

# Agenda



## Performance Scrutiny Committee - People

---

Date: Tuesday, 17 September 2019

Time: 10.00 am

Venue: Committee Room 1 - Civic Centre

To: Councillors D Williams (Chair), J Cleverly, R Hayat, M Linton, H Thomas, C Townsend, J Watkins, T Watkins, J Richards and S Marshall

Co Opted Members – Daly A (Church in Wales Rep) and Bennet P (Catholic Church Rep)

---

Item	Wards Affected
1	<u>Apologies</u>
2	<u>Declarations of Interest</u>
3	<u>Minutes of the Meetings held on the:</u> (Pages 3 - 16) a) 11 June 2019 b) 25 June 2019
4	<u>Looked After Children Report</u> (Pages 17 - 34)
5	<u>Additional Learning Needs Out of County Placement report</u> (Pages 35 - 44)
6	<u>Conclusions of Committee Reports</u> Following the completion of the Committee reports, the Committee will be asked to formalise its conclusions, recommendations and comments on previous items for actioning.
7	<u>Scrutiny Adviser Reports</u> (Pages 45 - 58) a) Forward Work Programme Update ( <b>Appendix 1</b> ) b) Actions Arising ( <b>Appendix 2</b> ) c) Information Reports ( <b>Appendix 3</b> )

Contact: Daniel Cooke, Scrutiny Adviser

Tel: 01633 656656

E-mail: [Scrutiny@newport.gov.uk](mailto:Scrutiny@newport.gov.uk)

Date of Issue: Tuesday, 10 September 2019

This page is intentionally left blank

# Minutes



## Performance Scrutiny Committee - People

---

Date: 11 June 2019

Time: 10.00 am

Present: Councillors D Williams (Chair), J Cleverly, H Thomas, C Townsend, J Watkins, T Watkins, J Richards and S Marshall

Cabinet Member: Councillor P Cockeram (Cabinet Member for Social Services)

In Attendance: D Cooke (Scrutiny Adviser), J Harris (Strategic Director - People), C Humphrey (Head of Adult & Community Services) and E Mulligan (Democracy and Communications Manager)

Apologies: Councillors K Critchley  
Annette Daly

---

### 1 **Declarations of Interest**

None

### 2 **Minutes of the Meeting held on the 9th April 2019**

The minutes of the meeting on 9 April 2019 were approved as a true and accurate record.

The Chair advised the Committee of correspondence that had been received from the Cabinet Member – Education and Skills regarding the Committee's approved minutes of its meeting on 19 February 2019. The Cabinet Member was concerned that her contributions to the meeting had not been attributed directly to her. The Chair outlined to the Committee that the minutes had been checked and he was satisfied that the content was accurate, although the responses were not attributed to specific invitees. It had been agreed that in future comments made by the Cabinet Members would be attributed to them by title in the minutes.

Committee Members raised concerns that a change in the status quo should be more widely debated by the other Scrutiny Chairs / Committees. Members of the Committee commented that the purpose of the minutes was to evidence the debate and the assurances given by the invitees, and had comments not been attributed to individual members for this reason in the past. It was noted that the Cabinet Member had contributed fully at the meeting on 19 February 2019.

The Committee endorsed the comments and the actions of the Chair in this matter, and agreed to attribute comments to Cabinet Members in the minutes where appropriate.

### 3 2018/2019 End of Year Service Plan Review - Adult Community Services - 11 June 19

Attendees:

- Councillor Paul Cockeram – Cabinet Member for Social Services
- James Harris – Strategic Director – People
- Chris Humphreys – Head of Adults and Community Services

The Cabinet Member for Social Services introduced the report and gave the Committee an overview of the key achievements within the Service Area. During the introduction, the Cabinet Member outlined the positive work that had been undertaken during very difficult financial times. The Cabinet Member drew the Committee's attention to the Performance Indicator (PI) related to the Delayed Transfers of Care. It was explained that even though the PI was categorised as RED, the shift into RED had been later in the year. The six days was still a great achievement, when put in the context of what it was it has been over the past 5 years, the journey to achieving what it was this year was down to the way the service was managed and supported. The people that had caused the Delayed Transfer of Care figure to rise were not those in the acute hospital and wards, but those in the community hospitals with long term and debilitating issues. It was these people that require a lot more intervention and support to leave hospital, longer assessments to ensure that their best interests were catered for when devising their package of care.

The Head of Service provided detailed information on the challenges with targets within social services changing and evolving during the year, this had made a number of actions and PIs invalid. The definition of which people counted towards reablement figures was changed mid-year causing issues with end of year reporting.

The Strategic Director – People complimented the Cabinet Member and Officers for their management of the Adult and Community Services budget. A budget of over 40 million kept within one percent was a great achievement, especially if taken against the background of increasing demand and constant changes. The Cabinet Member explained that the Regional Partnership Board had been a massive help in allowing the Council to manage so well.

The Committee asked the following questions;

- Had 'Action 1.03 – *Establish a joint health and social care IAA provider forum to share information and good practice*' started? The Officer informed the Committee that work towards completing this action had begun.
- The actions that are listed from pages 18 to 23 in the agenda pack were predominantly 'In Progress', with the exception of one, some of these Actions were for the five year life of the Corporate Plan. The Committee would like more information on how much progress has been completed for each of the Actions. The Head of Adults and Community Services explained that this was something that had been discussed with the Performance Team who produce the Service Plans. The Actions might change in the future to those that were a one off and not business as usual actions that would continue indefinitely.

The Member requested information on a number of programmes, projects and initiatives named in the report, but not explained. The Head of Service explained the four to be;

- 'Homes First' – had been running since October 2018 and was funded from the WG Transformation fund. Newport ran the programme on behalf of the partners in Gwent. The aim of the service was to support those people that arrived in hospital but did not need to be admitted. The service worked 7 days a week and allows those that have been admitted to return home earlier. This was done through starting the adaptation and discussions around leaving hospital as soon as the person was admitted.
- 'My Mates' – provided support to people with learning difficulties to attend social events to limit the social isolation they face. This service was funded through the Integrated Care Fund (ICF).

- DEWIS was a website sponsored by the WG. The aim of DEWIS was to collate all of the possible support services into one place so anyone with a question or need can be directed to the most suitable place with ease. One of the Members raised concerns around the number of older people that do not have access or the ability to use the internet. Officers and Cabinet Member accepted this, the Cabinet member continued to say that there were sometimes problems with DEWIS around it not being entirely up to date, due to the onus being on the individual organisations to update their own information on the site.
  - Ask Sara was an online self-assessment tool for people to complete if they were struggling with remaining independent at home. An example was given if someone was struggling to climb the stairs, they could use the tool to see what options were available to them at that point and if they required it they could purchase it for themselves. The Head of Service explained that the non for profit organisation that ran the site was very carefully managed by professionals, and any advice given was of the best quality.
- The Cabinet Member informed the Committee that there was a fund of £1.4 million for home adaptation for people living in Newport. This fund was limited and the Council was realistic about its uses and what it could achieve for those in need in Newport.
  - The Committee stated that it was encouraging to hear the successes of the service area, one area of concern to the Committee was the reduction of packages of care provided, and spoke about how a reduced package of care would limit the opportunities to prevent future hospital admissions. The Cabinet Member and Officers explained that there was an annual review of a package of care and if the individual felt that their circumstances had changed and they required more support, they could request a reassessment. The reablement team had moved to an intake model which meant that individuals were provided with the support at the earliest possible time, while allowing the Council to manage the money and resources available in a more effective efficient manner.
  - The Committee enquired as to what changes have taken place in Frailty Care and would the service look to expand to include people with Dementia, as the number of people requiring this type of care would be expanding considerably in the future. The Cabinet Member explained that a care package was put in place for six weeks, and then it was reviewed to assess its suitability.
  - The Committee questioned whether Adults and Community Services had had difficulty recruiting staff and the reasons behind this. The Officers explained that recruiting staff was an issue for health and social care services everywhere, not just Newport. The Members were reassured by Officers that this was not an issue with carers not being paid enough, as the terms and conditions in Newport were much better than other areas. Some of the problems with recruiting include the individuals needed to be mobile across sometimes large areas, but the Council was looking at walking routes and other forms of transport. Another difficulty was the competition faced by other sectors, such as employment in retail.
  - A Member enquired as to the staffing levels and the full time staff equivalent of vacancies. The Officer informed the Committee that there were around 90 hours vacant. These positions had gone out three or four times this year. This did not mean there would be a reduced service for people in need of care, but the Council was recruiting to run a larger service. The Cabinet Member explained that cuts were needed due to cost pressures and there would likely be further cuts over the next few years, but the Council was in a better position than counterparts in more rural Wales.

The Officers last point explained that they would not hold onto a vacancy to make savings.

- The Members of the Committee questioned the relationship with the Health Board, and the challenges in the partnership and the allocation of resources. The Cabinet Member responded by informing the Committee that in the past the blame culture of the Health Board blamed the Council for the number of people 'blocking beds', the Health Board reported to Welsh Government that around 80 people were still in hospital due to the Council not supporting them to leave, but when the Cabinet Member and the Head of Service looked at these figures it was more like 14 or 15 resulting from the Councils actions. Since the introduction of the Integrated Care Fund the working relationship has brought all the partners closer together. The relationship was quite good, but there had been some issues. The Welsh Government had provided over a million pounds to alleviate the service pressures caused during winter, which was for all partners to jointly allocate. The Health Board spent this money without any discussion with the Council or other partners. When we raised this as an issue with the WG the Minister in Welsh Government explained that this would not happen again, and they would discuss this with the health board. The Cabinet Member felt there were other issues around how the Council received a funding increase of 0.3%, whereas the Health Board received an increase of 0.7%. The Health Board were able to overspend, whereas the Council must meet their budget. The Cabinet Member stated that he believed that all partners should be treated equally, but felt that this was not the case.
- The Members wished to know about the partnerships with other Local Authorities and if this had an impact on savings. The Cabinet Member explained that a lot of the work was going well and the Cabinet Members from each authority have a positive working relationship. The Strategic Director described the strategic partnership between the five authorities in Gwent. The strategic partnership boards include; Adults, Children, Housing and, Care and Disabilities. There was a meeting that engages all the Directors, Key Officers and representatives from the third sector, the main observation of the partnership was they were about working together in a myriad of different ways. Conversations would start on individual points and localised issues but soon developed in larger, more strategic issues and how to address things collectively. That way of collective working was embedded into the Regional Partnership Boards practices.
  - The Cabinet Member added how far the partnerships had come along. ICF being an example of how it had developed, and the greater support the Council was receiving from the Health Board.
- The Members spoke of the financial information outlined in the report and how it looked like Adults and Community Services were underspending in the majority of its service areas to cover the cost of Managed Care, which was over spent by 1.2 million pounds. The Officers informed the Committee that what the financial information did not show you in the report was the size of the Managed Care budget, which was by far the largest, if it did you would have seen that the underspend in proportion was not that great. The Officer said that it would not 'squeeze' budgets to cover overspends, it was just how the bigger picture played out.
- The Officers explained that the Welsh Government had changed its policy on collecting data and this included the carer support measure. Welsh Government found that the resources required to send out questionnaires to all carers was too great for the return they received and were looking for alternative options to collect qualitative and quantitative data from carers. The Members raised concerns that these people would not be forgotten. The Cabinet Member reassured the Committee that locally the Council were monitoring the service Carers received. This included monitoring the complaints and compliments received, and unannounced visits to all of Newport's care

services. The Officers also spoke about how no information bypassed the Council, even if it was collected for a national measure. Welsh Government share all information with the Council for service improvement.

