



Leicester
City Council

Minutes of the Meeting of the
CHILDREN, YOUNG PEOPLE AND EDUCATION SCRUTINY COMMISSION

Held: TUESDAY, 16 JANUARY 2024 at 5:30 pm

P R E S E N T:

Councillor Batool – Chair
Councillor Cole – Vice-Chair

Councillor Haq
Councillor Pantling

Councillor Dr Moore
Councillor Pickering

In Attendance

Deputy City Mayor Councillor Russell
Assistant City Mayor Councillor Dempster

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47. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Joshi and Cllr Barnes.

48. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have had in the business to be discussed.

There were no declarations of interest.

49. MINUTES OF THE PREVIOUS MEETING

AGREED:

That the minutes of the meeting of the Children, Young People and Education Scrutiny Commission held on 19 December 2023 be confirmed as a correct record.

50. CHAIR'S ANNOUNCEMENTS

None.

51. PETITIONS

The Monitoring Officer reported that none had been received.

52. QUESTIONS, REPRESENTATIONS, AND STATEMENTS OF CASE

The Monitoring Officer reported that none had been received.

The Chair agreed to an agenda variance, The Ashfield Update was taken before the Revenue Budget.

53. ASHFIELD UPDATE

The Director of Education, SEND and Early Help gave a verbal update on Ashfield following the Call-in meeting, particularly regarding the discussions surrounding the proposed tapering of funding.

It was reported that a meeting between Council Officers and Ashfield Academy had been held in December 2023. An offer had been made to taper funding over two years. The head of Ashfield Academy had agreed to consider the offer and discuss it with the governing body and would respond to the offer once they had met.

The Committee were invited to ask questions and make comments. It was noted that the Council Officers and the Executive Lead member for Education, Libraries and Community Centres were happy to put in time and energy to help Ashfield secure alternative funding.

AGREED:

- 1) That the verbal report be noted.
- 2) That comments made by members of this commission to be taken into account by the lead officers.
- 3) That members be kept informed of progress.

54. REVENUE BUDGET

The Director of Finance submitted a report detailing the proposed Revenue Budget for 2024/25.

The Executive member for Social Care, Health and Community Safety introduced the report and noted that the Council was in a serious position financially and there was not enough money to carry out its desired aims. A major issue was private care providers charging high costs for placements that did not necessarily meet the needs of the Children. It was further noted that savings and efficiencies had been made where possible and that government

help was unlikely based on the government's approach to Councils who had issued Section 114 notices.

The Head of Finance (Social Care, Public Health, Schools & Corporate Resources) then presented the report.

Key points included:

- The expenditure for 2024/25 would exceed £50m and it would be necessary to make use of reserves to balance the budget.
- Without further saving the need to issue a Section 114 notice would be likely in 2025/26. This would freeze any new financial commitment and would necessitate government intervention.
- Managed reserves would need to be used in full in 2024/25.
- In terms of the outlook beyond 2025/26, whilst public sector expenditure was set to grow overall, increases in areas such as the NHS and defence were such that the IFS (institute for fiscal studies) concluded that areas such as local government funding would see a real terms cut of around 3%.
- In terms of the Children's budget, £17m had been put into the budget for social care and Children Looked After (CLA) costs and £0.5m for legal and translation costs associated with CLA.
- £1.4m had been put into the budget for home-to-school travel for home to school transport for SEND pupils as a result of the increasing numbers of pupils with educational healthcare plans who often need support with transport.
- £0.4m of additional funding had been provided for the educational welfare budget. Changes in legislation meant that previously chargeable casework carried out by the service was now a statutory requirement for which no additional burden funding had been made available from government.
- There were also additional funds for the disabled children's service of £0.2m due to pressures in this service associated with respite costs.
- The Dedicated Schools Grant (DSG) was in deficit due to pressure on the High Needs Block. A deficit of around £12m was predicted by the end of the financial year. This had been driven by the doubling of the number of EHC plans agreed following the Covid-19 pandemic. A deficit recovery plan would be brought to the next scrutiny meeting.

The Committee were invited to ask questions and make comments. Key points included:

- Further growth in numbers of Unaccompanied Asylum-Seeking Children (UASC) had been factored into the Revenue Budget. It was further clarified that the threshold level for the number of UASC to be taken by councils had increased, and the Council were not yet near this threshold level and were still expected by the government to take on a further 28 UASC. Demand on certain authorities had led to a scheme to

redistribute UASC across Local Authorities and whilst the government had attempted to incentivise Local Authorities with extra money to support delivery through a daily allowance, this did not meet the costs of placements. Additionally, it was explained that some UASC reached the age of 18 without a decision being made on their case. In these instances, the Council still had responsibility for them until the decision was made. It was forecast that the maximum threshold would be met in the next 12 months. It was assumed that the threshold would be raised again in subsequent years.

- It was noted that there is forecast to be an overspend on CLA costs in 2023/24 which would be funded from reserves. There was some uncertainty with regards the forecast, but they were the best estimates available currently. The average placement cost of care was significantly higher than in previous years and it was uncertain if this would be sustained into next year.
- An organisation known as Impower had been brought in to help with regard to ensuring that providers are not charging for support that was not warranted by the needs of the children. Currently, if a Young Person with the need to become looked after came to the attention of the Council, there was not much choice in terms of placement. Some children needed particular types of placements; however, these were not always available and as such it was necessary to find an alternative and sometimes these placements were not ideal. There was a chronic undersupply in the system and every place approached for placements had interest from other Local Authorities. Since supply had not met demand, costs had increased.
- Impower mapped the needs of CLA against the cost of placements, where there were low needs in high-cost placements and high needs in low-cost placements, providers were challenged, and agencies were worked with to find the most appropriate placements for CLA.
- A review had been carried out on a cohort of 200 Children, of which it was established that 58 could move from high-cost external foster care or residential children's home placements to internal foster care or potentially reunified with their families (including extended family). Of this 58, 20 had been moved into alternative placements and 38 were still to progress.
- Another review had been done of 60 Children and a further 20 were identified as needing a better placement, however, this would depend on availability. A new approach was being developed with a needs map (making use of needs profiles) of what foster carers could do. It would also look at the whole cohort to identify where resources could be developed to bring children from expensive placements to local placements at reduced costs. Costs would still not be cheap but would be cheaper than private providers.
- All bar one Council-run children's homes were rated good or outstanding and new developments such as Holly House and Hillview would increase capacity. A five-year investment strategy was in development

to create five more places per year, saving £30k per annum per placement for an extra 25 young people.

- In-house costs were better known than private costs where profit may be a factor. Additionally, in-house children's homes were better tailored to meet the needs of CLA locally, and whilst they may not be cheaper in the short-term, they would be in the long-term. It was further noted that Leicester City Council had held on to a number of their children's homes whereas other councils were needing to start from scratch.
- EHCP appeals were of significant cost to the Council, and it was key to resolve this with the Department for Education as the need to move placements was costly.
- There was £43m in earmarked reserves to address a gap of £50m in 2024/25. As such the emergency reserves needed to be utilised in order to balance the accounts. Reserves not earmarked were moved to managed reserves as part of the £43m to prop-up next year's budget.
- An update from Impower would be brought to the Commission once available.
- In terms of the 20 children who had been moved to an alternative placement, £748k annualised costs had been saved so far and there were a further 58 placements to review. Theoretically, £15m could be saved based on the full looked-after children population.
- Regarding the control of enforced placement costs, the biggest overspend was on CLA and work was being done to gain control. The government had reviewed the operation of the external market. The market was dysfunctional due to excess profiteering, it had been hoped that the market would fix itself, so no new action was taken by government. Costs were challenged where possible.
- Many private providers had pushed for a 10% uplift on payments last year. Regionally it had been agreed not to pay this. A legal challenge followed. It was hoped to bring such a payment uplift down to 1-2% this year.
- It was recognised that private providers provided jobs to local people.
- Independent fostering was not as profit-orientated as private residential care.
- Regarding the projected increase of UASC, spend would increase as more young people moved into care and the cost would depend on where they were placed and their individual needs. It was noted that the trauma that UASC had endured needed to be recognised and the young people supported appropriately.
- Edge-of-care provision included psychological therapy interventions with specialist teams for abuse and neglect and functional family therapy teams. Professionals were worked with to provide crisis support to families. These approaches were very clearly defined as they were licenced, and as such they had clear eligibility criteria. It was recognised that some on the edge of care might not be eligible, as such it was considered as to how resources could be used to cover a wider cohort. It was reported that in the last 12 months, around 40 children were

worked with and only one of these went into care. Follow-ups were carried out to ensure that the position was sustainable and long-term monitoring of progress was undertaken. Outcomes were tracked over up to five years to monitor effectiveness.

