



RHONDDA CYNON TAF COUNCIL CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

Minutes of the meeting of the Children and Young People Scrutiny Committee meeting held on Wednesday, 13 March 2019 at 5.00 pm at the Council Chamber, The Pavilions, Cambrian Park. Clydach Vale, Tonypany, CF40 2XX.

County Borough Councillors - Children and Young People Scrutiny Committee Members in attendance:-

Councillor S. Rees-Owen (Chair)

Councillor W Lewis Councillor J Brencher
Councillor S Powell Councillor M Griffiths
Councillor G Jones Councillor A Davies-Jones

Officers in attendance:-

Mr P Nicholls, Service Director, Legal Services
Ms A Batley, Director of Children's Services
Ms G Beynon, Play Development Manager
Ms E Jones, Transformational Lead
Ms Z Lancelott, Head of Community Wellbeing & Resilience
Mr P Griffiths, Service Director – Finance & Improvement Services
Mr. M. Phillips, Revenues Services Manager
Ms C Jones, Head of Access & Inclusion

County Borough Councillors in attendance:-

Councillor S Evans

52 Declaration of Interest

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

53 Apologies for Absence

Apologies for absence was received from the following County Borough Councillors H. Boggis, A. Calvert, J. Davies, S. Evans, H. Fychan, J. Harries, M. Powell, G. Stacey and Co-Opted Members J. Fish and D. Price.

54 Council Tax Discretionary Relief for Care Leavers Report

The Head of Revenues and Benefits presented Members with the report in respect of the Council's Discretionary Council Tax Relief Scheme for Care Leavers during 2018/19 and also, provide an update on the recent Welsh Government announcement in relation to Council Tax support for Care Leavers from the 1st April 2019.

It was brought to Members attention that in December 2017 Cabinet approved a scheme to provide financial support for Care Leavers up to the date of their 25th birthday by making use of the Council's Discretionary Power under Section 13A of the Local Government Finance Act 1992.

Members were informed that the scheme, which is known as the Council Tax Discretionary Relief Policy, enables the Council to reduce to zero the Council Tax bill for any care leaver that the Council has corporate parenting responsibility for.

Members were given an overview of the Council Tax Discretionary Relief Policy along with the future plans. The Head of Service – Revenues and Benefits explained that the existing scheme will now be replaced with the new Welsh Government regulations that will ensure all Care Leavers across Wales receive the same level of support in relation to council tax i.e. they will be exempt from paying council tax up to the age of 25. Following the official notification of the change the Council has arrangements in place for the regulations to be applied from 1st April 2019.

The Chair thanked the Officers for their report and opened the meeting up for Members questions.

A Member asked whether as an Authority we are confident that no young person has slipped through the net and that, they have the information to access the above. The Head of Service- Revenues and Benefits provided assurance that through working in partnership with colleagues within Children's Services, appropriate arrangements are in place to ensure all relevant young people are made aware of the scheme and are offered support to take advantage of it.

The Director of Children's Services explained that each young person 18 to 21 has a personal advisor, who will help and encourage that person to fill in forms and applications and will advise on the appropriate way forward.

A Member questioned what would happen if that young person moved in with a friend, would the exemption still apply. In response, the Head of Service Revenues and Benefits explained that in the example put forward there would be no effect on the discount as care leavers would be disregarded for council tax purposes.

Members scrutinised the report in detail and **RESOLVED:**

- To acknowledge the work undertaken to enable the qualifying young people to access the Council's Discretionary Council Tax Relief Scheme for Care Leavers in 2018/19
- To acknowledge the announcement by Welsh Government of the new regulations, effective from 1st April 2019, to exempt care leavers under 25 years old from paying council tax.

55 Play Sufficiency Assessment 2019- 2020

The Head of Community Wellbeing and Resilience along with the Play

Development Manger presented the Committee with the Play Sufficiency Assessment (PSA) and Action Plan 2019 – 20. It was explained that both the (PSA) and the Action Plan has to be submitted to Welsh Government by the 31st March 2019, as per statutory obligation placed upon the Council in the Children and Families (Wales) Measure 2010 and the Play Sufficiency Assessment (Wales) Regulations 2012. It was highlighted that a full Play Sufficiency Assessment must be completed every three years.

Members were informed that Article 31 of the United Nations Convention on the Rights of the Child is the most universally recognised human rights treaty and recognises that every child has the right to play. It was explained that Rhondda Cynon Taf has been recognising and promoting this right for many years.

Officers gave an overview of the PSA and explained that 2018/19 is the fourth year of the investment programme into children's play areas. It was also explained that to date more than £3.2 million has been invested, and 97 of the Council's 215 play areas upgraded.

The Head of Community Wellbeing and Resilience explained that the 2019 has been compiled over the last 6 months and has involved a range of partner services that make up the PSA Working Group, including Early Years and Family Support, Resilient Families Service, the Youth Engagement and Participation Services, Sport, Leisure, and many more.

Members were provided with the key findings of the audit and considered the assessment and action plan in great detail.

Members found the report very informative and put their questions and observation to both the Head of Resilience and Wellbeing along with the Play Development Manager.

