



MINUTES OF THE CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

Thursday, 8 December 2011 at 7.00 pm

PRESENT: Councillor Gladbaum (Chair), Councillors Aden, Mr A Frederick, Mrs L Gouldbourne, Brent Youth Parliament representatives, Ashraf, Hirani and RS Patel

Also Present: Councillors Arnold (Lead Member for Children and Families)

Apologies were received from: Councillors Matthews, Mitchell Murray, HM Patel, Ms E Points, Mrs H Imame, Ms J Cooper and Ms C Jolinon

1. Declaration of personal and prejudicial interests

There were no declarations of interest.

2. Deputations (if any)

There were no deputations.

3. Minutes of the last meeting held on 6 October 2011

The minutes of the meeting held on 6 October 2011 were approved as a correct record.

4. Matters Arising

There were no matters arising.

5. School places update

Councillor Arnold (Lead Member for Children and Families) provided an update to the committee on the current position regarding school places. A supporting document was tabled for the committee's consideration.

Councillor Arnold advised that 4900 applications had been received for Reception Places from September 2011 and of these, 632 applications had been received from outside of the borough. Of the 4268 applications from Brent residents, 625 applications had been received after the closing date of 15 January 2011. Despite the 260 additional reception year places created since September 2011, there remained as of 7 December 2011, 210 unplaced children for reception year. At this time, there were 58 vacancies across the system for this year group. A further 60 places would be made available in January 2012. All vacancies had been offered to those children without a school place but these had not been accepted due to parental preference regarding the school or location of the school. With regard to 11+ transfers for 2011, Councillor Arnold confirmed that there were sufficient places to meet demand.

Councillor Arnold informed the committee that for primary aged pupils, the only year groups with sufficient vacancies were the current years 5 and 6. To address this, the council would be opening additional classes in schools for year groups other than reception year and would establish projects to provide education to out of school primary pupils in January 2012 using the newly vacant Ashley Gardens Early Learning Centre and the Pavilion. Turning to the subject of out of school secondary aged children, Councillor Arnold drew the committee's attention to the table set out in the supporting document and noted that as of 2 December 2011, there were 192 unplaced secondary school aged children. The majority of these pupils were new arrivals who would be placed in projects, schools or college courses within the following weeks.

During the subsequent discussion, members raised several issues. Councillor Hirani noted the number of late applications received and queried whether there were lessons to be learnt by the Council. Councillor Arnold advised that many of these applications were late as the families in question had recently arrived in Brent or had moved to a new location within Brent. The number of new arrivals to Brent each month was significant and in August and September 2011 over 100 new arrivals had been recorded. Councillor Hirani further queried whether the local authority should have been better prepared to meet the challenges posed by the demographic changes to the borough. Councillor Arnold advised that whilst the arrivals of new families could not be predicted, the tracking of related data enabled trends to be identified and the factors behind such changes to be better understood. With regard to predicted changes in birth rate, these figures were obtained from the LGA. All London councils were struggling to meet the same challenges as Brent. Brent was currently engaged in lobbying central government regarding the severity of these challenges. In response to a further query it was noted that immigration had increased in recent years and that due to Brent's diverse population many new arrivals to the country had a connection with Brent.

Mr A Frederick noted that the committee had been informed at its previous meeting that Wembley High School and Capital City Academy had expressed interest in becoming all-through schools. He queried whether, in view of the number of unplaced school children in Brent, any further schools had expressed an interest in this option. Councillor Arnold advised that Preston Manor was currently an all-through school and highlighted that the council's school places strategy included reference to such options. £25m of capital funding had been obtained from central government and this would be used towards the £52m required to meet the predicted school places shortfall for 2014/15.

Councillor Ashraf queried what support was provided to out of school pupils. Councillor Arnold advised that some children received educational support at home but that the focus remained on matching and placing children in a school as soon as possible. Sue Gates (Head of Integrated and Extended Services) added that some nursery places were maintained for unplaced reception year pupils.

RESOLVED: -

That the report be noted.

