

CHILDREN'S SERVICES OVERVIEW AND SCRUTINY PANEL

THURSDAY, 22 SEPTEMBER 2016

PRESENT: Councillors Edward Wilson, David Evans, Lynne Jones, Marion Mills (Vice-Chairman) and Eileen Quick (Chairman)

Also in attendance: Cllr Airey and Mr N Cook.

Officers: Edmund Bradley, Robb Stubs, Hilary Hall, Alison Alexander, Terry Baldwin and David Cook.

APOLOGIES FOR ABSENCE

(Cllr Mills in the Chair)

Apologies for absence were received by Cllr Pryer, Cllr McWilliams and Cllr D Evans reported he would be late. Cllr Story was in attendance as a substitute.

DECLARATIONS OF INTEREST

Councillor E Wilson declared a personal interest as his wife and son work education establishments as this was not a Disclosable Pecuniary Interest he stayed and considered the items.

MINUTES

The Part I minutes of the meeting held on 19th July 2016 were approved as a true and correct record. With regards to Desborough Colleges Cllr E Wilson asked for clarification on places available and was informed that there were 10 places available in year 7.

DELIVERY OF CHILDREN'S SERVICES

Resolved unanimously: that the Part II item be considered as a Part I item with the exception of appendix 2 that remains confidential.

The Panel considered the Cabinet report regarding the details following the due diligence activities that had been undertaken since March 2016, leading to the further development of the outline business case to secure the Royal Borough as a shareholder in Achieving for Children for future delivery of children's services.

The Panel received a presentation on the proposal that the Royal Borough was looking at changing the way it delivered children's services to benefit families, residents and staff, while retaining its statutory responsibility.

(Cllr Quick joined the meeting and took the chair.)

The presentation set the background to the proposals and how it was linked to the Council always seeking to be more efficient whilst seeking to provide better services to our residents. Cabinet had agreed to bring school nurses and health visitors into the local authority to deliver a more integrated service. Research was undertaken in how best to deliver integrated services and after reviewing a variety of models it was concluded that a Community Interest Company would be the best option.

The Panel were informed that an outlined business case was developed around two options for a community interest company; either a new Royal Borough owned entity or joining an existing company and the Panel were shown the criteria used to assess these options.

Following the review the conclusion was that the council should consider forming a partnership with the Royal Borough of Kingston upon Thames and the London Borough of Richmond upon Thames to deliver children's services through Achieving for Children (AfC), a community interest company. The company was set up by the Royal Borough of Kingston upon Thames and the London Borough of Richmond upon Thames to help drive up standards and quality, in April 2014.

The Panel noted that both of the London Council's were rated Good by Ofsted, with Kingston's rating having gone from inadequate to good once joining the CIC.

The presentation highlighted the benefits of joining the established company, they were:

- Larger organisation.
- Increased resilience with staff and services.
- More integration of services.
- Opportunities for efficiencies in service provision and support functions.
- Less constrained procurement.
- Access to alternative income streams.
- Achieving for Children has a good track record of delivery.

It was felt that if agreed there would also be improved service provision, and a greater potential for innovation through sharing of best practice between organisations. There would also be opportunity for staff development, leading to a better trained and more stable workforce across all three councils and the ability to employ specialist staff that a smaller authority was not able to do.

(Cllr D Evans joined the meeting)

Due diligence was undertaken and if all partners agreed the Royal Boroughs existing children's services workforce would be employed by AfC from April 2017.

A key agreement to getting to this position was that the Royal Borough would be an equal shareholder in the company, whilst retaining responsibility for all children and young people in the borough under its statutory duties.

The Panel were informed that the total annual budget in scope was £92.734m gross that covered service for children and young people as well as young adults with a learning disability / difficulty up to the age of 25 years. There would be around 277.9FTE transferred to AfC making a combined staffing level of around 1,000 FTE. Work was also underway assessing the level of support functions, such as HR, that would also be required.

The Panel were informed that the Council would remain the responsible authority and thus any future Ofsted judgments would be made against each of the three authorities. A governance structure would be in place that would maintain Members scrutiny function and there was the possibility of moving staff to Windsor as there was a direct train line to the other authorities.

The presentation showed the three key structures which were the Governance arrangements led by Members, the Commissioning structure led by officers and the delivery arrangements.

With regards to schools the Dedicated Schools Grant would be transferred to AfC as an income stream but school staff continue to be employed by the Royal Borough and governor appointments would still be Member decisions.

The school improvement team and Virtual School would benefit from a larger skill base and front line services would still deal with admissions and transport applications.

Members were informed that residents would continue to receive services they currently receive which will remain local and accessible..

The presentation went on to show the impact this would have on adult services; which was that services for young adults with a learning disability or difficulty up to the age of 25 would be in scope to transfer to AfC.

The presentation went on to show the impact this would have on the wider council; such as a reduced workforce, the transfer of support services and Children's services delivery would be contract managed.

The Chairman thanked officers for all the work undertaken so far on this project.

Cllr Story asked how staff had reacted to the proposals and Cllr Airey informed that from her perspective after attending five briefings there was a positive reaction especially after staff were informed that they would be based in the borough with the same terms and conditions. Staff had already come forward with new ideas.

Cllr Story also asked if we knew what AfC level of turnover and sickness (including the Bradford factor) was and was informed that this was not known but officers would enquire. Cllr Airey responded that being in a larger organisation they would expect less turnover of social workers as there would be more opportunities to develop.

Cllr Jones asked what the main risks were and was informed that some people embrace change whilst others were reticent and not knowing what the future would bring could result in them leaving the organisation. To mitigate this the transition period was being made as short as possible.

Cllr E Wilson reported that this was an exciting opportunity however he was concerned what the consequences may be if the administration of one of the authorities changed or more joined. The Panel were informed that in any partnership there was the risk that there may be change in focus for one member however it helped having service provision being in statute. AfC did have a growth strategy and their aim was to have 5 / 6 authorities by 2019.

Mr Nigel Cook asked where Ofsted accountability was help and if one authority had a poor rating would this effect future funding for RBWM. The Panel were informed that each authority would be judged by Ofsted and not AfC. With regards to funding AfC will be accountable for how it allocated its resources.

Cllr Jones asked if officers would still be accessible to Members locally and will there still be accountability by O&S. The Panel were informed that the workforce would be based locally and that the commissioning officer would be responsible for bringing reports and officers to scrutiny.

Cllr E Wilson asked the Managing Director what three things she would expect to be different one year on and was informed that there would be good services with the Council rated as Good, a stronger workforce with less turnover. This would result in better services for residents.

Cllr E Wilson also asked if through AfC we would be able to hold discussions with the larger MATs and was informed that not only would that be possible but AfC would enable us to set up our own MATs.

In response to questions about communicating the proposal to residents the Panel were informed that every message will focus on that residents should not see anything different,

there were press releases planned, email to registered residents and during the transition there would be more communication to residents.

Resolved unanimously: That the Children's Services O&S Panel considered the Cabinet report and fully endorsed the recommendations. The Panel felt that the communications plan could be better refined so it was more focused on getting the message to the local community about the benefits this would have for families rather than informing on the process.

BUSINESS PLAN

The Panel received a presentation on the Adult, Children and Health Services Business Plan 2016-2017, as it was a new combined directorate the Panel were informed that the presentation would be concentrating on Children's Services.

The presentation showed the Council's and thus the Directorates vision and the core business of education, prevention and safeguarding. The new Directorate structure chart was also shown.

The presentation went on to show the priorities for each of the core business functions starting with health, early help and safeguarding which were:

- Integrate early help hub and early help processes so that all enquirers are directed to the most appropriate support.
- Review and deliver an effective Corporate Parenting Strategy.
- Deliver effective services under the Special Educational Needs and Disability reforms.
- Review the Sufficiency Strategy to ensure sufficient placement capacity.
- Review permanence planning processes.

With regards to education the priorities shown were:

- Continue to raise attainment standards across Key Stages 2 and 4.
- Narrow the achievement gap for Free School Meals pupils.
- Work with currently Requires Improvement schools to secure Good or Outstanding judgements.
- Secure sufficient good school places and achieve a high proportion of parents receiving a school of their preference.

And the priorities for commissioning were shown to be:

- Robust commissioning – to secure sufficiency of provision for residents.
- Robust performance and quality assurance framework across the directorate.
- Efficient and effective systems and support across the directorate.
- Ensure the voice of residents is heard and positively influences the design, commissioning and delivery of services.
- Deliver the Joint Health and Wellbeing Strategy.

The Panel were also informed that the Business Plan also highlighted the directorate risks and for Children's services these were:

- Non-delivery of statutory Children's Services functions.
- Needs escalate resulting in budget overspend.
- Insufficient school places to meet the changing children's population needs in the borough.
- Educational attainment at all key stages does not meet at least national levels.
- Non-delivery of high quality, safe educational establishments.
- Lack of cost effective placements.

The Chairman mentioned that with regards to the three years comparative budget shown in table 3 it would have been helpful to know the number of young people so a true budget comparison could be made.

The Chairman also questioned the speed of diagnosis for young people needing a Education and Health Care Plan and was informed that a new application would take about 26 weeks whilst those on existing SEN plans needed to be assessed by next year and this equated to about 700 plans. It was noted that to get a medical diagnosis there was still a significant wait.

Cllr Story asked for clarification on sections 2.4 where it mentions that a third of young people were leaving school without the requisite qualifications yet section 2.5 goes on to say that 81% of our schools are rated as Good or Outstanding. The Panel were informed that 64% of pupils achieved 5 GCSEs rated A to C that included English and mathematics, the figures in the report were borough and no national results. With regards to Ofsted ratings 54% of secondary schools were rated as Good or Outstanding.

Cllr Story also mentioned that section 4.2 showed the level of sickness per FTE and for 2015/16 having nearly 12 days lost against a target of 6 was poor.

