

# ITEM 04

Time commenced – 18.00pm  
Time finished – 19:40pm

## **Children and Young People Scrutiny Review Board 17 October 2022**

Present: Councillor Lind (Chair) Councillor Whitby (Vice Chair)  
Councillors Bonser, Pandey, Pattison, and Pearce

In Attendance: Pauline Melvin-Anderson, Director Learning, Inclusion and Skills  
Gurmail Nizzer, Director of Children's Integrated Commissioning  
Andrew Kaiser, Head of Specialist Services

### **18/22 Apologies for Absence**

There were apologies from Councillor Kus, Tracey Churchill, Catholic Diocesan Nicky Fenton, Church of England co-opted member, Andy Smith, Strategic Director of Peoples Services, and Gloria Bonsu, Deputy Youth Mayor.

### **19/22 Late items introduced by the Chair**

There were none.

### **20/22 Declarations of Interest**

Cllr Lind confirmed that as a parent of SEND children she did not have any pecuniary or non-pecuniary interests to declare.

Cllr Whitby confirmed that he was a Foster Carer for Derby City.

### **21/22 Minutes of the meeting held on 5<sup>th</sup> September 2022**

The minutes of the meeting held on 5<sup>th</sup> September 2022 were agreed as a correct record.

### **22/22 Children in Care Accommodation Strategy and Sufficiency Update**

The Board received a report of the Strategic Director of Peoples Services provided an update about the Children in Care Accommodation Strategy and Sufficiency. The report was presented by the Director for Children's Integrated Commissioning

The Children in Care Accommodation Strategy was attached at Appendix 1 of the report, it was a joined-up system wide response to improve local placement

sufficiency for children in care (CIC) and to reduce demand and costs under the auspices of the “Derby Model”.

It was reported that a joint Children in Care Joint Strategy Development Group had been established which work in partnership with Health, Education and Social Care to support children and young people with complex needs.

There are four key workstreams:

- Strategic Partnership for Children with Complex needs – Developing the Derby Model
- Engagement and co-production with children in care
- Small Children’s Residential Homes development
- Increasing Specialist Placements (D2N2)

The progress on the Small Children’s Residential Homes project was highlighted. A tender was launched in June 2022 for phase 1, two initial properties. A contract award was planned for the end of October 2022. The first home was due to open at the end of February 2023. The project aim was to establish six small children’s homes for one or two placements in each. The project will continue over the next 3 years in partnership with a children in care provider due to be appointed in November 2022.

A bid was submitted to the DfE by 9 September for Children’s Residential Home Capital Funding. A joint bid with Nottinghamshire County Council had been put in, NCC are leading the process and funding was requested to create more specialist provision for children either stepping up or down from more intensive levels of care. For Derby the bid is planned to support the establishment of a new, small specialist Children’s Home, local to Derby.

A councillor asked whether there had been any consideration to bringing the Small Children’s Residential Homes service in-house and queried who would be the provider. The officer was unable to name the provider until a letter had been sent to the unsuccessful companies. The projects aim was to look at different hybrid arrangements with a provider but also keep Derby City’s own Children’s Homes, to give open options and more flexibility of provision.

A councillor highlighted the number of small children’s homes across the city. However, he hoped that the DCC small specialist children’s homes would be in Derby or just over the boundary. Local communities are expressing opposition to these small Children’s Homes, he asked if the specialism in the homes would be health or behavioural issues or both? The officer explained the specialisms would include Mental, Physical and Emotional Health. The concerns described were common and the council was trying to have open dialogue with families and residents where a small home was proposed. The homes are smaller than the old model of 6 to 7 people. There was a shortage nationally around accommodation, placements, and providers.

Another councillor asked if these homes would replace out of area school residential placement. The officer explained the service was looking at young people with needs who are placed outside of Derby city. The aim would be to get a residential placement for an identified young person with local provision,

Education, Social Care to provide wrap around care for that young person in the home. The councillor asked if the officer was confident that the education provision was available in the city. The officer confirmed that DCC want to ensure that the placement was made locally, dependent on the young person, and that education provision either mainstream or tutoring would be considered as part of the arrangement.

