

**EDUCATION, CHILDREN AND FAMILIES BUDGET AND PERFORMANCE
MONITORING SUB-COMMITTEE**

Minutes of the meeting held at 7.00 pm on 26 September 2017

Present:

Councillor Neil Reddin FCCA (Chairman)
Councillors Alan Collins, Mary Cooke and Angela Wilkins

Emmanuel Arbenser, Special School Parent Governor

Also Present:

Councillor Tom Philpott, Executive Assistant to the Portfolio
Holder for Education, Children and Families
Aaron Regisford, Bromley Youth Council

15 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Nicky Dyke and Councillor Nicholas Bennett JP. The Portfolio Holder for Education, Children and Families, Councillor Peter Fortune, also submitted apologies for absence due to illness.

16 DECLARATIONS OF INTEREST

There were no additional declarations of interest.

17 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received from members of the public.

18 MINUTES OF THE MEETING HELD ON 18 JULY 2017 AND MATTERS OUTSTANDING

RESOLVED that the minutes of the meeting held on 18th July 2017 be agreed.

**a SCRUTINY OF PORTFOLIO HOLDER DECISION: CHILD
SEXUAL EXPLOITATION SUPPORT SERVICE CONTRACT
Report CSD17132**

The Sub-Committee considered a report setting out a decision for the Education, Children and Families Portfolio Holder with relation to a contract for the provision of support services to children at risk of sexual exploitation which was due to end on 30th September 2017. The Chairman of Education, Children and Families Select Committee, Councillor Nicholas Bennett JP had requested that the Sub-Committee undertake pre-decision scrutiny on this

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decision due to the timescales in relation to the proposed recommendation within the report.

The Child Sexual Exploitation Recovery Service provided direct support to children and young people under the age of 18 years (and Looked After Children under the age of 21 years and living within the M25) who were at risk of being sexually exploited, and delivered awareness raising activities and training to improve knowledge and skills to help prevent child sexual exploitation and improve support for victims. A contract to provide a specialist programme of support with young people to divert them from the risk of sexual exploitation, as well as to deliver training to Bromley social workers was held by Barnardo's and was due to end on 30th September 2017. It was proposed that the Portfolio Holder for Education, Children and Families authorise the award of a further contract to Barnardo's for a period of 12 months to allow the provision of this support to be continued whilst consideration was given to the future delivery arrangements for this service. The report also set out the commissioning intentions for the future of the service.

The Director of Programmes (ECHS) and Director of Children's Social Care introduced the item and provided an explanation as to why the report was before Members at such a late stage in the contract. The Director of Programmes stressed to the Sub-Committee that the delay in presenting the report to Members had in no way affected the recommendation that was being made. Officers were confident that this was the most appropriate recommendation at this point in time. The 12 month extension that was being requested would provide the opportunity for a comprehensive review of the Service model which would be reported back to Members later in the year.

The Director of Programmes reported that this was a valuable service that was integrated into the Atlas Team and delivered good outcomes for children in a specialist area. The current contract was providing good value for money.

The Director of Children's Social Care reminded the Sub-Committee that the Atlas Team had been launched in January 2017. The forthcoming review of this contract would provide a good opportunity to undertake a review of the Atlas Team, investigate how other local authorities delivered the service in terms of best practice and identify areas of best practice. The Director of Children's Social Care confirmed that there were currently 15 young people benefitting from the Service with an additional 4 on the waiting list who the Director was confident would be incorporated into the Service. The Director of Children's services advised that in the recent Ofsted monitoring visit of CSE it was highlighted that this was the only service offered and the LA would need to consider a more wrap around service for these children.

In response to a question from a Member concerning whether 3 months was sufficient time to undertake a review of the Atlas Team prior to procuring a service, the Director of Children's Social Care confirmed that the review of the Atlas Team was a 3 to 4 week review which would be undertaken in October. The services for children vulnerable to or victim of CSE is was a very bespoke

service in a niche area which meant the market was limited. The Director of Programmes confirmed that he was confident that sufficient time had been allowed for any review.

