

Committee: Children and Young People Scrutiny Panel

Date: 22 June 2022

Wards: All

Subject: Departmental Update

Lead officer: Jane McSherry, Director of Children, Schools and Families

Lead member(s): Cllr Brenda Fraser, Cabinet Member Children's Services, and Cllr Sally Kenny, Cabinet Member Education and Lifelong Learning

Contact officer: Farah Ikram - Interim Head of Performance, Improvement and Partnerships

Recommendations:

A. Members of the panel to discuss and comment on the contents of the report

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 The report provides members of the panel with information on key developments affecting the Children, Schools and Families Department, and not covered elsewhere on the agenda. It focuses on those aspects of particular relevance to the department.

2 CHILDREN, SCHOOLS & FAMILIES

2.1 It has been a busy few months for the department, with a number of positive outcomes and achievements, starting with the recent Ofsted inspection of the Council's Children's Services, which was judged as outstanding.

2.2 The Inspection of Local Authority Children's Services (ILACS) framework, published in 2017 and updated in 2021, focuses on:

- the effectiveness of LA services and arrangements to help and protect children;
- the experiences and progress of children in care wherever they live, including those children who return home;
- the arrangements for permanence for children who are looked after, including adoption and the experiences and progress of care leavers.

2.3 In addition, the framework evaluates the effectiveness of leaders and managers; the impact they have on the lives of children and young people, and the quality of professional practice.

2.4 The judgements for the three areas are as follows:

- 1) The impact of leaders on social work practice with children and families
Outstanding;
- 2) The experiences and progress of children who need help and protection -
Good;
- 3) The experiences and progress of children in care and care leavers –
Outstanding;
- 4) Overall effectiveness - Outstanding.

2.5 The inspection highlighted the timeliness of support and response at the front door, our Children & Families Hub, and our partnership approach, which was assessed to be strong and respectful. Inspectors commented that they saw evidence of creative, thoughtful and innovative direct work by practitioners delivering child-centred interventions - evidencing a positive impact on children. They also commented on the exceptional nature of support and care for our care experienced children and those with complex needs. This included the work across the corporate parenting service and the close work of our Virtual School, and colleagues across education services.

2.6 This is an incredibly proud moment for the Children, Schools and Families Directorate and the Council as a whole, with acknowledgement from Ofsted of the continuation of good work and progress since the previous inspection in 2017, and in light of the challenges arising from the pandemic.

2.7 Inspectors identified two areas for improvement:

1. The quality of work with some children by out-of-hours staff when children need to come into care;
2. A flexible needs-led housing offer when young people leave care.

2.8 We are working with a neighbouring Local Authority that hosts the out of hours service to identify the improvements required. The second improvement area forms part of a detailed piece of work being undertaken for our care experienced young people, as we explore a wider council offer and work closely with colleagues in the housing department.

2.9 The OFSTED report is attached as **appendix one**.

3 EDUCATION

Summary of recent developments in national policy

3.1 Government White Paper ‘*Opportunity for all Strong schools with great teachers for your child*’

The White Paper sets out proposed reforms to the education system, focussed on providing an excellent teacher for every child, delivering high standards of curriculum, behaviour and attendance, targeted support for every child that needs it and a stronger and fairer school system.

3.2 In addition, the White Paper aims to deliver a fully trust-led system by 2030, with a single, regulatory approach to harness the expertise already in the system and establish new trusts, including trusts established by local authorities.

3.3 Ofsted will continue to assure the quality of schools and strong trusts will be solely accountable for school improvement. The Schools’ Bill was published on 12th May 2022, and follows the plans set out in the Schools White Paper.

3.4 The Council will consider how the proposals contained within the White Paper and the Schools’ Bill need to be addressed in Merton and work in partnership with local schools and academies to ensure that the education offer remains as strong as possible for all Merton pupils.

3.5 Government Green Paper ‘*SEND Review: Right support, right place, right time*’

This Green Paper is a consultation on the special educational needs and disabilities (SEND) and alternative provision system in England. The consultation sets out proposed reforms to the SEND and alternative provision (AP) system and is part of the Government’s *Levelling Up* mission.

3.6 The review describes a “*vicious cycle of late intervention, low confidence and inefficient resource allocation.*” As a result, Educational Health and Care Plans (EHCPs) and, in some cases, specialist provision, are often seen as the only means of guaranteeing the right and appropriate support. Financial resource and workforce capacity is pulled to the specialist end of the system.

