

(Scrutiny for Policies, Children and Families Committee (virtual meetings from May 2020 due to Coronavirus) – 9 September 2020

**SCRUTINY FOR POLICIES, CHILDREN AND FAMILIES COMMITTEE
(VIRTUAL MEETINGS FROM MAY 2020 DUE TO CORONAVIRUS)**

Minutes of a Meeting of the Scrutiny for Policies, Children and Families Committee held as a Virtual Committee meeting on Thursday 9 September 2020 at 1.00pm

Present: Cllr L Redman (Chair), Cllr R Williams (Vice-Chair), Cllr M Dimery, Cllr J Hunt, Cllr J Lock, Cllr W Wallace, Mr Peter Elliott, Mrs Eileen Tipper.

Other Members present Cllr F Nicholson, Cllr A Govier, Cllr T Munt, Cllr C Paul, Cllr F Purbrick, Cllr L Leyshon.

1 Apologies for absence: Cllr N Hewitt-Cooper, Cllr J Williams, and Ruth Hobbs.

2 Declarations of Interest – Agenda item 2

The Chair of the Committee invited those Members present to declare any interests not already registered as personal interests, such as being members of District, City, Town, and Parish Councils and, available for inspection on the Council's website. There were no declarations made.

3 Minutes from the previous meeting - Agenda item 3

Amend - Eileen Tipper apologies to be recorded for the meeting held 9 July 2020

The Committee agreed that the minutes of the meeting held on 9 July 2020 were an accurate record and signed by the Chair.

Matters Arising:

Cllr J Lock requested response information to the public question submitted by Mrs B Lister at the meeting 9 July 2020.

Action: Mr M Bryant to ensure a copy of the response to be circulated to all Members of the Committee.

Cllr J Lock requested information on the Written Statement of Action (WSOA).

Julian Wooster, Director of Children's Services (DCS) confirmed that SCC has progressed the WSOA with partner agencies (schools, NHS, Clinical Commission Group (CCG)). DCS advised that a short extension had been agreed, with formal submission to the regulators at the end of September 2020.

4 Public Question Time - Agenda item 4

A single question was submitted in advance of the meeting, the CCG to provide a response.

Action: Jamie Jackson to circulate the response to members of the Committee.

5 Children's Services MTFP Update – Agenda Item 5

The Chair of the Committee, Cllr Leigh Redman invited Sian Kelly, Strategic Finance Manager – Business Partnering and Deputy S151, to present the report.

Sian Kelly presented the report, highlighting; impact of Covid-19 on the Children Services; additional costs incurred by the Covid-19 response and loss of income:

- £2.2M -Support for early years
- £2.2M - Children services placement in targeted wrap around support
- £1.1M home school transport
- £0.8M children social care external placements commissioned in advance to ensure sufficiency in the system
- £0.8M -impact of achieving transformation savings
- £300,00 school suspended redundancies
- couple of additional costs in relation to in house fostering leaving care and visual impairment and PPE
- loss of income - pressure created against children services budget of £7.3M
- funding so far approved from Covid-19 Emergency Grant being £4.2M for June end, further £3M approved.

Sian Kelly then further explained the possible impact for future years with work currently underway on the MTFP 2021-22 to 2025-26; work continuing within the commissioning team to ensure weekly placement costs work at pre-Covid-19 levels, explained that there is potential to change as providers seek additional remuneration. In addition, advised that work had started with Peopletoo, this is measure the impact of the pandemic on lagged and any future demand which will further inform financial projection on Children Services as a whole, in terms of what may come through, assessments, safeguarding and impact in terms of increases on children's placements.

The DCS added that significant demand is expected on Children Services across the country, which is estimated for next 5-10 years in terms of impact on children's lives, SCC are working to try and understand the demand for services short term and impact, which has been prepared for. DCS also advised that the department are currently

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working on trying to understand the medium- and long-term issues and how to offer a broader response and manage those processes.

