

Children and Young People's Services Scrutiny Committee

28 September 2022 – At a meeting of the Children and Young People's Services Scrutiny Committee held at 10.30 am at County Hall, Chichester, PO19 1RQ.

Present: Cllr Linehan (Chairman)

Cllr Baldwin
Cllr Burgess
Cllr Cherry
Cllr Duncton

Cllr Hall
Cllr McGregor
Cllr Mercer
Cllr Payne

Cllr Smith
Cllr Sparkes
Mr Cristin
Mrs Oldroyd

Apologies were received from Cllr Cornell, Mr Gurling and Mrs Hill

Also in attendance: Cllr N Jupp and Cllr Russell

Noted: Apologies had been received from Cllr Cornell, who was a delegate at the Labour Party Conference, but had wanted to be at the meeting.

Thanks were expressed to Mrs Ryan for her contributions at the scrutiny committee over the past few years and Mrs Oldroyd was welcomed as the new Director of the Education Service at the Catholic Diocese of Arundel & Brighton.

16. Declarations of Interests

16.1 In accordance with the County Council's code of conduct the following declarations were made:

16.2 Cllr Mercer declared a personal interest as the Chair of the Orchard Hill College Academy Trust which has one academy in West Sussex.

16.3 Cllr Linehan declared a personal interest as the parent of a child with an Education Health and Care Plan (EHCP).

16.4 Cllr Smith declared a personal interest as the parent of a child with an EHCP, who is on the SEND register and uses school special educational needs transport.

16.5 Cllr Cherry declared a personal interest as the chair of governors at the Burgess Hill Academy.

17. Urgent Matters

17.1 The Chairman invited the Cabinet Member for Children and Young People, Cllr Russell, to provide a brief statement on the outcome of the Ofsted inspection report published on 27 September 2022, in relation to a Children's Residential Home.

17.2 Cllr Russell informed the Committee that following an Ofsted inspection of Teasel Close children's home in Crawley on 2 and 3 August 2022, Ofsted had published their report giving the home the rating of

'inadequate'. Cllr Russell highlighted that the home had been rated 'outstanding' twelve times previously by Ofsted and that the recent judgement was disappointing.

17.3 Cllr Russell reported that actions had been taken immediately, and an action plan had been put in place and shared with Ofsted to ensure it complied with the high standard needed. At their return visit in mid-September, Ofsted had reported they were happy that the work in the action plan was going well and no more issues were raised. The learning from this had been taken on board and a member session would be arranged for members to understand the complex fragility around this sector. They would also be looking for opportunities for the local member to visit the home in due course.

17.4 The Director of Children, Young People and Learning, Mrs Butler, added that the outcome had been of extreme concern and disappointment for the service. Mrs Butler highlighted that it was important to understand the context, the wider issues in the care market and the difficulty in getting placements for children with complex needs. She reported that increasing numbers of authorities were having home ratings downgraded due to these issues and this was being raised with the Department for Education and Ofsted. It was expected that Ofsted would revisit the home in November/December 2022.

17.5 Members of the Committee were informed that the change in rating had been a sharp shock, but with the wider problems around compatibility issues with children with complex needs, from a wider perspective perhaps not a surprise. The issue had related to one specific individual and had been addressed. All other County Council children's homes had been reviewed as part of the learning and there were no such issues at any other home.

17.6 The Chairman thanked the Cabinet Member and Director and reported that members would look forward to exploring the matter in more detail at the member session and at County Council in October.

18. Minutes of the last meetings of the Committee

18.1 Resolved – That the minutes of the meeting held on 8 June 2022 be approved as a correct record, subject to the removal of the word Vice- in paragraph 1.4.

18.2 Resolved – That the minutes of the meeting held on 12 July 2022 be approved as a correct record, subject to the text in 13.12 line 2 being changed from sixth form colleges within schools to sixth forms within schools.

18.3 Under item 13.14 of the minutes of 12 July 2022, members asked that they be updated on when all schools would have mental health specialists working with them. It was agreed that this information should be provided to the Business Planning Group (BPG).

19. Responses to Recommendations

19.1 The Committee noted the responses to the recommendations made at the meetings on 8 June and 12 July 2022.

19.2 Under the Electively Home Educated item the Chairman agreed to write to the Cabinet Member for Learning and Skills to seek clarification on what responsibility the County Council had.

19.3 Under the item stating there would be clear alignment between the Education and Learning Strategy and the proposed Adult Skills Strategy the Chairman agreed to seek further clarification.