In response to a question from the Chairman the Director of Programmes confirmed that in future Members would not be asked to approve contracts with such little time. The rule in Bromley was that any new contract had to receive Member approval within 6 months of the end of the existing contract. Contracts that were due to expire in March 2018 were now being reviewed. Moving forward the Department would be better placed to plan ahead and ensure that contract approval was sought in good time.

The Members of the Sub-Committee confirmed that they had been reassured by the information that had been provided. It was agreed that on this occasion the “call-in” provision should be waived and the decision treated as an urgent decision to ensure that the contract was in place by 1 October 2017.

RESOLVED: that

- 1. The Portfolio Holder be recommended to approve a further award of contract to Barnardo’s via an exemption to competitive tendering for a period of one year from 1st October 2017 to 30th September 2018.**
- 2. The decision be taken under grounds of urgency and the “call-in” provision waived in this instance.**

19 LOCAL AUTHORITY DESIGNATED OFFICER REPORT 2016/17

The Sub-Committee considered a report outlining the work carried out across the Borough to manage allegations made against staff who worked with children and young people in a paid or unpaid capacity during the 2016/17 financial year. There was a statutory requirement for local authorities to have clear procedures in place for responding to allegations of harm or abuse of children by staff or foster carers within the Children’s Act 2014, and the Local Authority Designated Officer (LADO) had overall responsibility for managing and coordinating allegations against those who worked with children in Bromley.

During the 2016/17 financial year, a total of 223 referrals had been reported to the Local Authority which represented a 15.5% increase in the number of referrals received and recorded from all agencies across the Borough compared to the previous year, which was in line with referrals received by other London local authorities. A number of factors had been identified as contributing to this increase, including the robust recording of all allegations whether or not they met the threshold for further action, the delivery of regular multi-agency Allegation Management Briefings and the drive to raise awareness of allegation management procedures. Where it was identified that the threshold for harm or potential harm to a child was met or there were concerns that a professional might not be suitable to work with children, a LADO Complex Strategy Investigation meeting was

convened. In 2016/17, 106 strategy meetings were convened as a result of allegations, the outcomes of which identified that two cases were founded, three were substantiated, 60 were unsubstantiated, 25 were unfounded as the referrals were assessed as malicious and 16 were ongoing cases.

The Local Authority Designated Officer introduced the report and reported that since the report had been written there had been a marked improvement in referrals from the Police.

In response to a question from the Chairman surrounding whether any conclusions could be drawn from the increase in allegations made against foster carers the Local Authority Designated Officer reported that no conclusions could be drawn. Some of the children within the placements were challenging and the same complaint could be repeatedly made, and therefore repeatedly recorded. The Director of Children Social Care and the head of the Quality Improvement Service suggested that an increase in referrals was not necessarily a bad thing and that a more positive aspect of the increase in the number of complaints could be that children felt empowered to speak up and were more confident that any issues would be taken seriously and investigated.

In response to a question concerning how foster carers were supported when unsubstantiated allegations were made the Local Authority Designated Officer explained that foster carers were provided with one to one support from their allocated social worker. The Director of Children's Social Care explained to Members that the issue was around the training provided to foster carers. The Director stressed the importance of ensuring that foster carers were provided with the reassurance that the local authority understood the pressures foster carers were facing and would support them when allegations were made and investigated.

In response to a technical question from the Chairman concerning the difference between 'founded' and 'substantiated', the Local Authority Designated Officer explained that when an allegation was 'founded' there was no doubt that the incident occurred. For an allegation to be 'substantiated' the body of evidence that had been gathered, from the investigation and witness statements, confirmed that an incident had occurred.

Responding to a comment from the Chairman surrounding the behaviour of professionals in their personal life and referrals to the LADO, the Head of Quality Improvement Service stressed that the issue was the implications of the cumulative effect of an incident or behaviour on a child.

The Local Authority Designated Officer confirmed that in relation to arrangements for peer audit meetings with colleagues in other local authorities had taken place. It had been agreed that good practice in other boroughs would be observed by the end of the year.