The Chair of the Committee invited Members of the Committees to ask questions:

Vice-Chair of the Committee, Cllr R Williams asked how much of a problem is the impact on the Children Services budget. Furthermore, looking at the MTFP for this year, is the DCS confident that the overspend and pressure is manageable.

DCS commented that he believed there to be no major financial issues this year, believes 2021 and future years is the issue in relation to whether continued Covid-19 funding is offered. DCS explained that challenges will continue to impact on children services until a Covid-19 vaccine is available. DCS advised that a wider range of difficulties associated and resulting from Covid-19 and the wider impact of the economy; unemployment increases and employment lower incomes, had generated more demand in services provided and more support for children required. DCS confirmed that costs have been built in for future years, but Children's Services will be dependent on additional government funding.

Sian Kelly, in response to the Vice-Chair, clarified that £847,000 of transformation and savings pressure already incorporated within the figures and does not need to be added it to the decay of residual pressure.

Cllr L Leyshon asked regarding Key Stage 1 and 2 moderation contract lack of loss of income figures, and whether the figure was outstanding.

Sian Kelly responded that for the report the figures available had been rounded when translating in millions, somewhere between 0-£100,000.

Cllr L Leyshon pointed out that updated figures are now available with earmarked reserves noted, while appreciating pressures unknown would the earmarked reserves reduce pressure on the Children's Service budget?

Sian Kelly explained that the earmarked reserves meant that the month 4 position for Children Services is a balanced position, further explaining that in terms of future years there would be wider pressures, and work was underway to quantify assumptions.

Cllr J Lock asked for the DCS opinion on what funding might be available from the Government for Children Services.

DCS responded that he is hopeful that Children Services will be recognised as a pressure point by Government and that Government understands the issue. In addition, DCS commented that he is not unrealistic in terms of some of those pressures and advised

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that Children's Services has a comprehensive spending review currently being undertaken alongside budget setting for next year, this recognises all elements of support given.

Cllr J Lock commented on the Covid-19 spend around recruiting foster carers, asking if the foster carers would be able to be retained to help with transformation savings.

DCS responded that Children Services are to strengthen the fostering service, During Covid-19, SCC had attracted temporary carers throughout the process, and there is work to be done to make these become permanent carers, DCS asked that Members look to provide help at looking how the in house fostering service can be improved alongside the corporate parenting board. The DCS explained that in house fostering can improve outcomes for children and families, especially now when there is increased employment and lower income, more families would be considering, or lower incomes may be considering fostering as a positive option.

The Chair of the Committee asked that the report be noted and expressed his thanks to staff for their performance which was and is above and beyond during the covid-19 pandemic and beyond. Asked that members advertised the need for foster carers and adoptions.

6 SENDIAS (Special Educational Needs Disability Information Advice Service) Update – Agenda Item 6

The Chair of the Committee invited Fiona Phur, Service Manager Business Partnerships, to introduce and present the SENDIAS report.

Fiona Phur, introduced the SENDIAS Service Manager, Helen Maine, and presented at the SENDIAS report highlighting: the increase in staff size from 5.3 full time equivalent staff to 9.1; essential for all staff to be trained to give accurate and correct robust information, with all staff trained to reach an accredited level of training around send law; what worked well in covid-19 lockdown:

- support to children, not all SEND families confident enough for their children to be at school, facilitated virtual meetings to improve communications and better support to those children and young people
- increased co-production – regular meetings during lockdown with the Somerset parent carer forum, SEND strategic manager in Somerset County Council, identified trends to enable immediate learning and share relevant information as needed.

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- Development of a multi-agency advisory group to meet the requirements of the national standards,
- Development of customer satisfaction feedback launched an anonymized of online feedback system.

Fiona Phur continued her report commenting on the challenges faced such as; supporting parents with virtual tribunals - digital exclusion, technical issues have been a problem for them, preparation of help sheets has doubled the time of support and impacted upon capacity; increase in requests for Education, Health and Care Plan (EHCP) and caseloads remain high.