6. **Brent Youth Parliament Update**

The representative of Brent Youth Parliament (BYP) provided an update to the committee on recent work of the BYP. The committee was advised that the BYP Youth Conference took place on 23 November 2011. The conference aimed to help raise political awareness amongst young people in Brent. Invitations to attend the conference were sent to all Brent schools and youth groups. Guest speakers for the day included the Mayor of Brent, the deputy leader of the council, other councillors and council officers. The Youth Conference had been very successful and had attracted around 200 young people who had visited throughout the day. The BYP representative highlighted that the success of the conference had been determined by the hard work of both BYP members and officers of the council.

Elections had recently been held for the primary school BYP members. Inductions for these new members would commence shortly and the BYP representative emphasised that it would be very useful if councillors could attend the induction and other events which were scheduled for the following dates: -

- 17 December 2011
- 21 January 2012
- 25 February 2012
- 24 March 2012
- 21 April 2012
- 19 May 2012
- 16 June 2012

The events would commence at 10.00 am and it was estimated that they would conclude by 3.00 pm.

RESOLVED: -

That the verbal update be noted.

7. **Results of Ofsted Safeguarding and Looked After children Services Inspection**

Graham Genoni (Assistant Director, Social Care Division) delivered a presentation to the committee on the outcome of the Safeguarding and Looked After Children (LAC) Inspection which took place between 3 and 14 October 2011. The full Ofsted inspection report had been circulated to the committee with the agenda.

Graham Genoni advised that there was a national inspection regime for children's social care. The last inspection for Brent's children's services was a Joint Area Review in 2006. Officers were aware that since this time significant improvement had been made to service provision. This was recognised in the outcome of the inspection which noted that service provision had improved from a low base. Graham Genoni further explained that the inspection resulted in two separate judgements; one for Safeguarding and one for LAC. The possible judgements which could be awarded to the local authority ranged from Outstanding to Inadequate and Brent had received an adequate rating for both elements. Drawing on the most recent Ofsted report on "local authority children's service inspections

and outcomes”, Graham Genoni noted that 46% of Local Authorities achieved this result for Safeguarding and 53% for Looked After Children.

Graham Genoni advised that the key positive messages arising from the inspection had included that Brent’s thresholds for child protection intervention were appropriate. It had also been recognised that there had been improvements in recruitment and retention of staff since the time of the previous inspection in 2006. At this time, approximately 30% of the staff within the child protection teams had been permanent. In contrast levels of permanent staff now stood between 85 and 90%. The inspector had been particularly impressed with the Advanced Practitioner Role employed at Brent. This role was carried out by very experienced social workers and was in place to support social workers in developing their professional skills. Graham Genoni noted that it had been disappointing that the positive partnership with schools had not been commented upon by the inspectors.

Turning to the subject of the observations included within the inspection outcome, Graham Genoni advised that the number of Common Assessment Framework (CAF) assessments had been deemed to be low and there was limited engagement by Health professionals with these. This comment related principally to other professional agencies with which the authority worked in partnership. The inspectors had also raised a query regarding the level of resources being directed towards early intervention services, of which CAF assessments formed a key part. A further question had been raised regarding the way in which service cuts had been made, and it had been noted that cuts to youth services had not been co-ordinated with other partner agencies which had resulted in similar areas of service provision being affected.

Graham Genoni then drew the committee’s attention to some of the areas which had been highlighted for improvement. Many of the issues highlighted had been already known to the authority and had actively been raised by officers during the inspection. An action plan was being developed to meet the recommendations set out within the inspection outcome and this would be embedded within the department’s overall improvement plan. Depending on the urgency of the issue, some actions would be carried out immediately. A need had been identified for greater links to be established between strategies, plans and performance management. Graham Genoni explained that a restructure of the department in recent years had removed the strategic division and that the issues raised by the inspectors may have stemmed from this loss. Several areas of improvement had also been identified in relation to the assessments conducted by social workers. It had been found that the assessments varied in quality and did not take appropriate account of family history nor were action plans appropriately focussed or targeted using SMART (Specific, Measurable, Achievable, Realistic and Timed) objectives. It was further commented that Pathway Plans, plans for young adults aged 18 to 21 years old for whom the local authority had an enduring responsibility, also needed to be of a higher quality. In relation to an issue raised within the inspection outcome regarding safe recruitment, Graham Genoni explained that this concern had arisen with regard to two incidents which had occurred in the recent past where issues relating to the recruitment of two members of staff had been appropriately addressed but had not been recorded as required.