RESOLVED that the report be noted.

(Following consideration of this item Councillor Collin's left the meeting)

20 PRIVATE FOSTERING ANNUAL REPORT
Report ED18023

The Sub-Committee considered the Private Foster Service Annual Report 2016/17.

The Private Fostering Regulations applied when children or young people aged under 16 years (or 18 years if they had a disability) lived with a person who was not a close relative for 28 days or more. The Local Authority was required to assess the suitability of this arrangement and review it under the Private Fostering Regulations to ensure the placement was able to safeguard and promote the child's welfare. Between 1st April 2016 and 31st March 2017, there had been a decrease in the number of Private Fostering notifications which had reduced from 19 to 12 children. This had been identified as cause for concern as the reason for the decrease in the number of arrangements was not apparent and would be discussed at the next CoramBAAF Private Fostering Special Interest Group in comparison with other local authorities.

The Group Manager: Fostering reported that there was now a need to ensure that there was consistency and speed within the process for registering private fostering arrangements. To this end a full-time Senior Practitioner Social Worker would be dedicated to supporting and raising the profile of private fostering. In addition to this an app had been developed as a reporting tool. The app provided a definition of private fostering arrangements and set out the process of reporting. Historically in Bromley private fostering arrangements had not been marketed properly and one of the roles of the Senior Practitioner Social Worker would be to market the app and ensure that professionals working with children in the Borough were aware of the app and how it should be used.

In response to a question from the Chairman the Head of Service: Fostering and Adoption confirmed that it was hard to be sure how many private fostering arrangements were in place within the Borough as the need to register such arrangements had not been publicised widely and this needed to be addressed. There was a duty to notify other boroughs of such arrangements when families moved borough.

In response to a further question from the Chairman surrounding the justification for a full-time post to support 12 children in private fostering arrangements, the Head of Service: Adoption and Fostering explained that Officers expected the number to increase when the need to register arrangements was more widely publicised. In addition to this, the Senior Practitioner Social Worker would need to liaise with schools and language schools as well as other professionals to market the app and ensure that organisations who were working with children could recognise such arrangements and report to the local authority if necessary. The Director of Children's Social Care highlighted in Bromley there was a "Caseload Promise" of between 12 and 15 cases and the number of private fostering arrangements currently recorded fell within the Promise.

RESOLVED that the Portfolio Holder be recommended to endorse the Private

Fostering Service Annual Report 2016/17.

**21 ADOPTION ANNUAL REPORT
Report ED18018**

The Sub-Committee considered the Adoption Service Annual Report 2016/17 which was required to be produced by the adoption agency on an annual basis under the National Minimum Standards 2014.

The Adoption Service was responsible for all adoption work undertaken by the Local Authority, supporting domestic, inter-country and step-parent adoption, birth parent counselling, post-placement and post-adoption support and a range of intermediary services. Of a total of 21 children with an Agency decision for adoption, one child had been adopted, two were placed for adoption, two had been matched with an adoptive family, one child had not yet entered care and 15 children were waiting to be matched with active family finding in progress. A total of nine adopter households had been approved during 2016/17, with whom 12 children had been placed for adoption by a number of local authorities, and as of 31st March 2017, eight approved adopter households were waiting to be matched.

In response to a question from the Chairman surrounding the plans for the Regional Adoption Agency, the Head of Service: Fostering and Adoption explained that in London two models had been put forward although as yet no agreement had been reached and there were still a number of unanswered questions. There were a number of options available to Bromley, it could choose to remain within the South London Consortium or consider the Kent and Medway Model. By April 2018 Bromley would need to indicate its preferred option with final arrangements being in place by 2019.

The Chairman thanked the Officers for a very interesting and informative report and the Sub-Committee noted that the impact of recent improvements to the Service should be visible in the next annual report.

RESOLVED that the Portfolio Holder be recommended to endorse the Adoption Service Annual Report 2016/17.

