

<b>Report to:</b>	Overview and Scrutiny Committee (Children's Services and Safeguarding)	<b>Date of Meeting:</b>	28 November 2023
<b>Subject:</b>	Consideration of the Terms of Reference and inclusion of Co-Opted Members on the Committee		
<b>Report of:</b>	Chief Legal and Democratic Officer	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member – Children's Services Cabinet Member - Education		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

### Summary:

To formally respond to a petition received previously by the Committee.

### Recommendation(s):

- (1) a review of the Terms of Reference for the Committee, as set out within the Council's Constitution, to include the use of co-opted members and the possibility of establishing a sub-committee to formally meet with parent groups, be undertaken and any proposals for amendments be submitted to the Adjourned Annual Meeting of the Council to be held in May 2024; and
- (2) the Committee should continue to meet informally with groups of parents, children and representative groups and expand this throughout the Municipal Year, with the aim of ensuring that the voices of those with lived experience are heard and inform the work of the Committee.

### Reasons for the Recommendation(s):

The Committee received a petition requesting representation on the Committee and this has presented an opportunity for the Terms of Reference and operation of the Committee to be reviewed.

### Alternative Options Considered and Rejected: (including any Risk Implications)

Increasing the number of co-opted members on the Committee at the current time would pre-empt any findings of an in-depth review of the Committee's Terms of Reference.

### What will it cost and how will it be financed?

**(A) Revenue Costs**

None.

**(B) Capital Costs**

None

**Implications of the Proposals:**

<b>Resource Implications (Financial, IT, Staffing and Assets):</b>	
The proposals have staffing implications, in terms of officer time, which can be contained within the current budget, at the current time.	
<b>Legal Implications:</b>	
The Terms of Reference for the Committee are set out within the Council’s Constitution. The Parent Governor Representatives (England) Regulations 2001. The Local Authorities (Committee System) (England) Regulations 2012.	
<b>Equality Implications:</b>	
There are no equality implications.	
<b>Impact on Children and Young People: Yes</b>	
The Committee’s remit from the Council is to scrutinise the work and services of Children’s Social Care and Education.	
<b>Climate Emergency Implications:</b>	
The recommendations within this report will	
Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes
There are no direct climate emergency implications arising from this report. Any climate emergency implications arising from the consideration of future reports will be contained in such reports when they are presented to Members at the appropriate time.	

**Contribution to the Council’s Core Purpose:**

Protect the most vulnerable: None directly applicable to this report. Reference to future decisions which may contribute towards protecting vulnerable members of Sefton’s communities will be contained in any future reports when they are presented to Members at the appropriate time.
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Facilitate confident and resilient communities: As above.
Commission, broker and provide core services: As above.
Place – leadership and influencer: As above.
Drivers of change and reform: As above.
Facilitate sustainable economic prosperity: As above.
Greater income for social investment: As above.
Cleaner Greener: As above.

## **What consultations have taken place on the proposals and when?**

### **(A) Internal Consultations**

Committee Members have met informally to discuss the issues raised within the report.

The Executive Director of Corporate Resources and Customer Services (FD.7419/23.) and the Chief Legal and Democratic Officer (LD.5619/23.) have been consulted and any comments have been incorporated into the report.

### **(B) External Consultations**

None.

### **Implementation Date for the Decision**

Immediately following the Committee meeting.

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### **Appendices:**

There are no appendices to this report.

### **Background Papers:**

There are no background papers available for inspection.

## **1. Introduction/Background**

- 1.1 At its meeting held on 26 September 2023, the Overview and Scrutiny Committee (Children's Services and Safeguarding) received a petition containing 35 signatures. The petition stated:

*The Voice of the Families are petitioning Sefton's Children's Services Overview and Scrutiny Committee to ask for our representative to speak at committee regarding:*

*We believe that the Scrutiny Committee lacks depth in terms of lived experience. The panel does not have enough understanding of the day-to-day reality of children with learning difficulties and those children in care and those adopted. Hence when the panel receive the data, they bring their own imagined and subjective viewpoints. We wish for the Scrutiny Committee to be increased by a further three independent people who have lived experience, especially those in the crucial Early Years, Primary and Teen years.*

Committee Members raised the following issues:

The importance of considering the lived experience of those using the Council's services was recognised and supported.

