

BRIGHTON & HOVE CITY COUNCIL

CHILDREN & YOUNG PEOPLE'S TRUST BOARD

5.00pm 17 OCTOBER 2011

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors: Shanks (Chair), Buckley, Marsh and Wealls

NHS Brighton & Hove: Denise Stokoe (Deputy Chair)

Sussex Community NHS Trust: Andy Painton

Non-Voting Co-optees:

Bethan Prosser, Community & Voluntary Sector Forum

Eleanor Davies, Parent Representative - Brighton & Hove Parents Forum & Parent Forum

Superintendent Steve Whitton, Sussex Police Authority

Kenya Simpson-Martin, Youth Council

Allan McColgan, Job Centre Plus

Catherine Keith, Peter Gladwin Primary School

Also in attendance:

Alan Bedford, Independent Chair, Local Safeguarding Children's Board

Apologies:

Simon Turpitt, Sussex Community NHS Trust

Kim Bolton, Special Community Schools Representative

Duncan Selbie, Brighton & Sussex University Hospitals Trust

Sherrie Fagge, Brighton & Sussex University Hospital Trust

Haydn Stride, Longhill Secondary School

Terry Parkin, Strategic Director People

PART ONE

6. PROCEDURAL BUSINESS

6 (a) Declarations of Substitutes

- 6.1 Eleanor Davies attended as a substitute for Andrew Jeffrey. Superintendent Steve Whitton attended as a substitute for Chief Superintendent Graham Bartlett. Kenya Simpson-Martin attended as a substitute for Ben Thomas.

6 (b) Declarations of Interests

- 6.2 There were none.

6 (c) Exclusion of Press and Public

- 6.3 In accordance with section 100A of the Local Government Act 1972 ("the Act), the Children & Young People's Trust Board considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A (3) of the Act) or exempt information (as defined in section 100I(I) of the Act).
- 6.4 **RESOLVED** - That the press and public not be excluded from the meeting.

7. MINUTES OF THE PREVIOUS MEETING

- 7.1 **RESOLVED** – That the minutes of the Children & Young People's Trust Board held on 18 July 2011 be agreed and signed as a correct record.

8. CHAIR'S COMMUNICATIONS

- 8.1 There were none.

8.1 PUBLIC QUESTIONS

- 8a.1 Ms Lauren Atallah asked the following question:

"Given the riots and events of the summer which clearly illustrate a disaffection and growing underclass of young people, what is Brighton & Hove Council doing to support young people who are excluded, asked or persuaded to leave school in their final year of compulsory Education?"

- 8a.2 The Chair gave the following response:

"Any young person excluded from school in Brighton & Hove receives support from the school or from the Alternative Centre for Education in line with current legislation and guidance around exclusions.

It is unlawful for any school to remove a pupil from the school roll unless it meets the requirements of the Pupil Registration Regulations. The LA monitors this through data received from schools and through the school census. The LA will challenge any school that removes a child from their roll unlawfully and act upon any concerns raised by

parents.”

8a.3 Ms Atallah asked the following supplementary question:

“Is it ethical or moral given the discontent among young people to ask why and how are academies allowed to persuade or throw out students which jeopardise their results in their final year of Education?”

8a.4 The Chair gave the following response:

“Academies have to comply with the same legislation as local authority maintained schools and therefore should not remove a child from school unless the requirements of the Pupil Registration Regulations can be met. The LA monitors this via the school census and would challenge any practice that does not meet current legislation.”

8a.5 The Partnership Adviser – Access to Education advised that a great deal of prevention work was carried out in schools in relation to exclusions. When children were asked to leave, the council carefully monitored the situation and challenged the decision as far as possible. The Lead Commissioner Schools, Skills and Learning reported that a behaviour and attendance partnership was being developed. Head teachers of schools and both academies were involved in the partnership. This was another positive development to help prevent exclusions in schools.

