

**MINUTES OF A MEETING OF THE
CHILDREN & LEARNING OVERVIEW & SCRUTINY SUB-COMMITTEE
VIRTUAL MEETING
8 December 2020 (7.00 - 9.25 pm)**

- Present:** Councillors Judith Holt (Chairman), Robby Misir (Vice-Chair), Gillian Ford, Sally Miller, Dilip Patel and Carol Smith
- Co-opted Members:
Julie Lamb and Kathy Freeman
- Church Representatives:
Lynne Bennett and Jack How
- Non-voting Member: Ian Rusha
- Apologies for absence was received from Councillor Reg Whitney.
- Councillors Tony Durdin and Tele Lawal were absent.

40 PROTOCOL ON THE OPERATION OF CHILDREN & LEARNING OVERVIEW AND SCRUTINY SUB-COMMITTEE MEETINGS DURING THE COVID-19 PANDEMIC RESTRICTIONS

The Sub-Committee noted the protocol on the operation of meetings during the Covid 19 pandemic restrictions.

41 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

42 MINUTES

The minutes of the meeting of the Sub-Committee held on 17 September 2020 were agreed as a correct record and would be signed by the Chairman at a later date.

43 **PROTOCOL FOR PRE-DECISION SCRUTINY**

The Sub-Committee considered the pre decision scrutiny report and **NOTED** its contents.

44 **QUARTER TWO 2020/21 - PERFORMANCE INFORMATION UPDATE**

The Sub-Committee received the quarter two performance indicators (PIs) update. The PIs are the standards by which performance of services are measured within the Council.

The update provided an overview of performance against the six performance indicators currently monitored by the Sub-Committee in 2020/21.

The report outlined that all six of the indicators have been given a Red Amber Green status; RAG status - two rated Green, one rated Amber and three indicators rated Red.

The report provided the following highlights:

The percentage of Looked after Children (LAC) with an up to date pathway plan in place improved. It was noted that performance data relating to pathway plans were reviewed weekly and there remains a focus on ensuring that young people were engaged with the pathway planning process and that their voice was evident.

It was stated that the percentage of LAC cases with supervision in the last three months was currently strong and above the year-end target. Member were informed that a new systemic case supervision template have been embedded in Liquidlogic, which have enabled regular performance reporting in the area and close monitoring by the Head of Service and Group Managers and discussion at weekly performance meetings.

The report outlined the following areas for improvement:

The percentage of contacts progressing to Early Help (EH) in the year to date was down compared with the previous year, It was stated that this was partly due to the schools being closed and then open to a limited number of pupils for part of the year due to the Covid-19 pandemic. The Early Help service have seen an increase in referrals to EH universal services directly from General Practitioners in relation to perinatal mental health and also from the Speech and Language Team (SALT). There have also been increased referrals in for baby massage, starting solids and the Butterflies group, which was believed to be a result of health colleagues catching up with 1 and 2 year old checks.

The percentage of LAC 16 years and under who have been continuously looked after for over two years and in the same placement dropped.

Member noted that part of the long term plans to improve placement stability have included the development of a systemic training offer for all carers with adolescents. The systemic training involved a therapeutic parenting approach which commenced for in-house carers in September 2020. It was also noted that the Assistant Director had convened a working group to focus on placement stability and an action plan was in place with progress being made.

The percentage of Education, Health Care (EHC) Assessments that were completed within 20 weeks was down. It was stated that the short term direction of travel for the indicator at the end of quarter 2 (30 September) would usually be lower as schools who contributed to the process were closed during the summer holidays.

The report outlined that former relevant young people aged 18-21 who are in education, employment or training showed a slightly lower performance which reflected the current challenges around Covid-19 and the complexity of the young people coming into care in their late teens and already disengaged with Education Employment and Training (EET). It was also noted that staying put arrangements continue to be promoted for post 18 year olds requiring additional support and access to EET.

The Sub-Committee was informed that COVID-19 has had an adverse effect on many of the young adults, especially those working in retail, hospitality, health and hair and beauty and those on zero hour contracts. It noted that some care leavers would have to re-apply for their positions rather than automatically returning and the officers would continue to work closely with these individuals.

It was also stated that the Future Mentors Scheme would be another layer of support towards supporting Care leavers to engage in EET. The project would provide care leavers with a mentor from the community who would encourage the young person to engage with EET.

A Member sought for future performance report to provide year on year comparisons. It was also stated that it would be beneficial if the sub-committee had an oversight of all performance indicators as this would help influence the work plan.