- The Committee queried the MTRP table and the information it contained. The Committee wished to know if the overspend indicated for each month was carried over or was the service area overspending by the same amount each month. The Officer explained that the overspend was carried over month by month. The amount of 80 thousand pounds was an unrealised saving from 2018/19, which would be made in the 2019/20 financial year instead.
- The Committee were informed that the Transformation Grant money that was funding the projects supporting the Delayed Transfer of Care (DTC) measure would come to an end in mid-2020/21. These projects include the Home First, In Reach, Reablement and Step up Step Down. If these projects were to continue in Gwent then the partner Local Authorities would need to find the money to fund them, the sense of partnership and our relationship with the Health Board were real positives here. The Cabinet Member stated that the problem of sustainability was difficult to solve. Once the projects were set up, functioning and saving money, the funding was removed. The Cabinet Member believe that if the projects were successful enough then the health board would step up and provide the necessary funding. The Strategic Director explained that if the DTC measure remained at an average of six, over the next year, then it would have been a great achievement. This was due to the increasing demand for resources, which were being limited and cut year on year.
- The Committee enquired as to what impact the changes in hospital infrastructure would have on services? The Officers explained that these concerns had been fed into discussions with partners and WG. There would be an all members seminar in July that would cover, in more detail, the infrastructure changes in Gwent and the impact these would have on service delivery for the Council. The Officers informed the Members that they had modelled the changes and the impact was fewer beds and a higher turnover of people. People with acute needs would be admitted into the Grange hospital and would be moved to a different hospital for the rest of their treatment. The challenges which had been identified included the system's ability to cope with the increase pace of turnover, different lengths of stay and the increasing demand on community based services, when people were moved home earlier. The Committee raised concerns that by moving people home at an earlier stage in their recovery then new issues would be created for others. The Cabinet Member agreed with the Committee sentiments and stated that if people wanted a high level of care then they would ultimately have to pay for it.
- The Cabinet Member informed the Committee that if they wished further information on any of the items discussed today, they were more than welcome to ask for a scrutiny briefing or they could arrange an all member seminar.

### Conclusions

The Committee made the following comments and recommendations to the Adult and Community Services;

- The Committee recognised the difficult times facing Adult and Community Services and the pressures the service area was under. The Members wished to thank all of the staff and Cabinet Member for their hard work and dedication to providing the best services possible for the citizens of Newport.

- The Committee requested that they were informed of the WG new measures when they were released.

The Committee wished to make the following comments and recommendations to Cabinet on the overall service plan report;

- The number of actions labelled as 'In Progress' did not provide enough detail for the Committee to scrutinise. The Committee would have liked the amount of progress to have been quantified as a percentage to highlight how close the service area was from completing the action.
- The Committee found that some actions were actually just 'business as usual' measures, which could of, in effect have no end and would continue indefinitely was of concern. If the action was 'business as usual' and had no end date then it would inhibit the Committees ability to scrutinise the performance effectively. The Committee recommended that the action in the report are reviewed by the Cabinet Members and ensure that all actions were SMART, allowing for effective and efficient scrutiny.
- The Members raised concerns that through the service plans they received only a small snap shot of the service area, this was problematic for the Committee due to the complexity and depth of Adults and Community Services.
- The Committee questioned the amount of information contained in the financial analysis section of the Service Plan. The Committee recommended that further comparative information be provided in the future. This included a budgetary figure for the Service Area Teams to gauge the deficit or underspend, and a clearer graph for the 2018/2019 Delivery of MTRP Saving table with additional information on differences.



# Minutes



## Performance Scrutiny Committee - People

---

Date: 25 June 2019

Time: 10.00 am

Present: Councillors D Williams (Chair), J Cleverly, H Thomas, J Watkins, T Watkins, J Richards and S Marshall

Cabinet Members: Councillors P Cockeram (Cabinet Member for Social Services) and Gail Giles (Cabinet Member for Education)

In Attendance: D Cooke (Scrutiny Adviser) and L Davies (Governance Officer)

Apologies: Councillors K Critchley and C Townsend

---

### 1 **Declarations of Interest**

None

### 2 **2018 / 2019 End of Year Service Plan Review**

#### **Children and Young Peoples Services**

Attendees:

- Councillor Paul Cockeram, Cabinet Member for Social Services
- James Harris, Strategic Director People
- Sally Anne Jenkins, Head of Children and Young People Services

The Head of Children and Young People Services presented a brief overview to the Committee and highlighted the key areas for consideration.

Children Services continued to deliver the full range of statutory services required. This year had been another immensely busy year. Towards the end of the year a completely staffed management team improved the capacity to undertake important shifts to improve practice and to restructure in line with external changes. These changes would have largely been implemented by the end of 2019. The successes of 2018/19 included positive morale and very few vacancies despite a backdrop of very high demand and large numbers of complex cases, the establishing of the Family and Friends team, the launch of the Family Group Conferencing service, the opening of Rose Cottage and the increased services in Preventions.

Members asked the following:

- A Member expressed concerns over the financial position of Children and Young Peoples Services, asking about the service area's budget and if there would be a point that funding could not be found to fund services. The Head of Children and Young Peoples Services explained that the budget was challenging and sometimes a budget

overspend could not be avoided, at present the service area could not apply for any extra financial support. The department manage the budget responsibly and where possible work in conjunction with others throughout the Authority. The Strategic Director confirmed that monthly meetings were held with Finance and Senior Management team Officers to discuss financial commitments and any unforeseen events that had to be addressed, however, at present time the authority had been able to cover any overspend.

- A Member of the Committee asked the Officers if out of county placements came under the resources heading of the Service Area Team table. The Officers explained that out of county placements were only made as a last resort, with the aim for Newport children to be cared for in Newport. All of the Authorities Children's homes were full and foster carers were limited. All measures had been taken to stop out of area placements, but if the situation was unavoidable care was taken to ensure they were only for limited period. In the case of disabled children with needs the Authority cannot meet, it would have been unavoidable to go out of county in search of suitable accommodation. The Authority was looking at putting measures in place, such as, purchasing a new property, increasing foster carers in Newport and additional sourcing additional support as ways of increasing the provision for Newport children, especially those with specific needs. Rose cottage was a good example with a monetary saving made by bringing children back in to Newport from out of county placements. The additional benefit of bringing children back into Newport was contact and relationships were easier to manage and facilitate between young people and their families. One young person in Rose Cottage was ready to return home to their family, this would have been more difficult if that young person had been placed out of county.
- Members enquired about the off target performance measures for 2018/2019, especially the target relating to the number of looked after young people, were the risk adverse local judiciary were one of the reasons provided for a poor performance. Officers replied explaining that risk adverse local judiciary comment referred to the Family Court with Judges taking decisions that could influence the practice of Social Workers, posing challenges for the service as the Courts were above the Authority. The Cabinet Member for Social Services would be attending a Conference where the situation would be discussed.
- A Member asked Officers to confirm what saving the Authority had made relating to the creation of in house residential services. Officers confirmed a capital spend of 6.4 million was made, received from the Intermediate Care Fund. This funding was used for Rose Cottage, Windmill Farm and Oaklands. The Council had seen a saving of 400 thousand pounds since the opening of Rose Cottage, with further savings from children returning home after being placed in Rose Cottage, and children who were placed out of area moving back into Newport.
- Members asked when Windmill Farm opened and what type of Looked After Children would it would accommodate, and what savings would be made by opening the home. Officers replied explaining that Windmill Farm would open in 18/24 months' time. It was explained that the emphasis was on getting a balance of children in the residential facility, as this would be the young people's home, it was important to place young people who were likely to contribute to a positive environment. The Committee were reminded that Oaklands was due to reopen in mid-July, but the facility was only for short breaks and respite care for families.
- Officers confirmed that new marketing materials for fostering had been developed, including a leaflet and a promotional drive had begun using NCC Twitter and Facebook to increase the publicity, the fostering team were also making a short promotional film to work alongside the social media information. Feedback back from current Foster Carers had been very positive of the Authority.

- Officers confirmed that they had had some success with the Invest to Save fund, including; research opportunities and events, taking every opportunity when they arose. All staff were involved in ongoing training and encouraged to develop.
- A Member asked Officers about Foster Care providers, asking if the Authority had bench marked the rate paid to independent Foster Care providers. Officers replied confirming that a significant piece of work had been undertaken with providers, unfortunately the Council were still reliant on independent fostering agencies to provide placements. In Scotland it was illegal for an independent foster care provider to make a profit. The quality of care provided to the young person was the most important factor to the Officers. The Cabinet Member explained that it was vital that the Council recruited more foster carers to bring down the costs and provide a more suitable home experience for the young people of Newport.
- A Member enquired about the Financial Analysis section asking how the Authority would reduce the deficit it faced year on year. Officers replied explaining that the biggest costs had been staff and out of county placements. The Authority were looking at how to prevent children coming into care, monitoring budgets to limit overspends and any trends that indicated an potential increase in spend or number of young people being referred. The Cabinet Member stated that this was an issue for all other authorities in England and Wales.
- Officers explained to the Committee that the Preventions Team had continued to grow throughout the year which would support the decline in referrals to the health board and other partners. Over the course of the year not only had the Primary Mental Health work been embedded with the Preventions Team, but the SPACE coordinator had taken up their role for Child & Adolescence Mental Health Service (CAMHS). The referrals to the service go through the weekly allocations meeting with partners who aimed to discuss each case to ensure the appropriate action was taken with each. The Early Action posts and the Step Down services, while showing very early signs of high take up, would need monitoring for the early part of this year to ensure they worked effectively and efficiently. The rate of referrals continued to grow and that did pose challenges to the services to meet need without a waiting list being implemented.
- Members asked about the development for work experience and apprenticeship opportunities for looked after children. Officers confirmed that all looked after children would be offered work experience within the Authority. Improved choices for work experience, apprenticeships and wider employment and training options will now be the focus for 2019/20.
- Members expressed concerns over the spike in overall net position from £25 million to nearly £26 million in March 2019. Officers confirmed that the spike was due to more money being set aside for insurance. This was due to an ongoing court case where the outcome would dictate an increase in cost in insurance.

The Chair thanked the Cabinet Member and Officers for attending.

## **Education**

### Attendees:

- Councillor Gail Giles, Cabinet Member for Education and Skills
- James Harris, Strategic Director People
- Sarah Morgan, Chief Education Officer
- Andrew Powles, Deputy Chief Education Officer
- Katie Rees, Assistant Head of Education - Inclusion
- Martin Dacey, Assistant Head of Education - Engagement & Learning

The Cabinet Member for Education and Skills presented a brief overview to the Committee and highlighted, and elaborated on the key areas for consideration contained in the Service Plan's Executive Summary. Education Services have reported improved performance in a number of measures during the 2018/19 financial year and received a positive Estyn inspection outcome in November 2018.

The Cabinet Member continued to outline the Estyn recommendations, which were included; Improving the overall performance of secondary schools, establishing a coherent strategy across all relevant services to improve the outcomes of pupils eligible for free school meals, ensuring that self-evaluation activities focus on the impact that services have on outcomes and their value for money, strengthening opportunities at a local authority level for children and young people to influence decisions that affected them, and delivering the strategic plans to develop Welsh-medium education further.

