

Meeting: Children and Families Select Committee

Date: Monday 19 June 2023 (commencing at 10:30am)

Membership:

County Councillors

Sam Smith (Chairman)

Francis Purdue-Horan (Vice Chairman)

Callum Bailey

Anne Callaghan BEM

Robert Corden

Debbie Darby

Errol Henry JP (**Apologies**)

Johno Lee

Mike Quigley MBE

Nigel Turner

Michelle Welsh (**Apologies**)

Education Representatives

Nigel Frith

James McGeachie

Substitute Members

Jim Creamer for Errol Henry JP

Mike Pringle for Michelle Welsh

Other County Councillors in attendance:

- Tracey Taylor - Cabinet Member for Children and Families
- Sinead Anderson - Deputy Cabinet Member for Children and Families

Officers and colleagues in attendance:

- Sophie Eadsforth - Group Manager for Looked After Children
- Martin Elliott - Senior Scrutiny Officer
- Irene Kakoullis - Group Manager for Early Childhood Services
- Adrian Mann - Democratic Services Officer
- Peter McConnochie - Service Director for Education, Learning and Inclusion
- Jason Monks - Acting Data Protection Officer
- Lucy Peel - Service Director for Transformation and Improvement
- Colin Pettigrew - Corporate Director for Children and Families

1. APPOINTMENT OF THE CHAIRMAN AND VICE CHAIRMAN

The Committee noted the appointment by Full Council on 11 May 2023 of Councillor Sam Smith as Chairman and Councillor Francis Purdue-Horan as Vice-Chairman of the Committee for the 2023/24 municipal year.

2. MEMBERSHIP

The Committee noted that its membership for the 2023/24 municipal year was Councillors Callum Bailey, Anne Callaghan BEM, Robert Corden, Debbie Darby, Errol Henry JP, John Lee, Mike Quigley MBE, Nigel Turner and Michelle Welsh, and that the Education Representatives were Nigel Frith and James McGeachie.

3. APOLOGIES FOR ABSENCE

Councillor Errol Henry JP - other reasons
Councillor Michelle Welsh - other reasons

4. DECLARATIONS OF INTERESTS

No declarations of interests were made.

5. MINUTES OF THE LAST MEETING

The minutes of the last meeting held on 20 March 2023, having been circulated to all Members, were taken as read and were confirmed and signed by the Chairman.

6. CHILD POVERTY – FREE SCHOOL MEALS

The Cabinet Member for Children and Families, the Service Director for Education, Learning and Inclusion, and the Group Manager for Early Childhood Services attended the meeting to present a report on how Free School Meals (FSM) provision was being used to plan and inform the delivery of other support for children and families.

- The report set out that FSM eligibility had increased significantly in recent years, particularly during the Coronavirus pandemic where some families had been unable to work. Pupils who were eligible for FSM on 1 April 2018, or had since become eligible, would continue to receive provision until March 2025 (or until the end of their current phase of education, if this was sooner).
- The report noted that children were only eligible to receive benefits-related FSM provision when a claim had been made on their behalf and that their eligibility had been confirmed. If a parent applied for FSM but did not meet one of the qualifying criteria, the Council continued to check their entitlement on a weekly basis to ensure that if the family's circumstances changed and eligibility for FSM was confirmed, the Council could notify schools immediately.
- The report explained that the Council had developed a comprehensive package of support to provide a Holiday Activities and Food (HAF) Programme to children

and young people who were eligible for FSM during the school holidays. The Council had adopted a combined approach that included in-house provision, outreach events and activities, and had developed partnerships with a range of providers across Nottinghamshire so that families had access to a range of opportunities and activities that were both sustainable and cost-effective. The Council had also worked closely with Health and Wellbeing teams, the Cost of Living team, the Youth Service and community-based groups and schools to ensure that there was a coordinated effort to support children and young people who were most in need through a holistic service that benefited the wider community.

- The report stated that the Online FSM Project had enabled local authorities to access data from His Majesty's Revenue and Customs, the Department for Work and Pensions (DWP) and the Home Office by introducing wider data sharing agreements through a Department for Education (DfE) platform. This enabled local authorities to use the DfE Eligibility Checking System to confirm families in receipt of legacy benefits and Universal Credit and assess FSM entitlement. However, in order to access Housing data to provide further proactive support to families in need, the County Council would have to co-ordinate with the Nottinghamshire District and Borough Councils to ensure that the appropriate data protection measures were in place.