A Member raised a concern over a point within the plan which related to the location of the arts services, it was felt that the some young people were missing out on accessing the facilities due to the distance of the venues and asked whether this could be taken on board in the future. She felt that there needed to be more fair distribution. Officers explained that the removal and reduction of grant funding has had an impact with more flexible geographical data.

A Member questioned the distribution of services throughout the County Borough and she felt there were more provision within some areas more than other. The play schemes, art projects etc. do not seem to be present in certain areas. The Officers explained that there is a service level agreement with other sectors, which provide activities in most areas and transport arrangements are made if appropriate. The Member went on to say they had no information of these services and activities within their area and a suggested that advertising is needed. It was explained that promotion is a key priority for the next year. Members continued to scrutinise the plan and raised concerns over the provision of play areas with new housing developments. It was felt that planning guidance needs to be revisited when agreeing to these large developments as its been brought to Members attention that the commitment of the housing developers is not 100%. Members felt that the Chair of Planning be informed of the Committees concerns. Officers explained that this is being addressed within the action plan which identifies that there is a need to work colleagues in planning to ensure the wording in Section 106 document supports the use of the play standards (play space design brief) Officers will come back to a future meeting

of the Children and Young People Scrutiny Committee on update against the Plan after it has been submitted and approved by Welsh Government.

In respect of Play provision for children with a disability, Members asked for data on the number of facilities with Rhondda Cynon Taf that provide the provision. Officers explained that they do not have the data to hand however will get in touch with the parks department and report back.

With regards to the Welsh Language, the Chair stated that the current data shows a shortage of Welsh Speaking play provision. It was explained that this has been difficult for some time however were are working with Menter Iaith and others alike to be a a much better position in the future.

Members raised many other points relating to various items within the assessment such as parking, traveling and the youth provision which the officers took on board and agreed that these would be taken into consideration before being submitted to Cabinet .

After further discussion Members **RESOLVED** to:

- Acknowledge the PSA for 2019- 20 and the supporting action plan
- Officers consider the comments of the Children and Young People Scrutiny Committee before submitting the Report to Cabinet.
- The Chair of the Children and Young People Scrutiny Committee inform the Chair of Planning and Development of the concerns of the Committee
- Member receive an updated against the action in 12 months

56 Workshop in respect of Draft Additional Learning Needs Code.

The Chair welcomed the ALN Transformational Lead back to the meeting of the Children and Young People Scrutiny Committee.

The ALN Transformational Lead presented Members with an overview of the draft ALN Code. It was explained that the draft ALN Code issued for consultation in December is drastically different to earlier drafts (e.g. version made available to AM's in February 2017 to aid their scrutiny of the ALN Bill)

The Code focusses on an explanation of legal duties, rather than good practice. The Officer explained that there is an important distinction that it is a '**Code**' not a '**Code of Practice**'. It is for Members to note that the code itself imposes mandatory requirements.

In respect of the consultation, Members attention was brought to the fact that the Consultation focuses on the Codes requirements, the policy intention for regulations, and whether the explanation in the code of the Act duties is clear.

The ALN Transformational Lead explained the next steps to the Children and Young People Scrutiny Committee. It was explained that the new system expected to go live from 2020.

With regards to implementation approach, it was explained that the Cabinet

Secretary for Education announced the implementation approach in December 2017:

- 3 year implementation period , with an aim to start in September 2020
- Mandatory phased approach- learners with existing Statements will transfer to the new system within two years, and all other learners with non –statutory plans within three years.
- Old system entirely phased out by Summer 2023.

Officers took Members through the presentation on how the ALN system will work for Local Authorities under the following headings:

- Early Years process and Early Years ALN Lead Officers
- School process and role of ALN Co-ordinators (ALNCo)
- Referrals and Reconsiderations
- Looked After Children (LAC)
- Post -16FEI (including Welsh Ministers' function)

Members were also informed of the Local Authority Strategic duties. After completing her presentation, the ALN Transformational Lead opened up the meeting for Members questions and observation of the consultation and the process.

A Member asked a question relating to the role of the ALNCo, Officer explained that the ALNCo is different to the SENCo and every school will need to designate a person –ALNCo – who will have responsibility for co-ordinating provision for learners with ALN. It was also explained that the draft Code describes proposed regulatory requirements for and of the ALNCo role as well as further statutory guidance.

In respect of Children Looked After, what changes and effects would the Act and the Codes impose. It was explained that the ALN system has different arrangements for Children Looked After (CLA) of compulsory school age and below. The Officer explained that in the case of these children, the local authority that looks after them will always prepare and maintain their IDP (unless the child is placed in England. In which case they will come under the English SEND system) The Officer went on to highlight where an IEP has been previously maintained by the school, the new statutory IDP will transfer to the local authority when the child becomes looked after and therefore form part of the Care and Support Plan.

Members were extremely concerned with the amount of children that could come of the SEN register, which in turn could leave teaching staff with extra pressures within the classroom by changing the definition.

After a very robust debate Members thanked the Officers for providing, the Committee with a very comprehensive overview of the Draft Additional Learning needs Code and implementation. Members **RESOLVED** to acknowledge the content of the presentation and Members will continue to monitor the progress in respect of the ALN process in future meetings.

This meeting closed at 8.00 pm

**CLLR S REES-OWEN
CHAIR.**