

Children and Young People's Services Scrutiny Committee

12 July 2022 – At a virtual meeting of the Children and Young People's Services Scrutiny Committee held at 1.30 pm.

Present: Cllr Linehan (Chairman)

Cllr Baldwin
Cllr Burgess
Cllr Cherry
Cllr Cornell

Cllr Duncton
Cllr McGregor
Cllr Payne
Cllr Smith

Cllr Sparkes
Mr Gurling
Cllr Lord

Apologies were received from Cllr Hall, Mr Cristin, Mrs Ryan and Cllr N Jupp

Also in attendance: Cllr Russell

12. Declarations of Interests

12.1 In accordance with the County Council's code of conduct the following interests were made:

- Cllr Linehan declared a personal interest as a family member of his has an Education, Health and Care Plan (EHCP).
- Cllr Smith declared a personal interest as the parent of a child with an EHCP and special educational needs.
- Cllr Lord declared a personal interest as the parent of three pupils at schools in West Sussex.
- Under agenda item 3, Cllr Sparkes declared an interest as a member of the Worthing Quality and Stakeholder Board at Worthing College.

13. Draft Outcomes on Securing an Education and Learning Strategy 2022-2025

13.1 The Assistant Director (Education and Skills), Mr Wagstaff, introduced the report, outlining that the County Council had a School Effectiveness Strategy running from 2018 to 2022 and a SEND and Inclusion Strategy running to 2024, but had never had an early years or post-16 strategy. Following the reshaping of the Children, Young People and Learning Directorate, the ending of the pandemic and new Government initiatives and policy directions, it was felt to be the right time to pull everything together, to have a fresh look and give a new shape to where we are heading over the next few years.

13.2 The report outlined the key challenges faced by the County Council and presented the output from the engagement process.

13.3 It was planned that, following scrutiny, further work would be done to develop a draft strategy – including workstreams, plans, timelines, key performance indicators and costs against each theme/workstream. It was

expected that this work would be completed by the end of October 2022, with the detail returning to scrutiny, prior to seeking County Council approval to implement the Strategy by January 2023.

13.4 Members of the Committee asked questions and a summary of those questions and answers are as follows.

13.5 In reference to pages 4 to 7 of the report, clarification was sought in relation to the figures regarding the metric used to measure attainment between disadvantaged and non-disadvantaged students and how this is arrived at. It was explained that this refers to the national measure used to determine whether children are disadvantaged or not. The figures in question relate to performance in comparison to national standards and the difference between non-disadvantaged and disadvantaged children.

Action: For Mr Wagstaff to inform Cllr Burgess of the current number of West Sussex school children classed as disadvantaged.

13.6 It was asked what proportion of stakeholders in each group contributed to the **consultation**. The following points were highlighted:

- Out of 600 responses submitted online - 73% of respondents were parents;
- Engagement was carried out with headteachers through primary, secondary and special school headteacher briefings across the county (including headteachers of academies);
- Engagement with Chichester College Group – the County Council’s further education providers;
- Engagement with district and borough officers through online adult learning programme ‘Multiply’;
- Feedback from the West Sussex Governors’ Association;
- Discussion with 34 Multi Academy Trust CEOs across the county; and
- Online engagement with 50 councillors.

13.7 Members requested to see a breakdown of those individuals consulted as part of the early engagement as concern was raised by some Members who stated they had been advised their local schools had not been involved. Mr Wagstaff said the draft Strategy would be shared with interested stakeholders for comment before the County Council agrees the next steps. **Action: For Mr Wagstaff to provide the details on consultation respondees as requested and should include how schools and others had been invited to participate, and to liaise with Cllr Cherry to arrange for himself to join a meeting with Burgess Hill School Leaders in the autumn.**

13.8 It was questioned whether any consideration had been given to adjust the figures to represent children of parents who declined pupil premium grant. Mr Wagstaff acknowledged the problem; however the challenge was that it was the only national measure available to compare against.