Fiona Phur covered the SENDIAS future plans using a more strategic management approach for partnership working, which will result in monthly quality and performance review meetings, introduction of KPIs for strategic management and SENDIAS staff, will look to hear the voice of SEND child or young person more clearly, will explore regional and national organisations to see what works well and look to reduce mediations and tribunals and look to work on families receive an equitable share of support across the County from SENDIAS service.

The Chair of the Committee invited questions from Members of the Committee.

The Chair asked how big the increase had been in the EHCP process.

Helen Maine responded advising that increased hugely, with 165 families being supporting through the EHCP process, current list of 218 cases. The process is not quick and can continue for over 20 weeks for those families, long period of support.

The Vice-Chair referred to the Task and Finish group findings regarding EHCP applications decisions where some cases took up to 44 weeks for a family to hear a decision. Asked the question that with the increase in cases is there something that the Committee or the DCS can do to speed up the turnaround time on an EHCP application. The Vice-Chair also advised that he thought it appropriate for the Committee to monitor the progress of reducing the backlog of EHCP.

The DCS responded that in terms of achieving 20 weeks target in turnaround for the EHCP process, there are several issues, important to understand that provision can still be made within 20 weeks where appropriate, but in some cases, there are complexities that require special assessments. The DCS advised that there is a National issue where there are significantly more children on EHCPs than envisaged in legislation. SENDIAS given more resources to support and advocate on behalf of parents in school settings for SEND support.

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The Vice-Chair requested information on customer satisfaction feedback regarding training and process and if the SENDIAS team had reached any firm conclusions why the referrals had increased.

Fiona Phur explained there had been no complaints from the survey, however feedback gained was used to learn should there be anything wrong with or could be improved in the process. The SENDIAS team mostly has less than 2 years of service, and although the team has learnt quickly and become skilled very quickly, the customer satisfaction survey helps and assist with improving our service.

Helen Maine responded to why the referrals could have increased, explaining that along with parents having more time during lockdown to observe behaviours, it is thought that there is more awareness of SENDIAS, word of mouth and schools recommending the SENDIAS service. Believes it is a combination of all things but also a greater understanding of what SENDIAS is and how it how it can help parents.

Mrs E Tipper expressed her congratulations to SENDIAS on the on the power of vision both strategic and operational and the dynamism created about building this service, Cllr J Lock also added that the SENDIAS are providing a great service, well done to the team.

Mrs E Tipper asked what constitutes an unnecessary EHCP request and what proportions of applications fall into that category?

Helen Maine majority of families that ask for an EHCP, generally need an EHCP and have been provided with a plan. Fiona Phur further explained that the term unnecessary was an unfortunate term, but where the school can meet the SEND needs locally, it is unnecessary to respond. In addition, if we if we recognise that the child does need EHCP request, then we will support the parent to do that it is recognising what schools can and should be doing.

Mrs E Tipper asked about the application rate and a way of identifying systemic rate, how much do if you identify the cause of your unnecessary referral to a systemic problem that needs dealing with how much power do you have to knock the system or modify the system.

Fiona Phur explained that by using KPIs to measure staff training, this is providing level 2 staff to be able to confidently support parents to say my child's needs can be met in this school through SEND support – keeps the child local and within their community better for everybody all round. Where this does not happen, there is a system in place to work with the school improvement service educating schools in the need to support more locally.

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CLlr T Munt asked what's opportunities the team identified for changing the service post Covid-19, how considered advantages of a different way of working regarding travel and online meetings

Helen Maine reported that the changes in working had been much better way of working for service. SENDIAS had found that during the Covid-19 situation working remotely and in virtual meetings had encouraged more professionals, parents and young people more likely to join meetings than would have done if face to face, this has meant that the meetings have been more effective for those families. In addition, the team has also found that as a team we work more productively because we are not travelling as much around the County. SENDIAS getting a lot better engagement on all levels and more able capture young people's views and their participation in a process about them.

The Chair of the Committee expressed his thanks to all.

7 County Ticket Update – Agenda Item 7

The Chair invited Phil Curd, Strategic Manager, Access & Additional Learning Need Inclusion Somerset, to present the County ticket update.

