

## **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 Council Chamber, County Hall, Durham on **Thursday 10 March 2022 at 9.30 am**

#### **Present:**

**Councillor C Hood (Chair)**

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

Councillors V Andrews, J Cosslett, C Bell, S Deinali, O Gunn, C Hunt, L Kennedy, C Lines, C Martin, L Mavin, D Mulholland, A Reed, K Rooney, S Townsend, C Varty, E Waldock, M Walton, C Hampson and P Heaviside

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

Mrs L Vollans

#### **Co-opted Member:**

Ms R Evans

#### **Also Present:**

Councillors C Hampson, P Heaviside and Mr D Balls (Members of Safer and Stronger Communities Overview and Scrutiny Committee)

### **1 Apologies for Absence**

Apologies for absence were received from Councillors R Charlton-Laine, J Griffiths, Mrs L Gates and Mrs P Parkins.

### **2 Substitute Members**

Councillor V Andrews substituted for Councillor R Charlton-Laine.

### **3 Minutes**

The minutes of the meeting held on 7 January 2022 were agreed as a correct record and were signed by the Chair.

#### **4 Declarations of Interest**

Councillors C Martin and E Waldock declared an interest in agenda item No. 7 and remained in the meeting during consideration thereof.

#### **5 Any Items from Co-opted Members or Interested Parties**

There were no items from Co-opted Members or Interested Parties.

#### **6 Independent Inquiry into Child Sexual Abuse**

The Committee considered a report of the Corporate Director of Children and Young People's Services which provided members with information on The Independent Inquiry into Child Sexual Abuse into Child Sexual Exploitation by Organised Networks and actions taken by Durham Constabulary, Durham County Council and Durham Children's Safeguarding Partnership to address areas within the report (for copy of report, see file of minutes).

The Corporate Director of Children and Young People's Services and Chief Superintendent Dave Ashton from Durham Constabulary were in attendance to present the report and deliver a presentation (for copy of presentation, see file of minutes).

Members were informed that IICSA was established in 2014 as a Public Inquiry to look into multiple child sexual abuse failures through a series of investigations.

In July 2019 ICSA launched an investigation into institutional responses to the sexual exploitation of children by organised networks. The Inquiry chose 6 geographical areas at random to participate. The geographical areas were chosen because they had not experienced previous issues and they provided a lens into practice.

The Inquiry chose eight themes to investigate that were disruption and profiling; empathy and concern of child victims; risk assessment, protection from harm and outcomes for children; missing children, return home interviews, looked after children; male victims; children with a disability; partnership working on child sexual exploitation and audit, review and performance improvement.

The investigation report was published on 1 February 2022, a copy of which had been circulated with the report. The Corporate Director clarified that the wording in the heading – 'sexual exploitation of children by organised networks' did not mean grooming gangs and the term network was used in its broadest sense of two or more people.

Members were provided with details of the methodology and scale; IICSA headline recommendations; learning themes for Durham; improvement and investment since April 2019; new service developments and IICSA report next steps.

The Chair thanked the officers for their very informative presentation and asked members for their questions.

Councillor Walton thanked officers for their detailed response to the report that was a harrowing read but was reassured that the issues were being addressed. She commented on the high-risk groups and the number of gaps and gave examples. She then referred to the data and the introduction of a data analyst and asked how they could be sure that the data analysed was correct given the gaps. She asked what was being done to ensure that all information was being included. She then referred to the use of language and asked what steps were being taken to share this information.

In response to the question from Councillor Walton, Chief Superintendent indicated that they now had the ability to use male workers. During the work with IICSA going back two years they had appointed a dedicated male exploitation worker employed with the joint team from the Local Authority, since then an additional male worker had been employed. Previously, there was always an option to use a male worker from the police team if a child wanted to speak to a particular gender.

The Chief Superintendent went on to reassure members that where a perpetrator was unknown if any agencies had concerns, they should make a referral which would undergo joint screening that would show the risks and may also give intelligence on behaviour. He then referred to the use of language and that they needed to get better at this aspect, but it was hard to come up with a definitive dictionary of language and there were obvious words which they trained staff to avoid, it was changing, and it is not just language but having empathy and listening too.

