

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 21 May 2020.

PRESENT: Councillors J Thompson (Chair), M Storey (Vice Chair), C Cooke, D P Coupe, A Hellaoui, T Higgins, J McTigue, J Platt, M Saunders and Z Uddin.

PRESENT BY INVITATION: Members of the Children & Young People's Social Care & Services Scrutiny Panel:-
Councillor C Dodds, Councillor S Hill, Councillor J A Walker, Councillor G Wilson, Councillor C Wright.

OFFICERS: M Adams, C Benjamin, S Bonner, C Breheny, S Butcher, G Cooper, J Dixon, T Parkinson, E Scollay, P Stephens.

APOLOGIES FOR ABSENCE Councillor L Garvey, Councillor T Mawston, Councillor C McIntyre, .

DECLARATIONS OF INTERESTS

There were no Declarations of Interest made by Members at this point in the meeting.

19/117 MINUTES - OSB - 12 MARCH 2020

The minutes of the previous meeting of the Overview and Scrutiny Board held on 12 March were submitted and approved as a correct record, subject to the addition of Mayor Preston in the attendance details.

19/118 EXECUTIVE FORWARD WORK PROGRAMME

The Chief Executive submitted a report which identified the forthcoming issues to be considered by the Executive as outlined in Appendix A to the report.

The report provided the Overview and Scrutiny Board with the opportunity to consider whether any item contained within the Executive Forward Work Programme should be considered by the Board or referred to a Scrutiny Panel.

The Democratic Services Officer advised the Board of the nature of the Forward Work Programme and that it was a standing item on OSB's agenda.

AGREED that the information provided be noted.

19/119 MIDDLESBROUGH COUNCIL COVID-19 RECOVERY PLAN AND TERMS OF REFERENCE [DRAFT]

T Parkinson, Chief Executive, E Scollay, Director of Adult Social Care / Health Integration and M Adams, Director of Public Health South Tees were in attendance at the meeting to provide the Board with a draft copy of the Council's COVID-19 Recovery Plan and an update the Board on work undertaken by the Council in response to Covid-19.

The Chief Executive advised that the document presented was a draft version of the Council's recovery plan and formed the next stage of the Council's response to the Covid-19 pandemic. The report would be considered by the Executive on 16 June 2020 and from that point in time the Council's focus would be on delivering of the recovery effort alongside its ongoing response to the pandemic.

The document had been drafted using the guidelines found within the National Recovery Plan Guidance Template. In that document recovery was defined as the process of rebuilding, restoring and rehabilitating communities and business following an emergency or disaster, continuing until the disruption has been rectified, demands on services achieved a 'new normal', and the needs of those affected had been met.

A number of workstreams had been identified as follows:-

- Health and Wellbeing - Mark Adams
- Children's Care - Catherine Parry
- Adult Social Care - Erik Scollay
- Education and Skills - Rob Brown
- Environment and Infrastructure - Geoff Field
- Town Centre - Kevin Parkes
- Business and Economy - Richard Horniman
- Council Services and Priorities - James Bromiley

Each group had a specific purpose and had developed key lines of enquiry. For example, in respect of Education and Skills the purpose of the group was to ensure that:-

- the impact on school children was identified and appropriate support put in place;
- schools received the support they needed to resume business;
- the needs of children and young people (0-25 with an Education, Health and Care Plan) were met with minimal disruption to the statutory process;
- children at risk of exclusion were supported to remain within mainstream education;

The key lines of enquiry were as follows:-

- What were the support options to build resilience and help educational attainment?
- What support was required by schools to resume 'business as usual'?
- Understand the levels / types of delays in EHCP process / timescales / quality and what the assumed impact would be on exclusions and resources to address.

Consideration also needed to be given to the future model of service delivery, as there were some areas, for example, the support provided by volunteers to those experiencing social isolation that there would be benefits in retaining post the recovery period.

Following the presentation, Members were afforded the opportunity to ask questions and the following issues were raised:-

- A member of the Board queried whether that given the Secretary of State for Local Government had stated at the MHCLG Select Committee that he did not have faith in the modelling that Council's were presenting in terms of indirect costs of Covid-19. What modelling was being undertaken by the Council and how was the income and revenue the Council expected to lose being calculated?
- Reference was made to the sub-groups for the Council's recovery strategy and whether these were Executive functions or will political groups be invited to send a representative to each? As the Leader of the largest group on the Council I would appreciate this being given some consideration.
- A member queried whether it would be possible to provided with data related to the COVID 19 crisis which pertained to Middlesbrough including specific areas within the town, as well as data about the BME communities and other vulnerable communities.
- Members queried whether there was a higher infection rate in the BAME community, as has been reported in other areas of the UK, are we doing all we can to ascertain why that is the case and provide reassurance to the BAME community? Additionally, are we cognisant of the impact this is already having on community cohesion and how important it is that we collate data not just to reassure the BAME community but to make sure that people from minority ethnic backgrounds are not victims of abuse or intimidation.
- Are we asking for Public Health England, or whichever health body is responsible, to provide us with Middlesbrough's R-Rate? And why does the Chief Executive believe that a tailored response to the crisis based on our individual R-rate is not desirable, as was quoted in the Northern Echo this week? Some of the decisions we have taken as a Council thus far have had specific reference to our own local circumstances in Middlesbrough and have deviated from other neighbouring authorities. (communications to TS3 regarding their high infection rate, park closures) The virus took longer to reach us in the North East, we are likely 2 or 3 weeks behind London

- for example, so any lifting of restrictions needs to take account of those differentials.
- There is an accusation that people have been moved out of hospital back into care homes with Covid-19, has that been the case in Middlesbrough?
 - What role have the council's Public Health team played in the epidemic? Is there potential for an increase role i.e. testing and tracking?
 - I am incredibly concerned about those in shared housing or HMO's being able to stay isolated whilst sharing facilities which seems impossible. Is there any guidance on what the owners of these properties should do and how can we ensure they are safeguarding their tenants.
 - What impact has Covid-19 had on those accessing services substance services and what if any provision will be needed to help people re engage with services?
 - When Identifying and engaging with communities how will you ensure that none are missed?
 - The government have announced significant funding for transport and infrastructure improvements and I understand this will be distributed through the TVCA. What is the process for accessing the money and do we need to bid for this funding? Also will we be looking at wide ranging and expansive changes to the infrastructure of the town with extra cycle lanes, targeted road closures and priority for public transport and pedestrians? This is a chance for large scale behavioural changes to take root in our communities improving public health and the local environment and air quality rather than tinkering at the edges.
 - What assessment is being made in terms of our housing plans and the MTFP? Our financial plans are reliant upon increased income in terms of Council Tax and the economic impact of the outbreak will inevitably reduce the appetite of private developers to invest in housebuilding. What is the role envisioned for the Council's housing development Company and will it be taking a more interventionist role in developing critical housing sites where the private sector is no longer going to build properties?

The Chair thanked the Officers for their attendance and the very useful information provided.

AGREED that the content of the submitted report be noted and the information requested be provided to the Board in advance of the next meeting.

19/120

CHILDREN'S SERVICES - UPDATE

S Butcher, Director of Children's Services, was in attendance at the meeting to provide the Board with an update regarding the progress made by Children's Services in relation to the Ofsted Improvement Plan and the work undertaken by Children's Services in response to Covid-19.

A covering report was submitted to the Board explaining that many areas of the Council's work, including the scrutiny function, had been required to adapt to new and different ways of working during the Covid-19 pandemic.

In March 2020 it was agreed that all non-urgent/non decision making meetings would be cancelled for the interim period and that thought would be given as to how Members could be briefed in relation to Children's Services and progress on the Ofsted Improvement Plan until formal meetings resumed.

As such, on 8 April 2020 Councillor High, Deputy Mayor, Thematic Lead for Drugs and Lead Member for Children's Social Care requested that a written update be provided to all Members of the Council to ensure everyone received an overview of the progress made to date on improving services for Middlesbrough's children, with particular reference to progress against the Immediate Assurance Plan implemented immediately following the Ofsted inspection. A copy of the two update documents were attached at Appendices A and B for information.

A copy of the questions raised by Members, in response to the update documents, and the responses provided by the Director of Children's Services to those questions, was circulated to all Members on 30 April 2020. A copy was attached at Appendix C.

An updated version of the Immediate Assurance Plan, as requested by Members, was attached at Appendix D to the report and it was noted that the original Immediate Assurance Plan was presented to the Children and Young People's Social Care and Services Scrutiny Panel on 10 February 2020.

The Director of Children's Services had previously confirmed that monthly updates would be provided to Members, however, the Council was awaiting a significant decision from the Department for Education (DfE), therefore, it was considered appropriate that an update in relation to this information be provided to Members once it was available.

The Director referred to the Appendices to the report which provided information in relation to the way in which Children's Services had responded to Covid-19 whilst continuing to drive forward the Improvement Plan and provided the following update:-

- The Commissioner, appointed by the DfE to assess Children's Services in light of the Ofsted judgement, had made an early recommendation that work on the No Wrong Door project in Middlesbrough should continue and would be monitored and assessed.
- An Independent Chair had been appointed to the Strategic Improvement Board. J Pearce was Director of Children's Services at Durham and brought experience and clarity to the improvement journey.
- In terms of the Immediate Assurance Plan, or 12-week plan, Members were advised that from an operational perspective, this had ended on 31 March 2020. Some analysis had been undertaken and outstanding actions from the Immediate Assurance Plan had been carried forward into the wider Improvement Plan.
- One of the key themes of the improvement journey was the way in which Children's Services worked with neglected children. There had been a lack of ongoing support for children resulting in cumulative neglect that was progressively damaging to children. One of the actions taken by Children's Services was to bring in external auditors (Innovate) to examine child protection plans under the category of neglect and to ensure children received appropriate and timely responses. The audit work supported learning from working with children with neglect by supporting a culture of mentoring and challenge. Feedback from staff had led to a more coaching and mentoring culture of high challenge.
- Ofsted had identified that children's safety plans were not on file and this was being addressed as part of the improvement journey by developing a safety plan template and guidance on the LCS system used by Social Workers. Concurrently, in response to Covid-19 and ensuring the safety of vulnerable children, around 2,700 safety plans had been completed by staff which was a tremendous achievement. It was explained that the Government definition of a vulnerable child was "every child with a Social Worker or an Education Health and Care Plan (EHCP)" and that each of those children required a risk assessment to assess their safety. The Clarity and Confidence workshops on safety planning had supported this work. To date, around 20% of those completed plans had been audited. Staff had looked at inventive ways of keeping in touch and interacting with children and families including socially distanced dog walking, issuing 1,000 reading books to children from the National Reading Trust, providing games, crafts, Easter eggs etc to make sure that children did not feel forgotten.
- In relation to the South Tees Multi Agency Hub (STMACH), the 'front door' of Children's Services, audit activity and challenge with Redcar had provided assurance that correct thresholds were now being applied to Middlesbrough children within the joint arrangement.

The Board was provided with a presentation highlighting the key updates relating the Service's improvement journey.

A status overview was provided in relation to the 12-week Immediate Assurance Plan showing the number of key actions that had been completed, were on track, were at risk or were overdue.

The key actions had been RAG rated (traffic light system) according to status and it was

highlighted that the four outstanding actions were predominantly around the South Tees MACH.

Members were informed that a decision was taken on 9 April to disaggregate the MACH, therefore, bringing Middlesbrough's 'front door' in-house until the required improvements had taken place. This was a decision that had been made in conjunction with the advice of the Commissioner in order to drive improvement quickly.

In terms of the Wider Improvement Plan, three key themes had been identified that would run throughout all work-streams within Children's Services to drive positive outcomes for children and young people in Middlesbrough:-

Theme 1 - Quality of Practice
Theme 2 - Leadership and Management
Theme 3 - Governance and Partnerships

Sitting underneath the overarching Improvement Plan, would be a year-long plan. An example chosen to share with the Board was a snapshot of the 'front door' arrangements. Each of the four specific actions required in relation to the MACH had been outstanding from the 12-week Immediate Assurance Plan and carried forward to the Improvement Plan. The aims of the specific actions included:-

- Improving the quality and timing of referrals and initial screening processes.
- Clear and effective pathways to support for children who did not meet the thresholds.
- Swift decision making for children in need, those who need protection and those who need to come into care.
- Routine and 'live' quality assurance activity on decision making and thresholds.

This would be measured through establishing Key Performance Indicators (KPIs) on:-

- Increasing the percentage of Early Help cases closed with positive outcomes.
- Decreasing time from referral to decision to commence CiN/CP/taking into care.
- Reducing number of cases stepped up and increasing number of cases stepped down.

In addition, quality audits would ensure appropriate thresholds were applied and cases directed on the right pathway.

A Resources Plan had been agreed by the Executive which would bring in a variety of specialists to support the improvement journey.

Resources would be maximized by combining with the Futures for Families programme (No Wrong Door), for example, the Project Manager was managing both projects. This plan was being regularly monitored within DMT.

A virtual project team was being established to focus on ensuring the quality of paperwork was improved and met prescribed deadlines.

Staffing recruitment was underway, but had been affected by Covid to some extent and some agency cover had been brought in. Where a post was deemed to be a specialist post, eg Data Analyst, then 'knowledgeable recruitment' was required, ie other Data Analysts would recruit to the post.

The Board was advised that a culture change was required but it was acknowledged that this would not happen overnight. The key elements of supporting a culture change within Children's Services were:-

- Communication - Regular briefings and vlogs for staff.
- Continuing to focus on High Support and High Challenge
- Balance between Performance and Quality

- Learning Culture
 - Clarity and Confidence workshops
 - Centre for Practice Excellence
- Practice Framework and Expectations
- COVID
- Partnerships

It was highlighted that Children's Services had improved working together across the whole department with Children's Care working more closely with schools and special educational needs.

The Board was informed that a Centre for Practice Excellence was under development. The Centre would be the hub for all training, support for first year Social Workers, auditing and performance management. It was likely to be a virtual team that would be the 'engine room' for improving quality and practice.

It was acknowledged that Children's Services needed to be a more corporate directorate and required improvements with partnerships right across Children's Services and partnerships with other agencies working with children.

Following the presentation, Members were afforded the opportunity to ask questions and the following issues were raised:-

- In response to a question as to whether there was a commitment to retaining Children's Services in-house, the Director responded that there was an absolute commitment and that the 12-week assurance plan had been submitted as soon as possible following Ofsted's judgement. The Commissioner had been pleased that the plan was put in place quickly and had not commenced his work with Middlesbrough with an assumption that Children's Services should be run by a Trust unless proved otherwise. All of the actions undertaken to date and those that were being progressed within the Improvement Plan provided confidence that the Council was committed to retaining the service.
- A Member referred to the issues identified around the joint working arrangements with Redcar and Cleveland in the South Tees MACH which had resulted in some key challenges. It was stated that Middlesbrough's lack of direct control had led to dialogue and challenge with Redcar and a variation in thresholds had resulted in vulnerabilities to the system and confusion in the workforce. Given that Middlesbrough had now disaggregated, on the advice of the Commissioner, from the MACH, it was queried whether there were any other outstanding challenges around thresholds that were a cause for concern. The Director responded that audits had been carried out at the 'front door' which clearly evidenced that Middlesbrough's thresholds were in the right place and positive dialogue had taken place with Redcar. When Redcar had recently experienced a cyber attack, the MACH had been relocated to Middlesbrough and this had worked very well as it was located close to Middlesbrough's assessment service and gave confidence that Middlesbrough was making the right decision.
- Reference was made to the issue of PACE beds and the protocol to support Middlesbrough's approach to children held in Police custody overnight and it was queried whether the arrangements with Stockton and the Emergency Duty Team had been resolved. The Director responded that the EDT covered five local authority areas and that this was the Team that dealt with the issue of young people being detained in custody overnight as they were the Team on duty at the times that such issues arose. The Head of the Youth Offending Service had formed a group with EDT and Police representation to examine how this issue could be prevented. It would mean that emergency placements would need to be on hand quickly and the issue had not been fully resolved, however, raising awareness of the issue and working more closely with the EDT had helped. The Director added that she would be happy to provide Members with a briefing on this issue if required.
- A Member referred to 'No Further Action' (NFA) contact referrals and noted that there had been a reduction in NFA referrals from 17% in November 2019 to 2% in March 2020 and asked if further insight into these figures could be provided. It was explained that this was where Children's Services was contacted and the matter was looked at

and deemed to be at an appropriate level to become a referral. It was discovered that too many referrals were coming in and not going anywhere - 17% was too high and 2% was a bit too low. A balance needed to be struck between the two figures to ensure that the threshold was at the correct level and thresholds needed to be constantly monitored and assessed.

- A Member of the Board referred to a recent paper produced by the Local Government Information Unit which predicted a surge in referrals once vulnerable children returned to school and it was queried what plans Middlesbrough had in place to address a potential surge. It was also queried which partners the Council was working with on these issues and whether there was a wider role for Ward Councillors to assist. The Director advised that a Safeguarding Briefing Group existed with senior representation from Health, Children's Services, Police, and Redcar and Cleveland (with whom Middlesbrough shared safeguarding arrangements) that was carefully examining what might happen. Recent statistics showed that there had been a significant drop in contact referrals and the Police had reported a significant reduction in referrals for domestic abuse, however, those were now levelling out and this was being monitored. In terms of children returning to school, schools were addressing this seriously and school groups were returning on a staggered basis with social distancing measures in place which would allow them to monitor any emerging problems. In addition the Children's Services Recovery Group would look at all of these issues through this mechanism. Finally, the Director stated that there was always a role for Ward Councillors and that any concerns in relation to a child should be referred immediately to Children's Services in order to protect children.
- It was queried how far the No Wrong Door project had been delayed. The Director advised that the main cause of delay had been due to contractors not being allowed on site in terms of the physical building works and a revised end date of September 2020 had been set.
- A Board Member asked how successful home schooling had been and what future planning was in place for this to continue if necessary. In response, Members were advised that schools had worked incredibly hard to ensure that children's education was continued and had provided learning packs and advice for parents. In terms of Children Looked After, the Virtual School had issued stationery packs to encourage learning and drawing and had arranged a competition around Roald Dahl to encourage writing and illustration. It was acknowledged that home learning put pressure on many families and that some advice had been to 'provide education by stealth' such as cooking, weighing, measuring, gardening, reading with children so that it was educational and fun. The Director added that the Virtual School had gone above and beyond to ensure that children looked after continued to be educated.
- Concern was expressed at the information contained in the previously provided written update which stated that of 2,905 vulnerable children, school attendance was 4.6%. The Director responded that this was a big challenge but that figure had now risen to somewhere in the region of 9% - 11% depending on the day. Parents were naturally anxious about sending children to school, particularly if there were other vulnerable people within the household. Consideration had been given to writing to parents, however, attendance was voluntary. A more serious stance had been considered in relation to taking parents to Court over non-attendance, however, when Social Workers made visits to homes they would ask why children were not attending school and try to encourage attendance. The other issue was around the context of vulnerability. Any child with a Social Worker was deemed to be a vulnerable child but, for example, many of those children were in happy, stable long term foster placements.
- A Member acknowledged that children would begin to return to school in June and that whilst children's health and safety was paramount there was also a duty to ensure the health and safety of teachers and other people working in schools and it was queried whether schools were prepared and equipped for children and staff to return safely. The Director replied that schools were undertaking in-depth health and safety assessments and were being supported by the Council. Innovative ways of ensuring children and staff were kept safe would be introduced such as staggered break times and lunches, smaller class sizes and socially distanced classrooms, one way systems, increased hand washing and sanitiser stations, appropriate PPE, etc. The Director of Education, Prevention and Partnerships was liaising with schools to ensure that they

- opened when they felt ready and schools were looking at a variety of ways that they could operate to ensure the safety of everyone.
- A Members referred to the Guidance from the local authority for schools around opening in that it put the onus on schools to make their own decisions as to when to open. Concern was expressed that this put increased pressure and responsibility on Head Teachers. The Director responded that it was not so much that the onus was being put on Head Teachers to make the decision to open but that the authority was supporting them in making their decision. For example, the local authority could not instruct academies when to open and they would make their own decision. 'One size fits all' did not work in this situation and the authority was there to guide and support schools in ensuring they had the necessary measures and equipment in place to open when they felt ready and comfortable to do so. It considered that Head Teachers were best placed to decide when their own schools were ready to open.
 - A query was raised in relation to school transport and ensuring social distancing. In response, it was explained that school transport was the responsibility of the local authority. Once it was determined which schools were opening and when, and which children would be attending, the Director of Environment and Commercial Services would ensure appropriate arrangements were in place. Current Government recommendations were that a single decker bus should carry no more than 10 passengers and a double decker no more than 20 passengers. This would obviously have implications for the school transport service in terms of capacity and cost and this would be reflected in the authority's submission to the Government on the direct cost of Covid.

The Chair thanked the Officers for their attendance and the very useful information provided.

AGREED that the content of the submitted report and appendices and the information provided at the meeting be noted.

19/121

SCRUTINY CHAIRS UPDATE

The Chair's in attendance provided an update in respect of the work undertaken by their respective panels since the last meeting of the Board.