

SHEFFIELD CITY COUNCIL

Children, Young People and Family Support Scrutiny and Policy Development Committee

Meeting held 3 September 2018

PRESENT: Councillors Mick Rooney (Chair), Cliff Woodcraft (Deputy Chair), Simon Clement-Jones, Francyne Johnson, Mohammad Maroof, Bob Pullin, Colin Ross, Ian Saunders, Alison Teal and Sophie Wilson

Non-Council Members in attendance:-

Gillian Foster, (Diocese Representative - Non-Council Voting Member)
Sam Evans, (Diocese Representative - Non-Council Voting Member)
Alice Riddell, (Healthwatch Sheffield, Observer)

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Andy Bainbridge, Bryan Lodge, Abtisam Mohamed, Chris Rosling-Josephs and Steve Wilson, and from Alison Warner (School Governor Representative – Non-Council Non-Voting Member), Peter Naldrett (Parent Governor Representative – Non-Council Voting Member) and Joanna Heery (Parent Governor Representative – Non-Council Voting Member).

2. EXCLUSION OF PUBLIC AND PRESS

2.1 The Chair reported that the appendices to the report of the Executive Director, People Services, at Agenda Item 7 – ‘Call-in of the Cabinet Member Decision on Short Breaks Consultation – Implementation Phase’ (Item 6 of the these minutes) were not available to the public and press because they contained exempt information as described in paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended) relating to the financial or business affairs of any particular person (including the authority holding that information).

2.2 **RESOLVED:** That prior to any discussion on the above appendices, the press and public and those Members in attendance as signatories to the call-in, but who were not Members of the Committee, would be asked to leave the meeting to allow the Committee to discuss the confidential information.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 25th June 2018, were approved as a correct record, with the exception of Item 7 –

Board Level Contextual, Attainment and Progress Data, which was amended by the addition of a further recommendation in paragraph (b), as follows:- “(iii) (A) statistical information in terms of the percentage of pupils attending schools in areas where they were resident and (B) statistics, at a neighbourhood level, in order to take account of the huge differentials in terms of levels of deprivation between neighbourhoods within some wards, such as Beauchief and Greenhill, be included in future reports on this issue to the Committee” and, arising therefrom, Deborah Fellowes (Policy and Improvement Officer):-

- (a) confirmed that a paper on Learn Sheffield’s Policy regarding Academy Conversions, had been circulated to Members of the Committee; and
- (b) reported that:-
 - (i) the reports requested from the Executive Director, People Services, on School Funding and the Capital Programme were included on the Committee’s Work Programme 2018/19;
 - (ii) she would report on the proposals with regard to the linkages between academies and local neighbourhood priorities as part of Item 8 – Work Programme 2018/19;
 - (iii) further to the request of the Policy and Improvement Officer to check whether there were any educational projects/initiatives currently benefiting from EU funding, and which could be adversely affected following Brexit, any committed funding in respect of such projects/initiatives would be honoured, using specific Government funding, and that she would circulate a list of such projects/initiatives to Members of the Committee; and
 - (iv) further to the query by Councillor Mohammad Maroof, regarding whether data on exclusions/attainment regarding pupils of rural Pakistan (Kashmir and Mirpur) origin could be extracted from figures for children of general Pakistani origin, and included in future reports of this nature, she had responded to Councillor Maroof, indicating that it was not possible to break down the data to this level and that, following further queries by Members, she would (i) find out whether it was possible to change the monitoring information held by relevant colleagues in order to address the issue raised by Councillor Maroof and (ii) query with relevant colleagues, whether information could be obtained in terms of the language spoken in family households.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 There were no petitions submitted or questions raised by members of the public.

6. CALL-IN OF THE CABINET MEMBER DECISION ON SHORT BREAKS CONSULTATION - IMPLEMENTATION PHASE

6.1 The Committee considered the following decision of the Cabinet Member for Children and Families, taken on 26th July 2018:-

“That the Cabinet Member authorises the Executive Director, People Services, to implement the changes to eligibility for Short Breaks Grants and Daytime Activities, as set out in Section 1.9 of the report.”

