

**CHILDREN, YOUNG PEOPLE AND EDUCATION SCRUTINY
COMMITTEE**

(Committee Rooms 1/2, Port Talbot)

Members Present:

9 March 2016

Chairperson: Councillor A.R.Lockyer

Vice Chairperson: Councillor H.N.James

Councillors: A.Carter, Mrs.A.Chaves, Mrs.J.Dudley, M.Ellis,
R.G.Jones, D.Lewis, J.D.Morgan,
Mrs.S.Paddison, Mrs.K.Pearson and
D.Whitelock

**Co-opted Voting
Members:** Mrs.M.Caddick, Ms.H.Dale and Ms.D.Vaughan

**Co-opted Non Voting
Members:** A.Hughes and Mrs.C.Jones

**Officers In
Attendance** A.Evans, N. Jarman, A.Jarrett, A.Thomas,
Mrs.A.Thomas, C.Millis, Mrs.K.Jones,
N.Thomas, J.Hodges, Ms.A.Flynn, I.Finnemore,
Burge, M.Lazarus, D.Cole, N.Evans and
Ms.C.Gadd

Cabinet Invitees: Councillors P.A.Rees and P.D.Richards

1. **DECLARATIONS OF INTEREST FROM MEMBERS**

The following Members made declarations of interest at the commencement of the meeting.

Councillor P.A.Rees	Report of the Director of Social Services, Health and Housing re: Contract between Hillside and Cefn Saeson Comprehensive School, as he is
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Chair of Governors at Cefn Saeson School.

Councillor A.Carter

Report of the Director of Social Services, Health and Housing re: Contract between Hillside and Cefn Saeson Comprehensive School, as he is governor of Cefn Saeson School. Also report of the Chairperson of Children, Young People and Education Scrutiny Committee re: Response from ABMU Health Board regarding the Child and Adolescent Mental Health Services in Neath Port Talbot Area, as she is member of the Community Health Council.

Councillor A.Lockyer

Report of the Director of Social Services, Health and Housing re: Contract between Hillside and Cefn Saeson Comprehensive School, as he is a member of the Hillside Recovery Board.

Councillor Mrs.S.Paddison

Report of the Chairperson of Children, Young People and Education Scrutiny Committee re: Response from ABMU Health Board regarding the Child and Adolescent Mental Health Services in Neath Port Talbot Area, as she is member of the Community Health Council.

2. **MINUTES OF THE CHILDREN, YOUNG PEOPLE AND EDUCATION SCRUTINY COMMITTEE HELD ON 11 FEBRUARY 2016**

Members considered the minutes for the previous meeting and raised some issues in relation to accuracy.

Within the minutes it stated "Members highlighted that there had been a change to the webpages that assisted parents with completing admissions that assisted parents with completing admissions forms.

Officers informed Members that they would look into this matter.” Members requested that the following be included after the words informed Members “that they knew nothing about this.”

A point was raised in relation to the content of the Ombudsman letter however; this point was not accepted as the only discussion allowed on the minutes was in relation to their accuracy.

Following scrutiny the Committee noted the Minutes.

3. **SCRUTINY FORWARD WORK PROGRAMME 2015/16**

Members considered the Forward Work Programme and noted that at the next meeting the Head of Transformation would be presenting the business plans for the service, which would include a look back at 2015/2016 and look forward to 2016/2017.

Members were also informed that following the review of the Home to School Transport Policy, it would be scrutinised by Cabinet Scrutiny Committee and that Children, Young People and Education Scrutiny Committee would be invited to attend.

Following scrutiny the forward work programme was noted.

4. **RESPONSE FROM THE AMBU HEALTH BOARD REGARDING THE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES IN THE NEATH PORT TALBOT AREA**

The Committee received the report outlining the response from ABMU Health Board to the questions submitted regarding Child and Adolescent Mental Health Services (CAMHS) in the Neath Port Talbot area for the Committee to agree how to proceed, as detailed within the circulated report.

Members discussed the content of the response, which raised some further questions. Including when the new clinicians would be in post and reducing waiting lists by 25% would this result in 42 week waiting times.

The Committee discussed different options were and it was noted that ABMU Health Board had offered to further explain the Performance Monitoring information in an informal session. Overall,

Members felt that it would be more appropriate for any meetings to be open to ensure it was transparent. Some Members queried what the outcome would be from further investigation as it was noted that the Scrutiny Committee had no powers over the Health Board. It was highlighted that they could influence the Health Board and it was an opportunity to raise their concerns. Members noted that the performance information added context to the responses to the questions. It was noted that the Committee could write to Welsh Government outlining their concerns following the discussions with the Health Board. Members felt that they would like to gather further information before considering this option.