8a.6. Ms Atallah asked a further question in relation to the Falmer Academy 2010-11 Cohort. The Chair stated that an answer would be sent to Ms Atallah.

8a.7 **RESOLVED** – That the question and supplementary question be noted.

9. BRIGHTON & HOVE LOCAL SAFEGUARDING CHILDREN BOARD ANNUAL REPORT 2010-2011

9.1 The Board considered a report of the Local Safeguarding Children’s Board which presented the Brighton & Hove Local Safeguarding Children Board Annual Report 2010-11. The report explained that the Apprenticeship, Skills, Children and Learning Act 2009 introduced a requirement for Local Safeguarding Children’s Boards (LSCBs) to produce and publish an Annual Report on the effectiveness of safeguarding in the local area. The future recipient of the LSCB Annual Report when Children’s Trusts are no longer statutorily required, had not been determined. The report was being submitted to the CYPT again this year as this was still required by statutory guidance.

9.2 Alan Bedford presented the report (which would be submitted each autumn from now on) and highlighted the importance of the LSCB at a time of public sector reorganisation and financial constraint. He also highlighted the business plan achievements in 2010-11, the key topics addressed by the Board, and the contribution of many staff from all agencies in the subgroups. He mentioned that the new chief officer led Executive Group had been successful in making quick high level decisions on priority. Meanwhile, safeguarding had been kept high on agency agendas.

9.3 Mr Bedford drew attention to the section headed Children & Young People Subject of a Child Protection Plan Year Ending 31 March 2011. This stated that “The rate of children

subject of a child protection plan per 10,000 in Brighton & Hove was almost double that of its statistical neighbours.” It was not clear why the numbers had remained consistently high in Brighton & Hove and the Head of Service Children & Families described work in hand to explore this.

- 9.4 The Business Plan for 2011/12 included an audit of child sexual abuse. This would try to gain an overview as to why numbers of such cases appeared to be low in Brighton & Hove compared to 10 years ago. There would also be a second audit of domestic violence to assess progress since the 2010 audit identified areas for action.
- 9.5 Mr Bedford stressed that it was important for the LSCB to be a strong fixed point while there is so much reorganisation locally. The Government wanted LSCBs to continue and strengthen their role in relation to assessing the effectiveness of local services.
- 9.6 The Chair informed the Committee that she was an executive member of the LSCB. She thanked Mr Bedford for his thorough report and invited questions.
- 9.7 Councillor Marsh thanked Mr Bedford and said that she valued the work he carried out. She referred to the LSCB conference looking at why Brighton & Hove had more children subject to child protection measures. It would be useful to have feedback from the conference. Councillor Marsh asked what would happen to the CYPT Board when the Health and Wellbeing Board took over. She was concerned to know where matters relating to children would be considered. It was agreed this matter would be discussed at under Item 10.
- 9.8 Alan Bedford stated that the LSCB did not fully understand why more children in the city were subject to child protection measures. It was likely that it was related to the need to improve the quality of early intervention and prevention work.
- 9.9 The Head of Service, Children and Families reported that there had been a significant piece of work looking why Brighton & Hove had large numbers of “children in need”. The work had been carried out between the commissioning unit and delivery unit. Officers were investigating the findings and a report could be brought back to the CYPT Board in the New Year.
- 9.10 Councillor Buckley asked if nurseries were included in the Education Safeguarding Strategy Sub-Group. The Head of Service, Children and Families confirmed that nurseries were covered in the sub-group.
- 9.11 Councillor Buckley referred to the low attendance of GPs at child protection conferences as shown in the graph in Section 7 of the report (Attendance at Child Protection Conferences Year Ending 31 March 2011). Councillor Buckley asked if any action had been taken to encourage GP attendance at the conferences. Mr Bedford replied that there were time issues in relation to GPs attendance at the case conferences. The LSCB had funded extra sessions for the lead safeguarding GP to extend work with GPs to improve safeguarding practice. GPs would be involved in most commissioning decisions through the planned Clinical Commissioning Groups, and this would include safeguarding.

