

MINUTES of the meeting of the **CHILDREN, FAMILIES, LIFELONG LEARNING & CULTURE SELECT COMMITTEE** held at 10.00 am on 1 June 2022 at Woodhatch Place, 11 Cockshot Hill, Reigate, RH2 8EF.

These minutes are subject to confirmation by the Committee at its meeting on Wednesday, 6 July 2022.

Elected Members:

- * Ayesha Azad
- Liz Bowes (Chairman)
- * Fiona Davidson
- * Jonathan Essex
- Rebecca Jennings-Evans
- Rachael Lake
- * Michaela Martin
- Lesley Steeds
- * Mark Sugden
- Alison Todd
- * Liz Townsend
- * Chris Townsend (Vice-Chairman)
- * Jeremy Webster (Vice-Chairman)
- * Fiona White

Co-opted Members:

Mr Simon Parr, Diocesan Representative for the Catholic Church
Mrs Tanya Quddus, Parent Governor Representative
Mr Alex Tear, Diocesan Representative for the Anglican Church,
Diocese of Guildford

17/22 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies received from Lesley Steeds, Liz Bowes, Rebecca Jennings-Evans and Tanya Quddus. Riasat Khan substituted for Lesley Steeds.

Rachael Lake attended remotely. Chris Townsend chaired the meeting.

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18/22 MINUTES OF THE PREVIOUS MEETINGS: 7 APRIL 2022 [Item 2]

The minutes were agreed.

19/22 DECLARATIONS OF INTEREST [Item 3]

None received.

20/22 QUESTIONS AND PETITIONS [Item 4]

Supplementary questions were asked as part of item 5.

21/22 OFSTED REPORT INTO SURREY COUNTY COUNCIL RUN CHILDREN'S HOME: SC040628 [Item 5]

Witnesses:

Clare Curran, Cabinet Member for Children and Families

Rachael Wardell, Executive Director – Children, Families and Learning

Tina Benjamin, Director – Corporate Parenting

Jo Rabbite, Assistant Director – Children's Resources

Mike Stringer, Head of External Communications

Key points raised in the discussion:

1. The Chairman sought clarification regarding the number of Surrey County Council (SCC) run children's homes which had been closed. The Executive Director explained that SCC used to run ten children's homes but following the recent closure of a home in February 2022, they now run nine. There had been one closure of a Surrey County Council run home. There had also been a closure of another children's home in Surrey which was privately run.
2. The Executive Director introduced the report, explaining that internal communication procedures had already been amended following the situation. It had been agreed that any newly published reports for Council-run children's homes would be brought to the meetings of the Corporate Parenting Board (CPB) and the Children, Families, Lifelong Learning and Culture Select Committee (CFLLC Select Committee). However, due to the infrequent meeting cycles it was subsequently decided that this approach was insufficient, and Members would now be updated through the Members' portal. The Executive Director clarified that the report to the Select Committee had been commissioned to cover one Council run children's home. Since the production of this report, a report on another Council run children's home had been published and it was posted on the Members' portal. The previous inspection outcome of that home was outstanding, and it was now rated as good.
3. A Member sought clarification regarding the closure of three privately-run children's homes outside of Surrey, which housed looked after children from Surrey and had recently closed. The Executive Director confirmed that this was the case.