Members asked the following:

- Members expressed concerns over the schools that were still in Red or Special Measures after 2 years, and enquired as to how their performance would be addressed. Officers replied explaining that those schools in Red or Special Measures had improved performance in a number of measures during the 2018/19 financial year and received a positive Estyn visits. The Officer continued to state that schools in Red or Special Measures did not mean that the whole school needed improving, just elements of the school. Focus had shifted to address the leadership and support in the schools, on what it received from the Council and what it would need in the future.
- A Member of the Committee mentioned that parents of young people in Newport High had commented that good progress had been made under the acting Head Teacher, and requested confirmation of when the interviews for the position of a permanent Head Teacher would take place. Officers replied confirming that the position would be a January 2020 start. The Cabinet Member stated that it was great to hear that parents of school children had taken the time to provide good feedback about the acting Head Teacher to the Members.
- Members enquired about the development of a Newport specialist provision for SEBD pupils. Officers replied explaining that the development of a Social, Emotional Behavioural Difficulties (SEBD) School had been postponed due to the identified location not being a cost effective option to reduce the costs of Out of County provision. The numbers of Out of County placements had dropped, which placed less financial pressure to create a provision where all children could remain in county for their education. The Committee Members stated that it was good to see the Officers being mindful and reactive to how the needs of the young people and the Education department have changed and the SEBD schools creation had been postponed as a result.
- A Member asked about the Newport schools exclusion rates and how would they be improved on going forward, and whether Religious Holidays contributed to poor attendance figures. Officers replied confirming that exclusion rates had reduced. Secondary school Head Teachers were working with small focus groups and setting targets to reduce exclusions and increase attendance levels, primary schools were looking at replicating the approach. Head Teachers decided on the whether attendance was compulsory for religious holidays, festivals and worship, remaining mindful to coincide inset days where possible. The Cabinet Member reminded the Committee that it was important to remember that any absence was treated as a potential safeguarding issue by the staff of a school.

- A Member of the committee asked about the review of alternative education provisions within Newport. Officers replied to Members explaining that a financial review and restructure of the Bridge Achievement Centre had been completed to ensure a reduction of agency staff and an increase of capacity. An ALN data analysis had taken place to identify ALN trends for the next 3-5yrs, this was further modified to incorporate the information gathered through a secondary behaviour audit to gain an accurate picture of provision need within the city. Alternative qualifications were offered along with a bespoke timetable to the young people, ensuring all had the opportunity to achieve during their time in statutory education.
- Members of the Committee enquired about the Education Welfare Officer (EWO) covering a cluster, asking if the Service had ensured that all schools, including new builds across the City had a named EWO. Officers replied confirming that a huge focus on cluster working was underway, with all schools in the cluster taking a communal approach. This method of working had proved beneficial to the schools and to the Authority. All schools had a nominated EWO, one post had been deleted on the March 2019, due to a restructure and allocation of schools were altered accordingly. New EWO allocations to be determined in 2019-20 as further consequences of the restructure are felt. The new Glan Llyn Primary would be allocated a EWO in September 2019.
- A Member enquired about the terms *Wellbeing Objective 1 – To improve skills, education and employment opportunities* and *Aspirational People*. Officers confirmed that the Wellbeing Objective was a Corporate Plan Objective that the Education Measures fed into. Aspirational People was a think tank made up of Senior Officers, structured within the People Portfolio.
- A Member of the Committee commented on the amount of children attending the Bridge Achievement Centre, asking for clarification on the 28 permanent places when the centre catered for 125 pupils. Officers confirmed that some pupils attend Coleg Gwent, Blaen y Pant, Newport Live and Catch 22, and possibly only attended the Bridge Achievement Centre for GCSE lessons. The Cabinet Member stated that their preference would have been to deliver all services to the young people in house, but this was not always the best option for the young person. The service delivered to the young people was closely monitored to ensure it met the Councils high standards.
- The Officers informed the Committee that a SEN data analysis has taken place to identify potential ALN trends for the next 3-5 yrs, this would be further modified to incorporate the information gathered through a secondary behaviour audit to gain an accurate picture of provision needed within the city. The Bridge Achievement Centre had been reviewed and further developed by the inclusion of the Learning Pathways and diverse qualifications available to their pupils. Newport Live and Catch 22 have been commissioned to extend KS2 and KS3/4 provision, and would be reviewed and possibly extended to ensure consistent provision in the city.
- A Member expressed concerns for the use of the term 'Free School Meal (FSM) Learners' and requested that better wording is used in the future. Officers informed the Committee that they would take that request on board, The Officers continued to reassure the Committee Member that this terminology was only used in Council documents and not used in documents young people could see.
- Members spoke to the Officers regarding the performance of young people receiving free school meals, asking how this could be improved upon. Officers confirmed that the performance of pupils receiving free school meals in 2018 had declined by 2.6 per pupil to 26.2%. In comparison, the national FSM average increased by 0.9 per pupil from 28.6% to 29.5%. Improving the outcomes for pupils in receipt of free school meals

was an Estyn recommendation from their last visit and reflected as a priority in the Education Service Plan for 2019/20.

- Members asked Officers for confirmation of how the overspend in budget for SEN, would be reduced. Officers replied explaining that a complete review of the SEN budget would take place. This review would have had allowed Officers to highlight areas where savings could be made. The review would provide a better understanding of support for pupils needs and allowed for a better service to be provided. To work with head teachers to realign the amount of money spent. Monitor budget on a monthly basis. To look at transport costs and the new transport policy to operate in the same way as Adult Services. The Cabinet Member reminded the Committee that ultimately the method of travel was ultimately a parental choice, some very young people are much more comfortable with their parents taken them to school, but as the child aged they were able to look at a variety of different options.
- The Committee raised concerns about the practice of Head Teachers from Newport schools being seconded to other Gwent Authority schools. The Cabinet Member explained that this was done under a Regional Contingency Plan. The Cabinet Member further explained that the Chair of Governors of the school would only allow the Heads secondment if there was a suitable and capable deputy to act up. The Regional Contingency Plan provided mutual benefit for all authorities involved. Newport High received support from a Caerphilly Head Teacher. The Council would never risk the performance of a Newport School for another Authorities school.

The Chair thanked the Cabinet Members and Officers for attending.

### **3 Conclusions of Committee Reports**

The Committee noted the Children and Young Peoples End of Year Service Plan Review and agreed to forward the minutes to the Cabinet as a summary of the issues raised. The Committee requested that the comments made regarding the overall service plan reports from the meeting on the 11 June 2019 were reiterated.

The Committee wished to make the following comments to the Cabinet:

- The Committee wished to congratulate and thank the Officers and Staff for the devotion and hard work to supporting the children and young people of Newport often through the most difficult of times.
- The Members were happy to hear the wait time for CAMHS has improved drastically and there was no longer a numerous monthly wait time to be seen.
- The Head of Children and Young People Services to provide the Committee with up to date information on the number of Looked After Children who have had three or more placements.

The Committee noted the End of Year Education Service Plan review and agreed to forward the minutes to the Cabinet as a summary of the issues raised.

The Committee wished to make the following comments to the Cabinet:

- The Committee stated that it was positive to see the Officers constantly reviewing the educational needs of the young people in Newport and forecasting the needs of the future young people as well, especially those who required additional support.
- The Committee requested a report on the Bridge Achievement Centre and the satellite provisions across the city and how these provisions support the needs of the young people.

- The Members requested that an information report be provided to the Committee on the primary school aged young people who are with the Catch 22 provider.

This page is intentionally left blank





# Scrutiny Report

## Performance Scrutiny Committee – People

### Part 1

Date: 17 September 2019

### Subject **Looked After Children report**

**Author** Scrutiny Adviser

The following people have been invited to attend for this item:

Invitee:	Area / Role / Subject
Sally Anne Jenkins	Head of Children and Young Peoples Services
James Harris	Strategic Director – People

## Section A – Committee Guidance and Recommendations

### 1 Recommendations to the Committee

The Committee is asked to consider;

1. The Welsh Government expectation of the reduction in Looked After Children in Newport and its feasibility.
2. The plan Officers have in place to achieve the reduction in Looked After Children.

### 2 Context

#### Background

- 2.1 The First Minister proposed in his manifesto a reduction in the numbers of children who are looked after across Wales as a priority for his government. The First Minister has carried this manifesto proposal into government and all Local Authorities are required to submit a template to Welsh Government outlining how they propose to reduce their numbers of children who are looked after. The completion of the template follows on from a number of meetings and discussions across the sector with Welsh Government officials. All Local Authorities have been visited by Welsh Government and have presented the local challenges with the support of the Statutory Director, the Chief Executive and the Cabinet Member.

The First Minister is concerned that the numbers of children who are looked after in Wales are per ten thousand significantly higher than in England. The implications for the children of Wales are that they are more likely to be removed from their family care and brought up within public care. The outcomes for children in care are well documented and while it is recognised that poorer outcomes are in very large part a result of early childhood experiences prior to becoming looked after the challenges of good public care and the need to support families to care well are evident throughout social care research. While short term risk can quickly be managed by removing children from the family home the long term implications of managing the risk in this way are additional costs and a failure to provide sustainable solutions.

This reports attached at **appendix one** and **appendix two** focusses on the required plan submitted to Welsh Government and the proposed actions to meet the expectation of a reduction. The template submitted to Welsh Government is attached to this report in order for Members to have the opportunity to be aware of the proposed direction of travel. While the template highlights areas of good practice there are no budget or staffing implications within the proposals for reduction submitted to Welsh Government. There is however a shift in culture required to manage increased levels of risk and this does potentially present challenges across the Council.

The additional factor is the cost of children who are looked after is leading to a position where the budgets for children's services across Wales and England are continuing to grow.

- A single child coming into the care of Newport City Council through the courts will result in a minimum spend of £20,000 in social work and legal costs. This is for the very simplest of cases and where a child does not remain in the care of the Local Authority.
- The costs of somewhere to live in Newport for children in care vary from £11,400 per annum for a child under the age of 4 with no additional needs to £306,800 per annum for a child aged over 11 in residential care.

Children's Services are the lead part of the Council in working to support the most vulnerable families and manage risk for children and young people across Newport. Every week the Local Authority receives at least 120 referrals which progress to some form of intervention. Of those 120 at least 25 will require a formal investigation with Social Services staff alongside colleagues in health and police. There are clear themes for the most vulnerable families including domestic abuse, substance misuse, poor parental mental health and the challenges of poverty. For Children's Services the task is to manage the presenting risk and then to support families wherever possible for children to remain at home. When that is no longer safely possible then Children's Services will intervene to provide the best possible care away from the family.

Working towards reducing the numbers of children who are looked after is challenging for all agencies but the current trajectory of ever rising numbers is untenable both in terms of the outcomes for children and the costs across the public sector. Early intervention and prevention to avert the need for children becoming looked after is preferable in terms of both cost avoidance and potentially better outcomes. Working collaboratively across the Council and with partner agencies is more likely to achieve successful prevention and divert children from becoming looked after.

### **3 Information Submitted to the Committee**

- 3.1 **Appendix one** – Reduction Expectation Plan – May 2019  
**Appendix two** – Revised Reduction Expectation Plan – July 2019

## 4. Suggested Areas of Focus

### Role of the Committee

The role of the Committee in considering the report is to:

- Gain a greater understanding of the Welsh Government’s expectation to decrease the number of children who are looked after by the Local Authority.
- Understand how the Officers aim to achieve the Welsh Government’s plan to decrease the number of Looked After Children.
- Understand the risks to achieving lower numbers and what mitigations have the Officers put in place to ensure the safeguarding of Looked After Children.
- Conclusions:
  - What was the overall conclusion on the information contained within the reports?
  - Is the Committee satisfied that it has had all of the relevant information to base a conclusion on how Officers will reduce the numbers of Looked After Children?
  - Do any areas require a more in-depth review by the Committee?
  - Do the Committee wish to make any Comments / Recommendations to the Cabinet Member?

