

SCRUTINY FOR POLICIES, CHILDREN AND FAMILIES COMMITTEE

Monday 6 March 2023

1.00 pm Luttrell Room - County Hall,
Taunton



To: The members of the Scrutiny for Policies, Children and Families
Committee

Cllr L Redman (Chair), Cllr O Patrick (Vice-Chair), Cllr S Aujla, Cllr J Baker, Cllr S Carswell, Cllr A Hadley, Cllr S Hart, Cllr B Height, Cllr J Hunt, Cllr J Kenton, Cllr E Potts-Jones, Cllr M Lovell and Cllr J Snell

R Hobbs, E Tipper and The Revd T Osmond – co-opted members

All Somerset County Council Members are invited to attend.

Issued By Scott Wooldridge, Monitoring Officer and Head of Governance and Democratic Services - 24 February 2023

For further information about the meeting, please contact Neil Milne on 01823 357628 or neil.milne@somerset.gov.uk or Fiona Abbott on 01823 357628 or fiona.abbott@somerset.gov.uk

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on www.somerset.gov.uk/agendasandpapers

Are you considering how your conversation today and the actions you propose to take contribute towards making Somerset Carbon Neutral by 2030?



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AGENDA

Item Scrutiny for Policies, Children and Families Committee - 1.00 pm Monday 6 March 2023

**** Information on the Committee ****

**** Public Guidance notes contained in agenda annexe ****

1 **Apologies for Absence**

to receive Members' apologies

2 **Declarations of Interest**

Details of all Members' interests in District, Town and Parish Councils can be viewed on the [Council Website](#) The Statutory Register of Member's Interests can be inspected via request to the Democratic Service Team.

3 **Minutes from the previous meeting held on 16 January 2023** (Pages 11 - 16)

The Committee is asked to confirm the minutes are accurate.

4 **Public Question Time**

The Chair will allow members of the public to ask a question or make a statement about any matter on the agenda for this meeting. **These questions may be taken during the meeting, when the relevant agenda item is considered, at the Chair's discretion.**

5 **Scrutiny for Policies, Children and Families Committee Work Programme**
(Pages 17 - 30)

To receive an update from the Governance Manager. To assist the discussion, the following documents are attached:

- (a) The Committee's work programme
- (b) The Committee's outcome tracker

Please use the following link to view the latest Executive Forward Plan of planned key decisions that have been published on the Council's website [Executive Forward Plan of Key Decisions](#)

6 **Joint Local Area SEND Inspection Outcomes and update on SEND Green Paper**
(Pages 31 - 42)

To consider Report and receive a presentation. This item will be led by the Council's Head of SEND, Claire Merchant-Jones.

Item Scrutiny for Policies, Children and Families Committee - 1.00 pm Monday 6 March 2023

Note – the Chair will allow 30 minutes for this agenda item.

7 **'Education for Life' Strategy**

To receive presentation. This item will be led by the Council's Assistant Director Education Partnerships and Skills Amelia Walker.

Note – the Chair will allow 35 minutes for this agenda item.

8 **LA Maintained Schools - Core Offer - update**

To consider Report. This item will be led by the Council's Assistant Director Education Partnerships and Skills Amelia Walker.

Note – the Chair will allow 35 minutes for this agenda item.

9 **Scrutiny Committee Task and Finish Groups - update** (Pages 43 - 52)

To receive an update on the Committee's Task and Finish Groups: -

- (a) Sufficiency of external placements – draft report (attached);
- (b) Home to School Transport

10 **Items for Information - Standing Item**

This is a standing agenda item and will provide details of information sent to Committee members in between meetings, that cover Children & Families Scrutiny policy areas.

- (a) Email sent regarding '[Government unveils reforms in children's social care](#)' – on 3 February 2023
- (b) Overview of Ofsted annual conversation - slides circulated on 9 February 2023
- (c) Academisation – update - information circulated

If Committee members have any questions or comments on the information, please contact fiona.abbott@somerset.gov.uk in the first instance and before the date of the meeting.

11 **Any other urgent items of business**

The Chair may raise any items of urgent business.

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Information about the Committee

This Scrutiny Committee covers the full range of functions covered by the Lead Member for Children and Families. The key focus of the Committee is to assist the Lead Member, the Executive, the Council and its partners to improve the life chances of all children in Somerset through effective and joined up approaches to the delivery of services.

The membership of the Committee includes 2 co-opted church representatives, 2 co-opted parent governor representatives, 2 school governor representatives and 1 representative from the Schools Forum. These co-opted members have voting rights on education matters.

The Committee has a useful 'glossary of terms' document, and this can be found on the website on the following link – [Glossary of Terms](#)

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Guidance notes for the meeting

1. **Council Public Meetings**

The former regulations that enabled virtual committee meetings ended on 7 May 2021. Since then, all committee meetings need to return to face-to-face meetings. The requirement is for members of the committee and key supporting officers to attend in person, along with some provision for any public speakers. Provision will be made wherever possible for those who do not need to attend in person including the public and press who wish to view the meeting to be able to do so virtually.

2. **Inspection of Papers**

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at democraticserviceteam@somerset.gov.uk or telephone 01823 357628. They can also be accessed via the council's website on www.somerset.gov.uk/agendasandpapers. Printed agendas can also be viewed in reception at the Council offices at County Hall, Taunton TA1 4DY.

3. **Members' Code of Conduct requirements**

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

4. **Minutes of the Meeting**

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

5. **Public Question Time**

If you wish to speak, please contact Democratic Services by 5pm 3 clear working days before the meeting. Email democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

Members of public wishing to speak or ask a question will need to attend in person or if unable can submit their question or statement in writing for an officer to read out.

