

## **DURHAM COUNTY COUNCIL**

### **CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE**

At a Meeting of **Children and Young People's Overview and Scrutiny Committee** held in **Committee Room 1A, County Hall, Durham** on **Tuesday 24 February 2015** at **9.30 am**

#### **Present:**

**Councillor J Blakey (Chairman)**

#### **Members of the Committee:**

Councillors J Armstrong, D Bell, K Dearden, C Hampson, J Hart, K Hopper, J Measor, S Morrison, C Potts, L Pounder, M Simmons, H Smith, M Stanton and P Stradling

#### **Faith Community Representative:**

Mrs G Harrison

#### **Parent Governor Representative:**

Mr R Patel

#### **Co-opted Members:**

Mr K Gilfillan and Mr D Kinch

#### **1 Apologies**

An apology for absence was received from Councillor D Hicks.

#### **2 Substitute Members**

No notification of Substitute Members had been received.

#### **3 Declarations of Interest**

There were no Declarations of Interest.

#### **4 Any items from Co-opted Members or Interested Parties**

Mr D Kinch, Co-opted Member had given notice that he wished to ask a question, the Chairman thanked Mr D Kinch and asked if he would put the question.

Mr Kinch noted the statement made on 27 November 2014, from Amyas Morse, Head of the National Audit Office:

*“Most children are taken into care because of abuse and neglect. But too many of them are not getting the right placements the first time. If their complex and challenging learning and development needs are not correctly assessed and tackled, the result is likely to be significant long-term detriment to the children themselves as well as cost to society. No progress has been made in the last four years. If the Department is to break this pattern, then it needs to use its new Innovation Programme to understand what works, especially in terms of early intervention.”*

In the context of the Head of the National Audit Office’s statement, Mr D Kinch asked can the department responsible at Durham County Council assure this Committee that they are, as the statement states, “getting it right” for children in Durham.

The Head of Children’s Services, Children and Adult Services, Carole Payne explained that the Council worked very hard to get it right for County Durham. It was added in cases of neglect it was vital to work hard to ensure stable placements for children and to work hard to secure permanent placements for children. Members were informed that it was also a clear priority to work to prevent suffering and there were a number of strategies and interventions including: the “Early Help Strategy”, better than rescuing children after the fact; the “Stronger Family Programme”, a very successful scheme; and the “Think Family” approach, linked to unmet needs of parents. The Head of Children’s Services concluded by noting that the Authority had made a bid to the Government’s Innovation Programme, via the Department for Education, with notification of the outcome expected by the end of the week.

## **5 Media Relations**

The Overview and Scrutiny Officer, Ann Whitton referred Members to the recent prominent articles and news stories relating to the remit of the Children and Young People’s Overview and Scrutiny Committee (for copy see file of minutes). The articles included research commissioned by Public Health England and the National Institute for Health and Care Excellence (NICE), carried out by Portsmouth and Southampton Universities, that highlighted that the North East was the worst region for teenage smokers, despite smoking rates falling nationally. It was explained that an update on the impact of smoking was included within the work programme of the Committee for the upcoming year.

Members noted other articles included: calls for stricter alcohol marketing from Balance, as research shows that Primary School children recognise the Fosters larger brand more than Ben and Jerry’s Ice Cream and McVitie’s biscuits; and that “Safer Internet Day” had taken place on Tuesday, 10 February 2015.

### **Resolved:**

That the presentation be noted.

## **6 LSCB Serious Case Review Process**

The Chairman thanked the Business Manager, Local Safeguarding Children's Board (LSCB), Pixley Clarke who was in attendance to give a presentation as regards the LSCB Serious Case Review Process (for copy see file of minutes).

The Business Manager, LSCB noted she would give the Committee information relating to the process of Serious Case Reviews (SCRs) and how this was carried out in Durham.

Members were reminded that SCR was a statutory process and would be carried out when: abuse or neglect is known, or suspected; and either – a child dies, or a child is seriously harmed and there are concerns about how organisations or professionals worked together to protect the child. It was added that suspected suicides were also covered by regulations and that additional criteria for carrying out a review included when a child dies in: custody, in Police custody; on remand; or following sentencing, in a Young Offender Institution, in a secure training centre or a secure children's home; or where a child was detained under the Mental Health Act 2005.