## Section B – Supporting Information

### 5 Links to Council Policies and Priorities

The Looked After Children report has links to the *Aspirational People* and *Resilient Communities* Corporate Plan Commitments:

<b>Well-being Objectives</b>	Promote economic growth and regeneration whilst protecting the environment	Improve skills, educational outcomes & employment opportunities	Enable people to be healthy, independent & resilient	Build cohesive & sustainable communities
<b>Corporate Plan Commitments</b>	Thriving City	Aspirational People		Resilient Communities
<b>Supporting Function</b>	Modernised Council			

## 6 Wellbeing of Future Generation (Wales) Act

5 Ways of Working	Types of Questions to consider:
<p><b>Long-term</b> The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</p>	<p>Are there any long term trends developing that could affect how this plan is implemented to how the actions are prioritised?</p>
<p><b>Prevention</b> Prevent problems occurring or getting worse.</p>	<p>How are you ensuring that the needs of the service users monitored and are taken into account when developing the long term strategy?</p>
<p><b>Integration</b> Considering how public bodies' wellbeing objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</p>	<p>How does the Council's implementation of the plan impact upon the services of other public bodies and their objectives?</p>
<p><b>Collaboration</b> Acting in collaboration with any other person (or different parts of the organisation itself).</p>	<p>How are you using the knowledge / information / good practice of others to inform / influence the Council's work?</p>
<p><b>Involvement</b> The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.</p>	<p>How as a Council are we ensuring we are consistently seeking the views of those who are impacted through the implementation of the plan?</p>
	<p>While developing a long term strategy, how are you ensuring the diverse communities are involved in your decision making?</p>

## 7. Background Papers

- [The Essentials - Wellbeing of Future Generation Act \(Wales\)](#)
- [Corporate Plan](#)

Report Completed: September 2019

Children & Young People Services purpose is *“To promote and safeguard the wellbeing of children and young people within their families and where this is not possible, to provide good quality alternative care”*.

Key to all our work is firstly to support children to remain safely with their families. Our emphasis on preventative services alongside support for families to explore their strengths and meet the needs of their children is crucial in meeting this primary outcome. Secondly when children are in our care and leave our care we must do everything to support them to ensure positive lives in the present and strong opportunities for the future. Children and families deserve services that are truly holistic and recognise the multifaceted nature of family’s lives. In order to ensure we can work to meet this need partnership underpins our service. We work with families and a broad range of agencies to meet our stated outcomes and to offer the best possible services.

Over the coming four years we will look to develop and enhance all elements of Children’s Services to safely reduce the numbers of children being looked after while ensuring that those who are looked after have effective and nurturing placements which promote aspiration into adulthood.

Children & Young People Services in Newport provides a range of services to children and families requiring care and support:

**Operations** – These teams undertake first point of contact work for referrals from the public and other agencies. They undertake assessments, multi-agency plans strategy meetings and conferences, initiate care proceedings, court processes and other activities. The core teams in this area include: Newport Safeguarding Information Hub; Child Protection and Children requiring Care and Support teams; Mentoring Assessment and Consultancy; Disabled Children’s Team; Pathway Teams; and Youth Justice Team.

**Placement resources for our Looked after Children** – The teams provide the direct care for children who live in residential homes, in-house fostering services, out of county placements, promoting educational achievement, training and therapeutic support for emotional and mental wellbeing. The core teams in this area include: Residential Services; Fostering Team; Family and Friends Team.

**Integrated Family Support Services** - The teams provide a range of evidence based, outcome focussed interventions designed to reduce risk in families, improve resilience and avoid the need for more acute services. They work with the frontline social work teams to prevent children coming into the care system unless it is absolutely necessary. They support families when children are being rehabilitated to the care of their birth families and provide court ordered supervised contact as well as certain key programmes requested by the courts. The teams involved are: Family Assessment and Support Team; Family Support team; Family Contact Service and Prevention Services.

**Safeguarding** – The Safeguarding team is responsible for ensuring that all vulnerable children are protected and that where there is evidence that a child is at risk or harm that effective processes are in place to make an assessment, investigate and take action if necessary. The Safeguarding team

collaborates with other social care providers, health board, police, education, probation and other organisations both internal and external) through the South East Wales Safeguarding Children s Board.

Children & Young People Services has set 4 Objectives in our Service Plan

Objective 1 – Deliver effective services to support children to safely remain with their families

Objective 2 – Improve outcomes for children in care and care leavers including a focus on safe reunification

Objective 3 – Ensure a range of placements are available for looked after children

Objective 4 – Prevent offending and re-offending by children and young people.

The Objectives and the whole Service Plan are reviewed within Children’s Services and then through the Scrutiny processes of the whole Council at mid-year and again at the end of the year.

**Defined service users:** Children on the edge of care, Looked after children, their families and carers

**Headline performance measures:**

- reduction in the number of children in care
- reduction in the number of children placed out of county
- reduction in the number of children placed out of Wales
- reduction in the number of children removed from parents with a learning disability

In the section below the current position is outlined. Using the data of the past five years and the current trajectory of the figures we recognise that halting the increase and then turning to a reduction is testing. The National research all points to a very wider range of factors and influences and casting the net to facilitate enduring change will require work across agencies and the courts. On the current trajectory our numbers of looked after children would increase during this year by a further 55 taking us to 435. We have already put in place a number of measures to attempt to slow this trajectory but realistically rebuilding a culture where a higher degree of risk is accepted takes time and the ownership across all areas of public bodies as well as

**Proposed Reduction Expectations**

**Year One (2019/20):**

410

**Year Two (2020/21):**

Reduction of 10% to 15% on the total number at the end of March 2020

**Year Three (2021/22):**

Reduction of 5% on the total number at the end of March 2021

<p>an understanding and emphasis throughout the universal and preventative services. This year we therefore plan to slow the upward trajectory and then look to reduce the overall figures in the following two years. The work to move towards these reductions has already commenced but is also predicated on the support of the revenue streams from ICF and work with Cafcass Cymru and the courts.</p> <p>We have set the overall expectations for the reduction expectations. For the detail in the three other bullet points for the reasons outlined in the section “How are we doing?” below we have not set reduction expectations.</p> <p>Predicting the UASC numbers continues to be immensely challenging and while predicting looked after children numbers is always fraught the complexity in this area poses particular difficulties and potentially compromises any setting of targets.</p>	
<p><b>What other measures have you agreed to support the headline performance measures?</b></p> <p>Number of Care Orders with children subject to Placement with Parent regulations revoked</p> <p>Number of kinship carers becoming SGO carers</p> <p>Number of adoptions</p> <p>Number of children with a care plan for long term fostering</p>	
<p>Number of families referred for Family Group Meetings within period</p>	<p>No and % of families experiencing the following outcomes as a result of the Family Group Meeting:</p> <ul style="list-style-type: none"> <li>• Referral to ‘step-down’/early support service</li> <li>• Diverted from Child Protection Case Conference</li> <li>• Diverted from Section 76 Accommodation</li> <li>• Diverted/stepped down from PLO</li> </ul>

**REDUCTION EXPECTATION PLAN REPORTING TEMPLATE  
NEWPORT CITY COUNCIL**

<p>Numbers of children/young people accessing edge of care services during period</p>	<p>The number and % of children and young people receiving edge of care support who are:</p> <ul style="list-style-type: none"> <li>i. Supported to remain living within their family network</li> <li>ii. Supported to return to live within their family network from care</li> <li>iii. Supported to return to or engage in education</li> <li>iv. Supported to engage in community activities</li> <li>v. Removed from the CPR as a result of the intervention</li> </ul> <p>Numbers and % of those children/young people accessing edge of care services who have experienced school exclusion during period</p>
<p>The number of children/young people subject to an SGO expressed as proportion per LA</p>	<p>Number of SGO carers subject to an SGO support plan (other than financial support only)</p> <p>The number of children/young people subject to SGO who have experienced school exclusion during period</p> <p>The numbers and % of SGO carers accessing:</p> <ul style="list-style-type: none"> <li>i. peer support (during period)</li> <li>ii. training (during period)</li> <li>iii. psychological support (during period)</li> </ul>
<p>The number of young people aged 14 – 17 years (broken down by age) referred for Mediation within a period</p>	<p>Of those accessing the Mediation service how many were:</p> <ul style="list-style-type: none"> <li>i. Supported to remain living within their family</li> <li>ii. Supported to return to their family pending a planned move to alternative accommodation</li> <li>iii. Supported to become Looked After</li> <li>iv. Supported into independent living (ie non-LAC)</li> </ul>
<p>Number of families referred for Baby and Me support</p>	<p>Of those accessing the Baby and Me service how many babies were:</p> <ul style="list-style-type: none"> <li>i. Supported to remain living within their parent(s)</li> <li>ii. Supported to live with a family member</li> <li>iii. Became Looked After</li> </ul>



**How are we doing?**

Number of looked after children at 31 March 2018				
	2015	2016	2017	2018
Newport	285	295	280	325
Wales	5,615	5,665	5,945	6,405
Rate per 10,000 population at 31 March				
	2015	2016	2017	2018
Newport	85.5	87.5	83.1	94.3
Wales	89.2	90.2	94.6	102.0

**As of 31.3.2019**

Number of children in care	375
Number of Children Placed within Newport	234
Number of children placed out of county	121
Number of children placed out of Wales	20
Number of looked after children removed from parents with a LD	0
Number of UASC	25

The number of public law referrals for 2018/19 was 122 compared to 139 in 2017/18. However, the rate of children exiting care also fell hence the overall rise. The increasing numbers of UASC pose a particular challenge as there are no exit options for this group of children and the LA cannot reduce this number nor control the numbers arriving. Newport had seen steady looked after children figures until 2017/18 when there was a significant spike. The increasing numbers continued into 2018/19. We have explored the reasons behind the increase and while there is no single factor there are a range of themes which emerge some identified by IPC from dip sampling and some by the LA using available data and dip sampling.

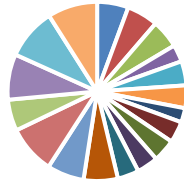
- There was a jump in the number of UASC
- A higher identified rate of domestic abuse than in similar LAs
- An increase in large families – 3 children or more – including families who had been known to the LA for many years and a single precipitating factor triggered care proceedings
- A slowly increasing rate of placement with parents
- A slowly increasing rate of kinship care arrangements
- Private law cases referred with no previous knowledge within the LA

We have reviewed the children currently placed out of county and with our increased residential capacity already targeted those furthest afield to return to Newport. On examination none of the children placed out of county are placed inappropriately with the majority being placed in South East Wales and only 23 placed away from Gwent or Cardiff. For example there are 7 children placed in specialist provision for disabled children who will remain out of county while there are 11 children placed for adoption further afield. There are a further group placed with family members.

We have reviewed all our children currently placed out of Wales and all are placed either for adoption and have been placed out of Wales because of their identified needs or are placed with family members. The practice in this area is therefore already meeting the best interests of this group of children. We will continue to work on an individual case basis to ensure that only when it is in a child's best interests are they placed outside of Wales.

In 2018/19 there were no children removed from parents who were receiving services from adult learning disability services. There were 7 parents who after capacity assessments required the services of the Official Solicitor. Capacity assessments are commissioned for a number of parents. The assessments are used to assist with the type of parenting support offered. All PAMS assessments are carried out internally and we also use elements of PAMS methodology when appropriate. Family support services have worked on specific packages for parents who require extra support and for example materials in different formats. We await the work commissioned from IPC under the auspices of the MAG to consider further steps we could take when parents require support identified in capacity assessments while recognising that the number of parents who access adult services is extremely low.