**22 CHILDREN'S SERVICE IMPROVEMENT UPDATE
Report ED18020**

The Sub-Committee considered a report which provided an update on progress in delivering the Children's Service Improvement Plan.

The Children's Service Improvement Plan had been developed in conjunction with partner agencies and was made up of ten priority areas which aimed to address 23 recommendations made by Ofsted following an Ofsted inspection of the Council's services for Children in Need of Help and Protection and Children Looked After which had been undertaken between 11th April 2016 and 5 May 2016 that had found the Council's services to be inadequate in all areas. For the period covering 1st May 2016 to 31st August 2017, a total of 298 had been identified for

completion. As at 31st August 2017, a total of 23 outstanding actions were RAG rated as 'Red' (8%), 142 actions were RAG rated as 'Amber' (48%) and 133 actions were RAG rated as 'Green' (44%). All actions rated as 'Red' had been highlighted in a monthly 'Exemption report' and were discussed at the meeting of the Children's Service Improvement Governance Board on 22nd September 2017.

The Director of Children's Social Care explained to Members that in September 2017, a new Secretary of State Direction was issued to Bromley. This confirmed that Bromley's Children's Services would no longer be subject to review by a Commissioner, instead the Independent Chairman of the Children's Service Improvement Governance Board was required to submit quarterly updates to the Department for Education (DfE). In addition it was noted that commitment from Bromley would ensure that the improvement of children services continued.

The final report of the Commissioner for Children's Services in Bromley had been published earlier in September 2017. In her report the Commissioner had recommended that Bromley should continue to run its own Children's Services.

There would be a further Ofsted Monitoring Visit at the end of October with the final visit taking place in February 2018. After this the Council would be back on the schedule for a full Ofsted Inspection from April 2018 onwards.

The last Ofsted visit had taken place over the 8th and 9th of August 2017. In their feedback letter to the Council the Inspectors had confirmed that they had seen no Inadequate practice in the cases that they had reviewed; Managers were making professional judgements and these were having an impact; the Authority's response to child sexual exploitation (CSE) was proportionate; and caseloads within the service were reducing with professionals utilising thresholds appropriately.

The Director confirmed that the feedback from Ofsted had been pleasing but there was still more work to be done.

In addition to the improvement agenda, there had also been the opportunity to introduce innovations to service delivery such as the Care Leavers' Hub and the Corporate Parenting Fun Day.

In relation to recruitment and retention, the Director reported that if all the offers of permanent positions were accepted nearly 80% of staff within the Service would be permanent. A great deal of effort was going into recruiting staff but managers were also ensuring that the right people were being made offers. It was important that high quality staff were in place to continue to drive the improvement agenda.

In response to a question from the Chairman, the Director of Children's Social Care confirmed that Officers were working to refresh the Member's training programme and ensure that arrangements were in place to deliver training during the induction of new Members in May 2018. The Chairman suggested it would be helpful if each Political Group Leader in the Council made training in Safeguarding and Corporate Parenting compulsory in the New Municipal Year.

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The Sub-Committee congratulated and thanked staff within the Department and across the Council for the “fantastic progress” that had been made.

RESOLVED that the update be noted.

**23 CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2017/18
Report FSD17072**

On 19th July 2017, the Council’s Executive received the 1st quarterly capital monitoring report for 2017/18 and agreed a revised Capital Programme for the four year period 2017/18 to 2020/21.

The Committee considered the changes to the Capital Programme for the Education, Children and Families Portfolio which included an increase of £2,597,000 to the Basic Need scheme for use in SEND capital provision, and the transfer of £776,000 from the uncommitted balance of Section 106 receipts from developers. There was also an increase of £31,000 to support delivery of the 30 Hours Funded Childcare IT Solution scheme. A net underspend totalling £3,428,000 that was mainly as a result of the S106 Education unallocated balance for 2016/17 had been rephrased into 2017/18. Schemes totalling £5m had also been re-phased from 2017/18 to 2018/19 to reflect revised estimates of when expenditure on Education schemes was likely to be incurred.