3.7 The Government’s ambition is to turn this vicious cycle into a virtuous one in which the vast majority of children and young people should be able to access the support they need to thrive in their local mainstream setting without the need for an EHCP or a placement in special or alternative provision (AP).

3.8 The consultation makes proposals to address three key challenges:

- poor outcomes for children and young people with SEN or in alternative provision;
- navigating the SEND system and alternative provision is not a positive experience for children, young people, and their families; and
- despite unprecedented investment, the system is not delivering value for money for children, young people and families.

3.9 The proposals include an additional £1 billion in 2022 – 2023 to support those with the most complex needs and an investment of £2.6 billion (over three years) to deliver new places and improve existing provision for children and young people with SEND.

3.10 The consultation proposes that system roles and accountability are clarified and includes: new funding agreements between local government and the DfE; a new inclusion dashboard for 0 – 25; and an updated Local Area SEND Inspection Framework. Funding reform will be delivered through the introduction of a new national framework of banding and price tariffs for funding.

3.11 The Council is preparing a response to the consultation, which ends in July.

Summary of recent developments in Merton

Supporting Schools - *School Admissions*

3.12 This academic year, and particularly since January, we have seen a significant increase in in-year admissions applications for our schools, and it is now significantly above pre-Covid pandemic levels. From 1st September 2021- 31st May 2022, 1532 applications were received. This included 786 children from abroad, of which 101 were from Ukraine, 104 from Hong Kong and 8 from Afghanistan. 95% of children from Ukraine were placed in our schools within 15 school days of arrival.

Supporting Schools - *School Attendance*

3.13 The DfE has published new guidelines to support School Attendance. These guidelines clarify the roles of parents, schools, agencies and the local authority.

3.14 Both nationally and locally, school attendance dropped significantly during the pandemic and there is a larger number of children for whom regular school attendance is difficult. The guidance notes the link between poor attendance and academic under-achievement, as well as wider safeguarding risks.

3.15 There are a number of new initiatives in the new guidance that the local authority will need to address, including:

- The Local Authority will need to set up a school attendance team, to provide advice and support to all schools locally.
- The guidance applies to all types of schools (including academies and independent schools) and expects that the Local Authority will have termly meeting with all schools to review their attendance cases and processes.
- The DfE has developed a new category of Severe Absence (below 50%), where it expects a family plan to be in place and potentially social care involvement.

3.16 We are undertaking an audit and have developed an action plan to assess our current position and alignment to this model and what more needs to be done. Currently, there are no plans by central government to provide additional resource to support the implementation of the guidance. The new model is expected to be in place by Autumn 2023.

3.17 Merton's school attendance pre-pandemic was above the England and London averages. During the pandemic we have been consistently 1% above national averages. However, these averages have been significantly below pre-pandemic levels. The Local Authorities Children Missing Education (CME) processes, which are part of this guidance were inspected in the recent Ofsted inspection and were assessed as robust.

Supporting Schools - *School Inspections*

3.18 Since the last panel meeting in March, there have been three further inspections by Ofsted: Pelham Primary School, Rutlish School and West Wimbledon Primary School. Pelham retained its *Good* judgement: the reports for Rutlish and West Wimbledon are yet to be published. In addition, the reports following inspection have been published for William Morris Primary, which also retained its *Good* judgement, and St Mary's Catholic Primary which was judged to be *Good*.

Supporting Schools – *Disproportionality*

3.19 The Black Lives Matter and Equalities Forum has continued to meet, and to steer the work of schools within the scope of the Merton schools' 'Strategy to address racism and racial inequality (2021/22)'.

3.20 This area is a priority for the work of Children Schools and Families and officers are keen to work with all partners to continue to develop this work.

3.21 We have a Teaching and Learning Adviser for Equalities, who will support the Council in achieving its targets for improving the educational outcomes for underachieving groups of pupils, particularly disadvantaged pupils, those with English as an Additional Language; Black, Asian, and Minority Ethnic groups and new arrivals to the UK.

3.22 Attain (the Merton schools and local authority partnership), which represents schools in Merton, has also identified the importance of addressing racial equality for our young people. The Partnership has made it a priority for their work and is directing funding towards activities that support this work.