- 9.12 Councillor Buckley referred to the pie chart in Section 7 of the report (Children Subject of a Child Protection Plan who are also Looked After as at 31 March 2011). She asked for an explanation of the chart. The Head of Service, Children and Families explained that a child could be both looked after and on the protection plan. The chart showed that of the 453 children subject to a Child Protection Plan as at 31 March 2011, 46 were also looked after children. The council were moving away from dual registration.
- 9.13 Councillor Wealls referred to the penultimate bullet point of 8.3, concerning two serious incidents requiring investigation into child deaths. He asked if someone checked whether recommendations for enhancing GP practice had been put in place. Mr Bedford replied that there was a statutory requirement to have a Child Death Review Panel. Any unexplained death would be considered by the Panel. The LSCB Board had a presentation from the Chair of the Child Death Review Panel at their last meeting. No child deaths had been clearly preventable in the last year.
- 9.14 Eleanor Davies asked if the Parent Forum could have representation on the LSCB. Alan Bedford explained that the national guidance was that there should be two lay representatives on the Board. Most LSCB's had not implemented this guidance as it was difficult to know what criteria/selection process to use. Mr Bedford stated that he would be happy to meet with Ms Davies to discuss this matter further.
- 9.15 The Chair referred to the child sexual abuse category. She asked if Brighton & Hove had lower figures of child sexual abuse compared to other Local Authorities. Alan Bedford confirmed that the figures were lower and stressed that it was important to ensure that something was not being missed.
- 9.16 The Head of Service, Children and Families reported that Ofsted had required the council to record the primary category in relation to sexual abuse. Officers were investigating these figures which appeared low compared to other local authorities.
- 9.17 Alan Bedford asked the Board for feedback on the way the report was presented and whether it contained the right information.
- 9.18 The Chair considered it to be a good report, written in language that was understandable.
- 9.19 **RESOLVED** - (1) That the report be noted, and that its contents be taken into account in the Board's future work (or that of successor bodies such as any Health and Wellbeing Board).

10. CHILDREN AND YOUNG PEOPLES TRUST BOARD AND HEALTH AND WELL BEING BOARD - UPDATE

- 10.1 The Board considered a report of the Strategic Director, People which asked members to consider and respond to the recommendations and consultation questions in the Health and Wellbeing Board Discussion paper attached as appendix 1 and to issues raised at the Health and Wellbeing Board Seminar on 3 October and the Public Health and Well Being Group on 10 October 2011.

- 10.2 The current Children and Young People's Trust Board was scheduled to end in April 2012. The Health and Social Care Bill, introduced into parliament on 19 January 2011, made the establishment of a Health and Wellbeing Board mandatory for each upper tier authority. The Bill was still to be passed as primary legislation but it was expected that Health and Wellbeing Boards would be established in shadow form by 1 April 2012, becoming statutory bodies by 1 April 2013.
- 10.3 The Chair informed the Board that she would like members to have the opportunity to meet informally for discussion of significant issues a couple of times a year. This would encourage a more open discussion.
- 10.4 The Lead Commissioner Children Youth and Families presented the report and explained that the results of the second seminar had not been received. Concerns had been raised at the seminar regarding children's services which he hoped would be taken on board. The board might wish to respond to issues raised in the first seminar. The current position of the CYPT Board was set out in paragraph 3.8 of the report. Members were asked to agree an agenda for the next meeting on 30 January 2012, as set out in paragraph 3.11.
- 10.5 Alan Bedford asked if there would still be a Children and Young People's Trust Board after the Health and Wellbeing Board was established. The Chair replied that it might be useful to have a more informal forum. This would allow discussion in a different space. She was open to ideas and suggestions.
- 10.6 Councillor Marsh stressed that the CYPT Board had executive functions. She was concerned that developing the Board into a discussion forum would dilute the work of the Board and that there would not be the same dedication. Councillor Marsh felt that there was a lack of clarity at the moment. She suggested that the shadow year was a good year to take risks and get things right. Councillor Marsh said she was concerned about education and did not know how it would fit in the Health and Wellbeing Board.
- 10.7 The Managing Principal Lawyer agreed that there was currently some uncertainty. The government said they wanted to abolish the CYPT Boards, but had not yet amended primary legislation to allow this to happen. The earliest this was likely to occur was 2012. The Health and Social Care Bill was going through parliament, but was not yet law. When it did become law, it would require a shadow year for the Health and Wellbeing Boards. The CYPT Board needed to decide what action to take in this unusual state of flux.
- 10.8 Bethan Prosser informed the Board that concerns had been raised about the role of the Community and Voluntary Sector Forum. The Forum did not appear to have been included in the plans for a Health and Wellbeing Board.
- 10.9 The Lead Commission Children Youth and Families reported that this matter had been raised at the second seminar. That was one of a number of issues that would be written up in a revised set of proposals. These issues would be addressed.
- 10.10 Alan Bedford mentioned that there was a CVS representative on the LSCB and on the executive. The one fixed point was the LSCB. Their role would be strengthened, particularly in relation to local services.