After entering the Council building you may be taken to a waiting room before being taken to the meeting for the relevant agenda item to ask your question. After the agenda item has finished you will be asked to leave the meeting for other members of the public to attend to speak on other items.

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. However, questions or statements about any matter on the agenda for this meeting may be taken at the time when each matter is considered.

At the Chair's invitation you may ask questions and/or make statements or comments about any matter on the Committee's agenda – providing you have given the required notice. You may also present a petition on any matter within the Committee's remit. The length of public question time will be no more than 30 minutes in total (20 minutes for meetings other than County Council meetings).

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish.

If an item on the agenda is contentious, with many people wishing to attend the meeting, a representative should be nominated to present the views of a group.

An issue will not be deferred just because you cannot be present for the meeting. Remember that the amount of time you speak will be restricted, to three minutes only.

In line with the council's procedural rules, if any member of the public interrupts a meeting the Chair will warn them accordingly.

If that person continues to interrupt or disrupt proceedings the Chair can ask the Democratic Services Officer to remove them as a participant from the meeting.

Provision will be made for anybody who wishes to listen in on the meeting only to follow the meeting online.

6. **Meeting Etiquette for participants**

- Only speak when invited to do so by the Chair.
- Mute your microphone when you are not talking.
- Switch off video if you are not speaking.
- Speak clearly (if you are not using video then please state your name)

- If you're referring to a specific page, mention the page number.
- Switch off your video and microphone after you have spoken.
- There is a facility in Microsoft Teams under the ellipsis button called turn on live captions which provides subtitles on the screen.

7. **Exclusion of Press & Public**

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask Participants to leave the meeting when any exempt or confidential information is about to be discussed.

8. **Recording of meetings**

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting.

Please contact the Committee Administrator or Democratic Services on 01823 357628 or email democraticservicesteam@somerset.gov.uk if you have any questions or concerns.

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SCRUTINY FOR POLICIES, CHILDREN AND FAMILIES COMMITTEE

Minutes of a Meeting of the Scrutiny for Policies, Children and Families Committee held in the Luttrell Room - County Hall, Taunton, on Monday 16 January 2023 at 1.00 pm

Present: Cllr J Baker, Cllr S Carswell, Cllr A Hadley, Cllr B Height, Cllr J Hunt, Cllr E Potts-Jones, Cllr M Lovell, Cllr F Nicholson (substitute for Cllr S Hart), Cllr J Snell and Cllr L Trimnell (substitute for Cllr S Aujla)
R Hobbs and The Revd T Osmond – co-opted members (who attended virtually)

Other Members present: Cllr H Shearer, Cllr M Chilcott, Cllr S Osborne and Cllr R Wilkins

Other members present virtually: Cllr N Clark, Cllr D Darch, Cllr D Denton, Cllr A Dingwall, Cllr C Ellis, Cllr A Govier, Cllr D Johnson, Cllr E Pearlstone, Cllr M Stanton, Cllr S Wakefield and Cllr R Woods

Apologies for absence: Cllr S Aujla (substituted by Cllr L Trimnell), Cllr S Hart (substituted by Cllr F Nicholson), Cllr J Kenton and E Tipper (co-opted member)
Cllr Munt - unavoidably detained on Council business.

1 **Declarations of Interest** - Agenda Item 2

There were no new declarations of interest made at the meeting.

2 **Minutes from the previous meeting held on 12 December 2022** - Agenda Item 3

The Minutes of the meeting held on Monday 12 December 2022 were approved and signed as a correct record.

3 **Public Question Time** - Agenda Item 4

There were no questions asked, statements made or petitions presented.

The Governance Manager advised that, further to the update to the Committee in December 2022 regarding the questions from Mr Whittaker on Special Guardian issues which had been taken at the November meeting, the Lead member Cllr Tessa Munt has confirmed that she has spoken with Mr Whittaker. Cllr Munt will be reporting back to the Committee at the next meeting.

4 **Scrutiny for Policies, Children and Families Committee Work Programme - Agenda Item 5**

The Committee considered and noted the Committee's current work programme and outcome tracker and the Executive's Forward Plan of planned key decisions in the coming months.

The Governance Manager advised that it is proposed that the draft Somerset Integrated Health and Care Strategy will now be considered by the Adults and Health Scrutiny Committee at the meeting on 26 January 2023, rather than as a joint meeting at this time. There was some discussion on this and the Chair confirmed that he would attend the meeting to ensure the views of young people are included in the discussions and also asked that the agenda be circulated to the Committee.

It was agreed that the work plan and outcome tracker be updated.

5 **Verbal Updates on Task and Finish Groups - (a) external placements; (b) home to school transport - Agenda Item 8**

The Chair provided a verbal update on the Committee's Task and Finish Groups and advised that the original timelines have been amended due to the SEND Inspection: -

(a) Sufficiency of External Placements

The Task and Finish Group has held further meetings and looked at the external placements budget information. The Group will be meeting again this week to consider their draft report and findings and recommendations to Executive.

(b) Home to School Transport

The Committee AGREED that the Task and Finish Group on Home to School Transport will be paused. This was agreed as an external review has been commissioned by the service to consider home to school transport provision. It is envisaged currently that this external review will be concluded by the end of March 2023 and by pausing, the Task and Finish Group will avoid duplicating work.

The Committee NOTED the updates.

6 **Scrutiny update on the Ofsted Action Plan - Agenda Item 6**

The Committee received a PowerPoint presentation from the Council's Acting Director Community and Strategy, Paul Shallcross on the Ofsted action plan and progress made. The Inspection of Children's Social Care services in July

2022 rated the service Good across the board and the inspection report was published on 21 September 2022.

The presentation covered the two named areas for improvement, which are – placement sufficiency (which is also a national issue) and which is being considered by the Committee's Task and Finish Group; the take-up of return to home interviews and which is also being considered as a separate agenda item later at the meeting; and other key areas of focus, such as the early help demand management work and strategy discussions and audit work.