In members' subsequent discussion, several queries were raised. The Chair requested that further clarification be provided to the committee on the different remits of the Safeguarding and LAC service areas. Graham Genoni explained that at present there was approximately 380 Looked After Children in Brent, most of who were in the care of foster carers. The local authority had a corporate parenting responsibility to these children and the inspection examined how well this responsibility was met. Turning to safeguarding, the committee was advised that this related to the work that the local authority carried out to ensure that all children were safe and protected whilst in the care of their families. The Safeguarding element of the inspection had sought to identify how safe Brent's children were and how well the council worked with other agencies to ensure that children were appropriately protected.

Councillor Ashraf requested further details regarding the frequency of inspections and queried whether any follow up action was taken by inspectors to check that the recommendations set out within the judgement were acted upon. He further queried whether any penalty was awarded against local authorities which achieve an inadequate judgement. Graham Genoni explained that a further follow up inspection would only be carried out where a local authority had performed very poorly. Again referring to the Ofsted report, "local authority children's service inspections and outcomes", Graham Genoni noted that 25% of local authorities in the United Kingdom had been rated inadequate. Where this judgement was received, a team would be set up to work with that local authority to improve their service.

Councillor Hirani sought further details regarding several of the areas identified for improvement. With regard to service user engagement, councillor Hirani noted that it had been recognised that family group conferences had increased in the current year and queried whether this had resulted in improvements for the service. Graham Genoni explained that family group conferences (FGCs) were held before a child was accommodated by the local authority to try to identify what support or care the family members could provide. FGCs formed a key part of the council's attempts to keep children out of the care system.

Councillor Hirani sought further details regarding the recruitment issues highlighted within the inspection report. Graham Genoni explained that all staff within the children's social care department were CRB checked. The incidents which had been highlighted by the inspection related to two occasions where CRB checks conducted as part of the recruitment process had returned a positive result. The correct processes had been followed and the information had been shared with senior managers and Human Resources and risk assessments had been completed. Unfortunately, the actions taken by the council had not been recorded and the local authority had therefore been found to be at fault.

In response to a further query by Councillor Hirani, Graham Genoni advised that every looked after child was required to have a health review every 6 months if the child was under 5 or once a year if the child was over 5 years old. The inspection had identified that not every child had had their health review within these timescales. It had been identified in 2010 by the local authority that there were not enough Health staff to cope with the workload and the PCT had agreed to double the LAC nurses to a total of two; however, there remained at present a back log of approximately 30 LAC health reviews.

Councillor HM Patel queried how the local authority would respond if an allegation was made against a member of staff regarding child abuse or negligence. Graham Genoni asserted that the first priority of the council would be to ensure the safety of the child. Following that, an established process existed for dealing with allegations against a professional which would formally question the individual's suitability to work with children. It was noted for instance that there were a number of allegations made against teachers which in turn necessitated detailed formal investigations. Ms Gouldbourne (Observer) highlighted that most allegations against teachers were determined to be unfounded.

The Chair noted the hierarchical supervision arrangements within the department and the conclusion that there was not sufficient time for adequate reflection on cases or procedures. In response, Graham Genoni confirmed that there was a need for improvement in this area and that training (via the West London Alliance) and other resources would be utilised to this purpose. The Chair further noted the judgement that there was a high degree of inexperienced staff within the department. Graham Genoni advised this was one of the issues with which the local authority did not agree. The training support provided to inexperienced staff was strong. The council was in line with other London boroughs regarding the number of inexperienced social workers and the number of social workers qualified outside of the United Kingdom.

