

London Borough of Islington
Children's Services Scrutiny Committee - Monday, 20 September 2021

Minutes of the meeting of the Children's Services Scrutiny Committee held in the Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on Monday, 20 September 2021 at 7.00 pm.

Present:	Councillors:	Chapman (Chair), Woodbyrne (Vice-Chair), Bell-Bradford, Burgess, Convery, North, Ozdemir and Woolf
Also Present:	Councillors	Ngongo
	Co-opted Member	Mary Clement, Roman Catholic Diocese Zaleera Wallace, Parent Governor Representative (Secondary)

Councillor Sheila Chapman in the Chair

272 APOLOGIES FOR ABSENCE (ITEM NO. A1)

Apologies were received from Claire Ballak.

273 DECLARATION OF SUBSTITUTE MEMBERS (ITEM NO. A2)

None.

274 DECLARATIONS OF INTEREST (ITEM NO. A3)

None.

275 MINUTES OF THE PREVIOUS MEETING (ITEM NO. A4)

RESOLVED:

That the minutes of the meeting held on 20 July 2021 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

276 CHAIR'S REPORT (ITEM NO. A5)

The Chair updated the Committee as follows:

- All members had received an email from The Children's Society. It set out the manifesto for local government including some of the key issues impacting children's wellbeing which councils had the power to change.
- The Children's Society's latest edition of The Good Childhood Report was also circulated and this showed a ten year national decline in children's happiness, even before the pandemic. There was an aim to build a network of councillors engaged with children and young people's issues and councillors could sign up to receive newsletters, reports and briefings.
- The Education Select Committee chairman, Robert Halfon, has asked Ofsted's chief inspector, to write to the committee explaining why some

reports had not mentioned off-rolling by name, despite inspectors finding the practice taking place. A report was highlighted describing an admission by Ofsted that, on some occasions, inspectors had found evidence of off-rolling in schools but not referred to it as such in their report. Inspectors had now been told that reports must always use the following set phrase to refer to off-rolling where "this practice constitutes off-rolling according to Ofsted's definition."

- On 12 September 2021, the Guardian reported that over 20,000 parents across the UK had been surveyed about childcare costs. It presented compelling evidence that lack of access to childcare was preventing progress on gender equality. The survey also suggested the government's flagship shared parental leave policy had not worked and one-third of parents said they paid more for childcare than their rent or mortgage.
- A report by the BBC on 8 September 2021 into special needs funding reported that 97% of responses to a survey by the Head Teachers' Union said they received insufficient funding to support pupils who had special needs. The report, based on a survey of 1,500 head teachers, suggested that nearly a third of schools had cut services in the past year. Separately, parents and carers of children who had special needs had written to the Prime Minister, demanding better in-school provision.

RESOLVED:

That the report be noted.

277 ITEMS FOR CALL IN (IF ANY) (ITEM NO. A6)

None.

278 PUBLIC QUESTIONS (ITEM NO. A7)

None.

279 SCRUTINY REVIEW - WITNESS EVIDENCE - PRESENTATION ON TRANSITION FOR CHILDREN WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) (ITEM NO. B1)

The Committee received a presentation from Candy Holder and Sue Imbriano on Transitions. In the presentation the following main points were made:

- The council's guidance on transition planning recognised that all children might need support at some time to enjoy the new opportunities and meet the challenges they would face as they moved through different stages of their life. Some children and young people, including those with special educational needs and/or disabilities (SEND) were likely to need more support however, particularly at key transition times.
- The four over-arching principles of guidance were: 1) the effective planning to support children and young people and their families in managing change; 2) the engagement and participation of children and young people and their families in assessment, planning and review; 3) ensuring information exchange – with children and young people and their parents as well as across services and between institutions; 4)

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effective commissioning to ensure the right provision and support was in place for the right children at the right time – this sometimes meant conversations about funding had to take place with parents.