The Sub-Committee noted the content of the report.

45 **CHILDREN'S SOCIAL SERVICES BUDGET**

At the request of the sub-committee, the Strategic Finance Manager presented a report that detailed the monitoring position for the service for 2020/21 based on figures up to period five (31st August).

The report provided a full statement on the estimated costs and income loss relating to the Covid pandemic and also provided details of the pressures faced by the service.

The report detailed the position as at period five on the business including emerging pressures and also savings that are unlikely to be achieved in 2020/21 due to delays caused by the pandemic.

The Sub-Committee noted that the service was incurring expenditure since March that related to the Covid pandemic.

The report detailed that the financial implications on the budget for 2020/21 continue to be appraised during the year to assess the effects of Covid-19 and recovery plans and identify any further peaks of the pandemic that may have an impact on demand for services in the autumn. The actual spend at period five was £0.236m, although the Directorate was projecting Covid-19 related expenditure of £0.836m for 20/21.

The report outlined the following Covid Income losses to the service.

In Children Social Care, with the closure of schools a majority of primary and secondary pupils have been income losses to services including Children's Centres and My Place. Financial risk related to loss of rental income and fees and charges was reported at £0.200m.

In the Learning and Achievement Service, the Catering Service was forecasting a significant loss of income due to reduced charges for catered meals in schools associated with school closures and reduced numbers in schools. The full year estimate of lost income was circa £3.8m, but this had been mitigated by reduced spend on produce, and staffing (subject to successful Furloughing), resulting in a net effect of £0.290m. The financial impact was constantly being reviewed since schools reopened in September.

The Adult College was forecasting a significant loss of income due to reduced fees and grants associated with current course closures and reductions in provision from September 2020. The full year estimate was circa £0.370m.

Members noted the loss of income from the cancellation of Havering Education Services courses and services provided to schools as part of the Traded Services model as well as the reduction in provision from September 2020 which was stated at approximately £0.650m.

The total loss of income due to Covid for the service was currently projected at £1.510m for 2020/21.

The Sub-Committee was informed that the service areas were being supported to review and address spends and budget management.

A Member noted that the service budget showed a projected overspent. It was suggested that the sub-committee received an update report quarterly on the services financial position.

A Member of the sub-committee commended the service on the transport arrangements for children during the Covid pandemic recognising the additional buses provided.

The Sub-Committee noted the report.

46 **CHILDREN'S SERVICES ANNUAL COMPLAINTS REPORT 2019-20**

The Sub-Committee received the Children's Services Annual Complaints report 2019-20. The report was a requirement for monitoring by Members as part of the Children Act 1989 Representations Procedure (England) Regulations 2006.

It was noted that Complaints in 2019-20 decreased by 25% in 2019-20 (80) compared to 2018-19 (106) with a small number of complaints made by Young People (8). The number of enquiries trebled relating to ongoing Court proceedings or Court decisions outside of Children's Services remit. There continues to be a steady number of complaints escalating to Stage 2 investigations in 2019-20 (6) and was at the same level as in 2018-19.

The Sub-Committee was informed that many complaints received continue to be regarding the unwelcomed intervention of Children's Services which reflected in Intervention & Support Services receiving the highest number of complaints in 2019-20 and 'attitude/behaviour of staff' being the highest reason. There have been a decrease of complaints received by Triage Multi Agency Safeguarding Hub (MASH) & Assessments by 59% in 2019-20(13) compared to 2018-19(32).

In 2019-20 complaints regarding inaccurate information decreased significantly by 77% (5) compared to 2018-19 (22) resulting from continued audits and quality assurance by Team Managers during the assessment process. It was stated that the services continue to use the quality assurance framework and other feedback loops to maintain standards provided to children and families.

The number of complaints upheld and partially upheld accounted for 24% (19) and 15% (12) respectively of the total complaints. Those upheld or partially upheld resulted in an apology linked to the need to provide explanation or further information about the reasons for intervention or particular parts of the process that initially may not have been clear.

The report detailed that complaints received were mainly by email (38) with the next preferred method by telephone (22). Response times also improved in 2019-20 with 67% (51) responded to within the 20 working day timeframe. Members noted that efforts to improve response times while recognising the increased complexities of cases and balancing the priorities of the service.

It was noted that there was an increased expenditure in 2019-20 for Independent Investigators of £19,531.65 resulted from Stage 2 investigations carried over from 2018-19 and costs associated with Stage 3 Review Panels.