20. SEND and Inclusion Strategy 2019-2024 - Delivery and Performance

20.1 The Cabinet Member for Learning and Skills, Cllr N Jupp, introduced the report and highlighted that it was timely to review the Special Educational Need and Disability (SEND) and Inclusion Strategy as it had been adopted in late 2019, but the recent Government Green Paper meant that proposals and actions needed kept under constant review.

20.2 Assistant Director (Education and Skills), Mr Wagstaff, reminded the Committee that the SEND and Inclusion Strategy had been prepared in response to the rising demand for additional support for children with special educational needs, and to particularly look at work in mainstream schools to ensure they were inclusive. The strategy addressed several key issues around data to plan for placements, the broader issue of inclusive practice in schools, whether the needs of children who had been identified with special needs were being met, the need for more specialist placements and market analysis of where to look for additional specialist facilities when required.

20.3 The SEND and Inclusion Strategy Board contained representatives from the sector, including parent carers, schools and health, who scrutinised detail of progress against initial objectives and actions. The strategic board had increased its remit to cover SEND commissioning and had a very clear focus on workstreams including provision and alternative transition.

20.4 The Chairman introduced Ms Westwood, the acting Chief Executive of the West Sussex Parent Carer Forum (WSPCF), an independent, pan-disability charity working to represent the views of parent carers in West Sussex of children and young people aged 0-25 years with special educational needs and/or disability.

20.5 Ms Westwood made the following points:

20.6 The WSPCF had been very much involved in the co-production and updating of the Strategy and their views had been heard and taken on board where possible. There was clearly a strong commitment and desire to improve SEND services for children in West Sussex, but the process was more service focussed than on the child or young person. Many

families felt that what they said about the young person was not always heard, and this caused them frustration.

20.7 The West Sussex Children and Young People's Plan listed SEND as a priority. The SEND and Inclusion strategy had to deal with inconsistency of good practice across a large county. The strategy needed to also focus on the majority of SEND young people who do not have an Education, Health and Care Plan (EHCP).

20.8 The strategy could do more to acknowledge the SEND family journey and focus on telling families how they can access services.

20.9 The WSPCF acknowledged that delays in the delivery timescales for EHCPs and action plans were often due to services outside the ownership of the strategy.

20.10 Better communication with families, children and young people could help address some of the challenges, frustrations, empower families and help manage expectations and reduce a culture of blame if people knew where the problem laid.

20.11 WSPCF recognise that the County Council is being asked to deliver more support with no additional funding, e.g. educational psychology have identified the need for local authorities to communicate with families about to delays to service and to help signpost families for support whilst they are waiting for services and if they have applied for an EHCP.

20.12 SEND covers those 0-25 years, covers education, health and care, but it sits in Children's Services. Was there enough high-level strategy representation from other key areas on the strategy board? How could there be a sense of ownership from other areas if it was not their strategy. In many local authorities the SEND and Inclusion Strategy sat in an overarching position so adults and children services have equal ownership and could have key input.

20.13 Members thanked Ms Westwood for her input and members of the Committee asked questions of Ms Westwood and officers and a summary of those questions and answers follows.

20.14 Examples of how **communications** could be improved would be by highlighting where things were happening to families, to have education and skills officers working with colleges, families do not know what is happening behind the scenes. Families also need to be sign posted to different partners who might be involved in supporting them in areas such as health. A recent example had been the lack of communications around school transport at the beginning of the autumn term. Communications with schools were via advisory teachers and regular planning meetings are held.

20.15 In terms of **governance** the SEND and Inclusion Strategy Board had a broad range of representatives beyond the education and skills service, including the assistant director of social care and health colleagues. There was currently no adult service or scrutiny representative and that was an opportunity the Board would like to

explore, that member could then feed back to the scrutiny committee. Additionally, a pan-Sussex Children's Board was being established as part of the development of the Integrated Care Board, which would focus on five priorities with children with SEND being one of those. That board would feed into the Children First Board, which then feed into the Health and Wellbeing Board. Members questioned whether all the boards under key line of enquiry 2 were necessary and requested a chart detailing the meeting, attendees, how often they met and the links between the boards. It was confirmed that this model was replicated in many other authorities and was based on the engagement of stakeholders.

20.16 The impact of the covid pandemic is being seen in terms of escalation of needs and there is a national evidence base of data which we could compare our data with.

20.17 Greater detail could be found on the data dashboard which held a lot of detail and linked through to reports to the Strategy Board. Workstream leads meet fortnightly to assess the data and progress.