- The Islington Multi-Agency Progression to Adulthood protocol set out the role of each agency and processes for accessing support for those transitioning to adulthood.
- Where a child or young person had an Education, Health and Care Plan (EHCP), the child's parent (or the young person over the age of 16) had the right to request a particular school / college (including an independent school) be named in their EHCP. Where this happened, the local authority must comply with that preference and name the school or college in the EHCP unless it would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources. The local authority must consult the school or college concerned and consider their comments before deciding whether to name it in the child or young person's EHCP. Where a parent or young person did not make a request for a particular school or college, the local authority must specify mainstream provision in the EHCP. Mainstream education could not be refused by a local authority on the grounds that it was not suitable. A local authority could rely on the exception of incompatibility with the efficient education of others only if it could show that there were no reasonable steps it could take to prevent that incompatibility. The SEND Code of Practice set out in some detail with examples, what 'reasonable steps' might look like (para 9.91 to 9.94).
- Children with SEND were supported across the Early Years provision by well trained staff, with advice and guidance from Area SENCOs, Educational Psychologists, CAMHS (Child and Adolescent Mental Health Services), Therapists and other support services. There were also 36 specialist (additionally resourced) places across Early Years and early years providers could also apply for additional funding to put in place additional support for identified children. It was important to identify children with SEND as early as possible.
- Early years, the SEND Team and Health colleagues worked closely together to identify those children who might have special educational needs that would require support over and above what was normally available, and therefore might need an EHCP to support them when they transferred to school through well-established multi-agency systems.
- Transition was carefully planned and managed between the Early Years provider and destination school, with support from the Area Special Educational Needs Coordinator (SENCO) Team. This would normally include an exchange of information, visits and joint planning that fully involved parents and carers. For those children who might require an EHCP, every effort was made to ensure this was in place before they transitioned to school so that the school had a clear understanding of needs, outcomes and provision for that child as well as any top-up funding assessed as necessary to support the delivery of the plan. The school would always be consulted before they were named in a plan, but as for all cases, the local authority had to comply with parental preference unless there was concrete evidence that this would not be compatible with the efficient use of resource or the education of others.

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- Challenges in Early Years to Primary Transition included a rapid increase in the number and complexity of children with SEND in Early Years which had led to more demand for specialist places at transition, which had both immediate and longer term implications for the local offer.
- 25 additional places had been made available at The Bridge Special School (for children with Autism) from September 2021, while longer-term solutions were being considered through the current SEND Review. All schools were seeing a higher number of children with EHCPs and SEND Support needs across Key Stage 1, and for a small number of schools, 10% or above of children in one class had complex needs.
- Islington was looking again at SEND funding arrangements through the SEND Review to see how 'front load' funding for predicted intake could be improved. In the meantime, schools could apply for exceptional needs funding in individual / unforeseen circumstances.
- To support primary to secondary transition, the primary school should share information with the secondary school the child or young person was moving to. This was achieved in a number of ways including visits, through review meetings and/or at an annual SENCO conference organised by the local authority. There were some examples of good practice in Islington schools, e.g. one secondary school had all children with SEND in attendance for a week before term started to enable them to get to know the building, rules and the staff who would be supporting them. The school should agree with parents and pupils the information to be shared as part of the planning process.
- For children with an EHCP, the plan must be reviewed and amended by 15 February in the calendar year of the transfer. The SEND Team had an officer dedicated to Secondary transfer who guided parents through the process.
- Each secondary transfer cohort included approximately 100 children. Parents were encouraged to identify more than one preference. Where the parent's preferred school was not named in the plan, the parent had the right of appeal to the independent First Tier (SEND) Tribunal. Within the context of the requirements of the Code of Practice, the SEND Team kept oversight of parental choice to identify any school that might have a disproportionately high number of EHCP preferences. In such cases, and where the school might not be the closest to the home address, consideration would be given to whether naming the school would be compatible with the efficient use of resource or the efficient education of others, although the burden of proof on this was high.
- Challenges in primary to secondary transitions included: 1) Different school operated different practice in transition arrangements; 2) Despite the good transition practice, the majority of schools (Islington and out-of-borough) respond negatively to the initial consultation (which normally took place in early January); 3) Parents might not give consent to information sharing; 4) Children with an EHCP would receive confirmation of the school named in their plan by 15 February while all other children would receive their offer on 1 March; 5) The First Tier (SEND) Tribunal found in favour of Local Authorities who did not name the parents preferred school for only 8% of cases; 6) Some Islington secondary schools felt that that decision making regarding placement of children was not transparent or fair. For the 2021 exercise Secondary School SENCOs of other representatives were being invited to join officers when they considered the cohort, preferences and placement. In the current cycle 50% of preferences had been received and there had been 18 requests

