members on how they are meeting their duty to secure sufficient childcare and to make this report available and accessible to parents.

It was reported that the childcare market in Darlington was made up of private day nurseries, pre-schools, childminders, out of school clubs, nursery schools and nursery units. Prior to March 2020, Darlington's childcare market was fairly stable and the parental take-up rates of the various entitlements was predictable.

As a result of the pandemic, on 23 March 2020, the government instructed the country to lockdown and schools and childcare settings were asked to remain open for children of key workers and vulnerable children. It was reported that as a result of much reduced demand, by 24 April, 48 per cent of the private and voluntary settings remained open (including 24 childminders with vacancies) and both nursery schools and nursery units were also open and providers tried to remain open wherever possible. There were 142 pre-school children in attendance.

It was also reported that from 1 June, the number of open providers increased and the number of children accessing a place rose and a higher proportion of early years providers remained open in Darlington than nationally. By 11 June, 93 per cent of private and voluntary providers and 67 per cent of childminders were open in Darlington and that borough-wide there had been sufficient capacity to meet demand throughout this period; and by 29 September 2020 all providers temporarily closed had re-opened and 69 per cent of children were accessing an early years entitlement place in Autumn 2019.

During the pandemic support was provided to the childcare sector via: regular guidance up-dates; virtual network meetings; public health provider briefings, the delivery of PPE; weekly Q & A sessions with public health; an early years strategy group; a group for early years leads in schools; virtual inclusion panels and individualised support for transition. A childcare sufficiency task group was also established and parental views regarding the childcare sector were sought and 643 parents responded which showed general parental satisfaction with childcare in the borough and that childcare is a good quality.

It was reported that parents had indicated some potential areas of dissatisfaction which included the cost and flexibility of childcare and access to childcare for school aged children and young people with disabilities; and the uncertainties created by the pandemic have made childcare demand more difficult to predict and more targeted research will establish what requirements are not being met from the market for children with disabilities and for parents that require flexibility ie. shift workers; and the local authority are engaging with providers to ensure sufficiency of places over the coming months and work the sector to assist with sustainability.

The Chair highlighted that insufficiency of places for those children with disability/ respite care and those carers living in poverty had been identified for a number of years and questioned the role of the local authority in working with providers to supply or commission these places.

The Head of Education and Inclusion confirmed that further work was required to work with organisations to ensure sufficiency in the market of child care places for families with children with disabilities to be able to access training and employment opportunities.

Members expressed their concerns in relation to the sufficiency of places as we come out of the pandemic and the lost capacity from the childcare market as some have gone out of business during the pandemic and how viable the market is going forward and how this will affect parent and carers as they go back to work; and to the lack of places for families with children who have special education need and how the authority can provide sufficiency and guarantee supply in the future.

Members questions related to the take up of Early Years Funding in 2019 and the reasons for a 4 per cent shortfall and also how the drop in birth rate will impact the market.

The Head of Education and Inclusion reported that the latest birth projections showed a 20 year low in birth rate which will impact the service. He advised Members that the

submitted report was pandemic focused and agreed that the longer term impact and sufficiency of the market moving forward was key.

With regard to the funding system he acknowledged that from sectors perspective it was difficult to navigate and advised that Central government had put in place steps to address this and due to the uncertain market both nationally and locally this authority had set up the Early Years Strategic Group to facilitate direct discussions with providers across all types of settings and to discuss how the Local Authority can support them.

Regarding the take up for nursery places, the Childcare Sufficiency Officer advised that for funded two year olds during 2019 Darlington had around 85 per cent in a place compared to the national average of 72 per cent; and for three and four year olds (universal entitlement there was an average of 95 per cent take up compared to national between 94 and 96 per cent. For 30 hours Darlington averages around 600 and 800 children.

With the approval of the Chair, Marjory Knowles, a representative of the Skerne Park Community Enterprise Association attended the meeting and raised two questions in relation to provider representation on the Early Years Strategic Group; and the Early Years underspend reported as £314,663 in the submitted report.

The Head of Education and Inclusion responded that the Early Years Strategic Group was a developing body and was created at the beginning of the pandemic and all providers were invited to partake in the Group by an open invite and confirmed that membership could be looked at again.

With regard to the specific funding gap for those providers serving the most vulnerable, he advised that the reserve was ring fenced for Early Year's Providers and support to those providers. Early Years funding provided by the DFE is based on the January census which can fluctuate over the years the reserve is generally used to balance Early Years spend over previous years.

**RESOLVED** – That the findings of the 2020-21 Childcare Sufficiency Review be noted.

## **CYP22 CHILDREN AND YOUNG PEOPLE'S PLAN 2017-22 - PROGRESS REPORT**

The Acting Director of Children and Adults Services submitted a report (previously circulated) to provide Members with an update on the progress to date against the delivery of the Children and Young People's Plan (CYPP) 2017/22.

The Plan, which covers a five year period, is one of the identified delivery plans within the Sustainable Community Strategy and identifies what key actions will be taken to deliver the agreed Sustainable Community Strategy priority of the best start in life for every child which was adopted by Council on 29 September 2017.

The submitted report highlighted the seven priorities for the next five years and it had been previously agreed by the Multi-agency Steering Group (MASG), Chaired by the Assistant Director for Commissioning, Performance and

Transformation and bringing together key partners to ensure effective monitoring and delivery of the Children and Young People's Plan, to have a yearly focus on two of the priority actions, and during 2019-20 it was agreed to focus on child poverty and improving the mental health and emotional wellbeing of children and young people.

It was reported that the COVID pandemic had had a significant impact on the outcomes of the children and young people living in Darlington and the MASG have considered the findings of the Covid-19 Impact Report and agreed for 2021-22 to continue to focus on child poverty and improving the mental health and emotional wellbeing and also to focus on youth employment.

Members discussed in particular the impact of the pandemic and the longer term effects on families and what can be done to support them in the future; the Multi Agency Steering Group; and the role of this Scrutiny Committee in monitoring the plan as it moves forward.

**RESOLVED** – That the report be noted.

## **CYP23 PERFORMANCE INDICATORS QUARTER 2 2020/21**

The Acting Director of Children and Adults Services submitted a report (previously circulated) to provide Members with an update on performance against key performance indicators.

The submitted report provided Quarter 2 (July to September) 2020/21 performance information in line with an indicator set agreed by the Monitoring and Co-ordination Group and subsequently by each individual Scrutiny Committee.

The submitted report highlighted where Children and Young People were performing well and where there was a need to improve. It was also outlined that where indicators are reported annually, quarterly updates will not be available.

It was highlighted that there had been a positive decrease in the number of missing episodes that young people in care have had when compared to Quarter 2 2019/20 (from 31 episodes to 18); 100 per cent of children with a Child Protection Plan (CP) and 100 per cent of Children Looked After had been allocated to a qualified social worker; 91.6 per cent of Initial Child Protection Conferences were held within 15 workings, which remains higher than statistical neighbours; year to date no child has ceased to be subject to a CP who had been subject to the plan for two or more years, and the service continues to positively perform below the target of 5 per cent; 89.4 per cent of children received a statutory Child Protection (CP) visit within 10 working days, an improvement on the timeliness of visits when compared with the same period last year (78 per cent); 93.2 per cent of statutory children in care visits were completed within timescale; and 7.2 per cent of our Children in Care had been placed 20 or more miles away from home as at September 2020 which is a positive performance and below target of 10 per cent.



The areas highlighted for focus were in respect of 22.4 per cent of re-referrals year to date, were repeated within 12 months, above the target of 18 per cent; at the end of September 2020, the percentage of children becoming subject to a CP plan for a second or subsequent time within 2 years of the previous plan ending was 10.6 per cent; the number of Children in Care has increased to 302 by the end of September 2020 and is continually closely managed, however it was reported that delays in children ceasing care have occurred during the Covid-19 pandemic, which had kept the number high; and as a result of dental surgery closures during lockdown, 14.9 per cent of Children in Care, that were due a dental check assessment, have had one completed.

Members requested further data in relation to care workers, caseloads and employment turnover; encouraged the positives of virtual contact with children in care; and expressed their concern at the slippage of some targets in relation to Early Help Prevention and the current lack of dental appointments for children in care and the future consequences of this.

**RESOLVED** – That the performance information reported for Quarter 2 2020/21 be noted.

#### **CYP24 WORK PROGRAMME**

The Managing Director submitted a report (previously circulated) requesting that consideration be given to this Scrutiny Committee's work programme and to consider any additional areas which Members would like to suggest should be included in the previously approved work programme

The Democratic Officer updated Members on the current position regarding the virtual evidence gathering event to be held in January 2021 as part of the review on the impact that Covid-19 has had in Darlington on children and young people and what future actions may be required.

**RESOLVED** – That the work programme be noted.