6.2 Signatories

The Lead Signatory to the call-in was Councillor Mick Rooney, and the other signatories were Councillors Cliff Woodcraft, Colin Ross, Sue Alston and Andrew Sangar.

6.3 Reasons for the Call-in

The signatories confirmed that they wished to further scrutinise the methodology and impact of the proposals, and requested further clarification on some of the proposals.

6.4 Attendees

- Councillor Jackie Drayton (Cabinet Member for Children and Families)
- Sam Martin (Assistant Director, Commissioning, Inclusion and Learning)

6.5 The Committee heard representations from Ann Snowden, on behalf of the Sheffield Parent Carer Forum. Ms Snowden referred to the Forum’s position statement on the Council proposals for changes to Short Breaks Services, which had been circulated to Members of the Committee prior to the meeting. Ms Snowden stated that the Forum had been working closely with the Local Authority for some time, in connection with the proposed changes, and had requested that the Cabinet Member decision be called-in for scrutiny. She made brief reference to the four areas of concern with regard to the consultation and the proposals, indicating that (a) respondents had not been provided with enough information to give an informed response, (b) it was not clear how the Council had reached the decision to implement all the proposals, without any changes, (c) the impact of the proposals had not been properly examined, and (d) there was a lack of clarity about some of the proposals.

- 6.6 The Chair also referred to a statement “Stop the False Economy”, from Chrissy Meleady, MBE, Equalities and Human Rights, which had also been circulated to Members of the Committee prior to the meeting.
- 6.7 The Chair, as Lead Signatory to the call-in, reiterated the reasons for the call-in, as referred to earlier, and stated that the views of the Sheffield Parent Carer Forum had been a key factor in the calling-in of the decision.
- 6.8 Councillor Cliff Woodcraft stated that he concurred with the comments now made, adding that he was very concerned at the potential adverse effects that the decision would have on families, as well as potential future adverse effects on Council funding, particularly in the light of the possibility of more children having to be taken into care.
- 6.9 Councillor Colin Ross stated that some of the proposals could have a serious detrimental impact on some families, making it very difficult for them, particularly those who rely on respite care, and stated that serious consideration needed to be given to the long-term effects of such a decision.
- 6.10 Councillor Francyne Johnson, who had expressed a specific interest in the item, stated that she was aware of a number of concerns from her constituents, and that, whilst understanding the need for the Council to set thresholds, particularly due to current budgetary pressures, she expressed concerns at the potential detrimental effects of the proposals on those families with disabled children who used, and relied on, the service.
- 6.11 Councillor Jackie Drayton reported on the background to the decision, indicating that local authorities had, until 2011, been allocated Government funding, as part of an initiative known as ‘Aiming High for Disabled Children’. This had enabled Authorities to expand and improve respite care for disabled children and their families, in the form of short breaks or respite care. The Authority used the capital element of such funding to either provide, or make improvements to, appropriate play facilities for disabled children, which had included the water facility in Rivelin Valley Park and adjustments to the chalet at Thornbridge Hall to make it more accessible. As part of the revenue funding, the Authority introduced Special Needs Inclusion Playcare Services (SNIPS), where the Council would pay the full cost of a child attending a mainstream club for their short break. Under the scheme, parents could also apply for a grant of up to £500, which they could use for a short break, such as a holiday or break away. Councillor Drayton stated that, following a change in the Government, and the subsequent end to funding in respect of Aiming High Grants, the Council made a decision to continue funding such provision from its own budget. It was accepted, at this time, that this may not be

sustainable in the long-term, and shortly after, a decision was taken to review the scheme. Councillor Drayton, as Cabinet Member, discussed the issue with the Executive Director, and a consultation exercise was arranged whereby parents, through the Sheffield Parent Carer Forum, and other voluntary organisations and providers, including hard to reach groups, were asked to provide their views on what elements of the scheme they valued most, with the aim of prioritising funding. As part of the review, a number of possible options were looked at, including the removal or reduction of the grant of £500 which families could apply for, and adopting a means-testing approach, and whilst it was accepted that families using a service would be adversely affected, it was a case of minimising the extent of such effects. As part of the SNIPS, it had been decided to ask parents to pay a contribution of £7.00 for each short break session allocated as part of their package, with families with more than one disabled child accessing a daytime short break, contributing a family payment capped at £10 per session. It had also been determined that families in receipt of benefits, or with a household income of less than £21,000, would be exempt. During the 2016/17 budget-setting process, it had been determined that the required savings would not be achieved, therefore further consultation was held with all relevant parties to look at how the service could be further redesigned to achieve the required cost savings. A further decision was made in terms of eligibility, in that families could either apply for a grant or be offered respite care, but not have both. Councillor Drayton concluded by stating that, whilst it had been a very difficult decision to make, she was confident, particularly after all the consultation, that the Council was making the correct decision in the circumstances. She accepted that the changes would make it difficult for some families and that, despite the proposed changes, the Council was still committed to working with, and doing all it could to assist families with disabled children.