The Committee made a number of comments, which were responded to at the meeting:

- What is considered to be the biggest area of concern – *the focus is on keeping children at home / near to home and out of care, so placement sufficiency, including for emergency admissions, for older children with complex needs, is the biggest area of focus.*
- Query on the membership of Local Family Justice Board – *confirmed that involves statutory bodies such as CAFCASS and the local authority.*
- Question on staffing of 'Homes and Horizons' workforce / staffing – *confirmed the staffing, the majority are residential support workers and that the lead officer is happy with the quality of staff recruited.*
- Strategy discussions and Ofsted view - *did not disagree with Ofsted's assessment / outcome and highlighted the work undertaken and completed post Ofsted to understand the decision making; have updated guidance to First Response Team Managers around clearly identifying the rationale for not proceeding to strategy.*
- Early help – *there is huge focus on early help by the Family Intervention Service (FIS); it is essential and value it; work with families on voluntary basis and in the vast majority of cases this happens.*
- Staff turnover in the FIS mentioned, which is causing disruption to families – *there has been significant turnover, some is for positive reasons as staff have moved into social work training for example; there has been increase in number of Team Leaders; doing all can but do have high level of turnover; are reviewing pay rates to see if they are competitive.*
- Foster carer recruitment – *it is early days but has been significant increase in access to the Fostering website and this will hopefully lead to increase in numbers of Foster Carers.*
- Being a foster carer is a rewarding role and should be championed.
- Life story work, which is taking place for the majority of children looked after, and if this is available to all our staff so people do not have to repeat themselves causing frustration – *confirmed that data base does record it and be more organised and efficient.*

It was agreed that the Life Story Work and data around that, will be an agenda item at a future meeting.

On behalf of the Committee, the Chair thanked Mr Shallcross for the update and presentation.

7 **Adverse Childhood Experiences (ACE's) – Trauma Informed Somerset practice model and implementation** – Agenda Item 9

The Chair welcomed the following to the meeting for this item:

- Vikki Hearn, Joint Commissioner, Children's and Health
- Patsy Temple, Consultant in Public Health
- Tim Cockerill, Principal Educational Psychologist
- Tamsin Coles, Consultant Clinical Psychologist

The Committee received a detailed PowerPoint presentation on Adverse Childhood Experiences (ACE's) – Trauma Informed Somerset / model and implementation across Somerset. A short film was shown at the start of the presentation and the presentation provided details on the terms used (ACE and trauma informed); 'Sam's story'; impact of childhood trauma; trauma recovery model, layers of intervention and underlying need; consistency, predictability, reliability; creating emotional safety; the five principles of trauma informed care (safety, choice, collaboration, trustworthiness, empowerment); the importance of trauma informed practice and an improved model for Somerset.

Mr Cockerill outlined some examples of trauma informed education: relational behaviour policy and practice and referred to the 'pathfinder' schools who act as 'champions' in the local area, providing support. Ms Hearn highlighted the journey to developing a trauma informed model and the Trauma Informed Charter. The Charter will be released for consultation at the trauma informed network launch event on the 24 January to ensure system approval before being released and that Members are most welcome to attend. The Charter will also ask organisations which sign up to it to nominate a trauma informed champion to join the network, laying the initial groundwork. A copy of the Charter will be shared with the Committee.

Ms Hearn also highlighted the range and number of organisations included in those who have helped to develop the model and proposals.

The Committee made a number of comments, which were responded to at the meeting: -

- Discussion and questions about the work being done with schools, the role of mentoring schools, take-up and role of governors - *confirmed this is around the system working together have trailed this in some schools – there is a mix of school type, but majority are primary schools*

and established pathfinder school / champion; sign-posting to governor support useful; Ms Hearn advised that a coordinator is also being recruited to pull together training resources and training plan for the next two years and to be linked with the development and progression of the Children and Young People's Mental Health Transformation Plan.

- question about how those who are electively home educated would access support – *confirmed that this would be something to be picked up by the new coordinator.*

The Chair asked that the links to information on advice and mentoring be shared with the Committee.

On behalf of the Committee, the Chair thanked the presenters for the excellent presentation and information and asked for an update on progress in 6 months' time.

8 **Return Home Interviews process and progress** - Agenda Item 7

This item was introduced by the Council's Head of Service Prevention, Lise Bird who outlined the work being done in response to the Ofsted findings on the take up of return home interviews, with improved use of data to inform individual and service planning.

Ms Bird provided an overview of the numbers of missing reports / episodes and the increase in demand, managing risk and the main actions taken including rolling out of the [Philomena Protocol](#) and training and the review and reworking of the return home interview form to ensure capture of all information gathered allowing effective data reporting. Missing Return Interviews are completed by the small sub team within the Family Intervention Service. Ms Bird also highlighted the actions still required and in progress and shared some case examples.

The Committee made a number of comments, which were responded to at the meeting – the work with care providers was discussed; Ofsted regulations issue and need for all to be focussed on what is right for the child; the Philomena protocol is a good example of moving on that path; happy with tenacious approach of our workers; training for individual carers and foster carers also highlighted.

On behalf of the Committee, the Chair thanked Ms Bird for the update.

9 **Items for Information - Standing Item** - Agenda Item 10

There were no items for information considered at this meeting.

10 **Any other urgent items of business** - Agenda Item 11

There were no other items of business.