The Committee raised the following points in discussion:

- The Committee was concerned that the number of children eligible for FSM had risen significantly during the Coronavirus pandemic and that the levels of children living in poverty in certain areas of Nottinghamshire had increased – while the number of children experiencing poverty in the East Midlands region was greater than the national average. Members observed that the majority of children living in poverty were part a household where at least one adult was in work, so expressed concern that these children therefore might not be eligible for FSM, despite their vulnerability. Members noted the significant financial burdens experienced by poorer families and the social separation and stigma this might lead to for children at school.
- The Committee agreed that it was vital that all possible steps were taken to ensure that every child who was eligible for FSM was enrolled for that support. Members asked at what phases of education parents were contacted directly about FSM. Members also asked what work was underway with District and Borough Councils to access relevant data held by them that could then be used to support proactive engagement with eligible families.
- The Committee noted that it was important to collect and analyse the right data to enable informed and focused support, both directly to children in poverty and to the voluntary and community providers working in this area at the local level. Members advised that engagement should be carried out with other local authorities and the Information Commissioner's Office to develop best practice for ensuring that data sharing opportunities to achieve effective service delivery could be maximised, including the potential for auto-enrolment.

- The Committee asked for further information on what partnership work was being undertaken to identify and support struggling families who were not eligible for FSM currently but were likely to be in the near future, and how many children were enrolled in FSM due to the Council's proactive checks for changed circumstances carried out following an initial application when the child was not eligible. Members queried whether the eligibility criteria for FSM was set too high and what engagement might be possible by local authorities with the DWP to see eligibility expanded.
- The Committee observed that engagement levels with the HAF Programme varied across different areas of Nottinghamshire, and that they could be comparatively lower in areas where the actual service need was greater. Members queried what work was underway to ensure that the HAF Programme was accessible to everyone that needed it, particularly in the context of encouraging providers from across the whole of Nottinghamshire to bid to deliver the services in their local areas.

In relation to the points raised by the Committee, the Cabinet Member and Officers provided the following responses:

- It was confirmed that work was underway to reach families eligible for FSM and encourage them to enrol – though, ultimately, it was a decision for parents as to whether they chose to apply. Families who were struggling financially but who were not eligible for FSM were provided with help to access information and other support and were engaged with quickly if they did then become eligible. Any changes from non-eligibility to eligibility were checked automatically via an electronic system that was provided with live information from the DWP.
- It was explained that engagement on FSM was carried out with parents when children moved from infant, junior, primary and secondary school phases, and that a new information portal was being established to achieve wider communication with parents more generally.
- It was reported that the County Council engaged both with District and Borough Councils and the wider community and voluntary sector regularly, particularly in the context of formal strategic child poverty partnerships. These groups had a strong focus on supporting families' financial resilience to improve life chances, particularly in the context of the Coronavirus pandemic and current cost of living pressures. Significant work was being carried out to address the root causes of child poverty, particularly in areas such as housing, debt and food security. Several community groups also operated at the grassroots level independently of the regionally and nationally established partnership and reporting structures, and efforts were made to engage with and support these bodies as much as possible.
- It was confirmed that legislative structures were in place that established how data could be shared lawfully between central Government, local authorities and wider partners, and that all legal requirements must be complied with in establishing clear, transparent and justified data sharing arrangements. Currently, it was not possible to introduce a scheme of auto-enrolment within either two-tier or unitary local authority contexts, but discussions were taking place with the

Local Government Association and the Government. A great deal of information was available regarding people engaging with the DWP, but reaching families outside the Universal Credit and wider benefits system was more difficult. Work was underway to collect as much population-related data as possible to indicate where communities requiring support might be, and engagement was also taking place with the Citizens' Advice Bureau to help understand the wider needs. Ultimately, all partners had to work together to make the best use of their resources to properly establish and plan for both the current and future service needs.

- It was set out that as much activity was carried out as possible to review data and focus support from the HAF Programme, to achieve a good level of access everywhere. Direct engagement with young people on the HAF Programme was also done through Youth Services. Providers were sought across all areas of Nottinghamshire but were not always able to come forward to provide the HAF services in every locality.

The Chairman thanked the Cabinet Member and Officers for attending the meeting to present the report and answer Members' questions.

RESOLVED (2023/003):

- 1) That the report be noted.
- 2) That the following issues raised by the Children and Families Select Committee in its consideration of the report be progressed:
 - a) That information be circulated to the members of the Committee on the number of successful enrolments to Free School Meals (FSM) that have been made as a result of the weekly entitlement checks carried out by the Council on claims that that did not qualify initially for FSM, as the family had not been in receipt of one of the qualifying benefits.
 - b) That the Child Poverty Action Plan be circulated to the members of the Committee.
 - c) That the Cabinet Member for Children and Families, in consultation with Officers, gives further consideration on how the County Council could work with the District and Borough Councils to enable the effective sharing of data in relation to auto-enrolment for FSM.
 - d) That, through existing work with partner organisations and the voluntary sector, there should be a focus on developing a better understanding of the number of families in Nottinghamshire who are just above the income level to be eligible for FSM, but who are still struggling financially, to enable the targeting of available support.
 - e) That a report on the delivery of the Holiday Activities and Food Programme be brought to a future meeting of the Committee, with a focus and at a date to be agreed by the Chairman.