- 6.12 Sam Martin reported on the consultation held in November 2017, which had built on previous discussions on this issue, and which included a consultation letter, which set out details of the proposals, being sent to approximately 2,000 households. Approximately 400 responses had been received, which included some very productive feedback. Mr Martin responded briefly to the concerns raised by the Sheffield Parent Carer Forum, indicating that the proposals set out in the consultation letter were very clear, and that the proposals represented the fairest way of dealing with the issue.
- 6.13 In response to a query raised by Ann Snowden, Sam Martin stated that, as previously reported, the proposals in the consultation letter were very clear and that, whilst he considered that reference to the direct payments was inferred to in the original consultation letter, he accepted that there was no direct mention of them. Also, whilst there was no direct mention of the proposals regarding means-testing, information on this element of the proposals had been included on the

Frequently Asked Questions section on the Council's website. Councillor Jackie Drayton added that, as questions arose through the period of the consultation, the Frequently Asked Questions section on the consultation website was updated, for example, to make clear that those families receiving Disability Living Allowance would not have that income counted as part of the income assessment. She also stated that, in her opinion, the letter sent out to parents was very clear in that it set out exactly what the Council proposed to do.

6.14 Members of the Committee raised questions, and the following responses were provided:-

- Officers had worked with the Sheffield Parent Carer Forum when drafting the consultation questionnaire, and as part of the analysis of the responses. Whilst it was accepted that not all the actions suggested by the Forum had been acted on, a number of issues the Forum had highlighted had been addressed.
- The expected savings following the changes to the eligibility criteria were part of the 2016/17 budget.
- In 2015 and 2016, an initial consultation on Short Break services had been conducted with parents and carers. Initially, a proposal to end the Short Breaks Grant altogether had been tabled, but this had been rejected following discussions in the consultation workshop.
- The consultation with the Sheffield Parent Carer Forum had comprised a number of 'face to face' meetings, including workshops held at the Town Hall. Not all parents on the Forum had objected to the proposed changes, with the majority of parents understanding the budgetary problems being faced by the Council, and that this was the fairest way of proceeding.
- It was accepted that there had been a delay in the implementation of the changes, since the decision had been made, which had been due to staffing issues within People Services.
- Whilst it was accepted that those families with disabled children having more complex needs were more likely to be affected by the proposed changes, it was deemed that such families would have more support already from the Council and other relevant groups or voluntary organisations than other families. The Short Breaks Grant and Daytime Activities were a discretionary service offered by the Council, therefore many families would continue to receive the existing statutory care.
- As part of the proposed changes, with regard to attendance at Short Breaks clubs at weekends/summer holidays, which

presently may cost from between £70 to £100 per day session, families would be asked to pay a contribution of £7 for each Short Break session allocated as part of their package, with the charge for families having more than one disabled child being capped at £10 per session. Families in receipt of benefits or with a household income less than £21,000 would be exempt from payment.