The chair of the committee was keen that the Executive is given an opportunity to consider the inspection report as well as the action plan that would be produced by the Department in response to the report's recommendations. For this reason, the committee agreed to recommend the Ofsted Inspection report to the Executive, so that they have "ownership" of it, as well as the action plan. The committee also agreed to consider the action plan, once it becomes available,

RESOLVED: -

- i. That the action plan be presented to the Children and Young People Overview and Scrutiny Committee for consideration and discussion once it is available.
- ii. That the Ofsted report, presentation and action plan be submitted to a meeting of the Executive for their consideration and to ensure they "own" the council's response to the Inspection.

8. Adoption Services in Brent

The Chair advised that she had requested this report due to the current public focus on Adoption and the recent publication of performance data regarding Local Authorities Adoption Services.

Graham Genoni (Assistant Director Social Care Division) presented a report updating the committee on key issues relating to Adoption Services in Brent. It was noted that whilst the information released in November 2011 by the Department for Education (DfE) had encompassed a range of performance data, attention had principally focused on the timeliness of adoptions against which Brent had not performed well. This performance indicator measured the percentage of children placed for adoption within 12 months of a decision for adoption being made. A

range of factors influencing this indicator were outlined to the committee and these included the age of the child; whether the child was part of a sibling group; the length of the legal proceedings; and the complexity of the child's needs.

In expanding upon these factors, Graham Genoni highlighted that contrary to popular understanding, the number of young babies waiting to be placed for adoption was comparatively few. Rather, babies tended to be placed quickly and any delays were generally attributable to the court process. Often, the circumstances of the children being placed for adoption could make the process of identifying suitable placements for those children far more difficult and this was particularly so for children part of sibling groups or with complex needs. The department worked hard to minimise delays for children. Consequently, the option of placing siblings separately would be considered if required and if a suitable placement for children with complex needs was not found within a set period, alternative care plans would be pursued. The council had recognised the need to identify more prospective adopters and at present was assessing 21 prospective families; this represented a significant increase on the 9 families who were assessed during the previous year.

Graham Genoni advised that significant delay was also caused for these children by the length of the legal proceedings to which they were subject. Delay caused by legal proceedings had increased in recent years and this had been recognised within the final report of the Family Justice Review group. That report recommended that urgent action be taken to reduce the average length of legal proceedings from over 1 year to 6 months.

Graham Genoni further explained that adoption was only one of the options pursued by the local authority in securing the permanent placement of children with alternative carers. Special Guardianship Order (SGO) was an option which was increasingly relied upon by local authorities. SGOs did not remove the birth parents' rights in quite the same way as in adoption and for this reason, it could be a preferable option both for prospective carers and the child in question. It was emphasised to the committee that when SGOs were taken into consideration alongside adoptions, Brent had performed above its statistical neighbours. It was emphasised that matching between children and their carers was carefully undertaken within Brent as reflected in the fact that there had been only one adoptive placement breakdown in the preceding two years. In response to a query, Graham Genoni explained that SGOs were thought to be a more attractive option to some communities as they tended to reflect some traditional family childcare arrangements.

In the subsequent discussion, members raised several issues. Councillor Gladbaum sought clarity regarding the reference at paragraph 2.3 to cases which begin to 'drift'. Graham Genoni explained that this was a subjective judgement but that a care plan for a child would be given a set period of either 3 or 6 months after which time it was reviewed. If it was deemed necessary at the review an alternative plan might be pursued. Graham Genoni noted that in the government's view local authorities focused too greatly upon identifying a suitable ethnic match for a child, to the detriment of the timescales for achieving a permanent placement. However, whilst attempts would be made to secure an appropriate ethnic match, it would not prevent the authority from placing a child with carers who could meet the majority of the child's range of needs.