Members queried whether Members that sat on the Community Health Council had raised questions at meetings regarding concerns with CAMHS. It was also asked who the Council representative was on the Planning Group and how information was fed back to the Council. These options would be investigated further.

Members highlighted that the Critical Care Team in the Health Board provided a good service and information such as this had been left out of the response. It was noted that there were developments being undertaken with CAMHS that should be opportunities to improve the Service.

Following scrutiny, the Committee agreed that they would invite the Chairman and Chief Executive to a future meeting. In addition they would submit further written questions for prior consideration.

5. **ELECTIVE HOME EDUCATION BRIEFING PAPER**

The Committee received the report on elective home education and an overview of parental rights to home educate their children and outline the support work the authority undertook in this area, as detailed within the circulated report.

The Chairperson had requested this report on was presented to the Committee, following the sad death of a child in Pembrokeshire, who had not been seen by any agency for some time. It was highlighted that elective home education was not the same as home tuition.

It was noted that parents had an obligation to inform the Council if they wanted to deregister their child from a school roll. However, if a child had never been on a school roll or moved into the area there

was no legal requirement to inform any organisation of the parents' choice to educate at home. It was outlined that parents had to ensure the education that their children received was suitable to their age, ability and aptitude. It was recognised that this was a difficult to define as it would vary from child to child. Parents of home educated children, which the Council were aware of, had to demonstrate that suitable education provision was being provided. However, this could be as simple as an annual letter. Members were informed that there were currently 103 known children that were being educated at home and this figure was the highest it had been and continued to increase. It was highlighted that this figure was believed to be higher as there were a number of children that were not known to the Council.

The Council offered a support service through a part time teacher, but there was no obligation for parents to have this support and there was no legal educational basis for the support officer to insist that the child was seen or spoken with. Neath Port Talbot complies fully with its statutory responsibilities and Education Service had increased the support services offered. This support was on curriculum and directing them to links for support. It was highlighted that the support role was not a social worker role but if there were concerns then statutory safeguarding guidelines would be followed. Members queried how long it took for support to be offered to families that deregistered their children from a school. Officers explained that contact would be made straight away to offer support and the part time teacher was experienced and effective at building relationships with families. An annual review was also offered to all children. Members asked if all 103 families had taken up the support offered by the Service. Officers explained that different levels of support had been taken up and some families were more receptive than others. Some families send in a letter explaining that they do not want any assistance and there were strong support groups for home education that had designed template letters that could be utilised by parents. It was queried how the Council was upholding the United Nations Human Rights Commission, Article 12, Rights of the Child, if the children were not able to be seen by the support officer. It was highlighted that this was an example of a contradiction between two legal frameworks.

It was noted that during 2012 Welsh Government entered into a consultation exercise and recommended substantial changes to the framework for elective home education. However, following a significant number of responses it was decided not to proceed with the proposals. Welsh Government had agreed a new statutory

guidance document would be developed by commissioned consultants and was to be issued in May 2015. However, this date had been pushed back and the guidance had not yet been received by local authorities. Members asked why external consultants had been used and whether or not Welsh Government had the resources in house to undertake this work. Officers highlighted that this would be a question for Welsh Government to answer. Members asked if their concerns could be raised with Welsh Government. It was highlighted that the Western Bay Safeguarding Children Board had written to Welsh Government to express their concerns on behalf of all three Local Authorities. The response received was to wait for the issuing of the new guidance.

Members queried if there were any particular characteristics with families who choose to educate their children at home, for example, was there more in a certain age range. Officers explained that there appeared to be no particular pattern, such as age or gender. There was also not a big difference in the months of deregistering; there was a slight increase in January. It was highlighted that there was an apparent correlation between the recent introduction of fixed term penalties for non-attendance and the increase in of families electing to educate their children at home.

Members asked if officers had looked into the circumstances surrounding the tragic death of a home educated child in Pembrokeshire to try and prevent a similar case in Neath Port Talbot. It was explained that the details of the Pembrokeshire case had not yet been officially released, but officers would do so once they were. Officers informed Members that the issue had been considered twice by the Western Bay Safeguarding Children Board. It was highlighted that the difficulty was with the children that were not known to education services, because they had never been registered with a school in the area. The Service worked with home education networks to try and have an open dialogue to receive information about families that were unknown. It was noted that some support networks were more prepared to engage with the Service than others. Members queried how some children could be unknown as they must have been registered at birth and schools forecast the numbers that were expected in nursery. It was explained that the forecast figures were not exact and families moved in and out of the area. If children had never been registered in a school it was very difficult to track them. It was agreed that the list of elective home educated children would be checked against child in need and child protection registers. Members highlighted that children that were

educated at home could be less likely to engage with the community and interact with their peers.

Members asked if there was any data on attainment of children educated at home and it was confirmed that there was not. Members asked if families choosing to educate their children at home tended to be for their whole school careers or for just part of it. It was explained that it varied and children were taken out at different ages, it was unusual for children to be put back into school after being taken out.