13.9 The Committee noted no mention was made in the report (and questioned whether consideration had been given) to **high achieving, gifted and able pupils** and **Elective Home Educated (EHE)**.

Mr Wagstaff advised that the paper covered what the local authority has responsibility for within its statutory remit. Support to high achievers, disadvantaged pupils, etc, is the direct responsibility of schools. The local authority could help schools by sharing information on good practice. It was agreed that some wording should be added under Theme 1 to strengthen the support for high achieving pupils. Mr Wagstaff told that Committee that the parents of EHE children were kept aware of what options there were to help get children back into education and that teams within Children's Services worked with emotionally based school avoidance EHEs to help them back into school.

13.10 The Committee asked whether the strategy would be flexible enough to react to any future Government changes of policy or outcomes from future national results eg changes to the White Paper as it goes through Parliament, Key Stage 2 SATS results, Key Stage 4 examination results, etc. Mr Wagstaff said that the strategy would be flexible until the point that things became law and would be embedded and enshrined in the strategy. There would also be the opportunity for the Committee to scrutinise any changes.

13.11 Mr Wagstaff reported that for the first time since 2019 some high-level **national data** was starting to feed through from the Department for Education. Information would be made public in September and more detailed finalised data would be available in November 2022. The high-level data on Key Stage 2 was showing a national drop for reading, writing and mathematics of 6 percentage points. West Sussex results reflected that drop but with some areas not as significant. There was no breakdown of data on SEND or disadvantaged pupils currently. Mr Wagstaff reported the data would be used for co-creating the next stage of the strategy with schools, practitioners and teachers. The Government's ambition to have 90% of pupils up to standard by 2030 would be huge challenge for every primary school in the UK.

13.12 **Post-16 provision** within the County Council's remit falls primarily to sixth forms within schools. It was acknowledged that these were currently varied. Some areas of the county have a lot of this resource but there were areas with less opportunities and one area where there was just one academic sixth form. This offers little opportunity for young people wanting to follow a level two qualification not leading to A levels. A new Government initiative called T-levels, may have an impact on whether young people wishing to remain at sixth forms in schools, which may not necessarily have the skills to deliver. The County Council is working with the further education sector and a range of providers to ensure opportunities are available, including with the Chichester College Group to see how schools might be able to think creatively around partnership arrangements to provide a range of learning options. The desire was to ensure that young people have sufficient opportunity without having to travel great distances to receive the course they need and not be pushed into the wrong course because it is more local.

13.13 Mr Wagstaff confirmed that the strategy covered exclusions under Key Theme 3 and were picked up under the SEND and Inclusion strategy. Work was underway to ensure children had the skills and attitude to avoid permanent exclusions by looking at the causes, considering adverse

childhood experiences and behaviour. Therapeutic thinking around children with complex needs was being rolled out to all maintained and mainstream schools.

13.14 The **mental health and wellbeing of young people** is key theme of the Children, Young People and Learning Department's plan, as shown in the diagram on page 9 of the agenda papers. Mr Wagstaff highlighted the importance of not duplicating work in the strategy. By September 2023 50% of West Sussex schools would have mental health specialists working with them. There is also a board working on a pan-Sussex Mental Health and Wellbeing Strategy, involving the National Health Service, and Mr Wagstaff is the pan-Sussex education representative. It was hoped the pan-Sussex strategy would help define the needs in the Education and Learning Strategy.

13.15 The Committee asked that under the list of key principles there be an addition: i. There should be no gaps for children who are unable to attend mainstream or independent provision, essentially no child left behind.

13.16 Mr Wagstaff explained that **vocational training** was incorporated under Key Theme 1. The Committee asked that vocational learning was more explicitly referenced in the subsequent version of the strategy, to include information on the specific work the County Council would be undertaking.

13.17 Mr Wagstaff confirmed that most schools followed the national curriculum framework but could determine the detail themselves. This synergy would help children who transitioned between schools or providers; however work was done to ensure as smooth a transition as possible. A difficulty could arise in Key Stage 4 when a student might switch between different exam boards/syllabus.