The Corporate Director of Children and Young People's Services referred to the toolkit that was developed by young people together with Investing in Children. At the public hearing this was seen as an example of good practice and a lot of the quotes in the report dated back to earlier documentation. There was still a lot of work to be done but there had been a significant amount of improvement. He then referred to male victims and that they had developed these resources in the team and one of the five cases that was looked at was a male victim who accessed specialist support which was seen as a positive intervention.

Councillor Walton asked that they ensure that the information the data analyst was analysing incorporates the responses to their questions.

In response, Chief Superintendent indicated that the data analyst helped them within the multi-agency forum, but each agency had their own systems with

different systems for different purposes. When the information systems were pulled together and with joint working they had a good understanding of some of the key issues and good detailed work. Education colleagues provide screening that helps to put information into context for other professionals involved. It was a complex area that they needed to keep reviewing and how they used that data affectively. The multi tracker was used for children who were most at risk and indicated where they needed to put their resources. They were currently tracking around 60 children who had multi-agency plans and the risks had been reduced due to interventions been put into place.

Councillor L Mavin asked about children with Special Educational Needs and Disabilities (SEND) and that one third of cases involved children with SEND and only one child with SEND received the appropriate support. She referred to the deep dive review and the additional specialist support to pupils in referral units and pupils who had been excluded. She asked for further details of the deep dive and what progress had been made and how children with severe learning disabilities were identified.

The Chief Superintendent referred to the work he had previously mentioned that they carried out with SEND specialists who were a key partner. He indicated that during COVID lockdown they had identified 33% of children on the vulnerability tracker had some form of learning disability or special education need that had increased coming out of lockdown. Each child that came through had the benefit of the special education needs expert who sat alongside the team to give advice to ensure they were given the most appropriate service. They did tack physical disability and had not seen a great number of children subject to sexual exploitation with physical disabilities. To ensure that they were covering this they had given multi-agency briefings to health visitors, midwives, safeguarding health professionals and general practitioners to ensure they had that understanding or what was meant by child exploitation and encourage those agencies to put a referral forward. All safeguarding leads within the school setting had the same briefing to heighten awareness to encourage people if they had a concern contact the social care team or the police or submit a referral.

Councillor Hunt suggested that in view of the number of questions, a separate meeting by arranged with all agencies including the Police Crime Commissioner (PCC) in person so that all questions and evidence of what had been happening be brought to that meeting for discussion and details of work that had been carried out.

The Chair responded that he agreed that a sperate meeting be arranged to discuss the report in more detail to give a greater understanding of the report, if agreeable with officers

Councillor Gunn commented that it was a big and complex area around all the issues, and they needed to focus on a good discussion and getting down to the

complexity of the issues and agreed that they needed to look at a workshop going forward.

It was agreed that a separate workshop session be set up to discuss the issues and learn more about the detail.

In response to a question from Mrs Evans, Chief Superintendent explained in broad terms that if there was insufficient evidence for the Crown Prosecution Service to prosecute initiatives to disrupt would be used such as child abduction warning notices being issued. There was a good multi-agency group and could bring together other local authority colleagues to look at other ways and other legislation to disrupt the individual. They would look at both individual investigations and prosecution to consider what could be done and the police work closely with the local authority in this.

Councillor Varty indicated that she was pleased that Pupil Referral Units (PRUs) were receiving support from Durham University.

The Director of Children and Young People's Services advised of targeted work carried out with PRUs was important as education is a protected factor and work was being done with both safeguarding and SEND leads.

Councillor Gunn referred to the issues raised in the inquiry covering Durham and commented that improvements were implemented during the independent inquiry or being implemented now. She then commented that most of the high-profile recommendations were for Department for Education (DfE) and government to implement in terms of regulation and asked what the main challenges were and even one child being sexual exploited was too many.

The Corporate Director of Children and Young People's Services indicated that this was a complex area and a cultural shift was needed. Whilst there had been a number of investigations over the last ten or twelve years there was still a lot the service did not know and often the perpetrators or criminal gangs were one step ahead. There was a significant challenge in terms of how they moved to address multiple difficulties and different ways of working and quite often structures had not been set up in this way and was the reasons why a number of the recommendations were national.