- Members of the Committee considered that they had lived experience.
- Membership of the Committee, including co-opted members, could be reviewed.
- Advice would be sought from officers and the Local Government Association.
- Consideration would be given as to how best the Committee could obtain views of service users.

The Committee resolved:

"That the petition be noted and The Voice of the Families be advised of the outcome of discussions in due course."

## **2. Recent Developments**

- 2.1 Subsequent to the meeting on 26 September 2023, Committee Members met informally to consider the request from the Voice of the Families group; the membership of the Committee, including co-opted members; the Terms of Reference for the Committee; and how best the Committee could obtain views of service users.

## **3. Initial Findings**

- 3.1 The full Council, at its Adjourned Annual Meeting held on 18 May 2023, appointed 10 elected Members to the Overview and Scrutiny Committee (Children's Services and Safeguarding), in accordance with the Political Balance Rules. It also appointed 4 Education Added Members (2 Church Representatives and 2 Parent Governor Representatives) and 3 Associate Members.

- 3.2 Regarding the Education Added Members, Committee Members were advised that the Council's Constitution requires the Committee to have co-opted members nominated from both the Diocese and the Archdiocese. This is in accordance with the Local Authorities (Committee System) (England) Regulations 2012. The Constitution also requires the Committee to have two Parent Governor Representatives. This is in accordance with the Parent Governor Representatives (England) Regulations 2001.
- 3.2 Regarding the Associate Members, the Committee has previously chosen to have two representatives from Healthwatch Sefton, to provide advice on health-related matters relating to children and young people. The Committee has also previously chosen to retain the services of an independent advisory member who was formerly a parent governor representative on the Committee.
- 3.3 Committee Members considered the difficulties associated with seeking representation from all relevant groups across the Borough and considered that, for the time being, parental representation on the Committee should be via the 2 Parent Governor Representatives and again, for the time being, that this number appeared to be sufficient representation.
- 3.4 Advice was subsequently sought from representatives of the Local Government Association (LGA) who were supportive of the view that parental representation on the Committee could be achieved via Parent Governor Representatives.
- 3.5 The LGA was also supportive regarding utilising existing parent/carers groups for advice and expertise on matters relating to SEND and this takes place in Sefton through SEND governance.
- 3.6 It was also considered that additional co-opted members could make the Committee membership too large and unwieldy and that there were practical considerations, such as the size of meeting rooms at both Bootle and Southport Town Halls.
- 3.7 It was pointed out that the Committee is responsible for scrutinising a wide range of Council services for children and families, including SEND, mainstream education, Early Years education, Youth Justice Services, Child Protection, Early Help, Permanence, CAMHS and general health services. It would be challenging for a small number of co-opted members to represent the lived experience of those using this range of services.
- 3.8 The Terms of Reference within the Council's Constitution were considered and Committee Members felt that they could be streamlined to reflect statutory requirements and the priorities of the Committee.

#### **4. Obtaining the Views of Service Users and Parents/Carers in Particular**

- 4.1 Committee Members considered how best the views of parents/carers could be obtained and it was suggested that a sub-committee of the Committee might be established, where Members could meet with Parent/Carer Groups, on a formal basis.

- 4.2 Members also considered the importance of obtaining “the voice of the child” in their deliberations and the difficulties associated with this, in particular the risk that individual young people co-opted on to the Committee would be in a minority and could feel isolated and marginalised.
- 4.3 Committee members considered that the perspectives of children and young people could be obtained more appropriately by meeting them “on their own territory”, for example through informal visits to children’s participation groups. However, the views of the Sefton Young Advisers on this matter will be sought and taken into account.

## **5. Proposals**

- 5.1 It is proposed that no action should be taken at the current time regarding the request to increase membership on the Committee, subject to paragraph 5.2 below.
- 5.2 A review of the Terms of Reference for the Committee, as set out within the Council’s Constitution, should be undertaken, to include the use of co-opted members on the Committee and the possibility of establishing a sub-committee to formally meet with parent groups. Any proposals for amendments could be submitted to the Adjourned Annual Meeting of the Council to be held in May 2024.
- 5.3 Continued efforts to include the views and perspectives of parents, carers and young people through various appropriate means should be made.