13.18 Under agenda item 4.5 Mr Wagstaff confirmed that there would be work done to look at the **barriers to learning**, which could include language, cultural differences, poverty, housing, IT, family support, etc. Work would be taking place with other County Council teams, and districts and borough councils to unpick some of the barriers.

13.19 Mr Wagstaff confirmed that the County Council was committed to its plan for 500 **extra SEND places**, the key driver for which was to reduce the high needs deficit which had been increased by the number of children going into placements in the independent sector. Construction costs had increased but focus was on prioritising to ensure the places which would make the biggest impact were created. The County Council had also declared an interest in the SEND free school programme and aimed to bid for two schools by the end of October. If bids were successful, this would contribute towards the 500 extra places. The Committee asked to be kept updated on the SEND sufficiency plan and sought additional reassurance from the Cabinet Member that the desire to provide 500 extra places would be fully funded and delivered.

13.20 The Committee asked, that when it looked at the performance of the **SEND and Inclusion Strategy** in the autumn, that it included which

objectives had been met, which objectives were still outstanding, and what new challenges the strategy was facing including the high needs deficit.

13.21 Mr Wagstaff confirmed that the **post-16 transport policy** differed from that for under 16s. In the main post-16 children were more independent being able to travel on the public transport network in the county. However, work could be done with partners to ensure that more local options were available to avoid the need to travel long distances. The Committee highlighted the importance that where a young person lived was not a barrier to the pathway they wished to take.

13.22 Mr Wagstaff confirmed that **School Place Planning** was done with live birth data, so for primary schools was planning four years ahead and for secondary schools the County Council were able to plan seven years ahead. Local considerations were also taken into account, eg planning for housing developments although it was often difficult to pin timescales to these. The Audit Commission would suggest that a County Council should have approximately 5% surplus provision in schools to enable parental choice. In some areas of West Sussex, there was currently in excess of 16% surplus provision, which can lead to funding difficulties for schools. A major piece of work was taking place in one area of the county to reduce an excess of surplus places and there were other localities with similar issues arising. Opportunities were also being taken to repurpose surplus space in schools for example Fordwater Special School in Chichester would be opening an annex at the Chichester High School, where there was a building that could be repurposed.

13.23 **Adult learning and employability** – A review was taking place of adult education and adult community education provision in particular. The review is looking at the impact of the pandemic, nationally declining trends in adult community learning, changing demographic status in the county, economic crisis, transport and work with partners both internally (Communities, Adults, refugee teams) and externally. A feasibility study was under way and once the outcomes were assessed there would be engagement with the current provider to make plans for the future. The Committee were keen to see that there was a clear pathway from childhood, into post-16 and onto adulthood and be reassured that the proposed Skills Strategy and this strategy would be clearly linked. The Committee asked that the Business Planning Group look at the Skills Strategy as it evolves.

13.24 Resolved – That the Committee:

1. Considers that it is important that the Strategy is ambitious and provides equal opportunities for all children in West Sussex, and asks that this is considered as a theme running across the strategy.
2. Requests that Theme 1 is strengthened to include high achieving, gifted and able children, those that are Electively Home Educated, and also vocational learning is more explicitly referenced in the strategy.