(The meeting ended at 3.53 pm)

CHAIR

Scrutiny for Policies Children and Families Committee Work Plan 2022 - 2023

Overarching themes	Committee meeting dates / proposed agenda items	Lead Officer/Item Lead
16 January 2023 @ 1 pm		
	Scrutiny update on Ofsted Action Plan	Acting Assistant Director Community and Strategy, Paul Shallcross
	Return Home Interview process and progress	Lise Bird, Head of Service, Prevention
	Task and Finish Groups – update and reports (a) Sufficiency of external placements (b) Home to school transport	
Workshop	Adverse Childhood Experiences (ACE's) - Trauma Informed Somerset practice model and implementation	Vikki Hearn, Joint Commissioner, Children's and Health; Patsy Temple, Consultant in Public Health; Tim Cockerill, Principal Educational Psychologist; Tamsin Coles, Consultant Clinical Psychologist
<i>Cross cutting</i>	<i>Budget items – Medium Term Financial Plan (MTFP) 2023-24 workshop for all Scrutiny Committees, followed by a meeting of Place Scrutiny Committee - 1 February 2023</i>	Jason Vaughan, Director of Finance and Governance
6 March 2023 @ 1 pm		
SEND & Inclusion	Joint Local Area SEND revisit – outcomes, update and next steps; and brief update on SEND Green Paper	Assistant Director Inclusion Dr Rob Hart
Universal Education	Education for Life Strategy – views on final draft	Assistant Director Education Partnerships and Skills Amelia Walker
Universal Education	Core Offer – update	Assistant Director Education Partnerships and Skills Amelia Walker
	Scrutiny Committee Task and Finish Group's: - (a) update and draft report 'sufficiency of external placements'; (b) update on 'Home to School Transport'.	
	Items for information:	

The focus for the Committee is – what impact does this have on the children in Somerset?

Scrutiny for Policies Children and Families Committee Work Plan 2022 - 2023

	(a) Email sent regarding ' Government unveils reforms in children's social care ' – on 3 February 2023 (b) Overview of Ofsted annual conversation - slides circulated on 9 February 2023 (c) Academisation – update - information circulated		
Workshop - to be scheduled			
Universal Education	The disadvantage gap - what we know and options to address, to include health impact of inequalities in education		Public Health, SEND, social workers, case studies, wider health organisations, FSM and pupil premium data
Possible workshop with Adults & Health Scrutiny			
	Self-harm / mental health issues		
	Transition arrangements – preparing for adulthood		

Items for 2023 – 2024

- Reforms in children's social care – proposed consultation response – May 2023
- Updated on Children's Transformation Programme - June 2023
- Update on Homes & Horizons – June 2023
- Progress update on Ofsted AP; 'Life story work' – June 2023
- Adverse Childhood Experiences (ACE's) - **Trauma Informed Somerset** practice model and implementation – July 2023
- LA maintained schools core offer business case – October 2023
- Children missing out on education (numbers, who, reasons) – to be scheduled
- Evaluation of the West Somerset Opportunity Area – to be scheduled

The focus for the Committee is – what impact does this have on the children in Somerset?

Scrutiny for Policies Children and Families Committee Work Plan 2022 - 2023

Universal Education

- Pupil place planning
- Disadvantage gap
- Academisation
- LA maintained capacity and support

SEND and Inclusion

- Attendance
- Written Statement of Action
- Response to SEND & Alternative Provision Green paper
- SEND Strategy

Social Care and Commissioning

- Family safeguarding
- Early Help
- Placement sufficiency
- Strategic partnership
- The Care Review

Cross-cutting items:

- Long-term financial planning that improves outcomes for children (MTP)
- Involving young people and the community in scrutiny
- Mental health and emotional wellbeing (with health partners)
- Medium Term Financial Plan (MFTP) – Children & Families Budgets

Note: Members of the Scrutiny Committee and all other Members of Somerset County Council are invited to contribute items for inclusion in the work programme. Please contact Fiona Abbott, Democratic Services (01823) 357628 & democraticservicesteam@somerset.gov.uk who will assist you in submitting your item.

The focus for the Committee is – what impact does this have on the children in Somerset?

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Scrutiny for Policies Children & Families Committee Outcome Tracker 2022 - 23

Agenda items	Lead / Owner	Agreed Outcome	RAG Status
Meeting held - 20 June 2022			
Family Safeguarding Review	Louise Palmer	<p>PowerPoint presentation from the Council's Strategic Commissioner, in Children's Services Louise Palmer and the Council's Head of Service for Assessment and Safeguarding in Children's Social Care, Paul Shawcross who provided an implementation update on Family Safeguarding in Somerset.</p> <p>Noted the successes and evaluation undertaken by York Consulting which is due in the next month, the positive interim report headlines and issues for consideration - impact of the pandemic on the implementation; the 'workbook'; increasing complexity of cases. It was agreed that the Evaluation Report be circulated to the Committee.</p>	Incorporated in Ofsted inspection report
School Place planning	Amelia Walker	<p>PowerPoint presentation from the Council's Assistant Director, Education Partnerships and Skills, Amelia Walker, the Assistant Director Inclusion, Dr Rob Hart and the Strategic Manager, Phil Curd was provided and offered an overview of school and early years places.</p> <p>The Committee would receive an overview of the new Education White Paper at a future meeting.</p>	Update to March 2023 mtg
Meeting held – 25 July 2022			
Work plan		<p>Considered and noted the Committee's current work programme and the Executive Forward Plan of planned key decisions in coming months, including Executive meetings. It was agreed to:</p> <ul style="list-style-type: none"> • Request a 'briefing on a page' about the current situation regarding school exclusions • Request the former Committee's Task and Finish Group report on School Exclusions be circulated • That job titles as well as names, be included on the work plan • Members were invited to email the Chair and Vice Chair if they have any further items they would like the Committee to focus on 	<p>completed</p> <p>AD Inclusion</p> <p>Clerk</p> <p>Clerk</p>