A councillor asked what percentage of CiC were placed locally now given the aim of the Strategy 2020-23 to place 75% of all CiC locally. The officer stated that the 75% target was an aspiration to achieve. The current percentage was not available now but could be circulated to the Board later. After significant increases in the number of children in care over the past few years the numbers were now dropping, but there was still a need for more foster carers and local placements.

Another councillor asked what the historic barriers were, staffing or provision of placements, why are small Children's Homes a better option, how are providers going to address issues. The officer explained that the service and provider can work together to challenging staffing recruitment issues. There was a national shortage of workforce and a constant movement of staff in Care Homes moving to and from Independent Providers. By working together rather than the service just providing placements and package in a framework the relationship becomes a partnership.

A councillor requested data on local placements, the officer said he would ask the Performance Team to provide the information.

A councillor asked if in-house options had been considered. The officer confirmed they had not, but there are in-house Children's Homes available although one is currently closed. Some of the needs of young people mean that in-house provision would not be suitable, the level of need and sufficiency far outweighs DCC in-house provision.

A councillor understood that this project would keep costs down and was a way of providing care differently but was concerned as to how providers can find staff to run children's homes when the service cannot. The officer explained that in-house there was a limited pool of staff, external providers have a larger pool to access. The Council was trying to put in place arrangements for out of area children. The project was a "proof of concept" an alternative option as well as DCC Children's Homes.

**The Board resolved:**

- 1. to note the establishment of an integrated Children in Care Joint Strategy Development Group across Health, Education and Children's Social Care**
- 2. to note the progress on the Small Children's Residential Homes Project**
- 3. to note submission of a capital bid to the DfE for Children's Residential Homes Capital Funding D2N2 Specialist Children's Homes Provision.**

- 4. To recommend that Council Cabinet consider options for using in-house children's homes and to consider the viability of existing provision to see if it can be utilised wherever possible.**

## **23/22 Post 16-19 Home to School Travel Consultation**

The Board considered a report from the Strategic Director for Peoples Services on the Post 16-19 Home to School Travel Consultation, the report was presented by the Director Children's Strategic Commissioning.

The officer explained that the consultation Post 16-19 School Travel was sensitive. As wide number of views as possible was being sought during the 11-week consultation period which began on 30<sup>th</sup> September 2022 and will end on 12<sup>th</sup> December 2022. The proposal could change the way the Council currently provides discretionary travel assistance to eligible sixth form students. The proposal will be supported by a new Independent Travel Training service to help and support more young people become independent travellers. Any change would happen in September 2023.

The Council's current travel assistance offer for 16-19 years was providing single occupancy or shared taxis. There are currently 181 eligible sixth form learners who the council organises taxis for at a cost of £1.3m. The consultation proposal sets out a move to personal budgets, based on mileage or distance, parents would be given a budget/contribution for transport arrangements. The outcome of the consultation will be presented to Cabinet in February 2023.

Participation and engagement meetings with schools, colleges, and the voluntary sector have been planned. They have been specifically designed for and targeted to reach young people directly affected by the proposal. There are also three public consultation events on the 19<sup>th</sup> and 20<sup>th</sup> October 2022.

A councillor asked about the socio-economic input and asked if an assessment had been conducted. The officer confirmed an Equalities Impact Assessment will be carried out with young people, their families, partner organisations and stakeholders during the consultation, this should cover the socio-economic aspect.

A councillor also raised the issue of rise of Home School and College, measure for adequate planning and reduce the need, also why changes to transport taking place before placements in place in the city. The officer confirmed that the SEND Local Area Boards consider how to increase provision, it will still allow parental choice.

Another councillor asked what the level of money was as a proposal compared to what it was now. The officer explained that the current spend was £1.3m and it was likely to be around £700,000 to £800,000 in terms of personal budgets, less than what was currently a cost of taxi transport, but for all pupils there was a different range of transport. There would be a reduction in funding, less money for parents around a £400,000 reduction in Post 16 but there may be variables.

Another councillor asked whether climate implications would be considered, are the council looking at sourcing electric vehicles. The officer explained there are many transport operators wanting to swop to electric but not all can do. The Council was not going to stipulate that a vehicle must be electric as this may not be viable, it will be a movement to that direction of travel. A councillor asked about the appeals process, will it be consulted upon. The officer confirmed it would, the document talks about high levels of need in terms of equipment, this will be developed post consultation working with the SEND Board. Home to School Transport was a discretionary spend, but there was a need to mindful of protection, no criteria has been devised yet but it would need to be.