3. Asks that the Strategy is agile and flexible enough to take into account any changes in data outcomes that can impact the themes and focus, for example disadvantaged data, as well as any policy changes.
4. Asks that there is clear alignment between this Strategy and the proposed Adults Skills Strategy to ensure young people transition smoothly into adulthood.
5. Would like to see further detail on the service development and partnership working (Theme 7) as the Strategy is developed, and when it returns to the Committee, to understand what this will entail, given the importance of partnership working in achieving successful outcomes.
6. Requests to see a breakdown of those individuals consulted with as part of the early engagement.
7. Would like the opportunity to scrutinise any reviews or amendments to the SEND and Inclusion Strategy as a result of the SEND Consultation Green Paper and will add this to their work programme.
8. The Committee's BPG will consider the future plans around Adult Community Learning and whether there is anything for future scrutiny.
9. Highlights the importance of the SEND Sufficiency Plan to increase 500 additional specialist places in West Sussex and asks that the Committee is kept updated on the progress of the Plan.
10. The Committee wishes to be involved and further influence the development of the draft Strategy. The Chairman will therefore liaise with the service and democratic services to confirm how this can be done and will keep the Committee informed to ensure scrutiny inputs at the right time.

14. Performance And Resources Report - Quarter 4

Children and Young People

14.1 The Cabinet Member for Children and Young People, Cllr Russell, introduced the item and was pleased to report that the overall trajectory of improvement in the service was heading in the right direction. The service still faced some stiff challenges but was at a crucial juncture in the journey. Performance wise, she felt reassured that the robust Quality Assurance process would drive forward the best outcomes. Performance was moving in the right direction with small fluctuations quarter on quarter. Performance Measures 1, 2 and 7 were approaching their targets and Performance Measures 8 and 9 were showing an improving picture with a way still to go.

14.2 Budgets showed a small underspend, largely due to difficulties in recruiting to positions in social work, early help and the residential service. This reflected the national and regional landscape.

14.3 One of the biggest pressures was on placement where, although numbers had actually reduced, the greater demand for higher need placements had pushed up costs. The Cabinet Member reassured the Committee that measures were in place to ensure the right children were in care and receiving the right sort of care through the established Entry to Care Panel and the High-Cost Placement Panel, both of which were chaired by an Assistant Director.

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

14.5 Performance Measure 8 – **percentage of care-leavers aged 19-21 who are Employment, Education or Training** – This was an improving picture compared to 2018-19 data. Work with district and borough councils was still developing and consideration had been given to involving County Council members who were also elected representatives at a district or borough to help relationships grow. Many Committee members expressed interest in helping. Investment in the care leaver service had resulted in recruitment of Personal Assistants and managers to push this work forward. The Voice and Participation team had created two full-time apprenticeship roles specifically for care leavers and appointments had been made. The relaunched local offer for all care leavers had been highlighted by the Care Leaders Organisation as the most extensive offer nationally that they were aware of.

14.6 Performance Measure 9 – **percentage of Child Protection Plans that resulted in 'step-down' within 12 months** – Officers were asked why this had risen so rapidly and reassurance was sought that there was no potential perverse incentive to get children removed from Child Protection Plans. Officers informed the Committee that they were alert to perverse incentive and that these figures were closely monitored through the Quality Assurance framework, conference and reviewing officers and managers to ensure the thresholds were correct and that children were stepping across at the right time. They reported that the number of children coming back into a Child Protection Plan within a 12-month period was very low at 4% for the last 12-month period. It was also reported that the service measured children who came back onto a plan at any time and the County Council was roughly in line with the national and regional neighbours. Re-referral rates back into social care were also reviewed. It was asked if figures could be published alongside the performance data to give confidence to the Committee.

14.7 Difficulties in recruitment had led to a **budget underspend** which had been used to offset budget pressures in other areas. Cllr Russell reinforced that these were not budget savings and all work possible was being done to help recruit staff.

14.8 **Number of children we care for – Actual Versus Projected** – The demand modelling from 2021-22 showed a large gap between actual and projected numbers of children we care for. At that time several

children had still been in care through arrangements that, following review, should not have been in place. Focussed work with areas such as Section 20 for older children, had seen many children moved back to family settings. The threshold in relation to children coming into care at the right time had been tested by the Ofsted Permanency monitoring visit and the children we care for monitoring visit in March 2022. As a result of this work, the 2022-23 modelling was more accurate. Cllr Russell told the Committee that she was confident that the service was getting the right children into care in the right place and at the right time.