4. The Cabinet Member apologised to the Members about the lack of communication regarding the closure of the children's home. The Cabinet Member explained that Children's Services acted in the best interest of the young people living there at the time and action had since been taken to prevent future inadequate communication happening again.
5. The Chairman took the Member questions submitted at item 4 as part of the main item. As a supplementary question to question one of item 4, a Member asked which Council officer read and assessed the Regulation 44 reports for non-Council run children's homes. The Director explained that the Gateway to Resources team, which was part of the wider Commissioning team, completed this as part of their quality assurance work. The Member queried whether they were read on a monthly basis. The Director clarified that they were not read monthly by the Gateway team, but they were read regularly by the social work teams.
6. The Member asked, as a supplementary to question two, about the action taken and by whom if there was a concerning Regulation 44 (Independent Monitoring Visit) report. The Director explained that it was dependent on the nature of the concern. It was likely to be the registered manager of the home. Social workers were able to call staff from the Gateway team to support them if they had a concern about a children's home. The Member enquired as to how a social worker would escalate a concern. The Director responded that they would raise it at a visit and then talk to the Gateway team, as well as their manager.
7. As a supplementary to the response regarding the process involving the accountability of press releases, the Member asked whether the officers thought, that in light of the report, that the press release was not transparent. The Executive Director accepted the Member's reflection and explained that the initial press enquiry only focused on the report and thus, it was decided to use the response already prepared. The Executive Director acknowledged that they could have made a different decision. The Chairman added that the press response suggested that the closure was due to the suitability of the building, but in reality there were other reasons involved. The Executive Director explained that the building was large and complex, and thus, difficult to supervise children in. The staffing arrangements and the interactions with the children were made more difficult by the building itself.

8. A Member enquired about the process of monitoring concerns for non-Council run children's homes outside of Surrey where our looked after children were placed. The Director explained that Regulation 44 reports for children's homes outside of Surrey would be uploaded onto the Ofsted portal and if the inspectorate had any concerns, it would trigger an inspection. A Member questioned whether there could be any intervention prior to an Ofsted inspection. The Executive Director responded that there was regular interaction between a social worker and a young person, with the primary focus of ensuring that the young person was safe, well and the home was meeting their needs. There was active engagement with the setting which was not solely driven by Regulation 44 reports or Ofsted inspections.

9. As a supplementary to question four, the Member asked whether the Communications team felt they could offer sufficient advice to Children's Services regarding external communications. The Head of External Communications responded that they did provide advice and had good relationships with Children's Services. The statement released was reactive, rather than a proactive press release, with the intention of providing context to the report. The statement was drafted in collaboration with the Executive Director and colleagues, as well as the Cabinet Member. The Chairman noted that there was the opportunity to make the statement clearer as it was produced in February 2022 and published later. The Head of External Communications explained that as it was based on the Ofsted report and therefore, it would have been unlikely to be reflected differently if it was written later.

Fiona White arrived at 10:39.

10. As a final supplementary question, the Member questioned whether anyone in the Communications team had signed up for alerts of Ofsted report publications. The Executive Director confirmed that this had since been addressed.

11. A Member asked about the types of incidents which would result in heightened monitoring. The Assistant Director explained that when serious incidents were reported, they would be reported in the Regulation 44 reports to Ofsted. Various people within the system would be copied into these reports and would identify any patterns. If a pattern was identified, action would be taken at the service manager level and monitored through risk management meetings. The responsible individual would report back to the Assistant Director. Concentration of police activity was analysed closely, and the Service had regular meetings with

both the Police and Mindworks (Emotional Wellbeing and Mental Health Service for Children and Young People). The Chairman confirmed with officers that the registered manager, of the home which recently closed, had been absent during the period of issues.

12. In response to a question on the process of reporting and addressing safeguarding issues in Council run children's homes, the Assistant Director explained that serious incidents were reported and reviewed, including analysis of the incident. The child's social worker would also be informed of any serious incident.
13. A Member enquired about the process of informing Members of the Select Committee and Members of the CPB about safeguarding issues in respect of Council run children's homes. The Executive Director explained that it would depend on the nature of the safeguarding issue, as in many cases, Members would not be informed. It was not uncommon for there to be safeguarding concerns on a regular basis and these would be addressed in supervision. If a setting was compromised, it would be an appropriate matter to inform Members of, and in the past, this was not proactively done. The Cabinet Member added that the Executive Director regularly advised them on serious incidents that affected young people, on a confidential basis.
14. A Member asked about how learnings from internal monitoring could be applied to external processes. The Executive Director explained that they would monitor non-Council children's homes proportionally and appropriately. The children's home sector was volatile, and the performance of homes would increase or decrease regularly due to their small size. One of the fastest ways to create improvement in a home was by giving notice on a child. However, this may not be a desirable outcome for that child. The registered status of a home can be challenged by the mix of children in it and the ability of staff to manage the individual needs in combination. Children's Services try to work with homes to support them to improve and keep the child in a stable setting. The Executive Director suggested that it could be useful for Members to look at the reasons for children moving out of a home and whether this was by choice, or forced by a home giving notice. The Chairman added that there was a long-term objective by the Service to bring young people back into Surrey. The Cabinet Member also added that in terms of looked after children, the objective was to place more children with foster families. The Cabinet Member expressed that it was

inappropriate for Members to have such involvement in the monitoring of individual children's lives.