A councillor asked for information on the increase in numbers of children and young people eligible for Post 16 home to school transport. The officer explained that in 2019, £700,000 was spent. The number of eligible pupils Post 16 has probably doubled over the last 3 to 4 years, the overall Home to School Transport budget was currently at £8.3m. The Councillor asked if extra government funding was available. The officer confirmed there was no additional funding available.

The Chair suggested the following recommendation be added “to ensure sufficient opportunities for families to be heard before the initial decision is made at Cabinet and to allow the Board opportunity to respond to the consultation that the Board resolve to hold an extra meeting of the Board following the consultation to discuss the findings and allow the Board to make recommendations to Council Cabinet, the date and time will be confirmed but was likely to be the end of January.

The officer confirmed that a report regarding the Consultation will progress to Cabinet and that it progressed to Executive Scrutiny prior to that, the service will also try to arrange a dedicated meeting for the Children and Young People Board to discuss.

**The Board resolved:**

- 1. to note the proposed change to Post 16-19 discretionary home to school travel assistance public consultation launched on 30 September 2022 and will close on 12 December 2022**
- 2. to note a communication bulletin was circulated to all stakeholders on 30 September 2022 as a notice of the consultation on the proposed changes. See Appendix 2 of this report from complete circulation list.**
- 3. To highlight the current high-cost Post 16-19 Discretionary Home to School travel assistance against required Council budget savings**
- 4. To ensure sufficient opportunities for families to be heard before the initial decision is made at Cabinet and to allow the Board opportunity to respond to the consultation the Board resolved to hold an extra meeting of the Board following the consultation to discuss the findings and allow the Board to make recommendations to Council Cabinet by the end of January.**

## 24/22 Off Rolling Update

The Board considered a presentation from the Director of Learning Inclusion and Skills which gave an update on Off Rolling.

Off-rolling is the practice of removing a pupil from the school roll without using a permanent exclusion, when the removal is primarily in the best interests of the school, rather than the best interests of the pupil.

- Dual-registering a pupil with another school such as an alternative provider is also not off-rolling. This is because the pupil has not left the roll of their school.
- 'Managed moves' from one school to another as an alternative to exclusion can sometimes be effective in breaking the cycle of poor pupil behaviour. If these moves are used in pupils' best interests, with the agreement of everyone involved within the statutory guidance, then again, this is not off-rolling.

Pre-Pandemic - Analysis was undertaken using the Ofsted formula for off rolling and schools in Derby were identified with high levels. Some schools with high mobility for example EU Roma mobility were coming out higher on off rolling figures. Ofsted began to include off rolling in inspection processes. Local areas began to include in dashboards. Regional work began on data sets. During the Pandemic Central teams were focused on the COVID response not on looking at off rolling.

City Wide Data Y10-11 from DCC performance team for off-rolling was presented. In Spring 2020 131 pupils; Spring 2021 84 pupils; Spring 2022 119 pupils. Of the moves above the figures for those pupils in Elective Home Education Y10-11 were 2020 23 pupils, 2021 15 Pupils, 2022 14 pupils. Ofsted do not include moves to EHE in their formula, but it was possible that some parents are not discouraged from choosing EHE.

The current position in 2022 was highlighted. Central data teams are very over-stretched, and another major review is not possible in Derby at this point. The regional inclusion dashboard is currently being built and there are plans to include off rolling as a measure this can be shared when available.

A councillor asked if there was more in-depth knowledge of how many of these pupils off rolled had identified Special Educational Needs (SEN) and how are they registered until after a Education Healthcare Plan (EHCP). Another councillor asked if from a local authority point of view are the 130 children off rolled being monitored. The officer confirmed that these pupils are all known to the local authority and have gone to another school. A councillor expressed sympathy for headteachers dealing with children who are being excluded. Headteachers must keep destructive children in school, there was intense pressure if the statistics were not up to standard. In some cases, schools have a lot of children from abroad or ROMA, or a high mobility of children. The officer highlighted that there was a fine line between when parents and young people no longer agree with the policy of the school. Is that off rolling or the school holding their position?