14.9 Internal Versus External placements – Cllr Russell reported that the most recent data was that 53% of placements were internal and 47% external. This had been aided by the opening of three residential children’s homes, which were running at 95+% occupancy, a well thought out plan for fostering recruitment and retention over the next 2-5 years with significant investment, and a detailed review of the Children’s Commissioning Service and restructure which would soon be going live. It was explained that the County Council would never have parity with the external market without the creation of a significant high number of internal resources or a reduction in the number of children we care for.

14.10 Cllr Russell summed up that she was pleased with where the service had got to but acknowledged there was still some way to go but that the whole service from the leadership team downwards was committed to the improvement journey.

14.11 Resolved – That the Committee:

1. Are pleased to hear direction of travel on seeking employment for care leavers (Performance Measure 8), and that Councillors who sit on district and borough Councils will be used to help champion employment of care leavers.
2. Notes that the increase in performance measure 9 (Child Protection Plans step down within 12 months) and welcomes that the levels of re-referral rates are continually monitored and are currently in line with regional and national averages.
3. Recognises the national challenge of recruitment and how this has created an underspend this year and welcomes the continued commitment to fill the vacant posts.
4. Will continue to monitor the Children We Care For placement mix, recognises the positive direction of travel.

Learning and Skills

14.12 Mr Wagstaff, Assistant Director (Education and Skills) introduced the performance report acknowledging that a range of outcomes were positive but that there were still some challenges. Members of the Committee asked questions and a summary of those questions and answers follows.

14.13 The high number of children with an Education, Health and Care Plan (EHCP) being placed in the **independent sector** was due to an increase in more complex needs being identified. These could not be met in the maintained schools and needed special provision in the independent sector.

14.14 The **Specialist Outreach Team** had been appointed to a two-year pilot funded by the Schools' Forum and had been working with year 6 primary school pupils with EHCPs to help them transition to local mainstream secondary schools. The Committee were interested to hear about the impact and outcomes of the pilot and requested further details in the autumn.

14.15 Performance Measure 25 – **Percentage of schools with Ofsted rating 'good' or 'outstanding'** – The Committee welcomed the good news of the increase in numbers since Ofsted had recommenced inspections following the pandemic. Mr Wagstaff confirmed that the programme for professional development run by the County Council was open to all schools, including academies and maintained schools, on a charged basis, but with some Ofsted HMI courses which were run for free.

14.16 The Committee questioned why, under the Dedicated Schools Grant financial issues, special schools and Special Support Centres (SSCs) were recorded together when they were different things. **Action: Mr Wagstaff agreed to speak to the data team and corporate performance team to see what could be done and respond back to the Committee.**

14.17 **Net Total of New EHCPs** – Concern was raised over the number of EHCPs completed within the 20-week timescale. **Action: Mr Wagstaff agreed to provide data on the number of overall EHCNA and the percentage that progress into a plan as part of the SEND and Inclusion item in September.**

14.18 The level of **children with an EHCP in mainstream secondary schools** is in line with the national average of around 3.3%. The rise over the last few years still matched the national trajectory. Most requests for EHCNAs come from early years settings and some from primary schools but far fewer from secondary schools. West Sussex is above average on the number of children where schools have identified SEND support being needed but who have not been processed or put through for a SEND EHCP assessment. **Action: Mr Wagstaff agreed to share the figures with Committee.**

14.19 Resolved – That the Committee:

1. Are interested in receiving more detail on the pilot to support inclusion of those learning in local mainstream school and would like further detail of impact and outcomes of that work in the Autumn.
2. Asks for clarity on why the number of children with EHCP in Special Schools and Special Support Centres are combined in Financial Measures and Risks 4 and 5 and whether these could be separated.

14.20 The Committee welcomed the current position of the Performance and Resources report, taking into account the above.

15. Date of Next Meeting

15.1 The next meeting would be held on 28 September 2022 at 10.30am.

The meeting ended at 3.57 pm

Chairman