With reference to paragraph 2.5 of the report, the Chair noted that it was reported that approximately 25% more children were now being placed permanently compared to 5 years previously and sought further detail regarding this. Graham Genoni confirmed that the local authority reported annually on the number of adoption and SGO placements and for 2010, 26 children had been placed. It was predicted that 30 children would be placed for 2011. The use of SGOs had increased within recent years and were a particularly popular option in London boroughs. No London borough had appeared in the top quarter with regard to adoption timeliness and it was felt this was a reflection of the differences between London and other parts of the country.

The Chair noted that additional performance data was due to be published by the DfE in December 2011 and queried if this was now available. Graham Genoni advised that this information had not yet been published.

In response to a further query Graham Genoni advised that the way in which looked after children were cared for had changed within the last 20 years, with the numbers of children's home/residential care facilities for children being drastically reduced across the country. At present, Brent had no residential care facilities for children. The local authority attempted to keep the number of children within residential units low both due to the expense but also the view that all other alternatives should first be explored. Currently there were approximately only 30 Brent children in residential units. Children would only be cared for in a residential unit if their behaviour was so difficult that a fostering placement would not be sustainable and this would be concluded only after several foster placements broke down.

Councillor Ashraf queried what support was provided to parents in relation to SGOs and whether children subject to an SGO ever returned to their birth family. Graham Genoni clarified that when an SGO was explored it meant that a permanency decision regarding the child had been made and the child would almost never return to the care of their parents. This stage would have only been reached following assessments of the parents, expert assessments and court proceedings. Graham Genoni emphasised that the local authority did not remove children from their parent's care readily and rather worked extremely hard to support families to ensure that children are safe in their parents care.

Councillor Ashraf queried whether community and religious organisations were approached in seeking suitable adoptive families. Graham Genoni confirmed that the department worked with a wide range of organisations including religious and community organisations to raise awareness and interest in adoption and fostering. Councillors confirmed that they would happily distribute literature or posters to organisations with which they worked to support the borough's drive for further adoptive families and foster carers.

Referring to paragraph 2.11, Councillor HB Patel noted that the local authority had had one adoptive placement breakdown in the preceding two years and queried why it had broken down. Graham Genoni advised that he was not aware of the specific circumstances but that common reasons included difficult behaviour and separation of the adoptive parents. To have only 1 adoption breakdown in 2 years was very positive.

RESOLVED: -

That the report be noted.

9. **Review of policy for the provision of early years full time places**

Sue Gates (Head of Integrated and Extended Services) presented a report updating the committee on the provision of full-time Early Year's Places to disadvantaged children and responding to issues raised by the committee at its meeting on 6 October 2011.

Sue Gates briefly outlined the background to the policy and explained that in February 2010, the Executive had decided that free full-time (30 hours per week) early years places should be allocated on a priority basis to disadvantaged children aged 3 to 4 years old. However, due to an anticipated growth in demand for places for children aged 2 to 3 years old, an alternative proposal was developed in early 2011. This proposal envisaged the provision of the statutory part-time (15 hours per week) places only but was subsequently rejected by the Schools Forum in June 2011. Consequently, following this, work re-commenced on the implementation of the original decision taken by the Executive in February 2010.

Sue Gates explained that an Early Years Funding sub-group had been established and a two stage admissions process was developed. This process proposed that at stage 1, schools would still apply their own local admissions criteria and those children that met the criteria would proceed to stage 2 of the process. At stage 2, children that lived in Brent and that met the free school meals criteria could be offered funded full-time places. Schools were consulted regarding this proposed process in October 2011. Responses were received from 7 of the schools with full time places and these confirmed that most schools were happy to manage the admissions process locally and merge it with normal admissions practice. Some concerns had been raised regarding the additional administration arrangements and it was felt that advice would be required on validating eligibility claims on dealing with appeals. The committee was advised that the admissions process would be in place for January 2012, for applications for September 2012. Some schools which had been offering full time places had decided to offer only part time places from September 2012.