7. PROVISION OF SUPPORT TO LOOKED AFTER CHILDREN TRANSITIONING OUT OF THE CARE SYSTEM

The Cabinet Member for Children and Families, the Service Director for Education, Learning and Inclusion, and the Group Manager for Looked After Children attended the meeting to present a report on the transition of children and young people out of the care system.

- The report explained that, as of 31 March 2023, there were 965 children in the Council's care. Of these, 597 had a long-term care plan and an allocated Social Worker from the Looked After Children's Service. The remaining children had an allocated Social Worker from the Children with Disabilities Service, one of the District Child Protection teams or the Court team, as their needs required.
- The report set out that, so a smooth transition for a child leaving care could be achieved, early conversations took place with the young person, the professionals who supported them and the people who were important in their lives to develop a Pathway Plan. This was completed over the months following the young person's 16th birthday so that possible options could be discussed. Sometimes, more than one Pathway Plan was made, depending on what the young person needed.
- The report noted that the Local Offer for Care Leavers that had been published in 2019 was now under review, with a timescale to publish an updated Local Offer by December 2023. Consultations with young people in care and care leavers on what they thought had the most value and positive impact for them had started with face-to-face feedback, a 'your views' stand at the Achievement Event in June 2023, online surveys and consultation with the Children in Care Council. The review would include an update by the Achievement Officer in relation to employment, education and training, the offer to care leavers who were young parents, care leavers in and leaving custody, and the 21Plus Service. The reviewed service would be presented for input and comment at the Children Looked After and Leaving Care Strategic Partnership Board, alongside the individual feedback received from young people, to inform the targets for the future development of the Local Offer. Regional meetings had also been arranged to discuss Local Offer agreements for care leavers residing in other local authority areas.

The Committee raised the following points in discussion:

- The Committee noted that, as the transition into adulthood was a very difficult period, it was important that the Local Offer for Care Leavers was available until they became 25 – and that young people were able to stay on with their foster carer beyond the age of 18 if they needed to.
- The Committee noted concern that a number of young people did not enter into either further or higher education, employment or training after leaving care. Members asked how children in care could be supported in a targeted way within their school settings to grow their aspirations and achieve their full potential, and

how their achievements could be formally reported and recognised. Members were particularly concerned that children in care from ethnic minority backgrounds should be supported by advisors from these communities where appropriate.

- The Committee asked what engagement had been carried out with those with direct care experience on the development of the revised Local Offer, and how many people had participated.
- The Committee considered that the dedicated Children in Care Police Officer role was extremely positive and that there had been good information sharing between schools and the Police to help protect vulnerable children – particularly in the context of ‘county lines’ issues. Members requested that more specific information was provided on the work and outcomes of this dedicated role.

In relation to the points raised by the Committee, the Cabinet Member and Officers provided the following responses:

- It was confirmed that both children currently in care and those who had left care were considered to be ‘care experienced’, which the Council now treated as equivalent to a statutory protected characteristic. It was important that young people leaving care should still be able to access support until age 25, including ‘staying put’ or ‘staying close’ arrangements with their foster carers beyond age 18 – while seeking to also ensure that there were enough foster carer places to meet the ongoing need.
- It was explained that a growing number of children and young people were entering care as a result of being an unaccompanied asylum seeker, with the current number at around 70 (who were mostly male and between the ages of 15 and 17). To provide very specialist support, an Unaccompanied Asylum-Seeking Children Social Work Team had been established. Measures were in place to ensure that ethnicity and culture were taken into account when children were matched with residential homes and foster carers. Many providers were working specifically with black, Asian and minority ethnic children in care, while the Council was leading a foster carer recruitment programme across the East Midlands area targeted specifically to support these children.
- It was reported that all children in care at school had Personal Education Plans in place to help them work towards achieving their interests, and that these were reviewed on a termly basis. Consideration was being given to how children in care could be engaged with at a much sooner stage at school, including getting earlier access to a programme of work experience that could be delivered in an incremental way. Individual personal advisers were also in place within school settings, alongside access to the Virtual School – which reported regularly on the attainment of children in care. A mentoring scheme had also been established from Year 8 with Nottingham Trent University.
- It was highlighted that the number of care-experienced young people attending further and higher education had increased, and that many young people had attended employability briefings with local businesses with which the

Achievement Service had made strong links. Achievement Events took place to provide inspiration and establish both champions and role models for care experienced young people, and the participation of members in these events would be particularly welcome.