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for one special school with only six places available; 7) Where a parent identified an out-of-borough school, not only the school must be consulted, but also the home local authority for that school. This could make negotiations more challenging. Similarly, other Local Authorities must consult Islington before naming an Islington school for one of their residents and this also had to be taken into account in planning.

- In relation to the Transition to Adulthood, the Code of Practice expected that high aspirations about employment, independent living and community participation should be developed from the earliest possible stage. It also expected schools to seek partnerships with employment services, businesses, housing agencies, disability organisations and arts and sports groups, to help children understand what was available to them as they got older, and what was possible for them to achieve.
- Local authorities were required to ensure for those with SEND that the relevant services they provided help to prepare the young people for adulthood. This might include housing services, adult social care and economic regeneration. There were good examples of these relationships through Islington's special schools and New River College (PRU), supported by wider Council services such as iWork, iSet (Islington Supported Employment Team) and 100 hours of Work. New River College had won a national award for their careers advice.
- For teenagers, preparation for adult life should become a more explicit element of their planning and support, focused on what they wanted to achieve and the best way to support them. Considering the right post-16 option was part of this planning. Local authorities had a range of other duties which were particularly relevant to this area, including: 1) to offer advice and information directly to young people over the age of 16 together with health services, to make joint commissioning arrangements about the education, health and care provision of children and young people to secure positive adult outcomes, 2) to co-operate with Further Education colleges, sixth-form colleges, 16-19 academies and independent specialist colleges; 3) to include in the Local Offer provision which would help children and young people prepare for adulthood and independent living. Also, EHCPs covered Education, Health and Care, so that transition to adult health and where necessary, social care services was also a very important part of this planning.
- Maintained schools and pupil referral units (PRUs) had a statutory duty (section 42A of the Education Act 1997) to ensure all pupils from Year 8 until Year 13 were provided with independent careers guidance. Academies, including 16-19 academies, and free schools were subject to this duty through their Funding Agreements. All young people should be helped to develop the skills and experience, and achieve the qualifications they needed, to succeed in their careers, with the expectation that the vast majority of young people with SEND were capable of sustainable paid employment. All professionals working with them should share that presumption.
- One of the most effective ways to prepare young people with SEND for employment was considered to be through work-based learning that enabled them to have first-hand experience of work, such as: 1) Apprenticeships: paid jobs that incorporated training, leading to nationally recognised qualifications. Young people with EHCP could retain their plan when on an apprenticeship; 2) Traineeships: Education and training programmes with work experience, focused on giving young people the skills and experience they needed to help

them compete for an apprenticeship or other jobs; 3) Supported internships: Structured study programmes for young people with an EHCP, based primarily with an employer. Internships normally lasted for a year and included extended unpaid work placements for at least six months. Wherever possible, they supported the young person to move into paid employment at the end of the programme. Young people with EHCP would retain their plan when undertaking a supported internship. Local examples include Project Search Whittington Hospital – in conjunction with Ambitious College (for young people with autism), Project Search Moorfields (for young people with learning difficulties and/or autism). These opportunities were in a range of areas such as IT, catering, engineering and maintenance. The opportunities across the council were vast.

