

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Children and Families Scrutiny Committee**
held on Tuesday, 11th September, 2012 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor A Kolker (Chairman)
Councillor K Edwards (Vice-Chairman)

Councillors L Brown, P Hoyland, D Neilson and P Hayes

Apologies

Councillors B Livesley, G Barton, R Domleo, P Butterill, G Merry, M Sherratt
and B Silvester

In attendance

Councillors H Gaddum and R Bailey

Officers

Fintan Bradley – Head of Service: Strategy, Planning & Performance
Chris Williams – Transport Manager
Jenny Marston - Policy & Accessibility Manager (Transport)
Mark Grimshaw – Scrutiny Officer

20 DECLARATIONS OF INTEREST

None noted.

21 DECLARATION OF PARTY WHIP

None noted.

22 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 17 July 2012 be approved
as a correct record.

23 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public who wished to address the Committee.

24 QUARTER 1 FINANCE AND PERFORMANCE REPORT

Fintan Bradley, Head of Service: Strategy, Planning & Performance, attended to
present the Quarter 1 Finance and Performance report for the Children and
Families Directorate.

Fintan Bradley noted that the Directorate had a budget of £59m for 2012/13, excluding the Dedicated Schools Grant (DSG). The emerging pressures on this budget had been identified at £4.9m with £4.1m of remedial action identified in order to reduce the base budget net overspend to £0.8m.

Touching on the emerging pressures, Fintan Bradley identified the key revenue issues that the Directorate was facing:

- Reliance on expensive out-of-Borough placements for Cared for Children due to a shortage of foster care provision.
- A reliance on expensive agency social workers in the Children in Need/Child protection, Children's Assessment Team and 16+/Cared for Support teams. This was due to a difficulty of recruiting experienced and qualified permanent social workers.

Fintan Bradley was asked to expand on the issue relating to the shortage of permanent social workers. He explained that whilst the service has had an ongoing campaign to recruit qualified social workers; competition was strong from neighbouring authorities for experienced staff. Other authorities were using initiatives such as 'Golden Hello's' to attract experienced social workers and therefore Cheshire East was finding it difficult to compete. Fintan added that the nature of the positions available, namely in the Child Protection teams also made it difficult to recruit permanent staff as these roles were some of the most challenging within the social work field.

Members agreed that it would be useful to receive more information on the issue relating to the recruitment of permanent social workers at a subsequent meeting. It was requested that the Committee receive information on:

- The number of social worker vacancies in the Council,
- How much more it was costing the Council to recruit agency workers in comparison to having permanent staff.
- How long agency staff tended to stay with the Council.

It was commented that the NHS had faced similar issues in terms of relying on agency workers and as a result, they had tried to counteract this by establishing a bank of staff. It was queried therefore whether creating a bank of social workers was something that the Council had considered.

A number of other suggestions were made as to how the Council could attempt to reduce the reliance on agency workers:

- That the service gather intelligence to understand what made agency working attractive to social workers so that conditions could be replicated within the Council i.e. flexible working, short term/temporary contracts.
- That offers be made to recently departed experienced social workers, of a particular standard, to either return to work on a reduced hour's basis or to mentor less experienced social workers.

It was suggested that an item be added to the work programme for the next scheduled meeting so that a response to these suggestions could be provided.

It was queried whether the closure of the Brereton Children's Home would place extra pressure on the budget. Fintan Bradley acknowledged that the closure would put pressure on placements which could potentially result in children being placed in out-of-Borough placements – incurring an additional cost.

Following on from this issue, it was requested that the Committee receive information at a future meeting on:

- How many foster carers the Council required.
- How many foster carers were currently employed by the Council.
- What the current 'turnover' rate was for foster carers.

A number of general comments were made on the Children and Families budget. It was noted that there appeared to be a number of areas in which there was a consistent overspend. It was suggested therefore that a budget session be arranged for the Committee in order to better understand these issues so that informed recommendations could be made.

In terms of performance information, attention was drawn to page 14 of the agenda which highlighted that the Directorate had not met its target on the following indicators:

- NI 59 – Initial assessments for children's social care carried out within 7 working days of referral
- NI 60 – Core assessments for children's social care that were carried out within 35 working days of their commencement.