Following scrutiny, it was agreed that the report be noted.

6. **PRE-SCRUTINY**

The Committee scrutinised the following matters:

Cabinet Board Proposals

6.1 Children and Young People Services 3rd Quarter (2015-16) Performance Report

The Committee received the Children and Young People Services third quarter (2015-16) Performance Management Information, the monthly Key Priority Indicator information and complaints data, as detailed within the circulated report.

Members were informed that there had been a significant increase in the percentage of initial assessments that were completed where there was evidence that the child had been seen alone by the social worker (SCC/011b). It was noted that in relation to the percentage of statutory visits to looked after children due in the year that took place in accordance with regulations (SCC/025) was a priority for the Service and there had been a slight increase to 92.4%. There had also been an improvement in the percentage of review of looked after children, children on the child protection register and children in need carried out in line with the statutory guidelines (SCC/045). In particular there had been an improvement in the data capture for children in need reviews. It was noted that caseloads were low and remained relatively consistent. Members highlighted that there had been a slight increase in the number of children in need cases in December 2015 (priority indicator 7) and it was explained that this was partly due to children moving out of the child protection category.

It was highlighted that more looked after children were being placed with in house foster carers and there had been a particular focus on 11 to 17 year olds. Officers agreed that numbers would be included as well as percentages in future reports for this indicator.

Members queried what the age range of the children who had been discharged from care and subsequently re-admitted within a 12 month period (priority indicator 6). Officers would find this information out and informed Members that no pattern had been highlighted.

Members noted that the data for (priority indicator 8) the number of cases 'stepped up / stepped down' between Children and Young People Services and Team Around the Family (TAF), seemed to indicate that cases were more stable and manageable within TAF. Officers explained that it was too early to establish if the figures had stabilised, but there was a much better relationship and consistency in approach. Members highlighted that there were discrepancies between the graphs for this indicator as one referred to monthly data and the other to quarterly data. Officers recognised this and would ensure that the presentation of data in future reports was more consistent.

Members asked if those pupils, in September, that had not received a Personal Education Plan within 20 schools days of entering care or joining a new school (priority indicator 9) had subsequently received plans. Officers confirmed that those that had not received a plan within 20 days would have been followed up to ensure that they did. Members were pleased to note that both qualified and unqualified staff were receiving regular supervision.

Following scrutiny, it was agreed that the report be noted.

6.2 Education Quarterly Performance Management Data 2015-16 – Quarter 3 Performance (1 April 2015 – 31 December 2015)

The Committee received the quarter 3 performance management data, complaints and compliments for the period 1 April 2015 to 31 December 2015 for Education, Leisure and

Lifelong Learning Directorate, as detailed within the circulated report.

Members were informed that there had been some good results and successes and the data was put into context, including the high percentage of Free School Meal pupils and other deprivation indicators. It was highlighted that at Key Stage 3 the Core Indicator improved by 4.7% in 2014/15, however, Neath Port Talbot were still ranked 22nd Wales. In Key Stage 2 the Core Subject Indicator had fallen by 0.8% in 2014/15 and Neath Port Talbot also remained ranked 22nd in Wales in this indicator. It was highlighted that out of 333 pupils that did not achieve 33% were Free School Meal Pupils and had Statements of Educational Need and 40% rated red on the vulnerability scale. There were also 131 near misses. It was noted that there were very small figures between the rankings and Members recognised this. Officers highlighted that Neath Port Talbot pupils were achieving at Key Stage 4 and it was better that teacher assessment was underestimating at Key Stages 2 and 3 and then producing good external exam results at Key Stage 4. Members commented that there needed to be more consistency and improved moderation and standardisation.

Members queried the reasons for the increased in the number of children with new statements of special educational needs (L(SEN) 1a). It was explained that there had been an increase in the identification of complex needs and the Service was working with parents and agencies to address this. Members asked why performance continued to drop for the percentage of final statements of special educational need issued within 26 weeks including exceptions. It was explained that delays were often due to external sources, such as waiting for medical information and parents not attending appointments. Officers informed Members that there had been some sickness in the team and the workload had to be shared out between the other staff. Another factor was more parents were exercising their right to appeal, which would always push figures outside the 26 week timescale.

It was noted that the Service was improving the way it worked with young people Not in Education, Employment or Training, pupils who had been excluded and increasing attendance.

Following scrutiny, it was agreed that the report be noted.

7. **ACCESS TO MEETINGS**

Resolved: that pursuant to Section 100A(4) and (5) of the Local Government Act 1972, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in paragraph 12 and 14 of Part 4 of Schedule 12A to the above Act.