Councillors noted that any agency could refer a case to the LSCB Business Manager and a sub-committee of the LSCB would be set up to see if the case met the criteria for a SCR. It was noted that if the case met the criteria then the issue would be referred to the Independent Chair of the LSCB, if it did not meet the criteria, there was still an opportunity to have a "Learning Lessons Review". It was explained that there was an obligation to report to the Department for Education (DfE), a National Panel of Experts and Ofsted as regards SCRs, whether they were to go ahead or not and there was an obligation to update on the progress and outcomes. Councillors learned that there had been no SCRs in County Durham since 2011 until last year, the reason being simply the criteria had not been met. It was noted that a Government consultation document had been circulated in January 2015 as regards the notification process for SCRs and information on this was expected soon.

The Business Manager, LSCB noted that the aim of a SCR was not to apportion blame, rather they were to rigorously review the evidence of what had happened to ensure: important lessons are learnt; services are improved; and any good practice identified is consolidated to reduce the risk of future harm to children. It was noted that in 2013, Government had said the focus of a SCR should be on reasons why and learning and accordingly LSCBs have to maintain a local learning and improvement framework covering a range of actions. It was added that the framework allowed flexibility and allowed the child's journey to be better understood and information sharing showed that neglect featured often. Members noted that the process in Durham also involved looking at any training or changes to working models that were required and to question recommendations in terms of them being practical, workable and implementable.

The Committee noted that at the end of the process, a report would be produced and this would be published, along with the LSCBs response to the findings and made available on the LSCB website for a minimum of 12 months. It was explained that afterwards, the LSCB monitors actions via its SCR Monitoring Sub-Group, a multi-agency group, and audits were carried out to test if actions/changes were making a difference and reports then coming back to the LSCB on progress.

A positive example was that of General Practitioners (GPs) having training as regards pre-mobile bruising and there was a positive impact in terms of referrals.

The Chairman thanked the Business Manager, LSCB and asked Members for their questions on the presentation.

Members and asked questions relating to: information sharing including with GPs; how those at risk of suicide, not known to via the Criminal Justice System or Mental Health professionals would be identified; what legal powers were available to a SCR; the number of ongoing SCRs in County Durham; and the merits in anonymising SCR reports, given the press were likely to identify the individual.

The Business Manager, LSCB noted that in 2010, the percentage of GPs involved and sharing information was 6%, currently the percentage was 43%, heading in the right direction, and work was ongoing with the Lead GP for Safeguarding from each of the the Clinical Commissioning Groups (CCGs). Councillor M Smith noted that engagement with GPs had improved over the last 10 years, with work still to be done, however agreed that it was moving in the right direction. Councillor J Hart added that in his experience, information sharing was key and asked if there was a need for legislation to improve this. The Business Manager, LSCB noted a lot of work had been done locally to inform professionals that in cases of this nature then information should be shared, with child safety being more important than data protection. It was added that professionals needed support in being able to come forward with information and that often there were complex situations that they would then require help and advice. The Head of Children's Services added that from next week a Multiagency Safeguarding Hub was being launched and would be able to share information in cases of referrals within 24 hours, and even within 4 hours in extreme cases.

The Business Manager, LSCB explained that SCRs involving suicides where individuals were not known to services often showed examples of self-harm, and also cases could be looked at outside of the SCR process if they did not meet the criteria. It was added that the SCR itself did not have any legal powers as such, however, there was a responsibility and duty to carry them out and to call people to give evidence to the SCR, though there was no ability to compel people to give evidence. It was explained that at present there were five ongoing SCRs in County Durham.

Councillors were informed that there was a duty to anonymise the SCR reports, although it was often the case that the press could identify individuals via any criminal cases connected to the incident.

**Resolved:**

That the report and presentation be noted.

## 7 Special Educational Needs and Disabilities Reforms

The Chairman thanked the Strategic Manager, Special Educational Needs and Disabilities (SEND) and Inclusion, Children and Adults Services, Jane Le Sage and the Lead Officer, SEND, Children and Adults Services, Derek Sayer who were in attendance to give a presentation on SEND reforms (for copy see file of minutes).