Scrutiny for Policies Children & Families Committee Outcome Tracker 2022 - 23

Education and Inclusion Services Redesign	Amelia Walker / Dr Rob Hart	PowerPoint presentation from the Council's Assistant Director, Inclusion Dr Rob Hart, who presented the proposals for the Education and Inclusion Services redesign. It was agreed that the Chair and Vice Chair, relevant officers and the lead Member for Children and Families will discuss best route for the Scrutiny Committee to consider the proposals	Item for Information at 7 Nov 2022 mtg
Update on budgetary pressures in Children's Services	Claire Winter	Item DEFERRED	5 September 2022
Information Item		Children & Young Peoples Plan – public facing document	
5 September 2022			
Work Plan		A ' glossary of terms ' has recently been published on the Council's website. Agreed that Home to School Transport presentation would come to next meeting	Oct 22 mtg
2022 Key Stage assessment results for Somerset	Amelia Walker	PowerPoint presentation from the Council's Assistant Director, Education Partnerships and Skills, Amelia Walker, who provided a data and standards update, including the early indications from the 2022 Key Stage assessment results for Somerset and the areas of focus. Testing generates vast quantities of data and therefore accurate and reliable results to pupil level will not be in the public domain until January 2023. The national data is released in October and the Committee would like to see that when can (possibly November mtg). Ms Walker said that she would circulate the presentation given to the informal meeting last year which provided an introduction to education data and performance. The Committee had a broad discussion on the issues raised in the presentation. On behalf of the Committee the Chair thanked Ms Walker for the informative presentation.	Nov 22 mtg Clerk - completed

Scrutiny for Policies Children & Families Committee Outcome Tracker 2022 - 23

Academisation - moving towards 2030	Amelia Walker	PowerPoint presentation on issues from the Council's Assistant Director, Education Partnerships and Skills, Amelia Walker.	Progress update in Feb / March 2023
Update on budgetary pressures in Children's Services	Claire Winter	<p>PowerPoint presentation from the Council's Deputy Director of Children's Services, Claire Winter, who provided an update on the budgetary pressures in Children's Services.</p> <p>The key areas of pressure are external placements for children in care and secondly education transport – home to school and SEND transport and Ms Winter outlined the key performance cost drivers and actions / activity to address pressures. It was confirmed that the education transport strategy will be considered at the Place Scrutiny Committee on 6 September 2022 and will be brought to this Committee in October 2022.</p> <p>It was agreed that the following will be circulated (a) 'Staying Put' policy; (b) numbers in residential care data for 21/22 and how we sit with statistical neighbours.</p> <p>The Committee also congratulated the department for winning the 2022 LGC award for the fostering campaign. It was agreed that Children's Services budget monitoring will be discussed at the next meeting. The Chair also highlighted that at some point the Committee may consider setting up a task and finish group looking at external care placements, in conjunction with Corporate Parenting Board.</p>	On going work by Committee
Homes for children in Somerset – progress update	Daniel Moncrieff	PowerPoint presentation from the Council's Strategic Manager, Daniel Moncrieff who provided a detailed update on the strategic partnership between SCC and 'The Shaw Trust' to deliver homes for complex children and young people including homes for children, high needs fostering and therapeutic education.	Completed
Information Items		<p>Noted the following:</p> <ul style="list-style-type: none"> (a) Task & Finish Group Report on School Exclusions – report to Cabinet 23 September 2020 (b) Elective home education – report to Committee 3 March 2021 	Completed

Scrutiny for Policies Children & Families Committee Outcome Tracker 2022 - 23

3 October 2022			
Work Plan		(a) progress on Ofsted inspection Children’s Social Care Services action plan – will be detailed report and debate at the November meeting (b) detailed 2022 Key Stage assessment results for Somerset – add to January 2023 meeting	deferred
Budget Monitoring	Rob Hart	(a) Noted the proposed actions to address the budget trajectory, including the Children’s Transformation Programme, which focuses effort on key areas of demand / pressures (b) Noted that the Executive has asked the Committee to review the 2022/23 budget monitoring position for its services and agreed that the Chair and Vice Chair will discuss further establishing a Task & Finish Group to look at the ‘top spends’, transport and external placements.	completed Agreed November mtg
Home to School Transport	Phil Curd John Perrett	(a) noted the update and current position and proposed next steps and development (b) agreed to add school transport to the Committee’s work plan for refreshed Council policy (to reflect statutory guidance and possible discretionary changes (c) agreed that the Chair and Vice Chair to discuss further a possible Task and Finish Group for SEND transport, to include provision for pre and post school club attendance, for example	Pending – to be resumed after external review T&F agreed @ November mtg

Scrutiny for Policies Children & Families Committee Outcome Tracker 2022 - 23

SEND Draft Strategy & Development	Rob Hart Vikki Hearn Ruth Hobbs	<p>(a) Noted the following emerging SEND Strategy Themes which will be underpinned by a number of mission statements, outlining how these will be delivered, for consultation.</p> <ol style="list-style-type: none"> 1. Listen, Hear and Respond - Children and young people with SEND and their families will be heard and feel they have choice and control about their lives. Not for me, with me. 2. Working Together and Coordinated - We are working together as a co-ordinated system and at the case level, around the family. 3. Getting Help as Early as Possible - Children, young people and their families are able to access the right support at the right time. 4. Access to the right information, support and provision - Children, young people and their families telling us: "I understand the support and provision that is available to me, and I can access it, if I need it." 5. Preparing for the future - Children and young people have the right skills and options, according to their individual needs, to take control of their future and achieve the ambitions important to them. <p>(b) Asked to see the final report from the Annual Survey when it is available.</p> <p>(c) Asked that the consultation draft of the SEND Strategy be shared with the Committee</p> <p>(d) Agreed that the SEND Strategy be brought back to the Committee after the consultation and engagement has concluded.</p>	completed
7 November 2022			
Work plan		Agreed to establish 2 task & Finish Groups (a) Sufficiency of external placements; (b) Home to school transport	Completed update to January 2023 mtg
Progress on Ofsted action plan	Paul Shallcross	<p>PowerPoint presentation received and shared with Committee.</p> <p>Draft plan to be shared with Committee</p> <p>Committee to see Improvement Plan in 6 months</p> <p>Noted role of Corporate Parent Board</p>	<p>Completed</p> <p>Clerk – done</p> <p>ACTION</p> <p>Add to work plan</p>

The focus for the Committee is – ‘what impact does this have on the children in Somerset?’