Payments made as resolutions to complaints totalled £8,200 in 2019-20.

Monitoring information was based on the child(ren) within the family unit in which a complaint was made. There was an increase of those aged between 15-17 and 18+ in 2019-20. Male children were higher across most age groups except 0-5 and 15-17. Children recorded with a disability was low across all ages, and diagnosed with mainly Autism or Aspergers Syndrome. 'White British' children highest representation and reflects the borough's population make up with 'White and Black Caribbean' and 'any other Black Background' increasing in 2019-20. Children of 'Catholic, 'Christian' or 'Church of England' faiths increased in 2019-20.

The report indicated that number of compliments received was low in 2019-20 although it was not representative of the good work that was ongoing within the service.

It was noted that complaints played an important role in service improvements, and this was evident with the number of complaints regarding inaccurate information showing a significant decrease in 2019-20.

Members of the sub-committee were informed that the Children's Service Improvement Board would continue to look at quality assurance and learning from complaints, whilst also linking to appropriate training.

It was agreed that the sub-committee would be provided with a short commentary monitoring information on children recorded with a disability which was recorded as low across all ages.

A Member of the sub-committee commended staff (most the family support team) at the Corbets Tey School who work to resolve issues before they reach complaint stage.

A Member was of the view that the number of complaints upheld and partially upheld was high. In response officer explained that the service was focussing more on providing a brief response letter and arranging a face to face meeting with the complainant to address the issues raised. It was noted that the Director and Assistant Director host an open session monthly with Young People to take comments.

The Sub-Committee noted the annual report.

47 **CHILDREN'S SERVICES COMPLAINTS COMMENTS & COMPLIMENTS POLICY**

The Sub-Committee received the Children's Services Complaints, Comments and Compliments Policy. It was stated that local authorities have a statutory requirement for complaints which are set out in The Children Act 1989 section 26 and The Children Act 1989 Representations Procedure (Children) Regulations 2006.

The Policy outlined the statutory complaints process for Children Services for children or young person who are looked after by the local authority or child in need, fostered, adoption or Special Guardianship arrangements and care leavers to the local authority. The policy outlined how the service would deal with statutory complaints and compliments.

The policy also provided for parents, someone with parental responsibility or a person with sufficient interest in a child to make a complaint on behalf of a child or young person, with the consent and views of the child where appropriate.

The statutory complaints covered the social care functions of the service in relation to a child or young person looked after by the local authority, a child in need, adoption, fostering and Special Guardianship arrangements and care leavers to the local authority.

A complaints involving the court would be determined with legal advice whether a complaint could progress under the statutory procedure without prejudicing proceedings.

A complaints involving other organisations or another local authority may need referral to the relevant organisation or local authority where the service would provide a coordinated response.

Where a complaint had been investigated under the complaints procedure or by the Local Government & Social Care Ombudsman or Parliamentary & Health Service Ombudsman or where there are court proceedings, tribunals or disciplinary or criminal proceedings, such would not be considered. It was stated that data subject requests and Freedom of Information requests do not fall within the complaints arrangements.

The process detailed that confidentiality would be maintained unless legally obliged to disclose and the time limit for making a complaint was 12 months.

The report detailed the three stages in the process.

- Stage 1 would try and seek local resolution and respond within 10 – 20 working days. If dissatisfied the complaint could escalate to Stage 2.
- Stage 2 - independent investigation, carried out by an Independent Investigator and Independent Person. The reports are sent to the local authority, adjudicated on by the Assistant Director/Director, who would respond giving their decision providing the reports. The Stage 2 takes between 25 – 65 working days to conclude from the date the Statement of Complaint is agreed. If dissatisfied the complaint can escalate to Stage 3.
- Stage 3 – Review Panel, its purpose was to review the Stage 2 investigation. The Panel held within 30 working days with the Chair providing recommendations to the Assistant Director/Director within 5 working days following the Panel. The Assistant Director/Director would respond giving the decision within 15 working days following receipt of recommendations.

It was explained that complaints or providing feedback, including compliments, were able to be made in various ways and support or assistance could be provided for those making a complaint through advocacy or alternative methods of contact.

The report informed that the service was committed to using complaints as a learning tool to help improve practice and standards and compliments to inform good practice through quarterly Service Improvement Boards.

Members noted the content of the Children's Services Complaints, Comments and Compliments Policy.

Chairman