- 10.11 Denise Stokoe stated that she was trying to understand who was scrutinising who. Was the Health and Wellbeing Board scrutinising itself? She considered that there was a lack of clarity about who was scrutinising and who was commissioning. There was a need to clarify how multiple scrutiny functions were worked out.
- 10.12 The Lead Commission Children Youth and Families explained that the purpose of the seminars and the Multi Officer Steering Group was to listen. There was further work and listening to be done. Discussions were ongoing. The Lead Commissioner mentioned that after the last meeting of CYPT Board a letter had been sent to all members requesting items for discussion at the next meeting. There was no response. The issue to consider was how well the Children and Young People's Plan was managed. There was a need to consider priorities in the plan and value for money of public sector time.
- 10.13 The Chair stated that it was not clear if there would be Sub-Committees of the Health and Wellbeing Board.
- 10.14 Denise Stokoe asked whether anything had emerged from discussion at the Board that had significantly affected young people. The Chair agreed that this was a useful question to ask. She thought it was a useful forum.
- 10.15 Councillor Marsh stressed the importance of the democratic element of the Board. The public meetings had allowed members of the public to interface with the Board. She agreed that there should be a focus on value for money. Councillor Marsh defended the CYPT Board. It had made a difference, even if it had just brought matters to people's attention.
- 10.16 The Managing Principal Lawyer explained the legislative context of the Board. The Board promoted inter-agency co-operation. The City Council had brought all matters relating to the welfare of children to the Board rather than the Children and Young People's Cabinet Member Meeting. The question to ask was what would replace this inter-agency co-operative arrangement.
- 10.17 The Chair agreed that there was a legal status to decisions at the moment. She would definitely want to ensure that there was a Children and Young Person's voice heard in the future.
- 10.18 Bethan Prosser made the point that services were changing in the city due to the current economic climate. Some organisations would not remain after April. She asked where the work would go and stressed that this work might be missing in the transitory period. Ms Prosser asked for this matter to be considered at the next meeting of the Board.
- 10.19 **RESOLVED** - (1) That the Board's responses to the recommendations and consultation questions in the Health and Wellbeing Board Discussion paper (Appendix 1 to the report) and to the issues raised at the seminar and subsequently discussed at the Public Health and Wellbeing Board on 10 October 2011 (summarised in paragraph 3.5) be noted.

- (2) That the proposed agenda for the next meeting on 30 January 2012 (paragraph 3.11) be agreed in order to review its functions as part of a continuing involvement in the development of a Health and Wellbeing Board for Brighton and Hove.

The meeting concluded at 6.06pm

Signed

Chair

Dated this

day of