Scrutiny for Policies Children & Families Committee Outcome Tracker 2022 - 23

LA Maintained Schools – core offer / traded offer - overview	Amelia Walker	<p>Presentation on overview of proposed changes to the LA maintained schools core offer</p> <p>AGREED That the report which will be considered at the Executive mtg on 14 December 2022 be shared with the Committee and this to include details of the EIA undertaken.</p> <p>Will be substantive agenda item at Committee’s next meeting.</p>	Full Business Case to December mtg
2022 Key Stage assessment results – national data	Amelia Walker	<p>PowerPoint presentation given on the 2022 education outcomes.</p> <p>In view of the seriousness of the information presented, it was AGREED that the Committee would write to the Leader of the Council expressing alarm and concern and requesting the Executive, as a matter of urgency, task Officers to undertake a review to identify the underlying issues leading to this continued under performance. This review is of critical importance as improvements must be made in Somerset Schools to enable all pupils to achieve better outcomes. The Committee will be closely monitoring progress and will seek reassurance from the Executive and Officers that improvements are being made.</p>	Completed – March 2023 mtg
Scrutiny at Somerset Council – to inform the recommendations going to Full Council in February 2023	Jamie Jackson	<p>AGREED that members would be contacted separately, asking for expressions of interest. The Committee NOTED the time commitment involved between mid-November and mid-January 2023.</p>	Completed
Information Items		<p>Noted the following:</p> <ul style="list-style-type: none"> a) Briefing on Wyvern Nurseries – Implementation Update – circulated on 27 October 2022 b) SEND, Data and Commissioning FAQ’s - key points from SEND, data and Commissioning workshop on 28 September 2022 – circulated on 11 October 2022 Consultation on SEND Strategy 2023/26 (closes 23 Dec 22) c) Member Development Panel information – circulated on 31 October 2022 d) Education and Inclusion Services redesign / restructure - follow up update – circulated on 28 October 2022 	Completed

Scrutiny for Policies Children & Families Committee Outcome Tracker 2022 - 23

12 December 2022			
LA maintained schools core offer business case	Amelia Walker	<p>Pre Executive item Considered proposals for changing the current support offer, ahead of consideration by the Executive (on 14 December).</p> <p>The Committee welcomed the presentation and were generally supportive of the proposed direction of travel and proposals for enhancing the Councils relationship with Somerset Schools.</p> <p>The Committee accepted the proposals and endorsed their presentation to the Executive at its meeting on 14 December 2022 by the Lead Member noting the contingency fund for schools is increased from £7k to £17.5k and requested:</p> <ul style="list-style-type: none"> • The committee were generally supportive of the adoption of option 3; and • That the proposals be monitored with regular reports to ensure mitigation where necessary and to limit any negative, detrimental impact to Children, Schools and Schools Staff and that an update report be provided 6 months after implementation (October 2023). 	Update to October 2023

Scrutiny for Policies Children & Families Committee Outcome Tracker 2022 - 23

Somerset Connect and links to Frome LCN development	Richard Selwyn / Patsy Temple	<p>Report and presentation on of the Somerset Connect pilot, (a community based model) and links to the Frome LCN development. Somerset Connect is an emerging jointly-commissioned (children, adults, and health) community-based model which seeks to better connect, and add value to the work already taking place in communities across the County.</p> <p>The Committee made a number of comments including – supportive of work, but don't reinvent wheel and learn from other areas; reconsider reconsider what called as 'Somerset Connect' sounds similar to 'Somerset Direct'; connections between people are important; need to include local members (good resource); careful that don't end up with a digital by default offer; how will hubs be staffed; how ensure appropriate signposting happens; learn from the warm-hubs and full county wide roll out</p> <p>There will be an evaluation of the pilot in the new year (tender).</p> <p>On behalf of the Committee the Chair thanked Mr Selwyn, Ms Temple for the report and presentation and Mr Wide for attending.</p>	Completed
Update on Task & Finish Groups		<p>The Chair provided a verbal update on the Committee's Task and Finish Groups and also advised that the original timeline has been amended due to the SEND Inspection: -</p> <p><u>Sufficiency of External Placements</u> - membership of the Task and Finish Group - Cllr Leigh Redman (Chair), Cllr Simon Carswell, Cllr Susannah Hart, Cllr Martin Lovell and Ruth Hobbs; initial meeting held on 6 December 2022 to discuss numbers of external placements / data. Will meet again on 20 December and then 18 January 2023; Will provide further report to next meeting (January 2023)</p> <p><u>Home to School Transport</u> - membership of the Task and Finish Group – Cllr John Hunt, Cllr Evie Potts-Jones, Cllr A Hadley and Rev'd Tobie Osmond; will provide further details to next meeting (January 2023)</p> <p>The <u>Scrutiny at Somerset Council</u> Task and Finish Group is due to hold its first meeting on 14 December 2022.</p>	Completed

The focus for the Committee is – 'what impact does this have on the children in Somerset'?