The Strategic Manager, SEND and Inclusion explained that the reforms were driven by the Children and Families Act 2014 and the Care Act 2014 and were about how Local Authorities would meet the needs of children with special educational needs and disabilities. The aims of the reforms were to increase the involvement of parents and carers in decisions and also increase the choice available and improve transparency. It was noted that a brief summary of the reforms was:

- There was a duty on Local Authorities to produce a “Local Offer” and a central point of contact for impartial advice.
- Emphasis on Schools to support children with SEND using a graduated response to meeting their needs.
- A new 0-25 years coordinated assessment process and single Education, Health and Care (EHC) Plan which replaces the current statutory assessments.
- The option of a personal budget for all families with children with an EDC Plan.
- A new duty on health and social care to provide services detailed in EHC Plans.
- Parents should engage in mediation before lodging an appeal to tribunal.
- Strengthening of the duty to jointly commission services.
- From April 2015 young people in custody have the right to request statutory assessment.

The Lead Officer, SEND explained that the Local Offer in County Durham had progressed significantly and the website developed had been acknowledged as an example of good practice. It was noted that the Local Offer was co-produced with children, young people, parents, carers and all partners and there had been positive feedback from parents at their annual conference. It was explained that future plans included: the further development of the youth offer; a “you said, we did” page as regards feedback; and to support schools to ensure that their websites were compliant, .

The Committee was shown a diagram relating to the graduated response to Social, Emotional and Mental Health (SEMH) and noted that support systems were in place for schools via SEND and Inclusion Officers, specialist thematic panels; training and published guidance. It was added that there was work with parents and young people regarding support plans and help in moving towards EHC Plans, all needing to be completed by April 2018. It was noted that the number of requests for EHC Assessments in County Durham was higher than the national average, though the number for the first quarter this year was fewer than the previous year. Members were given an example of a case, where a young person had produced a PowerPoint presentation, then gave the presentation at his Statutory Annual Review meeting,. It was noted that the presentation helped the young person to identify their strong points, areas that gave them concern and targets they wished to work towards. Other examples of work undertaken by young people that may not have the confidence to present in front of others included having video recordings where the young person can put forward their opinions, giving them a voice.

It was noted as regards Personal Budgets, there had been no formal requests from those in Durham with an EHC Plan in place, however, it was a statutory responsibility to provide guidance. The Lead Officer, SEND noted that restructuring of the SEN Placement and Provision Team had strengthened casework focus, and action had been taken to amalgamate the SEND Management Framework across Early Years, Improving Progression and SEN Services. It was added that SEND Inclusion Officers were supporting schools in the reforms and a regional accredited training programme was being developed.

The Strategic Manager, SEND and Inclusion noted she had met with the Lead Advisor on the Reforms from the DfE and there was a clear steer from the DfE as regards: increased parental choice and control through personal budgets; revised Code in respect of young people with SEND in Young Offenders Institutions; focusing on quality EHC Plans; looking at what measures are being taken to engage with young people to mainstream their views, especially where those views differ from parents; and compliance with statutory guidance for the Local Offer and SEND Information Report. Councillors noted that further developments in Durham included: a bid for Durham to be the regional lead for the SEND Peer Network; a "Year 1" external evaluation to be commissioned for summer 2015; further integration regarding 0-25 years in 2017; development of a Quality Assurance framework; more work on the Local Offer; ongoing support for schools and partner organisations; and development of an accredited course for casework staff and e-learning courses.

The Chairman thanked the Strategic Manager, SEND and Inclusion and the Lead Officer, SEND and asked Members for their questions on their presentation.

Members and asked questions relating to: any negative feedback received as regards reforms; whether Academies were offered the same support as other schools; the graduated approach to assessments up to age 25; how young people in custody would know that they had the right to an assessment; how long it would take to have a EHC Plan developed, noting the old Statement process could take around 20 weeks; and how funding was released to schools in terms of EHC Plans; and what the implications were of Durham leading on the SEND Peer Network, could we recharge for training for example.