Phil Curd read out a prepared briefing note explaining the current position of the County ticket; decision taken in June 2020 to suspend the County Ticket scheme for the 2021 academic year; rationale being in light of the ongoing COVID-19 situation; guidance continuing to evolve in relation to school and college transport; now in a position to provide closed contract duplicate public transport routes dedicated for students only; do not have to apply 1 metre social distancing measures as not open to the public; students likely to be attending college less frequently and the County Ticket would not be cost effective for students and families; if students had to cancel due to self-isolation it would not be possible to offer refunds; single ticket would be more cost effective as the student would only pay for the journey they make, should there be a second wave of Covid-19 lockdown and potential college closure necessitating a refund to students which would be at significant cost to council, as already be committed to paying operators; Colleges understand the need to suspend the County Ticket and are working with SCCC to minimize impact for return in September; work completed to identify areas of need; work being completed with operators and schools to identify areas of significant demand to provide transport required; any anomalies that arise will be thoroughly investigated.

The Chair of the Committee invited Members of the Committee to ask questions.

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The Chair asked if there had been feedback on the start of college and any increased attendance.

Phil Curd advised that initially the timetable could involve students attending 4-5 days, however moving forward timetables would contain blended learning.

Mrs E Tipper asked how maintaining one metre social distancing rules could be monitored, especially regarding the increased transmission rates of youngsters that are more vulnerable and more likely to travel on a closed bus.

Phil Curd advised that the closed contract vehicles put into the college network are based on guidance of the DfE. The network has been expanded to create separate vehicles for college students to ensure SCC could maintain capacity on the public network for key workers. In addition, where closed contract vehicles are used, the pupils that travel together daily are bubble and therefore the social distancing requirements do not apply. In addition, DfE guidance is quite broad in relation to school transport and it gives Local Authorities quite a lot of latitude in terms of the measures that can be applied. Based on reasonable practicability and where possible, individual cases of children with specific conditions and enhanced risk we look to put in place alternative arrangements, including a separate vehicle, petrol allowance or a personal travel payment. We are working with schools to try to mirror bubbles and staggered start and finish times where possible. Given the pressure on our network and the capacity of the market, specific issues may materialise, in this instance we will work with the schoolwork and the family to find a solution that minimises risk as much as possible.

Cllr J Lock queried the take up for transport into college, is the percentage of pupils that have returned to school know?

Phil Curd responded that exact numbers not received, however estimated that on any given day 15,000 to 20,000 young people are accessing post 16 education, either in an FE college or 6th form in one of our schools, in terms of County Tickets, the sales that generated were in their hundreds so not a big proportion of the FE cohort were buying County Tickets. Furthermore, school attendance data based on DfE data, schools complete a DfE return daily, and from data extracted, in terms of which schools are fully open and across different age groups, attendance looks good – 90% and is improving every day.

Mr P Elliot shared that he had had several discussions with secondary school headteachers, and they had reported that attendance is typically 97 / 98% in secondary schools, much better than expected.

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Cllr J Lock asked if there was much of an uptake on the expansion of personal travel payments for parents?

Phil Curd advised that this is part of the standard offer, typically have 50-60 children travelling on individual transport routes using taxis, and therefore cost avoidance for Local Authority would be quite significant and would provide benefits for the family being able to make their own flexible arrangements.

Cllr T Munt asked for clarification around the situation for those parents who do not send their children into school, whether they were going to be fined, believed previous information was that there would be no fines instigated until Christmas. Cllr Munt sought reassurance that guidance had not changed and nor had the actions of the County Council.

Phil Curd explained that fines and penalty notices for families not attending school had paused between April and August. The Law now allows for penalty notices to be used again. SCC have been clear with schools that before any penalty notice is issued all non-attendance should be fully explored and investigated to understand barriers of non-attendance.

Cllr T Munt queried attendance data gathering for Somerset schools, and if it could be collected in a much more simplified way and gain data on the same day.

Phil Curd explained that school attendance data collection is sent to the DfE daily and then exacted from a dedicated portal, it is not arduous or complex to collect this data and is collected daily.