Turning to the subject of the provision of Early Years Places for children aged 2 to 3 years old, Sue Gates informed the committee that the government had created a statutory entitlement of 15 hours per week of free childcare integrated with early education for children deemed vulnerable. This was due to commence in 2013. It was currently proposed that eligibility for this provision would be determined by the free school meal criteria. Whilst the exact number of children who were eligible for the provision could not be provided, Sue Gates explained that based on the number of children living in the most deprived areas of Brent, it was estimated that there could be around 3,000 children who would qualify for the provision. Based on this estimation, it was evident that there would be insufficient places to meet demand and consequently several options for expanding the number of places available had been explored. The issue was further complicated by the government's proposal that only 'good' and 'outstanding' Ofsted rated providers should offer the provision for vulnerable 2 year olds. Based on this criteria it had been determined that there

were approximately 1880 PVI childcare places that could be made available for disadvantaged 2 year olds. This resulted in a shortfall of places of approximately 1,020. Whilst child-minder vacancies could augment the available places to reduce the shortfall, this provision was not popular with parents and would require considerable additional training of child-minders. Actions to address this shortfall had been initiated and at the beginning of 2011 a strategy to improve the quality of Private, Voluntary and Independent (PVI) child care providers and child-minders had been introduced. Work was also being carried out to ensure that all relevant professionals were aware of the free entitlement for disadvantaged children so that families could be appropriately advised to apply.

During members discussion Councillor Ashraf raised a concern that with schools managing the admissions process it would result in an inconsistent and unequal system. Sue Gates advised that there were insufficient places for all disadvantaged 3 and 4 years olds and consequently the system had been unfair for many years. The new policy merely ensured that disadvantaged children were given priority. Sue Gates advised that it was important that the professionals who interacted with families in need were aware of the entitlement but that it was not intended to widely promote the scheme to other parents given the shortage of places.

The Chair of the committee noted that she had two concerns; the first of these was that there was no appeals procedure except those put in place by individual schools. The second related to hard to reach vulnerable families including recent arrivals to the country for whom language offered another significant barrier. The committee did not feel that these issues had been adequately addressed by officers. As a result, it was agreed to refer these issues to the Executive.

RESOLVED: -

The Children and Young People Overview and Scrutiny Committee agreed to refer the report on the provision of full time early years places to the Executive and recommended that action be taken to address the two issues of concern to members:

(i). That a consistent appeals procedure be put in place in schools offering full time early years places for 3 and 4 year olds

(ii). That steps are taken to promote the availability of places to the most vulnerable families, including those who are new arrivals to the UK where language could be a significant barrier to accessing services.

10. Provision of services for children with learning and physical disabilities

Graham Genoni (Assistant Director Social Care Division) provided an update to the committee on the provision of services for children with disabilities. This was a standing item on the committee's work programme, following the decision taken by the Executive at its meeting on 23 May 2011 to restructure the short term break offer provided by the Council. The restructure of the service encompassed the closure of the centre at Crawford Avenue and the provision of an enhanced service at the centre on Clement Close. On 23 August 2011 a judicial review had been filed against the decision of the Executive to close the centre at Crawford Avenue. The judicial review had since been concluded in the council's favour. There was a

period of time within which this judgement could be appealed and the council had decided to take no further action until this period had passed.

RESOLVED: - that the verbal report be noted.

11. Items from the Forward Plan and Work Programme

Andrew Davies (Policy and Performance Officer) advised that there were two items on the Forward Plan which related to Children and Young People; an item on Children Centres and another regarding the Islamia Primary School.

Turning to the committee's work programme, it was noted that there were several items already scheduled for the next meeting of the committee. It was agreed that the Chair would liaise with the lead officers to manage the agenda for the forthcoming meeting.

12. Feedback from One Community, Many Voices Event

Andrew Davies (Policy and Performance Officer) advised the committee that this feedback report had been put to all the scrutiny committees for information. Members were advised that several issues had been raised via the event which interacted with the committee's remit and were asked to view the report with a view to considering future work programme items.

13. Date of next meeting

The committee noted that the date of the next meeting was 2 February 2012.

14. Any other urgent business

There was no urgent business.

The meeting closed at 9.10 pm

H GLADBAUM
Chair