**The Board resolved:**

- 1. to note the report and presentation**
- 2. To delve down deeper into the issues by undertaking a Topic Review on Off Rolling.**

## **25/22 Derby City Youth Justice Plan 2022-23**

The Board considered a report from the Director of Early Help and Children's Social Care on the Derby City Youth Justice Plan 2022-23. The report was presented by the Head of Specialist Services.

Derby's Youth Offending service is based within the Local Authority Peoples services in Early Help and Social Care. Local Authorities have a statutory duty to submit an Annual Youth Justice Plan relating to the provision of youth justice services. The duty to produce an Annual YJ Plan is also a requirement of the terms and conditions of the Youth Justice core grant, provided by the Youth Justice Board (YJB) to the Youth Offending Services. Submission of an Annual YJ Plan to the YJB satisfies the conditions for the release of that Grant.

Annual YJ plans give an opportunity to review performance and developments over a single year period and plan for the next year which allow services to respond to changes in the previous year including legislation, demographic changes, delivery of key performance indicators and developments in service delivery.

The plan follows the structure advised by the YJB and includes some of the following: Vision and Strategy, Local context, Voice of the child, Governance, Leadership & Partnership Arrangements, Workforce Developments.

The vision and strategy is informed by the child first approach, it is about seeing the child first and offender second and using strengths to build plans to help a child live a crime free life.

**Key Actions of the Service Improvement Plan:**

1. Inspection Readiness (quality of practice continues to meet inspection standards)
2. Fewer children re-offend through effective interventions
3. Fewer children in custody by providing stability and resilience through resettlement
4. Reduce number of first time entrants, ensuring fewer children brought into YJS
5. Address disproportionality, preventing disparity for BAME groups
6. Assess & manage risk associated with harm to others and safety and wellbeing

Councillors thanked the officer and team for all their hard work and dedication.

A councillor asked what the biggest challenge to delivery of the Plan was. The officer explained it was reliance on other people for decisions, the service can influence decision-makers but were not able to make decisions themselves. There was a potential to have Youth Justice staff based in the Police custody suite to work together with the information provided by schools, so a prevention or diversion activity could take place, the service was keen to intervene as early as possible. Budgets are also always a challenge; they have been increased to 11% this year. Referrals are a concern, this year the service was under pressure with cases of Grievous Bodily Harm, Murder and cases of that level must be dealt with more robustly.

A councillor asked if there was more information on needs of children and young people. The officer highlighted that 22% of children and young people have an EHCP they have speech and language needs. 40% of CYP open to the service have SEND. The staff group reflects that need with a CAHMS nurse.

Another councillor asked about first-time entrants and which staff would work with these children. The officer confirmed that the Police have Youth Teams, some CYP would have Youth Crime Prevention Officers, Caseworkers, some services are commissioned. The councillor asked if Youth Workers would be a positive addition. The officer explained there was a Youth Wellbeing Officer now, a Youth Worker in Early Help. The service is starting to align with other authorities the intervention offered by DCC was strong.

**The Board resolved to note the content of Derby's Youth Justice Plan and had provided scrutiny on its content in line with the governance and scrutiny arrangements contained within the plan**

## 26/22 Work Programme and Topic Review 2022/23

The Board considered a report which allowed the Board to study its Terms of Reference and Remit for the forthcoming Municipal Year. The report set out key work areas, issues, and potential topic review subjects within the service areas, for discussion or inclusion in the work programme.

The Board agreed the work programme set out in appendix 1 to the report with the addition of an item on Household Support Fund – families in need of help to come to the Board when details are available (see Council Cabinet 12.10.22).

A date and time will be circulated for a working group to create a survey for parents and carers to ascertain their views and levels of satisfaction across the city.

The Topic Review for this municipal year would be Off Rolling.

**The Board resolved to note the information provided within the report.**



## 27/22 Item for Information – Appointment of Co-opted Members

The Board considered a report from the Head of Democracy and Statutory Scrutiny Officer which gave an update on progress of the appointment of co-opted Members.

**The Board resolved to note the report.**

MINUTES END.