Cllr T Munt asked if a young person were involved in tribunal system would it be an adequate reason for not sending a young person to school.

Phil Curd responded that being in the tribunal system would not be an adequate reason to not attend school, however in the penalty notice protocol if there was a young person going through the tribunal system and SEND element a complicating factor, SCC would have to think very carefully about whether we issued a penalty notice.

8 Unitary update – Agenda Item 8

The Chair opened discussion advising that no decision had been made around the Unitary debate, Sops to make their decision totally outside of our influence as a Committee however I am conscious that the window any transition when happens, will be small. conscious that are mandated to achieve the best for our children and families in everything conscious members want to be involved at the earliest opportunity to look at the transition from current arrangements for children services to a unitary model

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should it occur. specifically, a task and finish group to look at the transition process given the potential risks of change and ensuring there is enough focus on the needs of children and service delivery.

Invited the DCS to offer his thoughts and guidance on this

The DCS offered that any significant organisational change is a significant risk for Children Services. DCS personal view is Scrutiny has a very important role to play helping to retain the focus on the key elements of Children Services through any transition and summarised the risks into what the DCS believes to be three areas:

Leadership – opportunity for distraction with focus on operational performance in the wider reorganisation issues, ever more important for Scrutiny to keep on task during any transition process.

Service improvement plan - important to maintain the service improvement plan, making sure that the uncertainty of any transition does not impact upon the progression of the plans with continuation to support schools, children social care or special educational needs services.

Partnerships - need to continue to engage in partnerships throughout uncertainty i.e. schools, NHS colleagues, police etc. Important to make sure that those partners still engage and that they can communicate regarding arrangements throughout the transition process and that their issues are being followed up or addressed as part of that process.

The DCS also added that SCC will be reliant on information from colleagues and other authorities that have been through the process to provide information and guidance, highlighting possible issues. Suggested that the Scrutiny Committee may want to hear from individuals with experience of transformation.

The Chair requested the DCS and the Children's Service team draft a paper regarding the transformation process and how this could affect Children's Services and bring to the Scrutiny Committee.

The Vice-Chairman advised that until the Secretary of State makes a decision there is much speculation. If the decision is made to move a single Unitary Council, the Scrutiny Committee need to work in tandem and understand the whole picture and agreed with the Chair that a paper from the Children's Services team would be a useful start.

Cllr Nicholson expressed that there are undoubtedly opportunities in change as well as threat, and to look to experienced Local Authorities i.e. Cornwall, which went through the single unitary transformation with outstanding Children's Services. Believes there is

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room for Scrutiny Members to understand the challenges and the advantages that have come out of other Local Authorities. Maybe a possibility / real opportunity for a task and finish group to add value to the work of the Council.

Cllr J Lock agreed with the proposal to bring a paper to Scrutiny to consider, adding that the more Members of Scrutiny and Councillors that understand the issues the better.

Action:

DCS and Children Services Team to provide paper on transformation and Children Services for the Scrutiny Committee to consider, date to be agreed.

9. Scrutiny work programme – Agenda Item 9

The Chair of the Committee invited Members to consider the Cabinet's Forward plan of proposed key decisions in forthcoming months and suggest any items for the Committee to consider.

The Vice-Chair requested the below be considered:

WSOA - agenda for 12 November

MTFP forecast 2021/22 – agenda item for January

EHCP backlog, whether reduced and how fast this is being worked through – early 2021

Cllr Munt requested that the Shapwick School sudden closure, how this has been dealt with by SCC and how we can learn from this, be added as a November agenda item.

Action:

Cllr Munt to email the Chair of the Committee and Jamie Jackson with points to address regarding Shapwick School.

Cllr Lock requested an item agenda on how home educated children have been assessed for GCSE and A Level examination, providing an opportunity to look at home schooling numbers and how supported.

Action:

Cllr Lock to email the Chairman and Jamie Jackson with points to review regarding home educated children and how assessed for GCSEs and A Levels.

10 Any other urgent items of business

None

ends