Age of Looked after Children 31.05.2019



31.05.2019

- 199 of the looked after children in Newport are aged over 11
- 67 of this group have been looked after for more than 10 years
- 27 are UASC

Reducing our long term looked after children population requires as far as possible avoiding long term care within the Local Authority. From the data we have we recognise if children are over 11 when they become looked after the more likely it is they will then remain with us until their 18<sup>th</sup> birthday and they are more likely to require external placements. While children becoming looked after post 11 is usually as a result of a range of factors the most common are the risks of criminal and sexual exploitation. There is already significant partnership work in Newport focussed on the local risks of criminal exploitation. Actions to tackle child criminal exploitation need to be proactive, focus on prevention, early identification and intervention, as well as disrupting activity and prosecuting perpetrators. Nationally the research has already established a link with school exclusions as a marker a risk of exploitation. As part of the city-wide work drawing on multi agency resources to understand and address contextual safeguarding we will look to understand the local risk factors of school exclusion and exploitation.

Page 27

**Story behind the headline measures (progress since the last reporting period):**

N/A for this submission

**Key partners who are supporting us**

As part of the discussions in preparing this template dates have been set first to present this information to Cabinet and then to agenda for the Public Services Board. All the key partners sit at the PSB and so will be part of the discussions and actions over the coming three years. The Regional Partnership Board has allocated ICF and Transformation funding directly and indirectly to the support for and reduction of looked after children numbers

There are existing mechanisms in place to work effectively with colleagues in the Local Authority legal

teams.

There are established relationships with education colleagues in the Local Authority, Gwent Police and different section of the health Board.

NCC has a long-established Strategic Partnership with Barnardo’s who deliver our family support as well as working with us to develop evidence based new provision.

We will continue to have regular contact with local Cafcass Cymru staff to work within the court arena.

**What further activity will you be taking place to support your reduction expectation plans?**

In line with the recommendations of the Care Crisis Review NCC has introduced Family Group Conferencing. The service commenced in February 2019 The provision is managed within the Barnardo’s Partnership and follows the rollout of training across all services including Preventions and YOS. The service was initially funded from a reconfiguration within the existing family support service but if the regional children’s revenue ICF bid is successful the service will be supplemented with an increased number of coordinators. Initial take up has been very promising and the provision is being built into processes as a default option. FGCs are being offered across Children’s Services with a view to preventing families from moving through the systems of risk and creating strengths based family solutions. They will also be used with a view to reunification for children who have been in care for many years but where home circumstances have changed and with support they can return home.

On 1.7.2019 we will launch a service specifically focussing on working at a much earlier stage with vulnerable women who are likely to require Children’s Services involvement. Again the service is part of a refocussing of resource in the Barnardo’s Partnership but will be enhanced with the ICF funding. The support is intensive with social work, health visitor and family support worker input from 12 weeks of pregnancy and into the early months after the baby is born.

Developing a separate Family and Friends team specifically to support family carers with a focus on support for Special Guardianship arrangements has commenced with again a reconfiguration of existing

**REDUCTION EXPECTATION PLAN REPORTING TEMPLATE  
NEWPORT CITY COUNCIL**

staff and resources. The team will undertake all elements of Connected Person’s Assessments and then support family carers be they Special Guardians or kinship carers. The team will also work with all children subject to placement with parent to ensure revocation is expedited as quickly as possible. Part of the work of this team is to build assurances for when in the court arena that the support wrapped around Special Guardianship is on par if not greater than that offered to foster carers. As a Local Authority we have a comparably low rate of kinship carers but are under increasing pressure from the court to approve family members as foster carers rather than explore the option of SGO.

We have reviewed the timing of legal meetings and are using the work being completed within the Public Law Working Group to improve our pre-proceedings work. This includes a recognition of the drivers within the court which encourage risk averse practice. There are local challenges in this area with a demanding court arena and an exceptionally high rate of referral of cases to the Official Solicitor for HRA resulting from alleged delays in removal.

We have used local authority and ICF capital funding to develop our in-house children’s residential care. A new children’s home opened in January 2019 with a further home planned for later in the year. The children placed in the home returned to Newport from out of authority residential care. This will also be the case in the second home. We are currently driving our recruitment of foster carers locally. While we have a reasonable pool of carers our use of IFAs and hence out of the immediate locality is too high. The recruitment of new carers is an ongoing attempt to address this issue.

This page is intentionally left blank

## Newport City Council Children's Services

**Service Description:** Please see previously completed template

### Headline performance measures:

- **reduction in the number of children in care**

Using the data of the past five years and the current trajectory of the figures we recognise that halting the increase and then turning to a reduction is testing. The National research all points to a very wider range of factors and influences and casting the net to facilitate enduring change will require work across agencies and the courts. On the current trajectory our numbers of looked after children would increase during this year by a further 55 taking us to 435. We have already put in place a number of measures to attempt to slow this trajectory but realistically rebuilding a culture where a higher degree of risk is accepted and there is ownership across all areas of public bodies as well as an understanding and emphasis throughout the universal and preventative services takes time. This year we therefore plan to slow the upward trajectory and then look to reduce the overall figures in the following two years. The work to move towards these reductions has already commenced but is also predicated on the support of the revenue streams from ICF and work with Cafcass Cymru and the courts.

Predicting the UASC numbers continues to be immensely challenging and while predicting looked after children numbers is always fraught the complexity in this area poses particular difficulties and potentially compromises any setting of targets.

- **reduction in the number of children placed out of county**

Data as of 15.07.2019

There are currently 123 children placed out of Newport.

Of this group 16 children are placed with kinship foster carers spread across South Wales.

36 children are placed with Newport City Council foster carers who live within the Gwent area.

38 are placed with Independent Fostering Agency carers across South Wales.

24 are in residential care in South Wales.

1 child is in residential care in North Wales.

8 children are placed for adoption outside of the SEWAS area.

We do not plan to reduce the numbers of children placed out of Newport with family members, with NCC foster carers or placed for adoption in Wales. Of the children currently placed with IFAs many are settled. However, overall we are working towards reducing the number of children placed with Independent Fostering Agencies and Residential care and anticipate some change in this area arising from the activities being undertaken.

For all children our focus is on ensuring the needs of the individual child are met as fully and as sustainably as possible. For the majority of children this means being placed as close to their family and community links as is safely possible. It can on occasion be more appropriate to place children in a neighbouring LA than to place on the opposite side of Newport.

Based on current activity in respect of criminal exploitation there is a possibility of an increase in this group of children being placed out of county in order to facilitate disruption and break patterns of behaviour.

- **reduction in the number of children placed out of Wales**

Data as of 15.07.2019

We currently support 11 children placed with family members on a kinship foster care basis. We work with 3 children placed in residential school. We do not plan to return any of this group of 14 children to Wales as these placements are in the best interests of the children. One of these children will become 18 in 2 years.

We support 7 children who are placed with adoptive families and are awaiting adoption orders. Once the Orders are granted these children will cease to be placed out of Wales. However, on the data of the past 3 years we are likely to continue to place children for adoption out of Wales and therefore the overall number placed in England and Scotland pending finalisation of adoption orders will not change significantly.

- **reduction in the number of children removed from parents with a learning disability**

At the last submission of the Children Receiving Care and Support Census Newport had 70 children with the definition of 'If one or more of the parents or carers has an impairment of intellectual function that significantly affects their development and leads to difficulties in understanding and using information, learning new skills and managing to live independently'. This was across the whole group of children for Newport. 8 of the 70 children became looked after in 2017/18. The 8 children came from 3 families. None of these parents were accessing Adult LD Services. As outlined in the previous iteration of the template in 2018/19 there



were no children removed from parents who were receiving services from adult learning disability services. There were 7 parents who after capacity assessments required the services of the Official Solicitor. Capacity assessments are commissioned for a number of parents. The assessments are used to assist with the type of parenting support offered. All PAMS assessments are carried out internally and we also use elements of PAMS methodology when appropriate. Family support services have worked on specific packages for parents who require extra support and for example materials in different formats. We await the work commissioned from IPC under the auspices of the MAG to consider further steps we could take.

**Proposed Reduction Expectations – numbers of children in care**

**Year One (2019/20):** 410

**Year Two (2020/21):** Reduction of 10% to 15% on the total number at the end of March 2020

**Year Three (2021/22):** Reduction of 5% on the total number at the end of March 2021

**Proposed Reduction Expectations – numbers of children placed out of county**

**Year One (2019/20):** 122

**Year Two (2020/21):** 118

**Year Three (2021/22):** 116

**Proposed Reduction Expectations – numbers of children placed out of Wales**

**Year One (2019/20):** 21

**Year Two (2020/21):** 21

**Year Three (2021/22):** 21

**Proposed Reduction Expectations – numbers of children removed from parents with a learning disability - no targets set**

**Year One (2019/20):**

**Year Two (2020/21):**

**Year Three (2021/22):**

**Please briefly provide an explanation of your overall approach to out of county and cross-border placements and your plans to increase placement capacity?**

We have used local authority and ICF capital funding to develop our in-house children's residential care. A new children's home opened in January 2019 with a further home planned for later in the year. The children placed in the home returned to Newport from out of authority residential care. This will also be the case in the second home. We are currently driving our recruitment of foster carers locally. While we have a reasonable pool of carers our relatively low use of IFAs. The recruitment of new carers is

an ongoing attempt to address this issue. A paper is currently being drawn up to improve our financial offer to foster carers in line with some of the other LAs in the region. We have already reduced the number of children placed out of county and anticipate further reduction but we are seeking to ensure children are in South East Wales as opposed to just Newport.

**Any additional text to describe your rationale?**

Please see previously completed template



# Scrutiny Report

## Performance Scrutiny Committee – People

### Part 1

Date: 17 September 2019

### Subject **Additional Learning Needs Out of County Placements report**

**Author** Scrutiny Adviser

The following people have been invited to attend for this item:

Invitee:	Area / Role / Subject
Sarah Morgan	Chief Education Officer
Katy Rees	Assistant head of Education – Inclusion
James Harris	Strategic Director – People

## Section A – Committee Guidance and Recommendations

<p><b>1</b></p> <p><b>Recommendations to the Committee</b></p> <p>The Committee is asked to consider;</p> <ol style="list-style-type: none"> <li>1. The Education Department report on the Additional Learning Needs Out of County Placements and decide if it wishes to comment and make recommendations to the Cabinet Member.</li> </ol>
---

## 2 Context

### Background

- 2.1 Some young people with Additional Learning Needs require specialist support and placements to ensure they are able to engage with statutory education. The needs of these young people are sometimes to a degree where the support and provision is unavailable in Newport, so it must be sought elsewhere.

### Previous Consideration of this item

- 2.2 The Committee received a briefing on out of county (OOC) placements from the Chief Education Officer in September 2018. The briefing introduced to the Committee what an out of county education placement was; the link between Education and Children’s Services, OOC data from 2018, the journey to approve a young person for an OOC placement, the commissioning of placements and the quality assurance and annual reviews conducted by the Education Department. This presentation has been provided with the

### **3 Information Submitted to the Committee**

- 3.1 **Appendix 1 – Additional Learning Needs Out of County Placements report**

### **4. Suggested Areas of Focus**

#### **Role of the Committee**

##### **The role of the Committee in considering the report is to:**

The role of the Committee when considering this report is to establish the work currently being carried out by the Education department. This should include the service provided to those young people with additional learning needs who are educated out of County. The Committee might wish to request more information on specific parts of the report or to provide information on how Officers aim to improve performance or mitigate risks in the future.