He then referred to the Children Act 1989 and that within the Act there was no reference to child exploitation or child criminal exploitation when it was published it was aimed to protect children at risk in their own home and they still had this system operating with some statutory guidance. There had been a massive cultural shift to look at the different complexities and challenges to support young people where there were groups, individuals, organisations and networks who were looking to exploit in a range of different ways. The service were working closely with national experts, but it was changing and shifting significantly and to keep ahead of

it was difficult. Safeguarding mitigates the risk it does not remove the risk and the aim is to protect every child.

The Chief Superintendent indicated that child sexual exploitation was just one form of exploitation and sadly children that come to their attention were more likely to be abused by people they know. They were challenges in terms of how children had access to pornography and the internet and some of the behaviours that manifest in their everyday lives. Work had been done with Professor Simon Hackett and Professor Carlene Firmin, both from Durham University that has helped to understand child behaviour and a wider understanding of a child it is not just CSE these children had vulnerabilities and may have suffered neglect or domestic abuse and it was important that the service and police get to grips with other risk factors too.

The Head of Children's Social Care commented that from a safeguarding child perspective the biggest challenge was that CSE was underpinned by a culture of secrecy. Children were threatened with harm to themselves or their families and were made to feel guilty for what had happened or alternatively were made to feel loved by their perpetrators so that they did not recognise what was happening was abuse. Everything was reinforced by a culture and power differential that exists within the perpetrator that was designed to stop children understanding what was happening to them and enabled to do what they do. The Head of Children's Social Care agreed a detailed workshop session could look at how perpetrators operate as this underpins a lot of the complexities discussed today.

Councillor Martin referred to the deep dive and the work being done and asked officers if they foresee an increase in prosecutions or attempted prosecutions due to child exploitation and if they believed that due to this work as a result of the deep dive if young people in County Durham were going to be safer.

The Chief Superintendent confirmed that they were making children safer, but sadly the prosecution was too late, and they wanted to intervene at an earlier stage to prevent the child from being abused in the first place. This was not just a police issue and they needed to work with education colleagues, parents and children's services to identify some of those factors to reduce the risks. Significant sentences were given to those who had abused children, in terms of child sexual exploitation it was proactiveness to try and identify the networks. Currently there were 1400 registered sex offenders across County Durham and Darlington who had been prosecuted and quite a proportion of those were against children. Under legislation they had strict monitoring processes around those individuals. He stated that this was not enough and did not hit every offender and was why they needed to be open to the signs of a child being exploited or abused to make sure they were acting on it. Durham Police have a high harm agenda with a priority to prosecute for offences of child abuse and domestic abuse.

Councillor Hunt indicated that she struggled to understand the definition of CSE and that having sex with a minor was breaking the law and prosecutions should be brought against anyone who harms a child. Prosecutions showed that they do take child abuse seriously and working together collectively any kind of sexual abuse was illegal regardless and would be prosecuted.

The Chief Superintendent indicated that there was clear legislation with the sexual offences act and a lot of provision came in 2003 specifically around grooming of a child and any sexual activity in the presence of a child. There was lots of different offences and they were not lacking legislation some of the difficulties were in terms of the grooming process. Perpetrators would groom and gain power or authority over that child and knew how to manipulate them into thinking the abuse was consensual and part of a loving relationship. This caused traumatic impact in child thinking and was not always clear and was difficult for that child to come forward. The Police Force did provide training on trauma informed impact and how the brain worked and misguided thinking. It was difficult to prosecute without any evidence and referred to the Medomsley Detention Centre investigation that took six years where they had over 2000 victims the perpetrators were now of an old age and a significant number were not well enough to stand trial or had died. The victims were living with the abuse every day some had gone on to be successful, but others had suffered alcohol and drug addictions, it was not just about what is happening today but historical cases too.

**Resolved:** (i) That the IICSA Child Exploitation by Organised Networks report be noted.

(ii) That a separate workshop session be set up to discuss the issues in more detail.

(iii) That Members be provided with an update to a future meeting in relation to the agreed next steps and actions taken by the service and partners to address the issues highlighted in the report.

## **7 Inclusion / Exclusion Update**

The Committee considered the report of the Corporate Director of Children and Young People's Services that highlighted the ongoing inclusion work that had been carried out during the 2020/21 academic year, the impact on reducing exclusions, the ongoing work moving forward and the continuing pressure on The Woodlands (PRU) to continue to meet the needs of pupils who had been permanently excluded (for copy of report, see file of minutes).