Scrutiny for Policies Children & Families Committee Outcome Tracker 2022 - 23

Information Items		<p>Noted the following:</p> <ul style="list-style-type: none"> (a) 2022 key Stage assessment results – correspondence sent to the Leader Somerset County Council on 14 November and Response received on 15 November 2022 (b) Somerset Corporate Parenting Board Annual Report 2021 – 22 - circulated on 15 November 2022 (c) Peninsula Fostering Framework Agreement - Decision taken on 16 November 2022 – circulated on 21 November 2022 	Completed
16 January 2023			
Update on Task & Finish Groups		<p>Verbal update</p> <p><u>Sufficiency of External Placements</u> - The Task and Finish Group has held further meetings and looked at the external placements budget information. The Group will be meeting again this week to consider their draft report and findings and recommendations to Executive. NOTED.</p> <p><u>Home to School Transport</u> - AGREED that the Task and Finish Group on Home to School Transport will be paused. This was agreed as an external review has been commissioned by the service to consider home to school transport provision. It is envisaged currently that this external review will be concluded by the end of March 2023 and by pausing the Task and Finish Group, will avoid duplicating work.</p>	Update at March 2023 mtg
Scrutiny update on Ofsted Action Plan	Paul Shallcross	<p>PowerPoint presentation on the Ofsted Action Plan and progress made.</p> <p>Covered the two named areas for improvement, which are – placement sufficiency (which is also a national issue) and which is being considered by the Committee’s Task and Finish Group; the take-up of return to home interviews and which is also being considered as a separate agenda item at the meeting; and other key areas of focus, such as the early help demand management work and strategy discussions and audit work. AGREED that the Life Story Work, which is taking place for the majority of children looked after, and data around that, will be an agenda item at a future meeting.</p>	Completed

Scrutiny for Policies Children & Families Committee Outcome Tracker 2022 - 23

Return Home Interview Process	Lise Bird	<p>Outlined the work being done in response to the Ofsted findings on the take up of return home interviews, with improved use of data to inform individual and service planning.</p> <p>Provided an overview of the numbers of missing reports / episodes and the increase in demand, managing risk and the main actions taken including rolling out of the Philomena Protocol and training and the review and reworking of the return home interview form to ensure capture of all information gathered allowing effective data reporting. Missing Return Interviews are completed by the small sub team within the Family Intervention Service. Ms Bird also highlighted the actions still required and in progress and shared some case examples.</p>	Completed
Adverse Childhood Experiences (ACE's) - Trauma Informed Somerset practice model and implementation	Vikki Hearn	<p>Workshop item</p> <p>Trauma Informed Charter being developed – to be shared.</p> <p>Coordinator position being recruited to pull together training resources and training plan for the next two years and to be linked with the development and progression of the Children and Young People’s Mental Health Transformation Plan</p> <p>Progress update in 6 months’</p>	Completed

The CYPP 2022 - 2025 had been produced following a multi-agency process. The CYPP had three priorities: keeping children and young people safe (priority 1); supporting physical and emotional health and resilience (priority 2); enabling young people to learn and thrive (priority 3)

[Somerset Children & Young People’s Plan – SSCP \(safeguardingsomerset.org.uk\)](https://safeguardingsomerset.org.uk)

Completed	Action complete and will be removed from tracker for next meeting
Pending	Action on-going or plans in place to address.
Incomplete	No action currently in place with a minimum of 3 months since action agreed.

The focus for the Committee is – ‘what impact does this have on the children in Somerset?’

Somerset County Council
Scrutiny for Policies, Children and Families Committee
– 6th March 2023

Joint Local Area SEND Inspection Outcomes

Lead Officer: Rob Hart/Claire Merchant Jones (presenting)

Author: Rob Hart

Contact Details: rob.hart@somerset.gov.uk

Lead Member: Cllr Tessa Munt

Division and Local Member:

1. Summary

- 1.1.** Between 28 November and 1 December 2022, Ofsted and the Care Quality Commission (CQC) revisited the area of Somerset to decide whether sufficient progress has been made in addressing each of the 9 areas of significant weakness detailed in the inspection report letter published on 27 April 2020.
- 1.2.** This paper provides an overview of implications of the revisit and recommends next steps in relation to this.

2. Issues for consideration / Recommendations

- 2.1.** As a result of the re-inspection, Ofsted and CQC judged that the area had made sufficient progress in addressing seven of the significant weaknesses identified during the 2020 inspection and they judged that they had not made sufficient progress in addressing two of the significant weaknesses.
- 2.2.** As the area has not made sufficient progress in addressing all the areas of significant weakness, the area is required to develop and implement an Accelerated Progress Plan (APP) to address the remaining two areas of weakness.
- 2.3.** The end of the Written Statement of Action, development of APP and wider changes in system governance mean that it is appropriate to review and change governance arrangements for SEND.

3 Background

- 3.1** Between 28 November and 1 December 2022, Ofsted and the Care Quality Commission (CQC) revisited the area of Somerset to decide whether sufficient progress has been made in addressing each of the areas of significant weakness detailed in the inspection report letter published on 27 April 2020.
- 3.2** Ofsted and CQC judged that the area had made sufficient progress in addressing seven of the significant weaknesses identified during the 2020 inspection, specifically:

- a lack of focus on the experience of children and young people with SEND and their families when formulating strategies to improve the area;
- a lack of leadership capacity across area services;
- weak partnership working between services across education, health and care;
- an ineffective autism assessment pathway;
- wide variances in the quality of education, health and care plans caused by weaknesses in joint working;
- poor timeliness of the assessment, writing and publication of education, health and care plans; and,
- poor joint commissioning arrangements that limit leaders' ability to meet area needs, improve outcomes and achieve cost efficiencies.

3.3 The revisit report notes various ways in which Somerset's SEND system has improved since March 2020, and the positive impact this has had for children and young people with SEND and their families, for example: a strong commitment significant to working together with partners including families to improve area services; sustained improvements to the timeliness and quality of education, health and care plans; an improved autism pathway including a pre-assessment pathway that schools can refer into; improvements in early years SEND services that have helped to improve parental confidence in their children's readiness for nursery and school; development of new enhanced SEND provision within some mainstream schools.

