

CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

7 OCTOBER 2014

Present: Councillor Richard Cook (Chairperson), Councillors Boyle, Govier, Murphy, Dianne Rees and Thorne.

Co-opted Members: Ms C. Lewis (Parent Governor Representative)

Apologies: Councillors Davis, Gordon and Mrs P. Arlotte (Roman Catholic Representative)

28: DECLARATIONS OF INTEREST

The Chairperson reminded Members of their responsibility under Part III of the Members' Code of Conduct to declare any interest in general terms and to complete personal interest forms at the start of the meeting and then, prior to the commencement of the discussion of the item in question, specify whether it is a personal or prejudicial interest. If the interest is prejudicial Members would be asked to leave the meeting and if the interest is personal, Members would be invited to stay, speak and vote. The following declarations were made:

<i>Councillor</i>	<i>Item</i>	<i>Interest</i>
Rees	Item 6: Budget Monitoring Report - Education.	Personal: Member of governing body of Pontprennau Primary School.

29: MINUTES OF LAST MEETING

The minutes of the meeting of 3 September and 9 September were agreed as a correct record and signed by the Chairperson.

30: CSSIW – LOOKED AFTER CHILDREN INSPECTION REPORT

The Chairperson welcomed Councillor Lent, Deputy Leader and Cabinet Member, Early Years, Children and Families, Tony Young, Director of Children's Services, Debbie Martin-Jones, Operational Manager, Looked After Children Services and Pam Clutton, Lead Inspector, Care and Social Services Inspectorate Wales.

This report provided the Committee with an opportunity to receive the inspection report resulting from an inspection undertaken in May 2014 by the Care and Social Services Inspectorate for Wales (CSSIW), which was part of a CSSIW national inspection programme into the Safeguarding and Care Planning of Looked After Children (LAC) and care leavers who exhibit vulnerable or risky behaviour.

Pam Clutton gave a presentation on the report.

The Committee was informed that the CSSIW looked at a sample of cases, cases featuring children over the age of ten years and care leavers who fall into any one of thirteen categories of vulnerability, such as those who have absconded from their placement and those who are in danger of sexual exploitation. The CSSIW selected cases where there were multiple vulnerabilities and tracked three of these cases, looking at them in depth and at policies and procedures. Cases were analysed using an audit tool and a judgement was made about the way the cases had been handled. Assessment, care planning and review systems were considered, as well as the extent to which the corporate parenting, management and partnership arrangements acted to promote improved outcomes for LAC and care leavers. These areas were considered against the following five questions:

- 1) Did the authority effectively discharge its corporate parenting roles and responsibilities promoting the stability, welfare and safety of looked after children and care leavers?
- 2) Were care and pathway plans informed by relevant assessments, including explicit risk assessments, which supported a comprehensive response to the needs and experiences of children and young people?
- 3) Were operational systems and procedures in place that ensured responsive coordinated action was taken to mitigate risk and achieve safe continuity of care?
- 4) Did Independent Reviews and quality assurance arrangements promote safe care and best outcomes for young people?
- 5) Did care and pathway planning effectively capture and promote the rights and voice of the child?

Pam Clutton advised the Committee that one issue for Cardiff is the size of the city and this was taken into account as additional challenge. The inspectors were impressed that social workers were able to talk with a

high degree of knowledge about the children and young people on their caseloads. Elected Members had an understanding of how the work of Children's Services can make a difference in the lives of young people, the Chief Executive had a good view of how corporate parenting can be done in a holistic way and senior officers in Children's Services are very knowledgeable. Effective safeguards for children and young people are good and well established. Against each of the questions considered, the inspection report gave positive findings as well as areas for improvement.

The Chairperson invited comments and questions from the Committee.

The Committee noted that in relation to question 2 it had been found that the quality of assessments was inconsistent and asked whether there were only slight variations in quality or extremes of variation. The Committee was advised that the quality of assessments was found to be extremely variable. Some assessments had not been updated, which may be due in part to the high turnover of staff. The response to some new templates that have been developed has not been good, and they do not provide space in which the views of young people can be recorded, which is a crucial thing. The Committee was informed that a new suite of templates for CareFirst, the database of service users, has been designed and two hundred and forty staff received training in their use in September. Also, ten case files are audited by managers every quarter.

The Committee noted that when looking at performance although inspectors used a system of performance grades, such as Excellent, Good, Poor, etc., these were not included in the final report and the Committee asked why this was the case, as their inclusion would enable comparisons with the performance of other authorities to be made. The Committee was advised that this practice was discontinued when joint reviews were discontinued, although there is still some discussion on whether these ratings should be included. When it comes to assessing performance, the focus is now much more to do with timelines, which are easier to measure.