- Local authorities must ensure that the EHCP review at Year 9, and every review thereafter, includes a focus on preparing for adulthood.
- Preparing for adulthood planning in the review of the EHC plan included: 1) support to prepare for further education and/or employment to include identifying appropriate post-16 pathways, training options such as supported internships, apprenticeships and traineeships, or support for setting up businesses. Reviews covered support in finding a job, learning how to do a job (e.g. through work experience opportunities) and help in understanding any welfare benefits that might be available; 2) support to prepare for independent living should also include discussing where the child or young person wanted to live in the future, who they wanted to live with and what support they would need; 3) support in maintaining good health in adult life, including effective planning with health services of the transition from specialist paediatric services to adult health care; 4) support in participating in society, including understanding mobility and transport support, and how to find out about social and community activities, and in developing and maintaining friendships and relationships; 4) the review should identify the support the child or young person needed to achieve these aspirations and should also identify the components that should be included in their study programme to best prepare them for adult life; 5) For young people moving from secondary school to a post-16 institution or apprenticeship, the review and amendments to the EHCP must be completed by the 31 March in the calendar year of the transfer.
- There was a Progression to Adulthood Programme of Work which included work in relation to goals and aspirations (education, employment and training), independent living, health and wellbeing, health and wellbeing and community cohesion.
- The government had refreshed the national strategy for improving the lives of autistic people and their families (published in July 21) has for the first time extended its scope to include children and young people. The revised strategy also took account of the impact of the COVID-19 pandemic on people with Autism, backed by research from the Policy Innovation and Evaluation Research Unit (LSE) (Autistic People's Experiences During the Pandemic) and by the National Autistic Society and others (Left Stranded) which confirmed the view that the pandemic had exacerbated challenges many autistic people already faced, such as loneliness, social isolation and anxiety, with those with higher support needs, autistic women and non-binary people particularly impacted. The strategy set out changes across six areas, the following two of which might have particular relevance to the Scrutiny Committee in the

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context of this review: 1) Improving autistic children and young people's access to education and supporting positive transitions into adulthood. The SEND system should enable autistic children and young people to access the right support within and outside of school. Schools should provide better support to autistic children and young people so they were able to reach their potential and there should be improvements to the support autistic people received in their transitions into adulthood; 2) Supporting more autistic people into employment. The employment gap was closed as more autistic people who were able and wanted to work could do so.

In the discussion the following main points were made:

- In response to a member's question about Headteachers' funding concerns, the officer advised that a survey of Headteachers had been undertaken. Some respondents stated that they were at capacity but with the right vision they could do more. Spending had been contained through the existing budget and there was an extra £4m this year which would be directed to where it would be most effective. Officers had discussed other funding models with other boroughs. If the second tier of funding was front-loaded, this would give schools greater flexibility and mean resources could be moved to where most needed. Formal consultation would take place but it was expected that schools would formally support the change.
- In response to a member's questions about transitions, an officer stated that there were many transition points and parents often thought they were always in some type of transition. Transitions were more complex where a child moved in or out of borough. Moving from mainstream to a special school or vice versa was often a difficult transition to support.
- In response to a member's question about the rapid increase in children with SEND, the officer stated that it was anticipated, based on a three year trend, that next year there would be an additional 40 children with social, emotional and mental health (SEMH) needs. There had also been a significant increase in those with Autism. There were more children entering the system than there were exiting it. Health colleagues had advised that it currently took 2.5 years for an autism diagnosis.
- In response to a member's comment that there was a broad Autism spectrum, the officer stated that some children required minimal support and others had complex needs. The London Trust provided support for those with complex needs.
- In response to a member's question about only 50% of plans being issued in a 20 week timeframe, the officer stated that during COVID, timeliness suffered with food etc. being prioritised. Since then, the figures were on track and were currently at 80%. Sometimes delays occurred when parents wanted more advice or were waiting for health assessments.
- In response to a member's question about how many exceptions for funding were received and granted, the officer stated that five requests had been received so far this term. It was hoped that a shift in the funding model would mitigate exceptions for funding. Officers met SENCOs regularly. As pressure grew, conversations with parents about funding were happening more frequently.
- In response to a question from a member of the public about whether officers communicated with teachers who received SEND payments, the officer

advised that there was no direct communication, but communication took place with SENCOs and Headteachers.

- In response to a member's question about whether there were longitudinal studies in relation to transitions to adulthood e.g. the impact of internships, the officer advised that there were no studies on the impacts and the scheme was quite new. She was also not aware of any national studies.

RESOLVED:

- 1) That the presentation be noted.
- 2) That the Internship Project Manager be invited to give evidence.