The Strategic Manager, SEND and Inclusion explained that the "you said, we did" page on the website would feature all feedback and actions, though the response from schools and Further Education providers was welcoming the approach, however, concerns were noted as regards the amount of paperwork. It was added that Academies were treated the same as other Local Authority maintained schools in respect of SEND reforms and support.

It was explained that, in terms of assessments, there was a need to manage expectations as if the level of support through the education years is high there would be need to ensure a smooth transition to adult services, where support would be reduced.

The Lead Officer, SEND noted that the County Durham Youth Offending Team were aware of the new reforms and the ability for young people in custody to ask to be assessed, they would also look at post-detention provision and it was added that the young person, corporate parent or manager at the secure setting could ask for the statutory assessment.

The Strategic Manager, SEND and Inclusion noted that it was important to empower the professionals such that they are able to speak in usable language as regards assessing the need, if any, for a statutory assessment. It was added that while the time taken to produce EHC Plans varied, 64% were completed within 14 weeks, hopefully with the completion time to decrease as capacity increases.

The Lead Officer, SEND noted school funding reforms in 2013 and added that top-up funding would be made available “quickly” and the funding would follow the child.

**Resolved:**

That the report and presentation be noted.

## **8 Update of Alcohol and Substance Misuse by Young People Review**

The Chairman thanked the Alcohol Harm Reduction Coordinator, Children and Adults Services, Kirsty Wilkinson who was in attendance to give a update on the recommendations on the Alcohol and Substance Misuse by Young People Review (for copy see file of minutes).

The Alcohol Harm Reduction Coordinator explained that Head Teachers had been made aware of the Overview and Scrutiny Review, the Durham Learning Gateway had relevant information made available and work was also being undertaken with parents. It was added that the training with Area Action Partnerships (AAPs) had not yet taken place, currently awaiting the outcome of the procurement process for a new service, although it was noted that some AAPs had looked to 4Real or the Alcohol Harm Reduction Team as regards information and training.

Members learned that there had been more referrals with the University Hospital of North Durham (UHND) and there was a need to ensure that there was not “a dip” when the new service provided by Lifeline came into effect in April. It was noted that work would be undertaken to liaise with hospitals in Sunderland and Hartlepool. It was explained that a group of parents had been involved in developing a leaflet with the Wear Community Alcohol Partnership and that had been made available to schools for use on their websites and being used in producing text messages from schools to parents.

The Committee noted that the Director of Public Health for County Durham, Anna Lynch, had written to the Home Office in respect of current licensing legislation and the need for it to be strengthened. It was noted that the response had said to “use existing legislation more effectively”, however the North East Alcohol Office, Balance, would continue to lobby for change to alcohol licensing and alcohol advertising. Members were informed that the “Think Family” approach was being used, with Children’s Services incorporating the AUDIT tool in their assessment paperwork and appropriate training was being provided for frontline Children’s Services staff.

The Chairman thanked the Alcohol Harm Reduction Coordinator and asked Members for their questions on the update.

The Committee asked questions in relation to: links to Public Health, Planning and Licensing; and whether there would be links developed with Darlington Hospital in addition to UHND, Sunderland and Hartlepool.

The Alcohol Harm Reduction Coordinator noted that further work needed to be done in respect of planning and licensing, however in a lot of cases, and where there was no responsibly authority objecting, effective use of conditions within permissions was the best approach. It was added that there were good links to the hospital at Darlington, however, it was noted as regards working in respect of the new service referrals.

**Resolved:**

That the update report be noted.

**9 Verbal Update on Review of Self-harm**

The Overview and Scrutiny Officer noted that further to the update, the report was in the process of being finalised and the draft would be circulated to Members for comment via e-mail, for Committee to consider at its meeting to be held 2 April 2015.

The Chairman asked if there were any questions. There were no questions raised.

**Resolved:**

That the verbal update be noted.

**10 Summary of Minutes from Children and Families Partnership**

The Committee considered the minutes of the Children and Families Partnership on 15 December 2014 (for copies see file of minutes).

**Resolved:**

That the minutes be noted.