8. **PRE-SCRUTINY**

The Committee scrutinised the following matters:

Cabinet Board Proposals

8.1 Early Intervention and Prevention Reserved Lots – Contract Extension

The Committee received the report on the proposal to extend the two partnerships with Calan DVS and NSPCC respectively, until 31 March 2017, to deliver enhanced services in the areas of Domestic Violence and Thriving Families (Reserved Lots), as detailed within the circulated report.

Members were provided with a summary of the current arrangements and progress to date. It was noted that contract monitoring was undertaken and it indicated that the current partnership agreements represent significantly better value for money than competitively tendering a 'standalone' service at this time. It was highlighted that these services were important for early intervention.

Delegated authority was being requested for the Head of Participation to extend the agreements for a year, taking into account any guidance and instructions issued by Welsh Government. Officers had discussed this approach with Welsh Government and had recently received confirmation that the Welsh Government would approve the extension of the partnership arrangements.

Members asked what was meant by the term 'Reserved Lots'. Officers explained that in the previous financial year a number

of service areas went out to tender and these particular lots were reserved due to unknown service specifications.

Following scrutiny, the Committee was supportive of the proposals to be considered by the Cabinet Board.

8.2 Contract between Hillside and Cefn Saeson Comprehensive School

The Committee received the report to approve consultation on further developing the existing agreement between Neath Port Talbot Council and Cefn Saeson Secondary School in regards to Hillside Secure Children's Home, as detailed within the circulated report.

Members were informed that an agreement between the Council and Cefn Saeson to provide strategic and operational support to manage educational provision at Hillside Secure Children's Home had been approved in April 2014. The proposal was to consult on building on the current agreement to enhance it and strengthen the education provision at Hillside. It was highlighted that this proposal was in line with Estyn's recommendations to further develop the partnership and have more formal arrangements. If agreed there would be a 30 day consultation period with the education department at Hillside and Cefn Saeson.

Members queried what was meant by the term 'increased co-operation'. Officers explained that it referred to taking the arrangements further and Cefn Saeson employing the Hillside educational staff so they would be managed by a well-run mainstream school. It was highlighted that the arrangements had been recognised as being unique in the United Kingdom.

Members noted that the report outlined the benefits for Hillside teachers and it was asked would it also be a positive experience for the Cefn Saeson Staff. Members were informed that it would offer the teachers from Cefn Saeson different experiences to deal with challenging behaviour and there were Continual Professional Development opportunities. Good practice would also be shared between Hillside and Cefn Saeson staff and opportunities for staff to reflect on their own practice. It was highlighted that Cefn Saeson had achieved

good results last year and the partnership with Hillside had not been detrimental to this.

Members noted that the report referred to a possible management fee and queried who would audit this. Officers explained that there a Hillside Improvement Board had been in place since 2013 and this Board would oversee such arrangements.

Members highlighted that the proposal was for Hillside educational staff to be transferred to the employment of Cefn Saeson School and the current operational running costs that Hillside allocated to support Education Department would also be transferred. Members asked if there was any risk that the Hillside finances could be used to bridge potential deficits in Cefn Saeson's budget and have knock on effects for Hillside, such as redundancies. Officers recognised that such issues would need to be resolved and safeguards built into the final agreement, which would be brought back for consideration by Members. Officers were satisfied that the proposals would be cost neutral. It was highlighted that staffing issues would be a decision for the management of the school and their professional expertise.

Members noted that when the original agreement had been put forward there had been proposals to go out to contract after two years and asked if any other community schools had been approached. Officers informed them that a good relationship had been established with Cefn Saeson and the partnership had been successful. Going out to contract would protract the process and the current proposals were a pragmatic solution.

Following scrutiny, the Committee was supportive of the proposals to be considered by the Cabinet Board.

8.3 Family Support Services – Family Action Support Team Contract Extension 1 April 2016 – 31 March 2017 and Family Action Support Team Service Tender

The Committee received the report seek approval to extend the current contract arrangements with Action for Children for a period of 12 months from 1 April 2016 to 31 March 2017 and to commission, tender and procure a new Family Action Support

Team service from 1 April 2017, as detailed within the circulated report.

Members were reminded of the background to the current arrangements and were informed that all contract targets had been exceeded and the pilot had been successful. Members noted that when the original contract arrangements had been agreed in December 2014 it had been proposed that it would go out to tender after the completion of the pilot. It was asked why this proposal had been extended. Officers explained that in the first six months of the pilot the service was not working effectively, so the Council worked with the organisation to develop an action plan to improve the service. The service was now working well and the point of undertaking a pilot was to test it to ensure it worked. The amendments to the pilot had resulted in this extension being required to ensure there was no disruption to the delivery of the service whilst the tendering exercise was undertaken.

Following scrutiny, the Committee was supportive of the proposals to be considered by the Cabinet Board.

CHAIRPERSON