It was queried how many days it was taking for initial and core assessments on those instances that the targets were missed. Fintan Bradley suggested that this information could be provided for the Committee in an updated action plan for the Ofsted Announced Inspection on Safeguarding.

RESOLVED –

- a) That the report be noted.
- b) That an item be placed on the Committee's work programme for the next scheduled meeting relating to the challenges in recruiting experienced social workers. That this include:
 - a. Information on:
 - i. The number of social worker vacancies in the Council,
 - ii. How much more it was costing the Council to recruit agency workers in comparison to having permanent staff.
 - iii. How long agency staff tended to stay with the Council.
 - b. A response to the following suggestions:
 - i. That the service gather intelligence to understand what made agency working attractive to social workers so that conditions could be replicated within the Council i.e. flexible working, short term/temporary contracts.
 - ii. That offers be made to recently departed experienced social workers, of a particular standard, to either return to work on a reduced hour's basis or to mentor less experienced social workers.

- c) That at a future meeting, the Committee receive information on:
 - a. How many foster carers the Council required.
 - b. How many foster carers were currently employed by the Council.
 - c. What the current 'turnover' rate was for foster carers.
- d) That an updated action plan for the Ofsted Announced Inspection be brought to a future meeting and that this include further information on the range of days being taken to perform initial and core assessments for children's social care.
- e) That a session be arranged for the Committee to go through the Children and Families budget pressures prior to December 2012.

25 SCHOOL COMPETITION PROCESS FOR AN AUTISM SPECTRUM CONDITION-SPECIFIC SPECIAL SCHOOL

Fintan Bradley explained the background and rationale for the development of an Autism Spectrum Condition (ASC) specific special school. In 2010, the Children and Families Service began the process of reviewing its arrangements for children and young people with special educational needs and disability (SEND). One of the priority recommendations emerging from the ongoing review was an identified need to develop local specialist provision for children and young people with ASC between the ages of 4-19.

As a result a business case was submitted and approved in principal by Cabinet in November 2011 with a feasibility study commissioned to explore siting the school on the former Church Lawton Primary School site.

Subsequently in February 2012, changes were made to the Education and Inspections Act 2006 part 2, in relation to the process for establishing new schools. This meant that the Council had to go through a competition process to establish a new school which would result in finding either an Academy sponsor, establishing a free school or going out to the market.

The Committee was asked to comment on the project in light of the new legislative changes.

There was unanimous agreement to the principle of establishing the school. A few concerns were expressed however with regards to the funding of the school. It was suggested that if the Council was not going to be running the school would the Department for Education (DfE) provide some of the capital costs. Fintan Bradley noted that the Council was still in negotiations with the DfE regarding the funding of the school and that it was possible that they would pay for the prudential borrowing.

It was queried what the payback period for the Council would be after the school had opened. Fintan Bradley confirmed that this would be approximately ten years.

It was queried if there was any chance of the Academy Trust or alternative provider, not providing sufficient places for Cheshire East children and instead

offering places to out-of-Borough children. Fintan Bradley confirmed that during the competition process, the Council would set out a service level agreement that would ensure priority for Cheshire East children. Additionally, the Council would also remain the admissions body and would therefore again ensure priority for Cheshire East children.

It was questioned whether parents in the North of the Borough were happy with the school location. Fintan Bradley acknowledged that whilst the location was not ideal it had been chosen to reduce the need to purchase land which would have been prohibitive to the project. He added that the service had received feedback from parent groups which expressed that they were positive about having a school in Cheshire East.

It was queried when the school was likely to open. Fintan Bradley reported that it was scheduled to open in September 2014.

RESOLVED –

- a) That the report be received.
- b) That the Committee endorse the principle of establishing an Autism Spectrum Condition-specific Special School in Cheshire East.
- c) That the Head of Strategy, Planning and Performance be requested to update the Committee with the outcome of the discussions with the Department for Education regarding the capital funding of the school.

26 AVAILABLE WALKING ROUTES POLICY

Chris Williams, Transport Manager and Jenny Marston, Policy and Accessibility Manager (Transport), attended to provide a presentation on the Available Walking Routes Policy. After providing a brief explanation of the legal context and a definition of an available walking route, Chris Williams continued to provide a brief overview of recent developments that had occurred to the policy area. He noted that a local authority had recently been subject to a Local Ombudsman Challenge to policy in this area. This had centred on the local authority in question not explicitly stating that they had followed central government guidance in their policy. Chris Williams explained that a number of other local authorities were in a similar position and therefore the Council was seeking to reaffirm its policy with a number of minor amendments and clarifications. These were detailed as follows:

- Incorporation of school responsibility for school travel plans
- Change to the notice period of withdrawals – 1 term suggested
- Consideration to be given to temporary issues when assessing a route as 'available' – ground conditions, major roadworks etc
- 'Crossing point' assessment updated
- 'No footpath' assessment updated
- Review procedure updated

In terms of the latter point, Chris Williams explained how the last formal review of available routes in the Borough had been conducted more than twenty years ago. Developments in the highways network since that point had meant that many

children could walk in relative safety and no longer required assistance. Chris Williams added that this had led to a relatively high number of children being entitled to school transport due to a lack of an available walking route in comparison to other local authorities (25% in Cheshire East compared to less than 5% nationally).

Chris Williams acknowledged therefore that once the review procedure for available routes began, it was likely that some children would no longer be entitled to transport whilst some would become entitled who previously had not been.

In summary Chris Williams noted that he would be making the following recommendations to Cabinet and he asked for the Committee's comments.

- Continue to use Road Safety GB guidelines
- Adjust policy statement to take account of DfE's guidance
- Adopt revised policy
- Reassess all current routes classed as unavailable to ensure consistency and fairness
- Adopt a policy of reassessment after a defined period – suggested at 5 years.

A number of comments were made stating that it seemed likely that once the review procedure for available walking routes had been completed more school children would have their entitlement to transport removed than would gain entitlement. It was asserted therefore that this policy could potentially be very unpopular, particularly considering that discretionary school transport had recently been removed for those pupils attending faith schools. Consequently, it was stated that such a review procedure would need to be carefully managed to ensure that local communities and local ward Councillors were kept fully informed.

It was contended that the notice period for withdrawal should be longer than the suggested one term. Chris Williams reported that the Council had looked at what notice period other authorities were providing and that this ranged from 0 to 12 weeks. By suggesting one term therefore the Council was offering a withdrawal period at the top of the range.

Chris Williams commented that the Council would always follow the 'Precautionary Principle' when it came to deciding if a route was safe or not. This meant that if there was any doubt about the safety of a route, the Council would always provide transport.

It was requested that the Committee receive the draft version of the updated policy on the 9 October 2012 with the amendments from the previous policy highlighted.

RESOLVED –

- a) That the presentation be noted.
- b) That the Committee receive the draft version of the updated policy on the 9 October 2012 with the amendments from the previous policy highlighted.

27 WORK PROGRAMME UPDATE

Members considered the work programme. Following the proceedings of the meetings it was agreed to put the following items on the work programme:

- Recruitment of experienced social workers (October 2012)
- Recruitment and retention of foster carers – including update on the fostering capital projects policy (November 2012)
- Children and Families Budget session (separate meeting to be arranged prior to December 2012).

In order to manage the size of the agenda for the October meeting, it was agreed that the Quarter 2 finance and performance report would be deferred to November 2012.

Councillor Edwards and Councillor Neilson provided an update of the Early Years and Care Leavers Task and Finish Reviews respectively. It was noted that the Care Leavers Review was likely to report to Committee in November 2012.

RESOLVED –

- a) That the work programme be noted.
- b) That the following items be added to work programme:
 - a. Recruitment of experienced social workers (October 2012)
 - b. Recruitment and retention of foster carers – including update on the fostering capital projects policy (November 2012)
 - c. Children and Families Budget session (separate meeting to be arranged prior to December 2012).
- c) That the Quarter 2 Finance and Performance report be deferred to November 2012.

28 FORWARD PLAN - EXTRACTS

The Committee gave consideration to the extracts of the forward plan which fell within the remit of the Committee.

RESOLVED – That the forward plan be noted.

The meeting commenced at 1.35 pm and concluded at 4.30 pm

Councillor A Kolker (Chairman)