Potential lines of enquiry the Committee might wish to consider include;

- Whether the Committee feel they have sufficient information on OOC placements for young people with Additional Learning Needs.
- Assess and make comment on:
  - How effective the links between Education and Social Services is for all young people, including those who are transitioning from Children to Adult Social Services;
  - The performance and monitoring of the commissioned services and how any underperformance is addressed. This Committee might want to enquire as to the risks and what mitigations are in place for young people receiving education through commissioned services;
  - The number of young people excluded from secondary school and the number of days lost are both falling, can Officers provide details as to what has changed and do they have examples of best practice to share;
  - Are the Committee satisfied with the ‘next steps’ section and the information contained.
- Conclusions:
  - What was the overall conclusion on the information contained within the reports?
  - Is the Committee satisfied that it has had all of the relevant information to provide a comment on the OOC placements for young people with Additional Learning Needs?
  - Do any areas require a more in-depth review by the Committee?
  - Do the Committee wish to make any Comments / Recommendations to the Cabinet Member?

## Section B – Supporting Information

### 5 Supporting Information

- 5.1 Education’s presentation from September 2018 on Out of County placements will be included in the email also containing the Pre Meeting Agenda.

### 6 Links to Council Policies and Priorities

- The report has links to the Education Service Plan and the overall Corporate Plan. The links in the Corporate Plan include the *improve skills, educational outcomes and employment opportunities* Wellbeing Objective and the *Aspirational People* Corporate Plan Commitment:

<b>Well-being Objectives</b>	Promote economic growth and regeneration whilst protecting the environment	Improve skills, educational outcomes & employment opportunities	Enable people to be healthy, independent & resilient	Build cohesive & sustainable communities
<b>Corporate Plan Commitments</b>	Thriving City	Aspirational People		Resilient Communities
<b>Supporting Function</b>	Modernised Council			

### 7 Wellbeing of Future Generation (Wales) Act

5 Ways of Working	Types of Questions to consider:
<p><b>Long-term</b> The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</p>	<p>Are there any long term trends that will impact your service area?</p> <p>How will the needs of your service users potentially change in the future?</p>
<p><b>Prevention</b> Prevent problems occurring or getting worse.</p>	<p>What issues are facing your ALN OOC service users at the moment?</p> <p>How are you addressing these issues to prevent a future problem?</p> <p>Is any underperformance being addressed and associated risks being mitigated and prevented?</p>
<p><b>Integration</b> Considering how public bodies’ wellbeing objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</p>	<p>Are there any other organisations providing similar / complementary services?</p> <p>How does the Council’s performance within this service area impact upon the services of other public bodies and their objectives?</p>
<p><b>Collaboration</b> Acting in collaboration with any other person (or different parts of the organisation itself).</p>	<p>Who have you been working with to deliver these services?</p> <p>How are you co-working with other sectors?</p> <p>How are you using the knowledge / information / good practice of others to inform / influence the Council’s work?</p>

<p style="text-align: center;"><b>Involvement</b></p> <p>The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.</p>	How have you sought the views of those who are impacted by your service area?
	How have you taken into account the diverse communities in your decision making?

## 8. Background Papers

- [The Essentials - Wellbeing of Future Generation Act \(Wales\)](#)
- [Corporate Plan](#)

Report Completed: September 2019

## **NEWPORT CITY COUNCIL – EDUCATION SERVICE**

### **Additional Learning Needs Out of County Placements report**

**FROM: Katy Rees**

**To: Scrutiny**

**RE:** The aim of this briefing paper is to provide clarity around the current situation regarding Out of County Specialist Placements.

#### **Specialist Additional Learning Needs Out of County Placements**

Pupils who require a specialist Out of County placement have a Statement of Special Educational Need for a complex Additional Learning Need for example Social, Emotional and Behaviour Difficulties (SEBD), Autism Spectrum Disorder (ASD), a Profound Hearing Impairment or Profound and Multiple Learning Difficulties (PMLD); which cannot be met within a local Newport provision either due to the pupils specific need or due to availability of a local placement. These pupils would have accessed some or all of the following before being considered by the Special Education Needs (SEN) Panel for an Out of County placement:

At Primary school age:

- Mainstream school with Teaching Assistant support
- Managed Move to another Primary School
- Learning Resource Base (LRB) within a primary school
- Learning Resource Base (LRB) within a primary school with additional support
- Bridge Achievement Centre (BAC) KS2 short term provision
- Catch 22 Independent KS2 specialist provision (Commissioned by Newport)
- Ysgol Bryn Derw (Specialist Autism Spectrum Disorder School)
- Maes Ebbw School (Special School)

At Secondary School age:

- Mainstream school with Teaching Assistant support
- Autism Spectrum Difficulties (ASD) Base at The John Frost School
- Moderate Learning Difficulties (MLD) Base at St. Julian's High School
- Bridge Achievement Centre (BAC) KS3 short term provision
- Managed Move to another Secondary School
- Bridge Achievement Centre KS3 & KS4 long term provision
- Newport Live Additional Learning Needs (ALN) group (Commissioned by Newport overseen by the Bridge Achievement Centre and the Out of County Officer.
- Ysgol Bryn Derw (Specialist Autism Spectrum Disorder School)
- Maes Ebbw School (Special School)

#### **Additional Types of Out of County Placements**

LAC pupils may require Out of County residential placements which are determined by Social Services. These pupils often have combined residential and education packages. Sometimes these placements have to be made quickly to ensure the safety of the pupil, however the education package is reviewed within six weeks to ensure its suitability to meet the pupils needs.

There are also pupils with Statements of Special Educational Needs who are classed as Out of County because they attend a local mainstream School in another authority.

The table below illustrates the types of placements along with the number of pupils accessing the placements:

Placement	Number of Pupils
Residential	11
Specialist Out of County Day	63
LAC to Other LA's	4
Learning Resource Base	23
Mainstream	29

*Current data for September 2019*

### **Arranging an Out of County Placement**

Following the decision of Special Educational Needs or Complex Needs Panels, Officers from within the Special Educational Needs (SEN) / Additional Learning Needs (ALN) Team consult and work collaboratively with Out of County providers in order to assess, support and monitor the provision for pupils placed. There is a dedicated Special Educational Needs Officer allocated specifically to Out of County pupils to ensure a single, consistent point of contact. The Special Educational Needs Out of County Officer is responsible for challenging, evaluating and reviewing the practice of schools and the service they are delivering ensuring that expectations are met and the objectives within the Statement of Special Educational Needs is satisfied. Attendance records are requested from Independent providers on a weekly basis. Where new placements are made, a review is called within the first 12 weeks to ensure that the placement is appropriate and the pupils needs are being met. The Special Educational Needs Out of County Officer attends all annual reviews of pupils placed Out of County in order to ensure that provision remains appropriate and in line with the objectives identified within the pupils Statement of Special Educational Needs. This is in line with the Special Educational Needs Code of Practice (COP) and the LA Statutory duties.

Where pupils are LAC, LA Officers attends LAC Education / Care Reviews under the guidance of the Independent Reviewing Officer (IRO) where appropriate. This will include the Special Educational Needs Out of County Officer and / or LAC Education co-ordinators alongside the dedicated Social Worker who hold Parental Responsibility for the pupil. LAC pupils are monitored separately by the LAC Education Co-ordinators in addition to the Special Educational Needs Out of County Officer.

### **Quality Assurance (QA) Process**

The Special Educational Needs Out of County Officer co-ordinates a *Quality Assurance* diary of visits to providers each year to ensure that provision remains appropriate and practice is in line with the LA's high expectations. This process is undertaken by all officers within the Inclusion Enrichment Team to ensure a critical evaluation of the setting and their responsibilities to the pupils in their care. The Quality Assurance process is a rolling annual process where each member of the Inclusion Enrichment team undertakes at least two reviews of Out of County providers with a specific focus on four key elements: Outcomes; Well-being; Safeguarding and Matching Need. A Quality Assurance Tool has been devised and is sent to each provider in advance of the Quality Assurance visit to complete. Upon return, the allocated officers review the responses and to devise their lines of enquiry review this. These are pursued with the provider during the Quality Assurance visit where a site



inspection of facilities is undertaken. Following completion of the Quality Assurance visit, the attending officers complete an Evaluation form where their evaluation of the provider and subsequent judgements are made. These fall into three categories – Red; Amber or Green. Varying actions are undertaken as a result of the RAG status.

### **Out of County Placements**

There has been a reduction in the number of Out of County placements made by the LA over the last three financial years and a further decrease is forecast for 2019-20:

<b>Financial Year:</b>	<b>Total No. of Out of County Placements over during the year:</b>	<b>No. of open Out of County Placements at the end of the financial year:</b>	<b>Average Placement Cost:</b>
2016-17	172	*	£21,778
2017-18	162	126	£30,407
2018-19	156	113	£34,775
2019-20 (at July 2019)	128	90	£30,000

*\*No. of open Out of County Placements at the end of the financial year were not captured before 2017-18*

There are a combination of factors that contributed to the reduction of Out of County placements:

1. Links with Social Services and the Contracts and Commissioning Team.
2. The commissioning of two local provisions - Newport Live for KS3 & 4 pupils and Catch 22 an Independent Provider for KS2 pupils.
3. The increase of pupils with Social, Emotional, Behaviour Difficulties accessing the Bridge Achievement Centre for long term placements.
4. Secondary Schools funding their own alternative provisions e.g. Aspire, Learning Support Centres etc.
5. Increase in Learning Resource Bases in Primary Schools
6. Ysgol Bryn Derw increasing their published pupil numbers from 48 to 56.

### **Links with Social Services and the Contracts and Commissioning Team**

Close links have been developed between Social Services and the Education Department to ensure co-ordinated support for our most vulnerable pupils. Through the monthly Brighter Futures and Complex Needs Panel pupils at risk of placement breakdown are discussed in detail and joint solutions are considered to try to reduce the need for an Out of County placement.

Since April 2019 a Special Educational Needs Officer has been based within the Social Services contracts and commissioning team for two days per week to review the contractual agreements with Out of County providers and their compliance. This process also relates to placement fees and conditions that are subject to on-going negotiation in order to achieve the most appropriate provision for the pupil in the most cost effective way. This joint working has also led to four pupils returning to live in local residential placements and be educated locally

at a reduced cost for both service areas. A joint service protocol and panel has been developed to identify further pupils who could return to local placements in the future.

### **Commissioning of Local Provisions - Newport Live & Catch 22**

The Education Department commissioned two alternative providers Catch 22 and Newport Live in 2016 to extend the provision available locally for pupils with Social, Emotional and Behaviour Difficulties. Catch 22 is an independent education provider for KS2 pupils which is inspected by ESYN. They have been commissioned to provide 12 KS2 long term placements, however pupils are continually reviewed and if deemed appropriate move back to a mainstream provision. Newport Live has been commissioned for 12 KS3 & KS4 pupils who have either returned from Out of County provisions or to prevent an Out of County placement due to the pupils needs not able to be met by any other local provision. The education aspect of Newport Live is overseen by the Bridge Achievement Centre. Both provisions are monitored by a Special Educational Needs Officer through weekly attendance updates and monthly/termly pupil reports in line with our Quality Assurance timetable.

### **Bridge Achievement Centre (BAC)**

The Bridge Achievement Centre is our local Pupil Referral Unit however they also co-ordinate bespoke learning packages for our long term pupils with Social, Emotional Behaviour Difficulties whether they display more challenging behaviours or medical anxious disorders. For clarification a long term placement is one that exceeds 8 weeks, a number of pupils accessing placements surpass 24 weeks. The Bridge Achievement Centre is spread over four sites across the city which are specific to either age group or pupil need. The Bridge Achievement Centre supports KS2, KS3 and KS4 pupils. Preventative Services, the Youth Offending Team and the LAC Education Officers work very closely with the provision to ensure appropriate support is made available to both pupils and their families. All pupils are carefully monitored to ensure they are making progress both emotionally and academically. If suitable pupils will either return to mainstream school, remain at the Bridge Achievement Centre or transition to the Newport Live provision.