- It was explained that a consultation with the Children in Care Council and its sub-groups on a revised Local Offer would take place shortly, and information on the level of engagement from the children and young people would be circulated as it became available.
- It was noted that, as the Service had been formally inspected last during 2019, the next inspection was likely to take place during 2024.
- It was explained that the dedicated Children in Care Police Officer carried out vital work with adults in various settings to address the potentially negative preconceptions of children in care and emphasise that, wherever possible, any difficult behaviour should be approached proportionately and only be referred to the Police if absolutely required – so as to reduce the unnecessary criminalisation of these vulnerable children. A great deal of work was still needed to encourage communities to be welcoming of children in care, rather than actively challenging the establishment of new residential homes through the Planning system.

The Chairman thanked the Cabinet Member and Officers for attending the meeting to present the report and answer Members' questions.

RESOLVED (2023/004):

- 1) That the report be noted.
- 2) That the following issues raised by the Children and Families Select Committee in its consideration of the report be progressed:
 - a) That further information and case studies that illustrate the success and achievements of young people who have transitioned out of the care of the Council be shared with members of the Committee.
 - b) That the Cabinet Member for Children and Families, in consultation with Officers, gives further consideration to how more young people could be encouraged to remain with their foster family after turning 18, and also to the activity that would also be required to ensure that a sufficient number of foster family placements were still maintained and available for children and young people who are under 18.
 - c) That further information be circulated to members of the Committee on the work being carried out with both residential homes and foster carers to support them in ensuring that the children in their care are not potentially criminalised though being referred to the Police unnecessarily in relation to their behaviour.

8. EXCEPTIONAL PAYMENTS FOR SCHOOL CLOTHING AND FOOTWEAR 2023/24

The Cabinet Member for Children and Families attended the meeting to present a report on the proposed allowances scheme to support families with the cost of school clothing and footwear in exceptional circumstances.

- The report established that the Council had discretion to consider requests for assistance with school clothing costs from vulnerable families in exceptional circumstances (such as where clothing had been lost due to fire, flood, theft, or where children had been made homeless or were fleeing domestic violence). To ensure that there was consistency and fairness in the allowances given, it was proposed to continue to adopt a maximum allowance of £50 per qualifying pupil – as the allowance was intended to support families with replacing school uniforms in exceptional circumstances, rather than necessarily covering the full costs. Ultimately, there was an increase in the claims made during the 2022/23 financial year, with £673.75 paid in allowances against a budget of £500. The overspend was contained within the overall Education, Learning and Skills budget.
- The Committee noted that many academies had their own schemes in place to support parents with school uniform costs. Members recommended, however, that due to the previous overspend in the scheme, the overall budget should be increased to £1,000 to ensure that it could meet the projected demand fully. Members also considered that the £50 maximum allowance per qualifying pupil should be kept under review in the future, to ensure that it continued to meet vulnerable families' needs effectively.

The Chairman thanked the Cabinet Member for attending the meeting to present the report and answer Members' questions.

RESOLVED (2023/005):

- 1) That it be recommended to the Cabinet Member for Children and Families:
 - a) To continue to adopt the current scale of payments as a guide for school clothing and footwear allowances paid under the category of exceptional circumstances, subject to discretion, for 2023/24.
 - b) That, from April 2024, the budget for school clothing and footwear allowances paid under the category of exceptional circumstances be set at £1,000, to ensure that the budget allocated meets demand.

9. WORK PROGRAMME

The Senior Scrutiny Officer presented the Committee's current work programme.

- It was reported that, following the publication of the results of the local area review of special educational needs and disabilities services by Ofsted and Care Quality Commission, the progress made in addressing the identified priority areas

for action and areas for improvement would be reported to the Committee at its meeting in October.

- It was noted that the work programmes of the Overview and Select Committee meetings were now being developed for the period from September 2023 to August 2024.

RESOLVED (2023/006):

- 1) That the Children and Families Select Committee's work programme be noted.
- 2) That Committee members make any further suggestions for items for inclusion on the work programme for consideration by the Chairman and Vice-Chairman, in consultation with the relevant Cabinet Member(s) and senior officers, and subject to the required approval by the Chairman of the Overview Committee.

There being no further business, the Chairman closed the meeting at 12:09pm.

Chairman: