



Leicester
City Council

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

Held: TUESDAY, 8 APRIL 2025 at 5:30 pm

P R E S E N T:

Councillor Batool – Chair
Councillor Bonham – Vice Chair

Councillor Clarke
Councillor March
Councillor Pantling

Councillor Gregg
Councillor Dr Moore

Joycelin Eze-Okubuiro – Parent Governor Representative (Primary)

In Attendance:

Assistant City Mayor Councillor Pantling
Jennifer Day – Teaching Unions Representative
Janet McKenna – UNISON Branch Secretary
Mario Duda – Youth Representative

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134. WELCOME AND APOLOGIES FOR ABSENCE

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

Councillor Dr Moore declared that she was the Chair of the advisory board at Millgate School.

Councillor March declared that she was a governor at Avenue School.

Councillor Gregg declared that he ran a supported accommodation project which had previously taken children from Leicester City Council, however, it was no longer taking children from Leicester City Council.

135. DECLARATIONS OF INTEREST

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Millgate School.

Councillor March declared that she was a governor at Avenue School.

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136. MINUTES OF THE PREVIOUS MEETING

AGREED:

That the minutes of the meeting of the Children, Young People and Education Scrutiny Commission held on 25th February 2025 be confirmed as a correct record.

With regard to a matter arising regarding the item on Children and Young People with SEND Home to School/College Transport Proposed Policies 2025/2026 - 2027/2028, concern was raised that the response on a proposed fourth option did not have as much depth as hoped for.

In response to this, it was noted that the officers working on this were currently in the process of working through financial data. The budget had been set for next year and anything proposed would need to be in this budget. A decision report was being worked on and this would take into account points made in the consultation and at scrutiny. The final decision would be one for the Assistant City Mayor, and whilst there was no option for further scrutiny before the decision was made, it would be available for the usual process following the decision.

137. CHAIR'S ANNOUNCEMENTS

The Chair announced that the date of the upcoming task group meeting on the High Needs Block had been moved. The next meeting would be on 13th May and the last would be on 9th June. Members of the Commission were encouraged to join.

138. QUESTIONS, REPRESENTATIONS, AND STATEMENTS OF CASE

The Chair exercised her discretion to allow a late statement from STILL SEND 16+ (Attached).

In response, thanks were given for the comments made at the previous meeting of the Commission and for the paper presented. Additionally, STILL SEND 16+ were thanked for their considered approach. It was added that suggestions had been considered and it was hoped that when the paper was produced it would be seen that all suggestions had been considered. These suggestions had helped to shape the decision. Barristers had been worked with on the paper, which was not yet fully formed. This had not been an easy

decision and had therefore been worked hard on. It was hoped that the final decision would help to serve in a more fair and equitable way.

In response to a question, it was confirmed that the decision of the High Court had been taken into account and the policy was lawful in judgement. However, the assessment of individual needs had not yet been looked at, and therefore any decision would need to look at individual circumstances.

139. PETITIONS

The Monitoring Officer reported that none had been received.

140. FAMILY THERAPIES SERVICE (INCLUDING Q3)

The Director of Social Care, Early Help and Prevention Service submitted a report updating on the progress of delivering Family Therapies; Multisystemic Therapy (MST), MST: Building Stronger Families (MST BSF), Functional Family Therapy for Child Welfare (FFT-CW), and Family Group Decision Making, for the period of Quarter 3.

There was a brief update on the development of the Family Functional Therapy reunification pilot.

The Assistant City Mayor for Children and Young People introduced the item by acknowledging the positive work, particularly on aspects relating to capturing the voice of the child.

The Head of Service for Prevention Services gave an overview of the report. Key points to note were as follows:

- A range of programmes were available to children and families, depending on their needs.
- A Functional Family pilot was in the early stages, which could provide significant insights on the impacts of the programmes for families.
- The Edge of Care Strategy and the Family Decision Making programme would come to future scrutiny meetings. The Relocation Pilot had already come to scrutiny.
- A six-monthly or annual report could come to scrutiny.

The Service Manager of the Family Therapy Service provided an update on the service. Key points to note were:

- Work took place with different aged children with differing needs.
- Previous models had not always gone well. A main factor being the lack of support for children returning to the family home.
- Significant research had taken place looking at best practice in managing interventions.
- The decision had been made to place the service within the area of Edge of Care.

- There had been a significant growth in teams.
- The previous financial year had seen 199 children being prevented from going into care. It was anticipated that this work could be sustained.
- For Quarter 3, work had taken place with around 93 families and 183 children across the quarter. This tended to entail working with large families who had a lot of additional needs.
- When assessing savings, the team considered the price that would have been incurred if the child had been taken into care. With this in mind, there had been an average annual avoided cost of £81K per child.
- Work was in family-based intervention, taking place within the family home.
- Success was measured in terms of sustainability. 85% of children now remained at home six months post closure, +12 months was 84% and +18 months was 92%. There would be a move to include 5-year tracking.
- Regarding capacity, the end quarter 3 saw 70% of the target for children worked with had been met. Savings were significantly over target at 194%.
- Every child subject to a plan was entitled to a family meeting which was family lead.

Members were invited to comment and raise questions. Key points to note were as follows:

- Family Therapy work was taking place for children refusing school. A number of outcomes were measured monthly. There was around an 83% success rate.
- Edge of Care cases were monitored, there was a threshold to be met for a child to come into the service. Data could be presented to scrutiny.
- Currently the length of time between referral and commencement of services was 13 days, and it was hoped that this could come to under 10 days. Delays were usually surrounding consent as a signature was required. Issues concerning trust could arise with cautious families.
- Some families required long-term support, others could be assisted over a shorter period.
- Recent central government funding would create opportunities for the Family Therapy Team.
- For children returning home, it was predicted that there would be an equitable amount of intervention, but this was not expected to last for longer than 6-9 months, to avoid fostering dependency on service.
- There would be a need to explore other avenues for the Edge of Care Strategy to include a more comprehensive offer around family decision making, and the unification process. Details on the strategy review could be brought to scrutiny as it would be refreshed annually.
- More longer-term support was planned for families with long-term neglect. It was also recognised that support might be best placed with other agencies due to a reluctance within families to work directly with

the council. The strategy was likely to evolve.

- One of the keys to the success of the service lay in the fact that children shaped their own outcomes under weekly group supervision.

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) For the Edge of Care report to come to scrutiny with a report to establish metrics and delivery outcomes.

141. ADVENTURE PLAYGROUNDS UPDATE

The Strategic Director of Social Care and Education gave a verbal update, outlining the decision made and the licencing position. Key points to note were:

- The City Mayor had made a decision on the 26th February 2025, with two essential elements:
 - There would be a full year of continued funding for the Play Associations.
 - This would be the final year of grants
- Some of the Play Associations had already formulated new financial models, but others were struggling.
- All Adventure Playgrounds had 5-year licences, with rights to remain on site for the next 5 years.
- There was a possibility of longer-term leases and community asset transfers.
- Maintenance work to the sites themselves were currently carried out by the council under the license agreement.
- Conversations were still live with the Play Associations about long term lease options.

Members were welcomed to provide comment and raise questions. Points to note were:

- The playground sites were separate to the Play Associations running them.
- Other organisations might tender.
- There was an ongoing dialogue with the National Lottery Association, who had not prioritised funding before due to Council funding.
- Members had differing views on how to move forwards. Some preferred continued Local Authority support, whilst others were in support of enabling the Play Associations to work independently in shaping their outcomes, once the funding had ended.
- Some of the Play Associations had diversified and found different ways to serve the community. Different models were in place which could be useful to share.

- It was suggested that Sports England or Arts Council England might be a consideration for funding opportunities.

AGREED:

- 1) That the update be noted.
- 2) That comments made by members of this commission to be taken into account by the lead officers.

Councillor Dr Moore left the meeting prior to the consideration of this item.

142. HIGH NEEDS BLOCK - IMPACT OF WORK STREAMS

The Director of Education and SEND submitted a report to update on High Needs Block (HNB) funding for Special Educational Needs and Disabilities.

An introduction was made by The Director of Education and SEND where it was noted that the High Needs Block item had come to Scrutiny in October 2024, and a six-month update had been requested. Some questions had been picked up by the formation of a Scrutiny Task Group which was currently ongoing.

The SEND Inclusion Transformation Manager gave an overview of the report. Key points to note were as follows:

- During the six months, the focus had been on keeping children and young people at the heart of the work.
- There was a graduated approach for the school programme, working with schools and stake holders.
- There had been a reduction of children entering the SEND Statutory system from 932 to 455.
- A variety of support was in place.
- All schools were equipped to provide SEND support.
- Rising placements costs were presenting a risk for the recovery plan.
- It was hoped that central government would soon deliver a white paper confirming the way forward. Indications from the Department for Education were that strategy would focus on inclusive practice. This would align with work already in place for Leicester.
- Over recent years there had been a national narrative around the need for Education and Health Care Plans (EHCPs), but children's needs could also be met in other ways.

Members had the opportunity to comment and raise questions. Key points to note were:

- Around 500 extra specialist placements had been opened within the city within recent years. The spaces were filled immediately. Two applications had been made unsuccessfully to create new SEND

schools. Recent capital funding released had not been sufficient to fund for a new school.

- Schools could apply for additional Special Needs Funding to support those who did not have an EHCP.
- Creative use of funding meant that mechanisms had been put into place for applications of support.
- A free training offer had been put in, alongside the traded agreements, to provide support to schools in areas such as applying for funding and EHCPs.
- Part of the change programme involved working with a network of head teachers to look into how to use funding for alternative provision.
- A recent meeting had been held with CEOs from a large number of academy trusts, as part of the stakeholder engagement plan. Positive feedback was received on the support provided.
- Non-statutory top up funding was available to support children with SEND without EHCPs.
- Others could be supported by SEND support services.
- Mainstream schools could also provide support with reasonable adjustments.
- Inclusive Provision Reviews were being piloted which allowed for consideration of graduated support.
- Mechanisms were in place which meant that those who hadn't qualified for an EHCP could reapply at a later stage.
- Work arising under the Central Government Change Programme had been spilt between, Leicester, Leicestershire and Rutland Local Authorities. Leicester had lead on strategies including bands and tariffs, alternative provision, tiers of intervention, early language support and neurodiversity.
- Work to standardise the EHCP template was underway. There was a national trial. Data would be presented to reflect how successful this had been.
- Work had taken place, in line with government guidelines, on robust multi-agency disciplines. Panels had all come into line with these principals.
- The Department for Education had recognised the changes made.
- SEND provision was statutory, this created challenges with managing the deficit.
- There were many ways in which the voice of the child was captured throughout their support plan.
- A significant number of Local Authorities nationally were in a deficit budget.
- The long-term goal for SEND services was to ensure that children and young people could learn and thrive in the most appropriate setting.

AGRRED:

- 1) That the report be noted

- 2) Scrutiny members would be kept up to date with any key issues relating to the topic.
- 3) For the report produced by the HNB Task Group to come back to the CYPE meeting.
- 4) Information would be provided on whether guidance had improved on EHCPs.

Councillor Clarke joined the meeting during the consideration of this item.

143. PLACEMENT SUFFICIENCY FOR CHILDREN LOOKED AFTER AND CARE LEAVERS

The Strategic Director of Social Care and Education submitted a report providing a summary of the progress made since the last placement sufficiency strategy of 2020/24, and setting out the proposed long-term priorities for 2025/30.

The Head of Corporate Parenting presented the report and gave a presentation:

Key points other than those on the slides (attached with agenda) included:

- The service was demand-led, so there was a need to think about what the population may look like.
- It was aimed to ensure that care was a last resort, therefore there was a dependency on Edge of Care. Edge of Care had a place in sufficiency in terms of helping children to stay with their families.
- It was also important to ensure that children were in care for the shortest time possible, so it was necessary to look at permanence, such as special guardianship arrangements. Therefore, a strand of work sat under this. A key part of this was the ability to recruit and retain more foster carers.
- It was important to ensure that most children in care were with Council Carers rather than private ones.
- Looking at the age profile of foster carers, it was recognised that some may be looking to retire, so it was important that more were recruited. This was critical as there was a national shortage of foster carers and there was also competition with other authorities an Independent Fostering Agencies (IFA).
- The figures of children in IFA in the City were low and the Council maintained seven of its own residential homes with another opening this summer. Six of these homes were rated good or outstanding by Ofsted. Another required improvement and this was being worked on.
- More children with challenging and complex behaviour were being looked after. These had fared better than those placed out of the area. Therefore, there was a plan to increase the number of children in their

own homes.

- Capital expansion was a competitive process, and therefore it was a vote of confidence in the Council's ability to manage homes effectively.
- The Council had an established workforce in the residential sector and there had been succession planning. This was a critical part of the strategy.
- It was necessary to consider the best ways of commissioning in terms of cost. It was more expensive for a child to live in residential accommodation than it was for them to live with family. This highest placement costs could range from £12k-£15k per week.
- The market was broken, and profiteering had been taking place, therefore there was a need to invest.
- Children were best off living locally and attending local schools. Therefore, there was an ambition to keep children in care living locally.
- Care Leavers included young people up to the age of 25. This meant actively engaging and providing high-quality accommodation.
- There were pressures in housing as this was a demand-led service.
- The Leicester Ask Survey was a wide survey looking into the wishes and views of young people. The responses had been very positive regarding how they felt about accommodation.
- There was a focus on place and stability. When children in care needed to move, the move needed to be kept to a minimum. The figures for moves held up well in this respect. Some children in care were coming into care in an emergency situation and sometimes needed to move quickly, however, these numbers were kept low as it was disruptive to education and the health needs of the children in care.
- The numbers of children in care were stable, this went against the national trend.
- There was an increase in older adolescents coming into care relatively late. It was more challenging to find foster placements for 16-17-year-olds than it was for the under 5s.
- It was necessary to get placements of the right type and the best value.

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

- In response to questions surrounding the recruitment of foster carers, it was explained that the Council was looking to recruit from all of the communities it served. It was noted that in terms of ethnicity, white children were over-represented in the care system, and it was necessary to ensure that the best cultural matches were made.
- Recruitment of foster carers would not be done internationally as there would be legislative issues and issues around accountability.
- Each foster carer had a supporting social worker. This was sometimes a factor in foster carers joining the Council having previously been private as they valued the support from social work staff.
- It was aimed to recruit foster carers locally, but not exclusively.

- It was aimed to promote flexible fostering, for example, carers could be short-break or respite carers and did not necessarily have to be full time.
- There was no clear answer as to why there was an increase in older children coming into care as there was complexity surrounding it. It was suggested that these children could be at risk of criminal and/or sexual exploitation and may need to be placed outside the area for safeguarding purposes. There had also been an overlap on children with complex health needs who were coming into the system late. This was a trend that had been seen nationally.
- With regard to points made about the cost-of-living, it was acknowledged that this was relevant for people considering becoming foster carers as people may need a change in working patterns to become foster carers, therefore it was important to ensure that foster carers were remunerated.
- The main reason for children coming into care was neglect.
- It was clarified that sometimes foster carers from IFA mentioned they wanted to work for the Council, but these people were not approached separately by the Council. It was noted that former IFA carers had felt under pressure regarding the matching process due to an unacceptable notice period where high-cost carers had terminated placements. This would not happen with Council homes.
- There was a different kind of engagement with the private sector, however, the Council were satisfied that children's needs were met in all placements. However, there were ways to look after children better and provide better value.
- With regard to pocket-money and clothing allowance, this was offered by the Council but not marketed in the same way as it was for IFA. The Council offer included support for holidays and religious festivals that had not been publicised in the same way that they were for IFA.
- The Council did not have supported lodgings in-house, but opportunities and feasibility were being looked at.
- In terms of the reasons that children and young people were brought into care, only a primary reason was recorded. Definitions were set by the Department for Education. In terms of the demographic spread across the local authority, the major reason would be abuse and neglect.
- Missing figures could be provided.
- In terms of positive lessons learned from other authorities, the Council were part of a network on fostering in the East Midlands and from this it had been learned that the trends and pressures faced were not unique to Leicester. It had been possible to learn different ways of fostering, such as the flexible approach and an additional band of foster care payments for those with additional needs. Additionally, the Council were looking to keep in touch with foster carers through digital media.
- It was estimated that there was a national shortage of 10,000-15,000 foster carers nationally, this was a challenging position. As such it was important to think about the unique selling points of Leicester.
- In terms of local figures on foster care shortage, it was clarified that all

CLA were placed appropriately other than in emergencies (and this was a very small number). However, the 15-20 foster carers gained each year was offset by those moving on or retiring. Therefore, if nothing was done, there would be more pressure. As such, it was aimed to shift from IFA to fostering households. 12% of CLA were in residential accommodation, but it was thought that this figure could come down significantly. It was necessary to keep children local and invest better and earlier.

- Officers were always willing to come out to local communities to promote fostering in local areas.
- In terms of reunification with families, there was a need to ask questions about whether children could return to families. The vast majority return to Leicester and engage with families, therefore conversations were needed to ensure there was a safeguarding approach. In terms of placement with parents provisions, steps to reunification with birth parents would be considered.
- It had previously been the case that often the Council had worked less with parents once a child was removed. Therefore, part of the family model would be about ensuring that children could return to families with the right support. This would not always be possible, but there was work to do on contact with parents.
- With regard to the national shortage of foster carers in local authorities and in IFA, it was suggested that this could partly be due to the Covid-19 pandemic and people valuing their own time more or being more hesitant to take people into their houses. It was also suggested that it could be due to wider demographic shifts such as women working longer.
- It was acknowledged that foster carers made good recruiters, however, the volumes recruited were not as large as they had been.

AGREED:

- 1) That the presentation be noted.
- 2) That comments made by members of this commission to be taken into account by the lead officers.
- 3) That the report come back to the Commission in six months' time.

144. 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.

The work programme was noted.

145. ANY OTHER BUSINESS

In response to questions raised about 16+ SEND home-to school transport, it was noted that:

- The suggested fourth option would be considered within the decision making. Ideas would be looked at and costed as part of this, however, it would not be an appendix to the decision report.
- In terms of timescales, when the decision was made, there would be time for scrutiny and Full Council meetings as required.

There being no further items of urgent business, the meeting finished at 19:43.

Minute Item 138

Points from STILL SEND 16+ ahead of Scrutiny Committee in response to CYPE Scrutiny 25.02.2025 Action Update with specific reference to High Court Judgement on TYC (by his litigation friend and mother, KVD) and Birmingham City Council, dated 13 March 2025

We are pleased to hear that in-depth work is taking place with finance and legal teams to develop the policy on Post-16 Transport.

However, we note that since STILL SEND 16+ submitted their statement for consideration the landscape has changed considerably. We proposed an Option 4. We asked that all applications be considered individually and that alternatives to a Personal Transport Budget be provided where applicable. It is our understanding that in the recent high court judgement noted above these points were supported by the Judge. In Analysis and Conclusion (17) of the judgement, the Judge stated that “Local Authorities must act reasonably in the performance of their functions. They should not have a blanket policy of never providing discretionary travel and must properly consider and engage with the reasons given by a parent as to why they consider that their child’s particular circumstances are exceptional and justify an award of travel support to school.” We expect that the published policy will follow the legal precedent set in this case.

We continue to be concerned that officers stand by the belief that the needs of all Post-16 young people with SEND can be met within Leicester City boundaries (Action Update, 2.3). Whilst we appreciate and support the development of options within the city, officers must acknowledge that in some cases young people will be placed outside of the city boundary to meet their needs. Although there is a range of SEND provision within Leicester City, these places will not currently meet the variation of needs for this cohort of young people. For example, some young people require therapeutic settings in rural areas. To claim otherwise is to contradict the council’s own decision making on suitable education.

In regard to Actions 3 and 4 of the Action Update, we continue to make the case that young people who have begun courses need to be supported to complete them, wherever those placements may be. In the recent High Court judgement, the Judge quoted evidence from the young person’s school which stated that the Claimant’s attendance “sharply declined” and the “disruptions to his routine have had a profound impact on his overall wellbeing”. We therefore expect that the policy will ensure that young people in Leicester City are not disadvantaged in a similar way.

We are concerned by the homogenisation of behaviours and SEND needs. In our experience these issues are inexorably linked and cannot be determined in the way suggested in the Action Update (6.2). We note that the young person who successfully brought a claim against Birmingham City Council has a range of conditions including challenging behaviour.

During a recent meeting with Government Minister Liz Kendall expressed concern about the council’s complacency over the inevitable increase in NEET young people, which is admitted within the draft decision report. She emphasised the importance of young people “earning or learning, and we expect the council take rigorous action to ensure no young person becomes NEET as a result of policy changes.

We believe there is no sense in irrational decision making when such an important policy change is under consideration. We expect the council to take into account the recent High Court Judgement and develop a rational, legal and ethical policy rather than simply publish an Appendix.