With regards to families not wishing to use borough schools Cllr Jones mentioned that in Windsor unless your child went to a single sex upper school parents had no choice regarding co-ed schools and thus had to send their children out of borough. The Chairman mentioned that a lot of work had been done with Churchmead School and this had a direct rail link with Windsor; it provided co-ed choice but this was not at the level parents had in Maidenhead. Cllr Jones agreed that Churchmead had improved but when the admissions criteria was applied Windsor pupils would miss out due to distance.

Cllr E Wilson mentioned that a number of residents were educating their children out of borough not because our schools were bad but because they offered nothing special. It was also questioned if the Panel could review attainment levels of those on pupil premium and it was agreed that when the attainment data was presented to Panel that this would be included.

The business plan was noted.

FINANCIAL UPDATE

The Panel reviewed the Cabinet report regarding the Council's financial performance to date in 2016-17. The Panel were informed that there was a projected £418k underspend on the General Fund. The Council had a Development Fund balance of £1.104m bring reserves to £6.198m which was above the minimum £5.27m set by Council. Details of performance by directorate were included in section 4 of the report.

The Panel were informed that the report also contained a recommendation to approve a £113k S106 capital project for Porny School and the removal of £195k capital budget no longer required for the satellite grammar school feasibility project.

For the Directorate there was a projected outturn figure of £57.4m against a budget of £57.3m this overspend was a reduction of £32k reported to Cabinet in August.

With regards to Children's services there was a predicted outturn underspend of £62k, the Panel were shown the following predicted outturn figures:

- Commissioning – staffing costs + 90k
- Early Help & Safeguarding agency staff +£429k
- Childcare legal costs +£65k
- Leaving care services -£111k

- Children in care placements -112k
- C&YP Disability Service -£376k
- Other -£47k

The Chairman mentioned that with regards to young people with high cost placement that it would only take a small change to have a big impact on the budget.

Cllr Jones raised concern with the overspend of £429k on staff and was informed that this was a projected figure if there was no change. Officers were trying to reduce agency staff and if there was some movement this projected outturn would be reduced. We were looking to replace agency staff with permanent FTE's and there would be no reduction in service to reduce the figure.

Cllr Jones mentioned that this had been an issue last year and questioned why additional resources had not been added during the budget build. The Panel were informed that the budget allocated for staff levels was for permanent FTE's and that Cabinet were aware of the pressure and looking to address it. Cllr Jones replied that if the administration continued to under budget and decreased Council tax then there would be an inevitable pressure on resources.

Cllr E Wilson mentioned that the Fair Funding petition had mentioned that schools were not receiving S106 funding due to Holyport College, he asked if schools were sufficiently funded and if any had asked for additional resources. The Panel were informed that every school would welcome additional resources but at present no requests had been made.

Cllr Wilson also asked about the funding for new grammar schools and if this came directly from Government or via the LEA. The Panel were informed that as this was a national resource individual schools would have to apply directly to Government..

Resolved unanimously: that the Children's Services O&S Panel considered the Cabinet report and fully endorsed the recommendations.

INITIAL SAVINGS IN RESPECT OF 2017-18 BUDGET

The Panel considered the Cabinet report showing proposed savings for the 2017-18 budget. The report highlighted that the Medium Term Financial Plan had identified the need to make savings of £5.6m in 2017-18. Some of the proposed savings would be subject to further reports to Cabinet for approval. The final savings proposals would form part of the budget build and be presented to Council.

The Panel were informed that Corporate Services O&S Panel had raised concern that report summary point three and the recommendations implied that officers and Lead Members would be able to implement saving proposals without any formal scrutiny proses. The Cabinet report had been amended following these comments and revised recommendations were circulated to the Panel.

The Panel were shown savings proposals for the Directorate with the following being highlighted for children's services:

- Commissioning for Children's Services - £210k
- Schools and Education Services - £90k
- Health, Early Help and Safeguarding - £387k
- Non renewal of Family Nurse Partnership contract after 30/9/16 - £110k
- Integration of Health Visitor service and Children's Centres - £100k

Cllr Jones reported that the revised recommendation was much more detailed but recommended that there be a further change to recommendation 3 to add 'once approved by Cabinet'.

Cllr Jones also raised concern that the proposed decrease in education support services could hinder schools up skilling staff and governors. The Panel were informed that the cost to schools of buy back services and decrease in free services was not expected to decrease demand as schools found them a valuable tool. With regards to early years the service provided was being picked up by schools supporting themselves so there would not be a drop in quality. It was agreed that this would be kept under review.

The Children's Services O&S Panel considered the Cabinet report and were informed that the report's recommendations had been changed as a result of comments from Corporate Services O&S Panel. The Panel fully endorsed the revised recommendations subject to 'once approved by Cabinet' being added to recommendation three.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.

The meeting, which began at 6.40pm, finished at 8.55pm

CHAIRMAN.....

DATE.....