- In terms of how the proposed changes had been communicated to parents, the Council already held the contact details of those families accessing its services, with other communication routes, such as Twitter and using the Sheffield Parent Carer Forum, who were very effective at disseminating information, being used. Information on what families were entitled to would also be available through the local offer website.
- The Council was aware of the majority of those families having children with complex needs, and was aware that a number of these families had applied for Short Breaks grants.
- As the questionnaire included as part of the consultation was anonymous, the Council would not, as part of this exercise, be able to identify individually those families most at risk. Whilst a number of families had two disabled children, the number of such families was fairly low, and it was felt that families in particular circumstances, or who need specific types of help, could be dealt with on an individual basis.
- The national threshold of £16,000 with regard to eligibility to benefits had been considered too low, therefore a threshold of £21,000 had been proposed, resulting in those families with a household income higher than this figure no longer being eligible for the Short Breaks grant. There had been no detailed analysis undertaken in terms of the cost savings if this threshold was raised to a different level. The £21,000 threshold had been developed by the Council in a previous year used to determine eligibility for school transport costs for disabled children, therefore it had been considered reasonable to use a similar figure in respect of eligibility to the grant.
- The proposal to charge £7 for each Short Break session at a club had been consulted on, and it was based on fairness and proportionality. Consideration had been given to the necessary work required with regard to the collection of the fee, but the associated risks had been considered. It had been concluded that it would be an overall financial benefit to the Council. It had been determined that this was a reasonable amount for families to pay.
- With regard to the administrative work required in connection

with assessing eligibility based on means-testing, staff had spoken to colleagues in Customer Services in order to devise a system which was customer friendly, and relatively “light touch”, for the families applying for the grant.

- It was accepted that some families may have problems in terms of their children attending Short Break sessions at clubs due to the location of the clubs in the City.
- For those families with children with complex needs, and who did not have the ‘wrap around’ support from the Council and partner agencies, they could seek help from the Sheffield Parent Carer Forum or other organisations, as well as using the local offer in terms of applying for a Short Breaks Grant. In addition, most parent carers were very supportive of each other’s plights, and would assist and support where necessary.
- 1,695 children accessed the Short Breaks grant in 2017/18, with 382 of those accessing other services in addition.
- If it was deemed necessary, and for the benefit of families, additional staff would be deployed to provide help and advice to families trying to access the grants this year as the changes are implemented.
- The Council had not looked at the possibility of voluntary contributions from families on the basis that it was not clear how far this would have assisted in terms of the required savings.
- Whilst it would be difficult to assess the detrimental effect that the proposed changes might have on families, it had been considered that, after a period of time following the implementation, the effects would be felt by the various teams in People Services. If it was deemed that the changes were having a major detrimental effect on families, senior managers would discuss how to deal with this.
- Consideration had been given to how the changes would affect families’ budgets, but it had been considered that asking those families whose income was over £21,000 to make a small contribution would help some way in terms of enabling the service to continue.
- No estimates had been made in terms of cost savings if the threshold had been increased to £24,000, or on a sliding scale, as opposed to a set figure.
- It would be difficult to predict exactly how changes to the threshold would affect cost savings on the basis that the Council does not hold data on every families’ income. The Council would

only receive the details of families' financial income at the time they applied for a grant.

6.15 RESOLVED: That the Committee:-

- (a) notes the contents of the report now submitted, together with the comments now made and the responses to the questions raised;
- (b) agrees to take no action in relation to the called-in decision, but requests the Executive Director, People Services, to urgently consider the following:-
 - (i) review the situation in order to see whether it would be possible for (A) families who have more than one disabled child not having to choose between the Short Breaks grant and another Short Breaks service and (B) families of children with very complex needs, such as those who access overnight respite or an enhanced Special Needs Playcare Service (SNIPS), still being able to receive the Short Breaks grant;
 - (ii) consider increasing the income threshold from £21,000 to £24,000, for the purpose of introducing family income to the eligibility criteria;
 - (iii) consider (A) reversing the decision to ask families to pay for the cost of attending mainstream clubs under SNIPS, on the basis that it is a very small contribution to the savings proposed or (B) introducing a cap on potential charges for universal club costs, so that it isn't higher than the £7 specialist club contribution; and
 - (iv) ensure that all Special Educational Needs Co-ordinators (SENCOs) were briefed on the changes to the eligibility criteria, to enable them to provide the necessary advice to pupils and families; and
- (c) requests the Executive Director, People Services, to report back to the Committee, in eight months' time, on the implementation and impact of the proposals, including details of how many families have been adversely affected, and have had to request an assessed/increased package of care, and how much savings have been achieved.