The Head of Education and Skills advised members that information on exclusions and suspensions was available nationally but some of the information included in the presentation was not validated.

The Pupil Casework Officer was in attendance to present the report and deliver the presentation that provided members with details of permanent exclusion by year group and comparisons for all secondary schools; suspension comparison; the establishment of four task and finishing groups and their intended impact; protocols and documents developed and circulated to all schools with effect from September 2021; details of the fair access protocol and alternative provision quality assurance protocol (for copy of presentation, see file of minutes).

The Pupil Casework Officer advised members of the work of the Primary and Secondary Behaviour Inclusion Panels that operated across the county as geographical sub-groups and included academies and maintained schools. While it was the decision of some academies not to be part of the panel arrangements, they still followed the same guidance. Members were advised that there was a transition focussed panel who supported pupils in their transition from primary school to secondary school.

Councillor Kennedy referred to behaviour in schools and asked if schools that had their own behaviour inclusion workers, had a reduced number exclusions. She stated that funding for these workers had now been withdrawn but some schools had then funded them themselves and asked if they found within the schools that funded their own behaviour workers the exclusions were lower. She also asked if some figures could be incorporated into the report around managed moves as this was used rather than exclusion.

The Head of Education and Skills referred to the managed moves and indicated that that they had developed their thinking around this and one of the issues they were worried about was pupil mobility and the number of pupils who make multiple moves. He explained that if 100 plus pupils were to make five or more moves it was likely they may achieve less than two grades lower than their peers. All of those moves may have been made in primary and they were trying to reduce the number of permanent exclusions and they had engineered more managed moves. The key objective of this was to manage the process to support young people in their school and to keep them in their local environments and local schools.

In terms of behaviour workers, it was confirmed the funding had reduced but a lot came down to the approaches of schools to behaviour and the positive approaches to rewards. They had created professional networks where teachers in schools and senior leadership teams were not just talking about children who came before those panels but were talking about what they could put into place and raise the expectations and the best providers were sharing information that created an expectation and were challenging some of the schools.

The Pupil Caseworker referred to managed moves and they had a robust system around managed moves and there was a reduction. Over the years there had been clearer decision making if it was the right move for the student. There had been a reduction in the number of managed moves and very few of those students go on to

be permanently excluded. There were cases where some children have moved back to their old school.

Councillor Townsend asked if future reports could include a glossary of acronyms. She then referred to the two looked after children in the care of the local authority excluded in the same academy trust and stated they were the first looked after children to be excluded from education in the last seven years. She asked if it was more difficult to work with academies to keep young people in school and what could be done to ensure that looked after children were not disadvantaged.

The Head of Education and Skills indicated that these were two exceptional cases, and the exclusions were nothing to do with the schools being academies. They knew that more schools would become academies and in the secondary sector 27 out of 31 schools were academies, they were on a regular footing with Durham Association of Secondary Heads (DASH), and were invited to all meetings and the elective engagement was stronger than it was before. When they were all maintained schools, they were not collaborative but in terms of engagement they were all strong. He then referred to the Timpson report and if this came back there would be real accountability.

Councillor Martin indicated that the best place for every young person was in mainstream education and that the vast majority of pupils just needed more support and assistance. Every child mattered and referred to the need of other young people in the classroom who may become affected by the behaviour of a disruptive young person. They needed to be mindful that young people needed support, but this did have negative effects on other children in the classroom and teachers, but a lot of time was spent supporting these disruptive young people and teachers need to support all children in the classroom. He asked how much consideration was given to teachers and other young people in the classroom.

The Head of Education and Skills responded that this was an important part of the schools working together and moderating their approaches. He referred to secondary Ofsted reports often talked about minor disruption in lessons and learning affecting the quality of outcomes and schools were conscious of this. This was an opportunity for schools to moderate and thought longer term system would pull all the schools together.

He indicated that Sedgefield Community College was one of the regional behaviour hubs that was recently funded to be specialists around classroom effectiveness and behaviour. It was a changing climate, and the key thing was bringing all the groups together as they had a teaching school hub that worked with Northeast Learning Trust (NELT), in the past not all schools worked with NELT. They had work to do to ensure that best practice was shared with schools.