15. A Member questioned the level of volatility and noted the difficulty of separating operational matters with strategic decisions, with reference to nationally reported cases of deaths of children. The Executive Director assured the Member that closures of children's homes were not unusual and they received several notifications a week of suspensions of children's homes from across the country (For all homes, not solely those accommodating Surrey looked after children). The Independent Review of Children's Social Care proposed introducing a windfall tax on the sector to fund early help provision. Private providers were difficult to engage with when trying to achieve the right settings for children ahead of their profit margins. The Executive Director emphasised that neither of the children referenced by the Member were in the care of the state at the time of their death and the work of the Service centred around the wellbeing and safety of the children and young people.

16. A Member enquired about the role of Ofsted with monitoring concerns at children's homes, as well as the Select Committee's role regarding oversight. The Executive Director clarified that Ofsted were not engaged in the day-to-day management of children's homes, they inspect and regulate the sector. Ofsted did not close the Council run children's home; they suspended its registration temporarily because the home was not regulatorily compliant. The Council decided to close the home permanently. In the particular circumstances of this case, a police officer went outside of the standard escalation processes by contacting Ofsted directly to raise concerns about the home. Staffing at the home was also compromised in terms of sickness and absence. Children's homes experienced both full and interim inspections. There were certain incidents that the Service would choose to report to Ofsted and some that they were obliged to report. A Member asked whether third party intervention was unusual. The Executive Director explained that it was common to have interactions with the police. The Service could make a change to notify Members about inspections albeit these took place without notice from Ofsted, however reports could not be shared with Members prior to publication.

17. In response to a question on the police officer's understanding of the reporting process, the Executive Director stated that they had raised the issue with the Chief Constable and it was clear that the protocol the Service had in place was acceptable.

18. A Member enquired about the specific circumstances regarding the children's home in the period prior to the Ofsted inspection. The Executive Director explained that it was difficult to answer this fully during a public meeting as it risked naming individuals. The Executive Director had visited the home in the run up to Christmas and there were issues with both the staff and the children on that date. The Member asked whether this incident suggested a strategic issue related to the processes in place. The Executive Director shared that the Service had similar concerns and they had commissioned an independent report to understand whether the Service was right to maintain the young people in a setting they were familiar with. The report could not be shared with the Members unredacted. The Assistant Director added that the pandemic had impacted the staff significantly, as well as the numbers of children being looked after. A review had been undertaken of the current homes to understand if these issues persisted elsewhere in the system. The Cabinet Member reminded the Select Committee that it scrutinised a report on the transformation of Children's Homes on 18 October 2021, which addressed a number of the issues raised.
19. The Chairman noted that in at least three of the Ofsted reports there was reference to leaders and managers requiring improvement and asked about the impact of the staffing restructure. The Executive Director shared that the restructure had been pursued in the agreed way, however, there had been formal disputes at every stage. The Director explained that they were trying to increase the number of deputy managers to cover the opening hours of the homes, however, engaging and recruiting sufficient individuals had been a challenge. The Assistant Director added that most of the appointments had been internal. This was specialist work; the employment market was challenging, especially with the competition of London, the NHS and, education. The Service was carrying significant staff vacancies which was making development opportunities, such as adding additional beds, more difficult.
20. A Member asked about the shift to recruiting more qualified staff. The Assistant Director clarified that all residential workers were obliged to become qualified within two years of joining the sector. Some individuals would not manage to complete their qualifications, and this was addressed in performance meetings. The Service would like to attract more qualified workers, as with those becoming qualified 20% of their time is taken up by the training. A large part of this work surrounded cultural changes, which some staff resisted.