The Committee was advised that in the face of budget cuts, growing demand and new Welsh Government legislation, one of the main things the local authority should ensure is that it recruits, retains and supports a good workforce, providing staff with resources and effective supervision and providing quality assurance on the work that they do.

The Committee asked about the provision of housing and supported accommodation for care leavers and was advised that Children's Services

has been working with Housing on this. An audit of what is available and what is needed has been carried out and it is thought that care leavers' accommodation needs can be met.

The Chairperson thanked Councillor Lent, the Director, Pam Clutton and officers for attending the meeting, for their presentations and for answering questions from Members.

AGREED: That the Chairperson on behalf of the Committee writes to the Cabinet Member highlighting the following issues:

Members welcomed the overall report and in particular the Inspector's acknowledgement that Safeguarding in Cardiff was good. Members were however concerned and surprised to be informed that the report indicated that there were inconsistencies in assessments as well inconsistencies in the data being placed on the CareFirst system. Members also noted the number of "Areas for Improvement" highlighted in the report, and requested that an Action Plan be developed, to address the issues highlighted in the report and that a copy be made available to the Committee.

31: ESTYN MONITORING VISIT ACTION PLAN– PROGRESS REPORT

The Chairperson welcomed Councillor Julia Magill, Cabinet Member for Education and Skills, Nick Batchelar, Director of Education and Lifelong Learning, Carol Jones, Assistant Director of Education and Neil Hardee, Head of Performance Resources and Services.

The purpose of this report was to provide the Committee with an opportunity to receive an update on progress being made in the implementation of actions to address the following recommendations from the Estyn monitoring visit:

Recommendation 3 - Ensure that the arrangements for delivering school improvement services challenge and support schools effectively, in order to improve standards for learners in all key stages;

Recommendation 4 - Improve the effectiveness of joint planning across the range of partnership working;

Recommendation 5 - Improve performance management processes to ensure a consistent approach in delivering objectives.

The Director gave a presentation.

The Committee was informed that the three areas covered by these recommendations are the ones that Estyn will evaluate first on its evaluation cycle. Recommendation 3 is essentially looking at the work of the Challenge Advisors and at the interface between the local authority and the South Central Consortium. There have been some good managerial changes within the Consortium. There have been some constructive meetings with the Challenge Advisors, who are very experienced people from a range of backgrounds. Quality assurance on the work of the Advisors needs to be strengthened.

In relation to Recommendation 4, a key focus of the Action Plan is sustained attention to those aspects of partnership working that relate to outcomes:

- getting proper engagement with headteachers on school and system improvements;
- outcomes for those young people who are not in employment, education or training (NEETs), on which some improvement is expected;
- improving links with universities, on which some positive headway has been made and;
- school engagement in neighbourhoods

Regarding Recommendation 5, the Committee was informed that a more coherent approach for reporting mechanisms is to be developed. A monthly report on performance in schools has been introduced and there is a rapid response when barriers to performance improvement are detected.

The Chairperson invited comments and questions from the Committee.

The Committee asked how the local authority is addressing the issue of the performance management of teachers. The Committee was advised that this is the responsibility of headteachers, although the local authority could do more on this through its relationship with the governing bodies of schools. Also, the Consortium monitors performance and the local authority challenges the Consortium in order to ensure that it does what is expected of it.

The Committee asked if data is available on the number of teachers who have had performance assessments. The Committee was advised that, as with all staff in the local authority, all teachers should have had performance assessments. The Education Strategy Group has looked at the management of teachers by headteachers and a plan has been drawn up to strengthen this. Advice and guidance has been drawn up but more work is needed on management of teachers. Headteachers are reluctant to use the culpability procedures to address poor performance and this reluctance should be challenged. Rather than being a punitive measure, the use of the procedures is a way of improving a teacher's performance. Another way of ensuring that there is performance management for teachers is to ensure performance management for headteachers, something for which the governing bodies of schools are responsible. Governing bodies should receive from headteachers reports on the performance management of teachers in the school, so that they are aware that there are processes in place for this. Unfortunately, not all headteachers provide these reports and not all governing bodies ask for them.

The Committee asked whether it would be possible for it to receive data from the Consortium on the number of schools that have a less than 90% compliance rate in relation to Personal Performance and Development Reviews (PPDRs) for teachers. The Director advised the Committee that it is the responsibility of headteachers, not the local authority, to manage schools. In the past there has been a culture of dependency and blame, with poor schools relying too much on the local authority – and being able to blame the local authority if things went wrong - whilst better schools were being held back. The aim is to get away from that culture. To ask schools to provide the local authority with performance management data would undermine the strategy of delegation that is now in place.