20.18 **Training** is a key element and is provided through the West Sussex Services for Schools websites. A key part of the SEND and Inclusion Advisors' role is to provide advice and training for SEND co-ordinators with regular forums and networks. Schools can also bid for focussed learning around subjects like autism and therapeutic thinking approaches.

20.19 Officers acknowledged there were multiple entry points for support and advice for families and a project was already underway to bring the many different advice lines together to directly support parents to find the right pathways early on. Officers would welcome any feedback from members from schools they visited. Schools were aware of contact arrangements, but work was underway to encourage schools to identify the support they might need and to contact the service earlier, ideally before reaching the exclusion stage. Funding had been provided, over the last few years, to schools for earlier intervention work, so schools could take more responsibility for a child's needs and get the right provision to reduce the risk of exclusion.

20.20 Examples of **best practice** are shared with other schools to help those who were not managing as well.

20.21 The Committee sought reassurance from the Cabinet Member for Learning and Skills, that the extra 500 SEND places would be realised. Cllr N Jupp advised the Committee that it was reviewing whether demand could be met over five years it was hoped some of the spaces would be provided by two new Government funded special free schools, however schools could take several years to build. Cllr N Jupp confirmed that he would continue to press for capital funding for places as soon as was possible.

20.22 **Educational Psychologists (EPs)** were employed by the County Council, however the professional standard had shifted to a doctorate level, which had led to less people becoming EPs, less places available to train and less willingness to work with local authorities on strategic assessments. This had led to a national demand issue. The County

Council were working on a project with Southampton University to engage with trainees and with agencies, but there was still a small pool of professionals available. The service was exploring how Early Years Inclusion Advisors could support the assessment process with the right support at the right time.

20.23 Members expressed concern that only 6% of EHCPs were being completed within the statutory 20-week deadline. Officers reported that the caseloads had increased nationally as well as in West Sussex and coupled with a smaller pool of professionals had caused a backlog of work. They added that although some assessments were not always being completed within the timescales, children were being assessed. EPs were focussed on statutory assessments and work was in hand to get families support from other professionals sooner and avoid children from reaching the full assessment level. Officers monitored the workload in what was a high-pressure environment for a committed service. Members highlighted that should there be an Ofsted inspection of the service, that this would be an area of concern. The action plan at Appendix 1 of the agenda papers outlined various actions being taken. Officers had regular discussions with the SEND advisor at the DfE to look at greater efficiencies and how panels worked, to address the backlog and increased demand.

20.24 Resolved – That the Committee:

1. Agrees that open lines of communication with SEND families and schools are key to ensure they are aware of the journey and support available and ask that consideration is given to how this can be improved, including a single point of access for advice for schools and dedicated communication support for families.
2. Would welcome that Adults Services and CYPSSC representation on the SEND Strategy Board is explored.
3. Will explore the impact of Covid on SEND children as a potential item for future scrutiny at its Business Planning Group.
4. Raises concern over the number of EHCPs being completed within the statutory deadline number and that the increase in number of requests for assessments is exacerbating this and highlights that early identification of Children and addressing their needs early is key and that this is focused on moving forward.
5. Requests that the Cabinet Member makes every effort to accelerate the provision of additional SEND placements, including securing an additional capital commitment to fund this where possible.
6. Would like to see a document that sets out the governance structure that oversees the delivery of the SEND and Inclusion Strategy to understand the roles of the different Board and how they interrelate.

21. Performance and Resources Report 2022-23 - Quarter 1 - April-June 2022

21.1 The Committee looked at the Performance and Resources Report – quarter 1 – which covered the period April-June 2022.

Learning and Skills

21.2 The Cabinet Member for Learning and Skills, Cllr N Jupp, introduced the item highlighting the continued issues relating to SEND and school transport. He reported a number of issues continued to be addressed, but that some were outside of the Council's control.

21.3 Members of the Committee asked questions and a summary of those questions and answers follows.

21.4 Officers agreed to provide details of the **ratio of staff resources** in comparison to the number of pupils with an EHCP and also across the SENAT caseloads to give a greater comparison to the 2015 figures and enable Committee members to seek assurance that this is sufficient.

21.5 Officers agreed to share the current rate of **parental mileage** rate for home to school transport and reported there had been a small increase in take up and work was ongoing to encourage parents.

21.6 Work had taken place to introduce an internal fleet to reduce the cost of external taxis (Significant Financial Issue 2) focusing on expensive accessible vehicle routes. This was going well, and officers were looking to see if this could be extended.