3.23 Examples of recent work include:

- Equalities and Diversity Network for school staff, and EAL network for school staff each term.
- Work with identified schools to raise achievement of pupil groups through providing management advice, coaching, training, and feedback.
- A conference for Merton secondary phase pupils, hearing Pupil Voice and working with secondary school communities.
- Equaliteach sessions for school leaders and governors.
- Black Curriculum workshops for teachers with a focus on leadership; establishing a racially literate culture and community; decolonising the curriculum, and pedagogy; embedding black history and intersectional empathy and inclusion.
- The Black Curriculum Ambassadors Programme.
- Recruitment Workshops - (Professor Paul Miller).

- Integrity Coaching - Race, Identity and Leadership Programme (Attain funded).
- Links with 'Merton Race Equality Network' (REN), members through ongoing communication and the mutual sharing of information useful to school staff.

3.24 The second annual Merton Race Equality in Education conference will be taking place on the 1st July 2022, and we would very much welcome councillors' attendance.

Support for children in early years

3.25 As has been seen nationally, Merton has seen a recent increase in the needs of young children- partly due to the impact of the pandemic, as well as restricted access to a range of face-to-face services. This has resulted in a greater proportion of children who are not within their expected developmental range and require additional support with, for example, speech and language and social communication. This is despite the Government prioritising the attendance of children in Nursery and at Reception during lockdowns at school and in private, voluntary and independent (PVI) settings.

3.26 In accordance with government guidance, we returned to a full delivery model in our Children's Centres in the autumn term of 2021. Our services include:

- Early Learning Together programmes for parents with their children;
- Evidence based parenting programmes;
- Targeted services for families with children with SEND;
- Family Information Service Hubs (FISH) providing advice and signposting parents to a range of services; and
- Outreach to families eligible for 2-year-old funding.

3.27 These services are well delivered and there is good take up. Feedback from parents has been positive.

3.28 The take-up of the funded entitlement of 2,3 and 4-year-old places (the attendance of pre-school children at a Private, Voluntary and Independent (PVI), childminder or nursery class), has not yet fully returned to pre-pandemic levels. However, available benchmarking data for two-year-old places shows that Merton is ranked in the top three out of 11 statistical neighbours, with 64% of eligible two-year-olds taking up funded places.

3.29 Actions and next steps to address the levels of need among our children and families are summarised as follows:

- To continue to assertively target and promote the offer of 2-year-old places to families to maximise take up;
- To work with our PVIs and schools to promote the importance of 3- and 4-year-old children's attendance at a setting;

- To offer an increased number of open access garden sessions in our Children’s Centres, which are located in our most deprived areas;
- To continue to deliver our face to face and remote professional development for staff in nurseries and PVI’s, strengthening our partnership with them and their confidence and skills to meet the needs of all children;
- To reshape our Children’s Centre offer in light of the national Family Hub framework, working within our communities and with our partners to further strengthen and broaden our family offer;
- To review our data analysis to ascertain how it can best inform the development of service design and delivery, and the targeting of services for the LA and our partners.

Supporting vulnerable Children and with Special Educational Needs and/or Disabilities

3.30 In the calendar year to date we have received 133 requests for an Education Health and Care Needs Assessment (EHCNA). The Council has agreed to undertake 97 EHCNA’s and agreed to issue 57 EHCPs.

3.31 The year-to-date timeliness (20 weeks for EHCNA) continues to improve - in total, the proportion of EHCPs excluding exception cases being issued within 20 weeks, is currently 81% (which is above the latest published national average of 59.9%).

Safety Valve

3.32 Merton is part of a ‘Safety Valve’ process which is a DfE Dedicated Schools Grant (DSG) high deficit intervention. The DSG is the money the council receives to pass on to schools, and to meet the needs of those with special educational needs and disabilities, including through the High Needs Block (HNB) within the DSG. The Merton DSG has been running at a deficit for several years and had a cumulative deficit of circa £37m as at March 2022. Total DSG for 2021/22 was £185m and HNB £38m.

3.33 Seventeen such Safety Valve interventions have been agreed so far, and a further 84 local authorities are in a lower tier, ‘Better Value’ process. The Safety Valve process requires local authorities to work with partners to produce a plan to re-balance the local SEND system and, thereby, re-balance the DSG. In recognition of the scale of the challenge, an agreement comes with funding from the DfE to address the deficit.