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CHILD PROTECTION ANNUAL REPORT (ITEM NO. B2)

Laura Eden presented the report which provided an update on progress being made in safeguarding and promoting the welfare of Islington's most vulnerable children from 1 April 2020 to March 2021.

In the presentation and discussion the following main points were made:

- In response to a member's question about domestic violence being the most common reason for contacts requesting a service, the officer advised that of the 11,147 new contacts in 2020/21, 15.6% of contacts were due to domestic violence and this was a 1% increase on the previous year.
- In response to a member's question about whether changes in ways of working in Young People's participation in CLA Reviews during Covid would continue post-Covid, the officer advised that successful ways of working would be continued. Many young people preferred virtual meetings and these would be continued where appropriate. Statutory in-person visits would still take place.
- A member asked if there would be any specific interventions and strategies in relation to anti-social behaviour and gang activity following lockdowns. The officer advised that preventative work continued to take place and work was undertaken with those who were most at risk at transition points including Years 6 and Years 7. Intensive work was also undertaken with families who had support for 20 hours a week to assist them and divert young people from criminal exploitation.
- In response to a member's question about Islington having a higher rate of child protection plans than statistical neighbours, the officer advised that there were more strategy discussion and investigations than in other boroughs and that Islington constantly looked at the thresholds and looked at any areas where practice could be improved. Unlike other boroughs, Islington undertook child protection enquiries where adolescents alleged physical abuse but had no injuries for example and also utilised the child protection procedures for exploitation and serious youth violence whereas some boroughs did not. Although the council did not have to do this, Ofsted had found no fault with doing this.

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- In response to a member's question about how it was determined that a child with a Child Protection Plan was no longer in harm, the officer stated that good interventions could change parenting capacity. After having a Child Protection Plan, the aim was that a child became a Child in Need for at least six months and then stepped down to Early Help.
- In response to a question as to how children placed both in and out of borough were followed up, the officer advised that all children, whether in borough or out of borough, were seen every four weeks if in a short term placement or every six or eight weeks if in a long term placement. There was no difference in the social care interventions in or out of the borough but there could be a difference in educational support or emotional wellbeing support for example, also in Adventure Play or Youth provision Islington had a good offer. In relation to health, Islington did all the assessments for all children wherever they were placed, however Islington children had access to local support services e.g. CAMHS and support services could vary for those placed out of borough.
- A member asked about the four serious safeguarding incidents which produced Rapid Reviews. The officer stated that three of them related to serious youth violence and recommendations had been implemented. The other reviews undertaken had no theme. Action plans were monitored and recommendations had been implemented.
- In response to a member's question about 36% of young people moving to semi-independent accommodation after their 18th birthday, the officer advised that young people already in semi-independent accommodation on their 18th birthday were not included in the figure. Few 18 year olds moved straight into secure tenancy accommodation as each individual was assessed regarding when they were ready, not when they reached an age limit. The House Project enabled 12 young people at a time to prepare for going into secure council accommodation early.
- In response to a question about 44 initial child protection conferences taking place after the 15 working day timescale from strategy discussion, the officer advised that although this was 10% below the London average, some boroughs had two discussions which affected their timescales. In Islington, conferences were only held when they were purposeful. It was recognised that some late bookings could be avoided.
- In response to a question about delayed timescales in the care planning for children under 6, the officer stated that this was affected by some family members not coming forward until the case was in court. Timescales would continue to be monitored.
- In response to a question about caseloads, the officer stated that the number was not set in legislation. If caseloads were too high, less direct work could take place. Direct work was important to work with children and improve the parenting capacity of parents. Students, who often stayed in Islington, and new staff, required smaller caseloads

when they started and more supervision but in the long term this was worthwhile.

RESOLVED:

That the report be noted.

281 **QUARTER 1 PERFORMANCE REPORT (ITEM NO. B3)**

In response to a question from a member about whether Academies had a higher level of absence than local authority schools, an officer confirmed that they did. The Council was working with the Executive Head of the Trust and the Regional Schools Commissioner.

RESOLVED:

That the report be noted.

282 **WORK PROGRAMME (ITEM NO. B4)**

RESOLVED:

That the work programme be noted.

MEETING CLOSED AT 8.15 pm

Chair