The Committee suggested that there are structural problems regarding the governance of schools, and there are not enough school governors. It was suggested that perhaps there should be a two-tier level of governance, with some governors recruited against a matrix of skills, the possession of which would allow them to monitor the management of the school more effectively, and some governors recruited to focus more on the community aspects of the role.

The Committee asked whether there is now clarity for headteachers and governors on the respective roles of the local authority and the consortium. The Director advised the Committee that there has been a

helpful clarification on this. Hannah Woodhouse, Managing Director of the Consortium, has brought a strategic focus and there is an acknowledgement in the Consortium that the key drive for improvement has to come from schools themselves.

The Chairperson thanked Councillor Magill, the Director and officers for attending the meeting, for their presentation and for answering questions from Members.

AGREED: That the Chairperson on behalf of the Committee write to the Cabinet Member highlighting the following issues:

The Committee welcomed the opportunity to be updated on the progress being made in addressing the Estyn inspection recommendations and in particular the processes in place to ensure that the tasks have a clear impact in improving the educational attainment of pupils.

Members noted with interest the progress being made as well as details of what has already been achieved in addressing each of these recommendations. Members then focussed their questions on the teacher performance and performance management by head teachers, as the Committee considered this to be a key area of concern. Following advice from the Director, the Members noted that this was the responsibility of headteachers and school governing bodies. Members considered that effective teaching was crucial to the improvement in pupil achievement. Members, during the way forward section of the meeting, agreed to ask scrutiny officers to write to all headteachers to seek an update on the number of teacher appraisals that they had undertaken last academic year.

Members also requested clarification of the separate roles of the Education Department and the Central South Consortium in leadership training and school improvement groups.

32: BUDGET MONITORING - EDUCATION

The Chairperson welcomed Councillor Julia Magill, Cabinet Member for Education, Carol Jones, Assistant Director of Education and Neil Hardee, Head of Performance Resources and Services.

The Committee agreed during its consideration of the annual work programme to review the forecasted financial monitoring position for the

Education and Lifelong Learning Directorate at its meeting in October 2014. This report therefore provided Members with an overview of the accepted budgetary proposals together with an opportunity to scrutinise the budget position at Month 4.

The Committee was informed that savings proposals of £6.512 million for the Directorate had been accepted by the Full Council in February 2014. Included in these are savings proposals of:

- £424,000 – Education Management – rationalisation of centrally employed staff
- £400,000 - Out of County Special Educational Needs (SEN) placements – robust procurement arrangements for new and reviewed placements
- £300,000 – Business Support – restructure of the business support function

The Committee was advised that the Directorate is currently overspending by just over £700,000. It ended the last financial year with a small underspend but that won't happen this year. The areas of overspend include:

- Rationalisation of Education Management - £177,000
- Restructure of business support - £200,000
- Out-of-county Special Educational Needs (SEN) - £200,000

Councillor Magill advised the Committee that the report gives an appraisal of the savings but does not set out what is being done to address the challenges presented by the proposals. A number of avenues are being explored. Some savings have been made in relation to tendering for school transport. The Directorate is looking creatively at revenue budgets, grants and the premises that are used by Education.

The Chairperson invited questions from the Committee.

The Committee asked how many people are now employed in the Directorate and whether there has been a reduction in the number of staff within the managerial component of the workforce. The Committee was advised that between 1500 and 1700 are employed in the Directorate. It had been decided that it would be counter-productive to have a full

management restructure while Estyn were visiting, and when the new Director took up his post he needed to look at the existing structure, so this has caused a delay and that has had an impact on the savings that will be made. The savings will be realised in 2015/16.

The Committee asked whether the impact of cuts is monitored. It has been reported to a Committee Member that school buses are now full and that children can not get a seat even if their parents are willing to pay. This can mean that children have to walk to school and can have an impact in terms of lateness and attendance. The Committee was advised that the impact of cuts is monitored and, if possible, adjustments are made when necessary. The provision of some services is now delegated to schools through the delegation of budgets.

The Committee commented that due to the delegation of budgets schools are being asked to take on a lot and the Committee enquired what the local authority is doing to help schools with their new responsibilities. The Committee was advised that all local authorities have delegated budgets to schools at a level of 85%. Some aspects of delegation are working well. Some headteachers of secondary schools would like a greater degree of budget delegation but headteachers of primary schools are less enthusiastic about that. The local authority provides schools with advice on financial management.

The Chairperson thanked Councillor Magill, the Assistant Director and officers for attending the meeting, for their presentation and for answering questions from Members.

AGREED: That the Chairperson on behalf of the Committee write to the Cabinet Member highlighting the following issues:

The Committee welcomed the opportunity to receive an analysis of the Directorate's expenditure over the first four months of the year, together with the detailed breakdown of each identified Directorate saving.

Members expressed their concern that the overspend was currently being forecasted at £729,000, and questioned in detail the main areas of overspend, in particular focussing on:

- Rationalisation of Education Management, £177,000
- Restructure of Business Support, £200,000
- Out-of-county SEN £200,000 and

- the County Hall Nursery, £42,000.

The Members questioned the reasons for the Cabinet to agree to delay the implementation of the rationalisation of education management and the resultant changes in business support and requested an update on the progress being made in implementing the alternative actions to ensure that the Department achieved a balanced budget at the year end.

Members also recommended that the Department must actively monitor the impact of the savings on each of the services provided, and report back its findings to Committee in March 2015.

During the way forward section of the meeting, Members requested details of the Education Directorate Establishment as at 31 March 2014 and as at 31 September 2014 so that they could fully appreciate the changes made following the rationalisation. The Committee also agreed to request that scrutiny officers seek views from headteachers on the increasing levels of delegated budget, as it was alleged that some school were concerned at the level of delegation being increased above 85%.

33: SCHOOL BALANCES – BRIEFING REPORT

The Chairperson welcomed Councillor Julia Magill, Cabinet Member for Education, Carol Jones, Assistant Director of Education and Neil Hardee, Head of Performance Resources and Services.

The Committee has expressed concern at the level of negative financial balances that some schools had at the end of the financial year. In addition, the Policy Review and Performance Scrutiny Committee wrote the Chairperson of this Committee highlighting its concern at the negative balances. This Committee has therefore included the consideration of a briefing paper on school balances in its work programme for this year. The purpose of this report was to provide the Committee with a briefing on the level of balances across Cardiff's schools.

Councillor Magill informed the Committee that the pressure on school finances is coming through in the balances and this pressure is also being reported by schools. Some deficits have been agreed with the local authority, for instance when a school is undergoing a period of transition, and other deficits are being managed down.

The Committee was informed that for the last four or five years school budgets have been protected by the Welsh Government but that protection has reduced over time. Schools are still affected by growth pressures. Pupil numbers in primary schools are increasing and in time that will filter through the whole system. The Welsh Government is to continue the Pupil Deprivation Grant and schools will have a two year budget settlement.

The Chairperson invited questions from the Committee.

The Committee pointed out that schools have to be authorised by the Council to go into a positive balance by more than 5% and some schools have balances in excess of this. The Committee was advised that schools are not permitted to set a deficit budget without the permission of Education and Finance. The Welsh Government has changed the regulations on positive balances and under the new regulations if a school has a balance of over £50,000, in the case of a primary school, or £100,000, in the case of a secondary school, then the local authority is allowed to take the excess and use it for educational purposes. Where it is seen that schools are holding large positive balances the local authority asks the school to justify this. Sometimes schools hold large balances when they are planning changes to the school building. If a school plans to improve its buildings or perhaps its IT facilities then the local authority does look favourably on that. The Committee suggested that in such cases it would not be unreasonable for the local authority to set schools a deadline for spending the funds they have set aside for such improvement projects.

The Chairperson thanked Councillor Magill, the Assistant Director and officers for attending the meeting, for their presentation and for answering questions from Members.

AGREED: That the Chairperson on behalf of the Committee write to the Cabinet Member highlighting the following issues:

The Committee welcomed the briefing on the level of school balances and noted the reasons for the positive and negative balances and expressed their concern to hear that increased pressures on schools were impacting on their school balances.

Members were pleased to be informed of the processes in place to manage both the positive and negative balances and in particular the four stage process for a school making an application for a licenced

deficit, which must include a financial plan to resolve the deficit within three years. Members did however wish to encourage the Cabinet to closely monitor those schools with large positive balances to ensure that the funds are utilised efficiently and effectively as soon as possible.

Finally the Committee wished to thank the Cabinet Member and the Director for having progressed the Estyn Action Plan as well as having to implement funding reductions across the Department.

34: BUDGET MONITORING REPORT – CHILDREN’S SERVICES

The Chairperson welcomed Councillor Lent, Deputy Leader and Cabinet Member, Early Years, Children and Families and Tony Young, Director of Children’s Services.

The Committee agreed during its consideration of the annual work programme to review the forecasted financial monitoring position for Children’s Services. This report therefore provided the Committee with an overview of the accepted budgetary proposals for 2014/15, together with an opportunity to scrutinise the Directorate’s budget position at Month 4.

The Director informed the Committee that savings proposals amounting to £2.655 million were listed in the report and that in the main the Directorate was on course to deliver these savings. The financial position in Month 4 has deteriorated and this is mostly attributable to agency costs in relation to services for Looked After Children (LAC), but those costs are coming down due to the work that has been done on the recruitment and retention of social workers. There has been an overspend in relation to adoption fees and allowances as there was a significant increase in the numbers placed for adoption the previous year. But the Director advised the Committee that in his view this was money well spent, as the costs to the local authority would, in the long run, have been much higher if these children had continued to be looked after by the authority. Since April 2014 LAC numbers have increased by twenty-two. The Directorate is also paying more for residential placements due to the particular needs of the children that have been placed.

The Chairperson invited questions from the Committee.

The Committee enquired about the effect that the Workforce Package has had on staff. The Committee was informed that an assessment of

remuneration to staff revealed that Cardiff's position was relatively good when compared to other local authorities. There was some resentment about the Package but it does not seem to have an impact on recruitment and retention.

The Committee suggested that if more children have been adopted, resulting in extra expenditure on adoption fees and allowances, it would still be reasonable to expect that overall costs for the Directorate would have fallen, because fewer children were being looked after by the authority. The Committee asked how it can have confidence in the Directorate's projections on overspend. The Director advised the Committee that he can not be confident that the demand for services will not rise. The number of children coming into the system is outstripping the Directorate's ability to make savings. Children who are placed in expensive out-of-county placements tend to be older children, children who have been placed after repeated attempts to keep them within the care of their own family; the more attempts are tried and then fail, the more the children's problems increase and the more difficult the children then become to manage. Situations in which keeping children within their families is not a viable option need to be identified sooner. But even if that is done, it would take several years for the resulting savings to be realised. The demand for services is increasing in both England and Wales, and more children are being brought into the system by judges who are very proactive.

The Committee asked the Director whether Children's Services will be requesting another budget contingency. The Director advised the Committee that some things are not within his control and, if the current level of demand flows through to the following year, some very difficult decisions lie ahead, for both him and the local authority.

The Committee asked the Director to comment on the matter of inappropriate referrals. The Director advised the Committee that officers from Children's Services have visited the Leeds local authority and seen how the co-location of staff from the police, the health service and from children's services departments can help to reduce the number of inappropriate referrals. The Committee was advised that in Cardiff 80% of children that are the subject of referrals do not end up coming into the system. What is needed is a model of prevention that stops cases even getting referred to Children's Services in the first place, a model based on early intervention that addresses the need before it becomes a problem. There is no right figure for numbers of LAC. What is true for Cardiff, though, is that when compared to other local authorities in Wales its rate

of admissions is lower than one would expect. What is needed is to find the right preventative strategy.

The Chairperson thanked Councillor Lent and the Director for attending the meeting, for their presentation and for answering questions from Members.

AGREED: That the Chairperson on behalf of the Committee write to the Cabinet Member highlighting the following issues:

The Committee welcomed the opportunity to receive a detailed analysis of the Directorate's expenditure over the first four months of the year, together with the detailed analysis of each identified Directorate saving.

The Members expressed concern that an overspend was currently being forecasted at £365,000, after the transfer of £950,000 from the Council's Corporate Contingency Budget. Members considered that the corporate contingency may not be available in future years and as such Children's Service's expenditure must to be monitored extremely closely to ensure that future expenditure remains within budget.

The Committee focussed on the three main areas of overspend, namely:

- Placement of Looked After Children - £725,000
- External legal advice and Court Fees – £279,000
- Adoption fees -£290,000

Members noted the Director's comments that these were demand driven and difficult to control, however there was a clear commitment to identifying alternative preventative models to help manage expenditure. The Committee requested that the Director provide a briefing report on the various initiatives being developed. In addition, the Committee recommended that alternative uses for Thornhill Road and Suffolk house must be identified as soon as possible to minimise the ongoing maintenance and security costs.

35: DATE OF NEXT MEETING

The next meeting will be held on Tuesday 11 November 2014 at 2.30pm in Committee Room 1.

The meeting closed at 6pm.

Signed _____ Date _____
Chairperson