21.7 The underspend due to difficulties recruiting into the Educational Psychology Service and School Crossing Patrol Services teams would be used to support early years specialists.

21.8 Performance Measure 30 – **Number of 16-17 year olds Not in Education, Employment or Training** – The Committee highlighted that the figures that the gap, although continuing to close, remained higher than the national average. Mr Wagstaff confirmed there was more recent data than the quarter 1 information provided and agreed to share that with the Committee. He highlighted that the data was only collected in February each year. He also confirmed that the Council's responsibility was to track children not in education, employment or training and guide them towards pathways. It is a choice for young people who may be young parents, unwell children, or who drop out of education, etc, but the gap was narrowing.

21.9 The projected **Dedicated Schools Grant** deficit was a matter of concern. Many other councils were also in difficult positions. The lobbying of Government continued, and the County Council were not in the front line of worst performing authorities. Work was underway with the Department for Education (DFE) and Chartered Institute of Public Finance and Accountancy (CIPFA) to provide data so the Council could bid for extra money. Every effort is being made to reduce the number of costly out of

county specialist placements as well as provide more school places within the county.

Children and Young People

21.10 The Cabinet Member for Children and Young People, Cllr Russell, introduced the report highlighting that the Ofsted inspection referred to had taken place in September 2022 and results would be published at the end of October 2022. Cllr Russell reported that recruitment was still a challenge, despite initiatives such as county-wide events and financial incentives for staff to introduce friends and relatives. A team had travelled to South Africa, following discussions with an experienced agency and other local authorities to gain advice, and had appointed 36 highly qualified social workers to join the service in January 2023 once the necessary agency and our safer recruitment checks had taken place. A bespoke induction would be prepared to support the new social workers with good practice and mentoring. Cllr Russell thanked the team for thinking so creatively to help fill the vacancy gap and looked forward to meeting the new social workers.

21.11 Members of the Committee asked questions and a summary of those questions and answers follows.

21.12 The number of workers quoted to make the **Family Safeguarding Model** (FSM) work were the highest level aspired to. It was currently a challenge to deliver with a reduced number of adult-facing specialist workers in place but there was confidence that the number the service were looking to recruit would be sufficient. The service continued to challenge the DFE on funding. Some domestic abuse staff had been moved into the service since June 2022. External partners from probation, mental health and substance misuse teams are positive about working with the FSM.

21.13 A tactical decision had been made to delay recruitment for the **Fostering Redesign** to prevent impact on other service areas. Things would be back on track within a few months. Action: Assistant Director (Corporate Parenting) to provide a briefing for members.

21.14 Action plans were in place to bring down **high-cost placements**, with analysis into why placements had occurred. Numbers were much higher than had been projected in the budget which could be a result of factors such as the impact of the covid pandemic on behavioural problems. The Chairman suggested this would be a good area to cover at the proposed member session.

21.15 Cllr Russell thanked the Committee for their constructive questions. She acknowledged that the service was still on its journey of transition, but felt that everyone from leadership team down to staff were going the extra mile to cover as much as they could within the hours and breath they had in a day to make the model work and thanked them for all they had done.

21.16 Resolved – That the Committee:

1. Raise concern on the Dedicated Schools Grant position, and asks the Cabinet Member to continue to lobby government on the need to increase West Sussex special school places.
2. Asks for detail on the staff resources levels in comparison to the number of EHCPs to seek assurance that this is sufficient.
3. Asks for up-to-date figures on the percentage of 16–17 olds that are Not in Education, Employment or Training (Performance Measure 30) following the work that has been undertaken over the summer.
4. Welcome the news of the overseas recruitment of 36 additional qualified social workers and the ongoing work by the service to tackle the current vacancy gap.
5. Were assured on the work being carried out to continue the implementation of the Family Safeguarding Model and recruitment of adult workers in light of the reduced funding received.

22. Work Programme Planning and Possible Items for Future Scrutiny

22.1 The Committee discussed the work programme and Forward Plan of decisions, and the following suggestions were made.

22.2 It was agreed that the following items should be considered by the Business Planning Group for future scrutiny:

- Care Leavers
- Lessons learnt from recent inquests (to consider once inquests are completed).

22.3 An update be provided on the Orchard House project for the Chairman.

23. Requests for Call-In

23.1 There had been no request for call-in to the Scrutiny Committee within its constitutional remit since the date of the last meeting.

24. Date of Next Meeting

24.1 The next meeting would be held on 16 November 2022 at 10.30am.

The meeting ended at 1.07 pm

Chairman