21. A Member enquired as to whether the current regulatory system was robust enough and whether the Select Committee could receive regular headline information regarding the Service. The Chairman informed the Members that the Chairman and Vice-Chairmen receive the compendium of performance information on a monthly basis and have quarterly meetings with Practice and Performance officers which they could share more from. The Cabinet Member added that there was a report coming to the CPB meeting in July regarding children's homes which could be shared with the Select Committee Members. The Executive Director noted that the number of children in custody and the number in mental health beds had rapidly decreased nationally. This was due to those young people now being accommodated in the regular residential sector instead.
22. A Member questioned how the role of Link Members connected to children's homes could be strengthened. The Executive Director would provide a detailed answer following the meeting, as it was important that the role was purposeful.

Actions/requests for further information:

1. An approach to be agreed between CFLL and Democratic Services regarding the oversight role of the Corporate Parenting Board and the Children, Families, Lifelong Learning and Culture Select Committee.
2. The Executive Director for Children, Families, and Lifelong Learning to provide a written answer regarding strengthening the role of Link Members.

Recommendations:

1. Children, Families and Lifelong Learning to bring for discussion any reports published since the previous meetings of the Corporate Parenting Board and the Children, Families, Lifelong Learning and Culture Select Committee.
2. Children, Families and Lifelong Learning to ensure that the latest reports about Surrey County Council-run children's homes are added to the Members' portal.

22/22 FORWARD WORK PROGRAMME [Item 6]

Key points raised in the discussion:

1. A Member requested that the item on the SEND Transformation Programme include information on 18- to 25-year-olds as well.

23/22 DATE OF THE NEXT MEETING [Item 7]

The Select Committee noted that its next meeting would be held on Wednesday, 6 July 2022.

Meeting ended at: 12.22 pm

Chairman

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Question to Children, Families, Lifelong Learning and Culture Select Committee – 1 June 2022

1. What is the process for monitoring and assuring the level of care provided by children's homes – those run by Surrey County Council, and the privately run homes both in Surrey and elsewhere in which Surrey children and young people are placed?
2. What is the process for reviewing the monthly Regulation 44 reports? Who in Surrey County Council receives these reports? Are Regulation 44 reports from all children's homes in which Surrey children are placed reviewed each month – both Surrey-run and privately run?
3. How are views and comments of the social workers of Surrey children and young people in children's homes reported in Regulation 44 and other monitoring processes? What weight is given to these comments and views?
4. What is the process for developing, approving and signing off press releases in respect of children's homes? Who is involved in this process and where does accountability lie?
5. What is the process for responding to press queries in relation to children's homes? Who is involved in this process and where does accountability lie?

Fiona Davidson

Response**Question 1 Response:**

Children's homes nationally are regulated and quality assured by Ofsted. SCC has a clear policy that prioritises placements in children's homes that are rated good or outstanding. Data from May 2022 shows that, of the 94 looked after children placed in externally run children's homes, 79.8% were in homes rated "good" or "outstanding". Only 4 children were in homes that were graded "requires improvement". No children were recorded as being placed in inadequate homes at the point the data was taken, but on the occasions where children's homes do become inadequate (usually at short notice) rapid steps are taken to assure ourselves children are safe and placement moves initiated where this is required. For completeness, the other 15 children placed in children's homes are in provision that is newly registered or has not yet been inspected and/or in Wales or Scotland where different regulations apply. The Gateway to Resources Service take all reasonable steps to assure themselves of the quality these provisions, ahead of making placements and keep quality under review.