Councillor Hunt indicated that it was a positive report and referred to short term exclusion that were significantly higher than permanent exclusions and asked if this

due to intervention once pupils were on short term exclusion and why they were not intervening before it got to the exclusion stage.

The Pupil Casework Officer indicated that a lot of early intervention did take place and the short-term suspensions had been used as a tool. The guidance made it clear that the suspension was for the shortest period of time possible. These young people did not have many repeat exclusions, once they were suspended it did work and they did not go on to be excluded again.

Councillor Walton referred to the number of suspensions that had reduced significantly but was concerned that this may be due to children not in school due to COVID. She asked if officers were expecting the figures to rise or if the figures were a true representation.

The Head of Education and Skills responded that the figures were a true representation of the work that they had done. He indicated that suspension was difficult as some schools used suspensions more than others. Sometimes when there was a change in leadership in a school, they would see temporary spikes in suspensions. He commented that some children were not back to school, and it was a big job to get all children back into school.

Councillor Waldock referred to permanent exclusions and 50 plus days suspension within a certain period then it became a permanent exclusion and asked what proportion of exclusions were under this criterion.

The Pupil Casework Officer confirmed that it was 45 days, and he was not aware of any children excluded under this criterion for the last 10 years.

The Chair referred to the continued pressures on the Woodlands and asked what the panel could do to alleviate this pressure.

The Head of Education and Skills indicated that the panel were taking some pressure off the Woodlands as the numbers were being reduced. They did have pupils who were at risk, and they used their experience and knowledge to work with young people to make sure it does not happen. The Head of the Woodlands was part of the panel set up and was often invited to meet Headteachers. The Woodlands was currently set around nine sites, so they had challenges and the quality of the accommodation on some of the sites was a challenge. They were looking at opportunities to enhance the world for those children and improve the quality of the environment for children and staff.

The Chair thanked the officers for their presentation.

**Resolved:** That the contents of the report be noted.

**Councillor S Deinali left the meeting at 11.40 am**

## **8 Quarter Three 2021/2022 Performance Management**

The Committee considered the report of the Corporate Director of Resources, which provided progress towards achieving the key outcomes of the Council's corporate performance framework and highlighted key messages to inform strategic priorities and work programmes. The report covered performance in and to the end of quarter three, October to December 2021 (for copy see file of minutes).

The Corporate Equalities and Strategy Manager was in attendance to present the report.

Councillor Townsend referred to 62% of EHCP assessments in 2021 were not completed within the statutory 20-week timescale. She indicated that more case workers had been appointed so these figures should show an improvement and asked when they would receive the figures for 2022 and see an improvement.

The Corporate Equalities and Strategy Manager responded that a lot of the requests for assessments did not come in at the same time but the bulk were around Easter time so they should be able to gauge the results 20 weeks after the bulk assessments requests.

Ms Evans referred to the contents of the report and that it was focused around the County Durham Vision but asked if it should be about what it was like to be a young person in County Durham. She then referred to the implications of the climate emergency and there was no evidence in the report of this happening.

The Corporate Scrutiny and Strategy Manager responded that the council were producing a draft of a new Council Plan and part of that process they were looking at the format of the performance report and scrutiny members could input into the format of the report.

The Corporate Equalities and Strategy Manager added that in terms of some of the outputs it was one part of the bigger picture, and they would not present the report to children in the same format. Work would come through the Corporate Parenting Panel that would look at the experiences of children in County Durham, this report reflected the outcomes from the Council Plan.

Ms Evans responded that it may help to present things as they would to a child.

Councillor Walton referred to the increase of 63% in the SEND support and asked if this was a trend year on year or was it due to schools returning.

The Corporate Equalities and Strategy Manager responded that they were monitoring this figure to ascertain if it was a trend or an ongoing issue. These figures were reported quarterly.

The Chair thanked the officer for his presentation.

**Resolved:** That the overall position and direction of travel in relation to quarter three performance, the impact of COVID-19 on performance, and the actions being taken to address areas of underperformance including the significant economic and wellbeing challenges because of the pandemic be noted.