3.34 Discussions with DfE were conducted over several months culminating in the final submission in December 2021, and the agreement was completed between the DfE and the council in March 2022. Work on the plan to address the deficit built on work which started some years ago, when the deficit situation was first identified, and commenced before final agreement was reached as it was recognised that the steps set out were necessary with or without DfE support.

3.35 Merton's Safety Valve Agreement commits Merton to reducing the forecast cumulative DSG deficit from £37.5m (2021/22) to £28m by the end of 2026/27. In return the DfE will provide deficit funding of £28m paid in instalments. The first instalment of £11.6m was paid in March 2022. Further instalments of £3.5m will be paid for each of the subsequent years subject to satisfactory performance against nine conditions with a final instalment of £3.2m in 2026/27.

3.36 The nine conditions against which performance will be measured are:

- Support Mainstream Schools to adopt inclusive practice to enable more children and young people to remain in mainstream settings where appropriate. Develop a graduated response which sets clear guidance on support that should be available in mainstream settings.
- Strengthen the SEN Support offer available in mainstream schools to reduce escalation of children and young people's needs and manage demands for EHCP's. This should include targeted investment on early intervention.
- Strengthen the professional networks across mainstream settings to promote learning and confidence in meeting children and young people's needs, including articulating school level inclusion standards.
- Develop Merton's sufficiency strategy to ensure that current specialist provision is being used most effectively, including working closely with school leaders to optimise availability of provision. Expand specialist provision within the LA appropriately in order to meet the needs of children and young people within the authority.
- Secure collaboration and financial commitment from partner agencies where appropriate, in particular ensuring health partners make adequate contributions to provision.
- Develop and implement a clear planning and decision-making process for placements, in line with the sufficiency strategy.
- Strengthen oversight and contracting with independent and non-maintained schools to ensure value for money, including reviewing expensive placements.
- Strengthen the EHCP annual review process in order that EHCPs can be stepped down where children and young people's needs have been met appropriately.
- Review and develop a clear SEND financial strategy that ensures case level decision making is strategic and appropriate.

3.37 Action taken as part of the Safety Valve intervention has included the recruitment of additional staff to increase capacity:

- Seven additional Education Health and Care Co-ordinators have been successfully recruited, and they will commence their roles soon. The focus of the additional staff will be to continue to improve the quality of EHCPs, their

timeliness, and the appropriate amending of plans following an annual review.

- Other roles are also being recruited to, including permanent commissioners; SEND advisers to provide further support to schools and a lead for our Additionally Resourced Provisions - with a specialism in Autistic Spectrum Condition.

3.38 We are only two months into the five-year plan, but good progress has been made.

3.39 The work being undertaken as part of the Safety Valve intervention places the Council in a strong position to implement the proposals of the SEND Green Paper.

Additional SEND provision

3.40 As a key part of the Safety Valve strategy, additional SEND places are being progressed for this September at Melrose School (Whatley Avenue), and through Additional Resourced Provision at Cranmer, Hatfeild and West Wimbledon Primary Schools. This is in addition to the additional Medical Needs provision at Lavender London Road.

3.41 In the case of Hatfeild and West Wimbledon it is expansion of existing provision, and in the case of Cranmer, it is new provision for children with Communication Needs including Autism. For Cranmer a statutory proposal was published on 12 May 2022 and expired on 9 June 2022, enabling the Director of Children, Schools and Families to make the key decision.

3.42 In late March, the council submitted a bid for additional capital funding for further SEND expansion. At the time of writing, we are still awaiting the outcome.

4. CHILDREN'S SOCIAL CARE

Summary of recent developments in national policy

4.1 In March 2021, the Government commissioned Josh MacAlister, founder of national charity Frontline - to lead an **independent review** into the children's social care system.

4.2 The final report of the review - published on May 22nd makes a number of recommendations, including an increased focus on family help; more support to keep children with their families wherever possible; and making sure children in care and care leavers are well supported with loving homes and lifelong relationships. The review also recognises that councils are best placed to deliver services for local families.

4.3 In response to the report's recommendations the Government will be prioritising initial measures around the three key areas identified and plans to publish an implementation strategy on children's social care in autumn 2022. The Department's leadership team will continue to engage with the DfE, regional

government representatives and local partners to ascertain the implications of the review and opportunities to help further strengthen its social care offer.