- Reserves had been needed to be used to keep services going, and it was necessary to work with the government to see how to work going forward.
- Numbers of UASC who had their cases denied by the Home Office were unknown. However, in terms of families and adults, there was a streamlined process focussing on six nationalities (Afghanistan, Syria, Iraq, Iran, Eritrea and Yemen), of these, it was expected that 90% would be granted leave to remain as these countries were not seen as safe. There was a second phase of this process looking at other nationalities, and asylum applications in this phase may be less successful. It was thought that the profiles of UASC generally mapped the aforementioned six countries, and as such it was thought that most would be granted leave to remain. Many UASC did not get a decision on their applications until after they had turned 18. If they were not granted leave to remain after turning 18 and lost their appeal, then there was a conflict in legislation as there was a responsibility to get them into accommodation as care-leavers under the Children (Leaving Care) Act 2000 however this could be seen as in conflict with the Illegal Migration Act 2023. Local Authorities were keen to know which act took precedence.

AGREED:

- 1) That the report be noted.
- 2) That comments made by members of this commission to be taken into account by the lead officers.
- 3) That the report be brought to Overview Select Committee prior to Full Council.

55. CAPITAL PROGRAMME

The Director of Finance submitted a report detailing the proposed Capital Programme for 2024/25. It was noted that there was £7.1m set aside in Schools Capital maintenance across the schools estate.

The Committee were invited to ask questions and make comments. Key points included:

- In response to a query about heat pumps in schools and the associated costs, it was explained that the Council were working on the issue with Western Power. However, this was not part of the Capital Programme, but part of a funding programme across schools. The Capital Programme related to issues such as basic maintenance.

- More money for issues such as repairs was always desirable. Schools received some funding for minor repairs, but major repairs came through the Council.
- It was recognised that good work was carried out across schools, however, to deliver more, there was difficulty regarding capacity as more staff would need to be brought in.
- A presentation of work done with Capital over the last 12 months would be brought to the Commission.
- Secondary schools had been rebuilt under the building schools for the future programme and this had been a big undertaking. However, it was commented that primary schools needed work.
- A written response would be provided regarding recent views from MPs and the Local Government Association (LGA) on Special Educational Needs and Disabilities (SEND) Provision and Funding.
- The number of Children with SEND was growing, but money was not available to address Children's needs in the best way.

AGREED:

- 1) That the report be noted.
- 2) That comments made by members of this commission to be taken into account by the lead officers.
- 3) That the report be brought to Overview Select Committee prior to Full Council.
- 4) That a presentation of work done with Capital over the last 12 months would be brought to the Commission.
- 5) That a written response on recent views from MPs and the Local Government Association (LGA) on SEND Provision and Funding be provided to the Commission by the Director of Education, SEND and Early Help.

56. YOUTH JUSTICE PLAN

The Director of Childrens Social Care and Community Safety submitted a report to provide the Commission with the Annual Youth Justice Plan, highlighting progress to date and new emerging priorities.

The Executive member for Social Care, Health and Community Safety introduced the report and noted that inspections had found good practice and whilst there was always work to do the understanding that the team had was good.

The Director of Childrens Social Care & Community Safety, The Head of Service Early Help (Targeted Services) and Service Manager (Integrated Services) presented the report.

Key points included:

- The three-year plan was updated on an annual basis. It was currently in

its second year. This was the first year in which young people had been fully engaged to help produce the plan.