### **Secondary Exclusions and provision**

The majority of pupils with Social, Emotional and Behaviour Difficulties are within mainstream schools. Over the last 5 years, there has been a concerted effort to support Secondary Schools to review their behaviour management systems, develop inclusive practices and reduce exclusions. As the exclusion data below demonstrates Schools have significantly reduced the number of days lost to exclusions during this period although there was an increase in the number of incidents in 2017/2018:

<b>Academic Year</b>	<b>Number of Incidents</b>	<b>Number of Days Lost</b>
2014/15	1000	2167
2015/16	830	1594
2016/17	744	1367
2017/18	806	1343.5
2018/19 (unverified data)	745	1204.5

Secondary Schools have been proactive in creating both on and off site provisions to meet the needs of their Additional Learning Needs pupils in particular pupils with Social, Emotional and Behaviour Difficulties. A number of Secondary Schools have retained Learning Support Centres to support pupils with behaviour difficulties and three Schools have developed offsite provisions in collaboration with the Youth Service for their more challenging pupils with Social, Emotional and Behaviour Difficulties called “Aspire”. “Aspire” offers a mix of GCSEs combined with less traditional qualifications based on the needs of the group. The staffing structure is a blend of teachers from their School, professionally qualified youth workers and youth support workers. All pupils who access these provisions remain on school roll and are monitored carefully by designated school staff.

### Learning Resource Bases (LRB)

Learning Resource Bases are small group provisions for 10 pupils held within 14 Primary Schools across the city. These bases have a high staff ratio to ensure the individual needs of the pupils are met. One of our Bases is a Specific Language Impairment Base for the region the other 13 bases are generic for pupils with Additional Learning Needs which are unable to have their needs met within a mainstream classroom full time. The Learning Resource Bases work flexibly to ensure pupils who are able link with their mainstream peers for certain lessons to develop both their social interaction and the focussed teaching for their level of ability. There has been a shortage of Learning Resource Base places over the last 3 years however with the opening of Learning Resource Bases at Caerleon Lodge Primary and Glan Llyn Primary in September there will be capacity for 200 pupils.

Academic Year	Learning Resource Base Capacity	No of pupils placed	Surplus/(Deficit) No. of Placements
2013 / 14	192	149	+43
2014 / 15	172	155	+17
2015 / 16	182	169	+23
2016 / 17	172	184	-12
2017 / 18	170	184	-14
2018/ 19*	170 <i>(increase to 180 as of 01.04.2019 with opening of Caerleon Lodge Primary)</i>	184	-14
2018/19	180	184	-4
Sept 2019	200	195 (2 further placements being considered)	+5* (+3)

*\*Whilst based on overall capacity, plus 5 is being shown, there still remains a total of 11 places available as some Learning Resource Bases are over number in order to accommodate catchment children.*

### Autistic Spectrum Disorder placements (ASD)

Due to the opening of a 48 place specialist Autism Spectrum Disorder School Ysgol Bryn Derw in 2017 and the expansion of The John Frost Autism Spectrum Disorder Base to 20 places there has been a decrease in Autism Spectrum Disorder placements at both Maes Ebbw and Out of County. Ysgol Bryn Derw has enable the authority to further reduce Autistic Spectrum Disorder Out of County placements. The reduction of pupils with Autism Spectrum Disorder at

Maes Ebbw has also enabled the school to take increased numbers of pupils with Profound and Multiple Learning Difficulties, reducing the need for Profound and Multiple Learning Difficulties Out of County placements. One pupil has returned to Newport from an Out of County placements saving an annual cost of £25k. Kimberley Communication Class also increased to 16 placements in 2018, this reduced the pressure on nursery Autism Spectrum Disorder placements, however the pupils attending the class have needs that are more complex and will require Foundation Phase placements at either Meas Ebbw or Ysgol Bryn Derw putting further pressure on those schools. A successful Integrated Care Fund bid has enabled a £300k refurbishment of the Gaer Annexe in January 2020 to transform it into a 12 place tertiary department for Ysgol Bryn Derw. This expansion will enable pupils from their main site to transition to the tertiary site, freeing up foundation phase placements for the Kimberley pupils to transition expanding Ysgol Bryn Derw to 68 placements.

#### **Next Steps:**

- Maintain the rigorous Out of County Quality Assurance evaluation process to confirm suitability of provisions.
- Ensure appropriate local provision is available to reduce the need for Out of County Placements.
- To continue to work closely with the Contracts and Commissioning Team to review the contractual agreements with Out of County providers and their compliance, in order to achieve the most appropriate provision for the pupil in the most cost effective way.
- Carefully monitor data trends and proactively assesses any future gaps in provision as part of the Planning of School Placements Forum.



# Scrutiny Report

## Performance Scrutiny Committee – People

### Part 1

Date: 17 September 2019

### Subject Scrutiny Adviser Reports

Author Scrutiny Adviser

The following people have been invited to attend for this item:

Invitee:	Role
Daniel Cooke – Scrutiny Adviser	Present the Committee with the Scrutiny Adviser Reports for discussion and update the Committee on any changes.

## Section A – Committee Guidance and Recommendations

### 1 Recommendations to the Committee

The Committee is asked to review and:

**Committee’s Work Programme:**

- Consider the Committee’s Forward Work Programme (**Appendix 1**):

**Action Plan:**

- Consider the Action Plan from previous meetings (**Appendix 2**);

**Agenda item referral letters:**

- Consider if the Committee wish to add the agenda item to the work programme

**Information reports:**

- Accept the information reports (**Appendix 3**).

### 2 Context

#### Background

- 2.1 The purpose of a forward work programme is to help ensure Councillors achieve organisation and focus in the undertaking of enquiries through the Overview and Scrutiny function. Effective work programming is essential to ensure that the work of Overview and Scrutiny makes a positive impact upon the Council’s delivery of services.

- 2.2 Further information about the work programming process, including the procedures for referring new business to the programme, can be found in our Scrutiny Handbook on the Council's Scrutiny webpages ([www.newport.gov.uk/scrutiny](http://www.newport.gov.uk/scrutiny)).
- 2.3 The Centre for Public Scrutiny's Good Scrutiny Guide recognises the importance of the forward work programme. In order to 'lead and own the process', it states that Councillors should have ownership of their Committee's work programme, and be involved in developing, monitoring and evaluating it. The Good Scrutiny Guide also states that, in order to make an impact, the scrutiny workload should be co-ordinated and integrated into corporate processes, to ensure that it contributes to the delivery of corporate objectives, and that work can be undertaken in a timely and well-planned manner.

### **Forward Work Programme Updates**

- 2.4 The Committee's work programme was set in April 2019, including estimated timescales for when the reports will be considered by the Committee. This programme is then managed and implemented by the designated Scrutiny Adviser for this Committee under the direction of the Committee Chairperson.
- 2.5 The Committee agreed to keep a degree of flexibility within its work programme to enable the Committee to respond to urgent / emerging issues. This item is an opportunity for the Committee members to raise any suggested additions to the work programme.

## **3 Information Submitted to the Committee**

- 3.1 The following information is attached:

**Appendix 1:** The current Committee forward work programme;

**Appendix 2:** Updated Action table from the previous meetings

**Appendix 3:** Democratic Services Committee report on the proposal for revising Members oversight of residential homes rota visit arrangements.

## 4. Suggested Areas of Focus

### Role of the Committee

The role of the Committee in considering the report is to:

- **Forward Work Programme**

Consider:

- Are there any amendments to the topics scheduled to be considered at the next Committee meeting?
- Are there any additional invitees that the Committee requires to fully consider the topic?
- Is there any additional information that the Committee would like to request?

- **Action Plan**

Consider:

- The responses to the actions from the meeting;
- Are you satisfied that you have received the necessary information?
- Are there any further issues arising from the responses that you would like to raise?
- For the actions that do not have responses – these actions will be rolled over to the next meeting and reported back to the Committee.

- **Information Report**

Consider:

- The inclusion of the Responsible Individuals Annual Report to the Committee's work programme.

## Section B – Supporting Information

### 5 Supporting Information

- 5.1 The Corporate Assessment, and the subsequent [follow up assessment](#) provide background information on the importance of good work programming. Specific reference is made to the need to align the Cabinet and Scrutiny work programmes to ensure the value of the Scrutiny Function is maximised.
- 5.2 The latest Cabinet work programme was approved by the Cabinet on a monthly basis for the next 12 months and includes the list of reports scheduled for consideration. Effective forward planning by both Cabinet and Scrutiny needs to be coordinated and integrated in relation to certain reports to ensure proper consultation takes place before a decision is taken. A link to the Cabinet work programme is provided [here](#) to the Committee as part of this report, to enable the Committee to ensure that the work programmes continue to reflect key decisions being made by the Cabinet.

### 6 Risk

- 6.1 If proper work programming procedures are not put in place, the organisation and prioritisation of the work programme is put at risk. The work of Overview and Scrutiny could become disjointed from the work of the rest of the Council, which could undermine the positive contribution Overview and Scrutiny makes to service improvement through policy development.

- 6.2 This report is presented to each Committee every month in order to mitigate that risk. The specific risks associated with individual topics on the work programme will need to be addressed as part of the Committee's investigations.

## **7 Links to Council Policies and Priorities**

- 7.1 Having proper work programming procedures in place ensures that the work of Overview and Scrutiny makes a positive impact upon the Council's delivery of services, contributes to the delivery of corporate objectives, and ensures that work can be undertaken in a timely and well-planned manner.

## **6 Financial Implications**

- 6.1 There will be financial consequences for some of the reviews undertaken. These will be commented upon by the Head of Finance as the reports are presented. The preparing and monitoring of the work programme is done by existing staff for which budget provision is available.

## **7 Background Papers**

- [The Essentials - Wellbeing of Future Generation Act \(Wales\)](#)
- [Corporate Plan](#)
- [Cabinet Work Programme](#)
- The Corporate Assessment and [follow up assessment](#).

Report Completed: September 2019



5<sup>th</sup> and 19<sup>th</sup> November 2019

Topic	Role / Information Required	Invitees
<p><b>Mid-Year Service Plan Reviews</b></p>	<p><b>Performance Monitoring - holding the executive to account for the Council's performance.</b></p> <p>The Service Plan will provide the Committee with a full picture of Service Areas performance and finances for a specific period of time.</p> <p><b>Monitoring of performance, focusing on:</b></p> <ul style="list-style-type: none"> <li>• Achievement of outcomes and actions within service plans;</li> <li>• Scrutinising progress in improvements to areas of poor performance;</li> <li>• Assessing the extent to which performance objectives are contributing to the overall objectives and priorities of the Council, including Wellbeing Objectives and Improvement Plan Objectives.</li> <li>• Assessing the extent to which performance is in keeping with the performance management strategy;</li> </ul> <p>The Committee will receive an overview of the performance of the service area including a list of the all of the service plan measures and an indicator of whether the targets have been achieved (Red, Amber and Green status). This will also include a summary of the common measures, which include complaints answered in timeframes, staff sickness rates, and the use of agency staff and overtime. For any red and amber measure, the Committee will also receive more detailed information on these</p>	<p><b><u>5th November</u></b></p> <p><b>For Education Service</b></p> <ul style="list-style-type: none"> <li>• Chief Education Officer;</li> <li>• Cabinet Member for Education and Skills,</li> <li>• Strategic Director - People</li> </ul> <hr/> <p><b><u>19th November</u></b></p> <p><b>For Children and Young People Services:</b></p> <ul style="list-style-type: none"> <li>• Head of Children and Young People;</li> <li>• Cabinet Member for Social Services,</li> <li>• Strategic Director – People.</li> </ul> <p><b>For Adults and Community Services:</b></p> <ul style="list-style-type: none"> <li>• Head of Adults and Community Services;</li> <li>• Cabinet Member for Social Services</li> <li>• Strategic Director – People</li> </ul>

measures.

**Monitoring of budget, focusing on:**

- Scrutinising variances in budget;
- Assessing the extent to which performance is being achieved within budget;
- Reviewing the outcomes and the delivery of agreed savings plans;

**Performance Scrutiny Committee – People - Appendix 2**  
**ACTION SHEET – September 2019**

	<b>Agenda Item</b>	<b>Service area / Performance measure</b>	<b>Action</b>	<b>Responsibility</b>	<b>Outcome</b>
1	End of Year Service Plan Review	<b>Adult and Community Services</b>	The Committee requested that they were informed of the new WG measures when they were released relating to carers.	Head of Adult and Community Social Services	<b>Ongoing</b>
2	End of Year Service Plan Review	<b>Children and Young Peoples Services</b>	The Head of Children and Young People to provide the Committee with up to date information on the number of Looked After Children who have had three or more placements.	Head of Children and Young Peoples Services	<b>Ongoing</b>
Page 51	End of Year Service Plan Review	<b>Education</b>	The Committee requested a report on the Bridge Achievement Centre and the satellite provisions across the city and how these provisions support the needs of the young people.	Chief Education Officer	<b>Ongoing</b>
4	End of Year Service Plan Review	<b>Education</b>	The Members requested that an information report be provided to the Committee on the primary school aged young people who are with the Catch 22 provider.	Chief Education Officer	Ongoing
7	Forward Work Programme Update	<b>Scrutiny</b>	The Committee <b>approved</b> the report and the items to be considered during the next two meetings.	Scrutiny Adviser	Work programme updated.

This page is intentionally left blank

# Report

## Democratic Services Committee

---

### Part 1

Date: 25 July 2019

**Subject** **Proposal for revising Member oversight of Residential Homes Rota Visit Arrangements**

**Purpose** To propose revisions to the process and the way in our residential homes for children and adults are monitored by Members

**Author** Lucy Jackson, Responsible Individual (RI).

(NB: The RI is an officer designated by the Director of Social Services and who has satisfied Care Inspectorate Wales that they are a fit and proper person. The role of the RI is to have effective oversight of the service, including its management and adequacy of resources; they must review and improve the service and promote a culture of openness and accountability.)

**Ward** All. The Council's residential homes are based in seven wards (Brynglas, Llanwern, Malpas, Rogerstone, Pillgwenlly, Shaftesbury, Stow Hill), and provide support for people from across Newport.

**Summary** The RISCA (Registration and Inspection of Social Care Act 2016) introduced changes to the accountability of regulated services such as adult and children's residential homes. These changes came in to force in 2018, as services were registered by Care Inspectorate Wales (CIW) under the new legislation. RISCA enhances the legal duty on the Responsible Individual (RI) and requires them to undertake frequent visits to each service and submit an annual Quality of Care Review highlighting any issues and areas where improvements can be made.

In light of RISCA and following discussion with the Cabinet Member for Social Services a new approach to Members' oversight is being proposed which enables Members to receive and consider the annual Quality of Care Review and provides an opportunity for Members to visit homes on a planned, announced RI visit.

**Proposal** **To amend the approach to the Rota visits as set out in the report.**

**Action by** Eleanor Mulligan, Democracy and Communication Manager and Lucy Jackson, Responsible Individual

**Timetable** Immediately

This report was prepared after consultation with:

- Cabinet Member for Social Services
- Head of Law and Regulation
- Democracy and Communications Manager

## Background

1. The Registration and Inspection of Social Care Act 2016 (RISCA) was introduced to improve the quality of care and support in Wales of regulated services. The Act introduces changes to the regulation, inspection and enforcement of care and support and includes requirements for the regulation of the social care workforce to ensure that everyone who works in the sector is skilled appropriately qualified and trained to an agreed set of standards.
2. RISCA requires that a person (known as the responsible individual or RI) is designated and is held accountable for the quality and compliance of a service. RISCA places specific requirements upon the RI that are set out in section 28 of the Act.

‘The RI is responsible for overseeing management of the service and for providing assurance that the service is safe, well run and complies with regulations. The RI is responsible for ensuring the service has a manager, sufficient resources and support. The RI is not responsible for the day to day management of the service; this rests with the manager.’ (Requirements on Responsible Individuals, parts 16 to 20 of the Regulations).

3. In Newport, Lucy Jackson, Service Manager in Adult and Community Services is the RI for all of the internally managed and regulated social care services, (currently, May 2019, three residential homes for older people, four houses for children and a domiciliary care service).
4. In order to carry out this role:
  - Each service is visited at least every 12 weeks and a report prepared for the Director of Social Services. The visits provide an opportunity to engage with people receiving the service, staff, families and professionals. During the visits, spot checks are undertaken on records to check compliance with the regulations and generally ensure that the fabric of the buildings are fit for purpose. Colleagues from Contracts and Commissioning have supported many of these visits. The majority of these visits are unannounced. Between registration of the services in Autumn 2018 and 1 April 2019, 27 visits took place;
  - reports are submitted monthly to the RI from each service that provide an overview of individuals using the service, staffing issues, budget and summary of issues that have arisen during the previous month;
  - the RI meets the managers of the services at regular, scheduled meetings and is available to meet and discuss matters as and when helpful;
  - notifications that are made to CIW under Regulation 60 are reviewed by the RI.
  - arrangements are in place to ensure any significant issues that emerge from the work of the RI are brought to the Cabinet Member for Social Services attention.
5. The RI is required to review the quality of care and support for a service every six months and prepare a report to the service provider, which includes an assessment of the standard of care and support provided and recommendations for improvements. An annual return and statement of compliance will be required to be submitted to Care Inspectorate Wales (CIW), the regulator from May 2020 – the six monthly reports will form the basis of that return. Information from the regular visits, monthly reports etc. provide the basis of these reports. These reports should be submitted to the provider’s board.
6. Regulation 80 of RISCA sets out what should be reviewed in order to make an assessment of the quality of care and support:

- Consideration of the outcome of engagement with individuals (e.g. people using the service, their families, professionals);
  - analysis of aggregated data on incidents, notifiable incidents, safeguarding matters, whistle blowing concerns and complaints;
  - review of any action taken in relation to complaints;
  - consideration of the outcome of any audit of the accuracy and completeness of records.
7. For some years, Members have undertaken visits to the Council's regulated services. The visits have taken place in pairs, providing an opportunity for people living in the homes to give feedback about life in the home. Following the visits, a brief report has been submitted to the relevant Service Managers.

The visits were instigated within the context of the Children Act 1989 as part of the approach to corporate parenting but are no longer a requirement. The visits have continued but there is currently no statutory requirement or other guidance noting that Members should visit the services delivered.

## **Proposal**

8. Ensuring that there is accountability and oversight of our regulated services is essential for public confidence and RISCA provides an opportunity to consider how Members can have effective oversight of our regulated services in this new context.
9. Following discussion with the Cabinet Member for Social Services, the following approach is considered an appropriate way forward:
- That Members of the appropriate scrutiny committee receive the annual Quality of Care Review and have the opportunity to scrutinise the findings of the RI at a scrutiny meeting;
  - Three Members nominated by normal Council appointment process to be invited to visit individual homes for prearranged visits such as a coffee morning to provide them with the opportunity to engage with the residents and hear their views about life in the home. This would take place on an annual basis.
  -

## **Financial Summary**

There are no costs or financial implications of this proposal

## Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Information contained within the Quality of Care Review is concerned with the care and support of some of our most vulnerable children and adults.	H	L	The report will need to be drafted to ensure that there is transparency about the life of people living in our homes whilst ensuring confidentiality of individuals.	Responsible Individual
Oversight of our services by Members is not adequate and public confidence in our ability to provide regulated services is lost	M	L	Members will meet people living in our homes on an announced visit and will also be provided with a detailed report from the RI for discussion.	Members/RI

\* Taking account of proposed mitigation measures

## Links to Council Policies and Priorities

### This proposal links to the Corporate Plan:

- Our regulated services are concerned with improving the lives of some of the most vulnerable people in the city. The work in the homes focusses on individuals well-being outcomes.
- The development of new homes for children is a corporate plan objective to reduce the number of children in social care placements outside of the city.

### Options Available and considered

1. To continue with Rota visits as they currently take place
2. To move to the proposed approach whereby the annual Quality of Care Review is considered by scrutiny and a planned visit is made by a member to each home each year to speak to the people living there.

### Preferred Option and Why



Option two is the preferred option because it provides an opportunity for a collective, detailed discussion about the quality of the provision in our regulated services by Members.

## **Comments of Chief Financial Officer**

There are no financial implications associated with this report.

## **Comments of Monitoring Officer**

The revised inspection and reporting arrangements are in accordance with the provisions of the Registration and Inspection of Social Care (Wales) Act 2016 ("RISCA"), the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017 and statutory guidance. In accordance with RISCA, the designated "Responsible Individual" now has personal responsibility under the new legislation and inspection regime to carry out scheduled inspections of Council care homes every 12 weeks to ensure that they continue to comply with registration and care standards.

The Responsible Individual is required to report back to the Director of Social Services and the Council, as the registered service provider. The Director of Social Services has designated the Service Manager as the Responsible Individual for the purposes of discharging these inspection and reporting duties, in accordance with the requirements of RISCA.

The previous rota visits undertaken by elected Members under the Children Act 1989 are now effectively redundant. The Regulations and guidance require the Responsible Individual to report quarterly to the Director and to report back to the Council on an annual basis. The annual inspection report can be taken to the Performance Scrutiny Committee (People), in accordance with the Council's existing performance management framework and their terms of reference under the constitution. Any Scrutiny comments on the annual inspection report would then be taken to full Cabinet, with any agreed actions being implemented by the Director and relevant Cabinet Member.

Because the inspection changes are a legislative requirement and the reporting duties are already covered in the relevant executive and scrutiny arrangements set out in the constitution, then Democratic Services Committee are simply required to note the contents of the Report. There is no direction about whether to introduce these changes. The one extra-statutory provision that is entirely discretionary is the suggestion of nominated Councillors undertaking informal visits to the homes, but this would have no legal basis and would be entirely independent of the statutory inspection and reporting regime.

## **Comments of Head of People and Business Change**

The proposal to nominate Councillors to undertake visits to the residential homes would potentially improve openness and accountability, ensuring homes are safe, well run and in compliance with the regulations and also give residents a voice in relation to their care.

There are no direct human resources implications in this report

## **Comments of Cabinet Member**

This decision to change the way in which Members are involved in the inspection process is the decision of the Cabinet Member. The Cabinet Member has been involved with, and endorses the suggestion being put forward within this report.

## **Local issues**

Not Applicable.

## **Scrutiny Committees**

The proposal to report the outcomes of the inspections to Scrutiny is within the current terms of reference of the Performance Scrutiny Committee - People and would not require a change to the

constitution to enact this. The Scrutiny Committee will be consulted following democratic Services Committee consideration of this report.

### **Equalities Impact Assessment and the Equalities Act 2010-**

This is not applicable for this report because the changes that will be noted will not have a direct impact on service users only the methods of inspections.

### **Children and Families (Wales) Measure**

Not applicable.

### **Wellbeing of Future Generations (Wales) Act 2015**

The proposed changes to the inspection process will have a positive contribution to the goals of the Wellbeing of Future Generation act as it has the potential to improve openness and accountability, ensuring homes are safe, well run and in compliance with the regulations and also give residents a voice in relation to their care. There are also additional checks and balances being put in place with this approach by reporting the outcomes of the inspections to Scrutiny.

### **Crime and Disorder Act 1998**

Not Applicable.

Dated: 1 July 2019