Independent review into the deaths of Arthur Labinjo-Hughes and Star Hobson

4.4 On 26th May 2022, the government published an **independent review** carried out by the National Child Safeguarding Practice Review panel, into the murders of Arthur Labinjo-Hughes, 6, and Star Hobson, 16-months.

4.5 The review identified learning in relation to the cases around the quality of investigations carried out by Police and Social Workers when concerns were raised by wider family members about physical abuse.

4.6 The review has made recommendations principally around improving structures to enable better multi-agency working with police, health and social work to investigate allegations of serious harm to children.

4.7 The department will be reviewing the findings and outcomes of the review in liaison with partners to further reflect upon current practices and processes.

Summary of recent developments in Merton

Practice Week 9th – 13th May

4.8 Celebration of Practice Week is an event held twice a year to celebrate the work of individuals and teams across Children, Schools and Families. The week comprises a suite of training and workshop events, dedicated speakers and stories from staff, parents, carers and young people. It gives an opportunity for everyone to hear of what is happening and to support in the celebration of our work. It also enables open, reflective and further learning opportunities to help continue our improvement journey. The weeks leading up to and following Practice Week enable senior leaders to attend and observe various areas of practice across the department, and feed back to staff and managers. A whole departmental management collaborative audit cycle is held to ensure quality assurance activity.

4.9 Our most recent celebration week focused on the theme of 'The Journey of the Foster Carer'. Numerous events and presentations took place across the week, which brought together, staff, practitioners, key partners and stakeholders and provided them with the opportunity to hear directly from foster carers, young people and adoptive parents. We heard many inspiring stories from our social work services, family wellbeing service, legal department, SEND, virtual school, educational psychology and in-house CAMHS. The next Practice Week is scheduled to take place in November.

Social Workers within School (SWIS) programme

4.10 In 2020, the council secured funding to deliver the Social Workers in Schools (SWIS) – a two-year pilot programme, which sees social workers placed directly in six secondary schools across the borough, with the aim of working in partnership with schools, young people and families in order to seek better outcomes.

4.11 On 13th May, Secretary of State for Education, Nadhim Zahawi paid a visit to the Morden Harris Academy- one of the schools participating in the programme to hear first- hand about the outcomes and impact of the programme. The Minister met with social care and school staff, as well as students from schools across the borough, with representatives from Rutlish, Ursuline and Melrose, as well as the three Harris Academy schools in Merton, Morden and Wimbledon providing further insight to how the programme had helped improve overall attendance and outcomes for children and families.

4.12 The Government has announced further continued funding for the SWIS programme in 2022/23; the details of this are being reviewed and will be progressed accordingly.

Foster Carers

4.13 Becoming a Foster Carer is a life changing decision. It changes the lives of foster children and their foster families. Nationally, 13% of foster carers leave the profession each year and the number of children and young people needing foster placements is increasing. There is a national shortage of foster carers and every twenty minutes a child comes into care.

4.14 Merton's strong fostering community remains one of Merton's strengths. To further enhance this, we have invested in the 'Mockingbird Project,' an evidence-based programme that organises foster carers into cluster groups to create strong support links between those carers through creating an extended family community with 6-10 other foster households.

4.15 We launched our first Constellation (a group of 6-10 fostering households supported by a Hub Home Carer who acts as a facilitator and support) in June 2021. This 'village' of carers provide children the experience of growing up in a community with that community providing carers the support they need to care for the children.

4.16 The Mockingbird model will improve stability for our children, reduce the need for children to move away from Merton and strive to keep brothers and sisters closer together. It is our aim to expand the model with more constellations building on learning from this first one.

4.17 In Merton our Fostering Recruitment Team works hard to meet the demands of a challenging market. A revised communication plan (April 2022 to March 2023) has been developed to ensure a considered approach to advertising and attracting residents within our community and surrounding areas to join our fostering family. Together with innovative approaches such as the Mockingbird Programme, we continue to work to improve our foster carer numbers to ensure our children get the best opportunities to be cared for within and close to the Borough.

4.18 Merton places a large proportion of children with in-house foster carers. In the last quarter (Jan-March 2022), 67% of our children were placed with in-house carers This is an increase from Q1. In the 2022 inspection, Ofsted recognised the work undertaken to continue to recruit and retain our carers.

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