The Head of ECHS Finance reported that he did not have any information in relation to the current provision of 30 hours funded childcare. It had been difficult to encourage providers to offer the provision due to the funding provided by Government. The Head of ECHS agreed to report back to Members with up-to-date information following the meeting.

RESOLVED that the Portfolio Holder be recommended to confirm the revised Capital Programme agreed by the Council’s Executive on 19th July 2017.

**24 SPENDING BY PRIMARY, SECONDARY AND SPECIAL
MAINTAINED SCHOOLS IN 2016/17
Report ED18026**

The Sub-Committee considered a report which provided information on all revenue and capital balances held by Primary, Secondary and Special Maintained schools as at 31st March 2017, and also provided a comparison to the balances held at the same time in the previous year.

The average level of revenue balances both committed and uncommitted for Maintained Primary Schools stood at 10% of School Budget shares compared to 11% at the end of 2015/16. For Maintained Secondary Schools this figure stood at 10% (compared to 9% in 2015/16) and for Special Schools this figure stood at 7.2% (compared to 7% in 2015/16). All schools with balances in excess of 8% had been asked to complete a proforma detailing the reason for holding a high balance and their plans for reducing the balance in year. One primary school had

ended the financial year with a deficit and had been asked to provide a deficit recovery plan.

This report had also been considered at the meeting of the Schools' Forum on 21st September 2017 where it had been resolved to note the report. The Sub-Committee noted that information relating to Academies would be reported separately.

In response to a question from the Chairman surrounding the possible reasons for the high surpluses, the Head of ECHS Finance explained that there were a number of possible reasons, some schools may be being cautious whilst other schools had saved for a specific project.

RESOLVED that the financial position of Primary, Secondary and Special Maintained Schools at the end of the 2016/17 financial year be noted.

25 EXPENDITURE ON CONSULTANTS 2016/17 AND 2017/18 Report CSD17136

The Sub-Committee considered a report outlining the total expenditure of the Local Authority on consultants across all Local Authority departments for 2016/17 and 2017/18 to date.

At its meeting on 7th September 2017, the Executive and Resources PDS Committee considered a report on Local Authority expenditure on consultants across all Council departments for both revenue and capital budgets and requested that this expenditure be considered by the PDS Committees for each Portfolio. Within the Education, Children and Families Portfolio, revenue expenditure which was focused on the need for one-off specialist advice and to respond to insufficient in-house skills or resources had totalled £84,958 in 2016/17 and £24,750 in 2017/18 to date. Capital expenditure on consultants totalled £949,622.84 in 2016/17 and £293,622.61 in 2017/18 to date.

RESOLVED that the expenditure on consultants relating to the Education, Children and Families Portfolio be noted.

26 INFORMATION ITEMS

The Sub-Committee Information Briefing comprised two reports:

- Recruitment and Retention Fund Update
- Complaints Annual Report

In considering the Recruitment and Retention Update report, the Chairman suggested that it would be helpful to have the information that had been provided incorporated in the Annual Budget Outturn report.

In response to a question from the Chairman, the Head of ECHS Finance

confirmed that the annual retention payments were recurring payments from a reducing pot of funding used to fund a number of recruitment and retention packages.

In considering the Complaints Annual Report, the Chairman stressed the importance of continued learning from any complaints that were received. A Member suggested that in future reports it would be helpful if a definition of 'a complaint' could be provided as it appeared that the number of complaints received was very low.

RESOLVED that the Information Briefing be noted.

27 ANY OTHER BUSINESS

There was no other business.

28 DATE OF NEXT MEETING

The next meeting of Education, Children and Families Budget and Performance Monitoring Sub-Committee would be held at 7.00pm on Wednesday 17th January 2017.

29 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED: That the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters involving exempt information**

30 SEN TRANSPORT VERBAL UPDATE

The Sub-Committee received a presentation from the SEN Transport Officer providing an update on Special Educational Needs (SEN) Transport.

RESOLVED that the update be noted.

The Meeting ended at 8.55 pm

Chairman