- The young people involved had emphasised that they needed strong role models and needed to be supported to achieve and be aspirational. It was important that they were believed-in, respected and not judged. The involvement of young people ensured that priorities were delivered on.
- Key performance areas included a significant reduction in Children Looked After (CLA) open to the Youth Justice Service. This had risen in previous years but was now below the national average. This had been achieved by working in partnership as well as by supporting residential homes, putting restorative justice work in place and creating bespoke group work programmes for CLA.
- A 'child-first' approach was taken, and it was ensured that partners such as the Police were engaged with this, making sure that children involved were seen as children before they were seen as offenders.
- A remand strategy had been developed with the Police that was child-focussed. This had helped with performance.
- Custody rates had been worked on. Whereas in previous years there had been between 60-80 young people in custody over 12 months (higher than the national average), in the last 12 months, there had been only one young person placed in a custodial establishment. It was acknowledged that it was sometimes necessary to place young people in custody, however, alternatives to custody were explored and victims were worked with.
- There were high numbers of young people in education, training and employment. This had been a challenge for post-16 young people during the Covid-19 pandemic as many were on casual contracts or let go from work due to the pandemic. Employers and trainers had been worked with on this over the last 12 months.
- Work on neurodiversity needs had been undertaken over the last 12 months, training staff and working in partnership to ensure that children and young people received the right support.
- There was a challenge surrounding reoffending rates. The data tracked a small cohort meaning that a single offence could create a big swing in statistics. This had resulted in reoffending rate that was higher than the national average. A Reoffending Group met weekly to ensure that reports from the Police were dealt with quickly and young people were worked with to prevent reoffending.
- Successes had included the Reach Project, which mentored children who were at risk of exclusion and trained staff in neurodiversity. This was externally evaluated by Sheffield Hallam University and was seen to be a big success. The project had received short-term funding and work was being carried out to secure further funding.
- Another success had been the Summer Arts College. Government funding for this had been removed, however, it had been internally decided to continue with its delivery and staff with appropriate skills had

been reached out to. The college was a six-week full-time programme for young people and all participants had received an arts award, with some also gaining apprenticeships with the Curve theatre.

- Challenges had included funding, and the situation would need to be monitored. External funding had been received from the Police, the Probation Service and Health Services. There was a need to maintain a strong budget to ensure delivery.
- A number of Young People came through pre-court services such as Early Intervention and people were accessing diversionary activities through partnerships and were able to establish mechanisms to identify the relevant young people sooner and proactively work with communities and with children and young people at risk to proactively engage them with diversionary work.

The Chair thanked the officers for their presentation.

The Committee were invited to ask questions and make comments. Key points included:

- Youth justice workers worked with complex and challenging young people. It was difficult but there was a well-trained staff group who worked intensive hours with vulnerable children and young people. A programme was worked to support children and young people and there was a duty roster to work on evenings and weekends.
- Every child and young person in the youth justice system had a case manager and advocate, receiving one-to-one support. These children and young people co-produced their own plans, some were very detailed and others less-so depending on the needs of the child or young person. Support was sometimes sought from services such as the psychology service.
- 20 out of 80 young people were engaged in a plan. This was the first year that individual plans were used and as such numbers could increase year-on-year. Outcomes were outstanding and the numbers going back to court were small. However, young people did go to court if they did not comply with their plan as it was important that they knew there was an impact if they did not comply.
- Work was contextualised and people such as teachers and neighbours became involved as appropriate to support young people.
- The numbers of reoffenders were fairly static, but frequent reoffenders were a small group. The most prolific reoffenders were reoffending within around 30 days of sentencing. Reoffenders were assessed as to why they reoffended and worked with to see how they could desist. It was noted that influences on young people such as County Lines gangs and other organised crime were a big factor. Reoffending was of concern, and it was acknowledged that it was difficult for parents to influence children where other people had an influence on them.
- Organisations such as the Phoenix Project were engaged in partnerships to work with young people and the community at the right

time with a co-produced plan and supported by organisations such as the police and community safety. There was a focus on consequences and young people were worked with on the plans in place, including looking at employment, education and training.

- Work had been done on demographic disproportionality within the prison population, including a task and finish group on the issue. Demographics across the city were reflected in the preventative side and statutory side of youth justice and work had been done within courts on issues such as unconscious bias. Early intervention work had targeted particular communities in which people may have become disenfranchised so as to make sure they got the right intervention and the right message at the right time. Nationally work had been done with young black males to ensure that they had the same opportunities as all young people as this demographic were often treated differently.
- All people from ages 10-17 with a court outcome came through the youth justice system.
- Young offenders were worked with on a resettlement plan when they came out of custody. Seven pathways were worked with, and if these seven areas of resettlement were not achieved then reoffending became likely. Work was undertaken on accommodation for young people upon their release to ensure that it was suitable.

AGREED:

- 1) That the verbal report be noted.
- 2) That comments made by members of this commission to be taken into account by the lead officers.
- 3) That the report be brought to Full Council.

57. WORK PROGRAMME

Members of the Commission were invited to consider content of the work programme and were invited to make suggestions for additions as appropriate to be brought to future meetings.

It was noted that the next meeting of the commission had moved and would now take place on 26th March 2024.

The work programme was noted.

58. ANY OTHER BUSINESS

There being no further items of urgent business, the meeting finished at 19:23.