South Central Framework for Children's Residential Care

Whilst SCC is fortunate to run nine children's homes, most of our children's home placements (around 80%) are made with external providers. When an external placement is required for a child, our preferred route to market is via the South Central Framework for Children's Residential Care. Through this framework, we collaborate with 17 other local authorities to both maximise our collective purchasing power within our region and secure the best value for money (in a challenging market), but also work together to ensure high-quality practice and provision is promoted to the benefit of all member authorities. Firstly, all providers on this framework need to comply with the requirements of a clear and robust service specification, including quality standards, which is assessed at the tender evaluation stage by a cross-LA panel, alongside consideration of their Ofsted rating - with inadequate providers barred from the framework and prioritisation given to those who are graded good or outstanding. Once providers are on the framework, they are monitored through a dedicated, centralised contract management function, which undertakes quarterly monitoring of performance and annual contract monitoring visits with all providers on the South Central Framework. In addition to this formal contract management activity, there is also the added value of the eyes and ears of all member LAs sharing information and monitoring quality in relation to their local provision, and highlighting concerns or issues when these arise. Via the regular framework Board Meetings, which SCC attends, there are a range of options available to LAs, including suspension of providers from the framework, where issues do come to light.

Placements made outside of the South Central Framework

Whilst our first point of call is the South Central Framework, it is the case that the challenging conditions in the market mean that SCC does make a high proportion of off contract placements – in May 2022 this was just above 60%. It is crucial to emphasise that despite these placements being made off contract, this does not mean they are not quality assured, and each young person placed in a children's home will have an Individual Place Agreement (IPA), which connects to clear Surrey County Council terms and conditions. The Gateway to Resources Services plays a vital role in ensuring that all placements made are appropriately quality assured.

Gateway to Resources - Quality Assurance of Children's Homes

In relation to non-framework provision we always ensure due diligence prior to any child moving to a children's home. As a minimum the Statement of Purpose is read along with copies of latest Ofsted reports (full inspection and monitoring visits), the location risk assessment and the safeguarding policy. Where a home has not as yet received their first Ofsted inspection, a copy of their Ofsted registration document is requested. A check of the CCRAAG (Children's Cross Regional Arrangements Group) database to see whether a monitoring visit report from another local authority is available also occurs. Any queries arising from the documents are raised with the

providers. Typically, this relates to the experience and qualifications of the staff working in the home. Where time permits, references are requested from local authorities that have children currently or recently placed as well as a reference from the host local authority. Again, where time permits a pre-placement visit is undertaken to the home to assess the standard of care being provided and the quality of the physical environment.

The expectation is that every children's home where a child is living, regardless of whether they are part of the framework or not, is visited on an annual basis. Homes are prioritised where we have not placed a child previously, where there has been a change in Ofsted rating detailing a decline in standards at the home, where social workers have made us aware of concerns or where we are aware of LADO investigation. Within the Gateway to Resources Service, the Resource Review Team are responsible for the quality assurance of external children's homes.

Question 2 Response:

Following the visit, a draft copy of the Reg 44 report is initially sent to the Registered Manager and the Responsible Individual to review for factual accuracy and planned actions to address recommendations. The report is then uploaded by the Independent Visitor onto the Ofsted portal for the consideration of the allocated inspector. Copies of the finalised report are sent to the Registered Manager, Responsible Individual, AD for Children's Resources and Commissioning Service Manager and Contract Monitoring Officer, given that this is a commissioned service. A decision has been made to share the Reg 44 reports with the Independent Reviewing Officer and the Social Worker for the individual child. Common themes are picked up by the service through a centralised tracker and regular quarterly contract monitoring meetings.

Question 3 Response:

As part of the Reg 44 visit an individual child is tracked every month. This means that the Independent Visitor does an in-depth review of the file, provided the young person and the parents have given consent and if appropriate, the Visitor may do direct work with the child. If children are present at the time of reg 44 visit they will speak to them and they try to vary times of visits to meet the children. In this way the views of the children is sought. Formal feedback is sought from the social worker and where appropriate, the parents via feedback forms. These views of the child, social worker and parents are taken into consideration by the Visitor and fed back to the service with recommendations where appropriate.

Question 4 Response:

The children's account manager from C&E works with the AD for Children's Resources and the Director of Corporate Parenting to develop press releases. The Executive Director for CFLL will agree the final draft.

Question 5 Response:

A similar process will take place for press releases and again the Executive Director for CFLL will give final approval.

Liz Bowes, Chairman – Children, Families, Lifelong Learning and Culture Select Committee