7. SCHOOL EXCLUSIONS

7.1 The Committee received a report of the Director of Strategic

Commissioning and Inclusion Services containing details on the current position regarding school exclusions, together with information on the Council's understanding of the issues, and the strategies the Council was employing to reduce the level of exclusions.

7.2 Joel Hardwick, Head of Commissioning – Inclusion and School Services, introduced the report, referring to the statistics with regard to the two types of exclusion - permanent and fixed-term, and highlighting the position with regard to the rate of both types of exclusion from primary and secondary schools in the City, and as a comparison nationally. Mr Hardwick also referred to the work currently being undertaken by the Council to help reduce the rate of exclusions, and to support those pupils who had been excluded.

7.3 Members of the Committee raised questions, and the following responses were provided:-

- The Inclusion and Schools Service would be able to provide statistics in terms of rates of exclusions in schools and academies in the south east of the City.
- Although it remains too soon to draw firm conclusions, recent interventions have resulted in the reduction in the rate of exclusions, and this includes some of the high profile schools.
- It was important that there was an understanding of the underlying causes as to why pupils had been excluded prior to looking at what measures could be put in place in order to reduce the rate of exclusions. The statistics showed that the rate of exclusions was higher in the case of children from low income families and those requiring Special Educational Needs support. When looking at the reasons as to why pupils were excluded, it was important to look at the wider family picture also.
- Whilst attention was not focussed on the underlying causes and unmet needs, officers would continue to monitor the exclusion rates of pupils from BME and traveller communities.
- Details with regard to the training provided to those members of staff who were now providing support to Roma, gypsy and traveller families, following the recent loss of the dedicated resource, and statistics regarding the rate of exclusions of children from BME communities, would be forwarded to Members of the Committee.
- Whilst the Local Authority no longer had direct control in terms of the day to day operation of academies, it still maintained a level of responsibility with regard to the educational outcome of all pupils in the City. If any issues were identified, such as abnormally high levels of exclusions of pupils in academies, the

Local Authority may feel the need to raise concerns with the Regional Schools Commissioner and Ofsted.

- The Local Authority was still legally entitled to receive statistics for local academies as they still retained their statutory duty.
- The Policy and Improvement Officer (Deborah Fellowes) would look into whether the information requested by Councillor Bob Pullin, at a number of previous meetings of the Committee, relating to the support provided to Roma, gypsy and traveller children following the loss of the dedicated resources (half a post), had been forwarded to Councillor Pullin.
- Statistics regarding permanent exclusions, showing how Sheffield ranked in comparison to other local authorities nationally, and exclusion rates by school, and further broken down by Special Educational Needs, would be forwarded to Members of the Committee.
- Additional work, including intervention work, was being undertaken in order to reduce the numbers of pupils excluded, and subsequently ending up in the Youth Justice System. This included the Sheffield Inclusion Centre, where specific work was being undertaken with those pupils having links to gangs and/or knife crime.
- There were no plans at the present time to academise the Pupil Referral Unit.
- The figures on the charts in the report referred to the percentage of incidents per student.

7.4 RESOLVED: That the Committee:-

- (a) notes the contents of the report now submitted, together with the comments now made and the responses to the questions raised;
- (b) welcomes the work being undertaken to continue reducing exclusions and supporting those pupils who have been excluded; and
- (c) requests the Director of Strategic Commissioning and Inclusion Services to submit an update report on the progress and effectiveness of the work undertaken to reduce exclusions and support pupils who have been excluded, and to include statistics in terms of the numbers of excluded pupils from BME communities and those with Special Educational Needs, to the first meeting of the Committee to be held in the 2019/20 Municipal Year.

8. WORK PROGRAMME 2018/19

- 8.1 The Committee received a report of the Policy and Improvement Officer containing the draft Work Programme for 2018/19.
- 8.2 Deborah Fellowes drew Members' attention to the additional items in the Work Programme, which had been requested at the last meeting, including Academies and Neighbourhood Working, scheduled for January 2019. She stated that she was working with relevant officers to scope this item more specifically.
- 8.3 The Committee noted the contents of the report now submitted, together with the information now reported.

9. DATE OF NEXT MEETING

- 9.1 It was noted that the next meeting of the Committee would be held on Monday, 5th November 2018, at 10.00 am, in the Town Hall.