The report notes that some improvements are at an early stage and there is still further work that the area needs to do to ensure that children and young people with SEND and their families receive the right support and improve their experiences. While there have been improvements to the autism pathway, further work is required to address growing waiting times and improve post-assessment support. The Somerset Graduated Response Tool has been developed with schools and other partners, but more work is needed to ensure that it is embedded consistently in schools. There were examples of schools working together through area inclusion partnerships to pool resources and share expertise to reduce exclusions, but this is at an early stage and not consistent across the area.

3.4 Ofsted and CQC judged that the area had not made sufficient progress in addressing two of the significant weaknesses identified during the 2020 inspection, specifically:

- poor assessment and meeting of need caused by inconsistent practice, leading to poor outcomes for children and young people with SEND; and,

- too many children and young people not accessing education because of the disproportionate use of exclusion and poor inclusive practices across the area.

3.5 The report states that too many children and young people requiring SEND support have a poor experience. While progress has been made in development of the Somerset Graduated Response Tool, some SENCOs do not have the time, resources or influence needed to implement this as expected. For those children with an EHC plan, too often they do not receive the provision that is set out in their plan.

The rate of exclusion from schools in Somerset for children and young people with SEND continues to be too high. The report notes high rates of repeat suspensions and imposition of long-term part-time timetables. Consequently, there are too many children and young people missing out on learning

4. Implications

4.1 As the area has not made sufficient progress in addressing all the areas of significant weakness, the area is required to develop and implement an Accelerated Progress Plan (APP) to address the remaining two areas of weakness.

4.2 Accelerated Progress Plan

The APP should set out a revised governance structure with clarity about lines of accountability. For each of the remaining areas of weakness, stakeholders should agree success criteria for the APP, and there should be a limited number of key performance indicators, as well as descriptions of the qualitative information that leaders intend to collect and analyse to evaluate the impact of improvement actions, with the focus being on changes to the lived experiences of children and young people with SEND and their families.

The APP will contain improvement actions to address the two remaining areas of significant weakness, with named leads and completion dates. The APP is not the sole responsibility of any one agency; rather it is a joint area plan, which will identify the contribution to addressing the remaining significant weaknesses from area partner services, i.e.:

- Local authority SEND services;
- Schools and other education providers;
- Health – commissioners and providers; and,
- Social care

Progress in delivering the APP and in monitoring its risks and impacts will take place quarterly, with progress reviews involving DfE and NHSE as well as local area leaders.

The APP needs to be submitted to DfE and NHSE by Tuesday 21 March 2023

4.3 What happens to the Written Statement of Action?

Following the 2020 inspection, the area was required to develop and implement a written statement of action (WSOA) to address the nine areas of significant weakness. That was a two-year programme of activity, which ran from December 2020. The timing of the revisit coincided with the planned ending of the WSoA in December 2022, and the outcome the revisit means that the WSoA is no longer required.

A closure report for the WSoA will be completed by March 2023, which will outline progress made, benefits and learning, as well as identifying any outstanding actions which have not yet been delivered.

All actions have been reviewed, and activity that remains outstanding and a priority will form part of the plan for delivery of the new SEND Strategy that will be published in Spring 2023.

4.4 Future inspection arrangements

There will not be a revisit or inspection from OFSTED / CQC to assess progress and impact of the APP. A new area SEND inspection framework for England came into place in January 2023. All areas within England will be inspected under this framework within five years, with a continuous cycle of inspection thereafter. As it has an APP, Somerset can expect to be inspected within the first three years of this new framework, but not while it is implementing the APP – i.e. between March 2024 and December 2025.

The new framework is significantly different to the previous one, and places stronger and clearer expectations of each of the area partners, so work is required now to ensure Somerset is ready for a possible inspection in 2024.

4.5 Changes to SEND governance arrangements

The end of the Written Statement of Action, development of APP and wider changes in system governance mean that it is appropriate to review and change governance arrangements for SEND. The SEND Improvement Board has existed as a standalone board to monitor delivery of the WSoA. This function no longer exists. Moreover, the development of the Children and Families Board within the Integrated Care System means that there is now a director level strategic board in place for system oversight that did not exist previously. It is therefore recommended that the SEND Improvement Board cease following the meeting on 21 February 2023. Revised terms of reference for the SEND Partnership Board have been drafted which set out the boards responsibilities in relation to developing and implementing the SEND

strategy, monitoring local area performance, and supporting partnership working.

The SEND Partnership Board would report directly into the Children and Families Board, which will assume the responsibility for senior level monitoring of the APP. The SEND Partnership Board will have subgroups linked to each of themes from the new SEND strategy, as well as a specific APP delivery subgroup and an inspection readiness subgroup. The Children and Families Board will receive quarterly progress reports on the APP.

5 Background papers

5.1 Ofsted/CQC SEND Revisit and Next Steps – SEND Improvement Board 21/2/23

Note - For sight of individual background papers please contact the report author

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Joint Local Area SEND Inspection Outcomes

Scrutiny for Policies, Children and Families Committee

6th March 2023

Outcomes following Reinspection

As a result of the re-inspection, Ofsted and CQC judged that the area had made sufficient progress in addressing **seven** of the significant weaknesses identified during the 2020 inspection.

Examples of improvements reported:

- A strong commitment to working together with partners including families to improve area services.
- Sustained improvements to the timeliness and quality of education, health and care plans.
- An improved autism pathway including a pre-assessment pathway that schools can refer into.
- Improvements in early years SEND services that have helped to improve parental confidence in their children's readiness for nursery and school.
- Development of new enhanced SEND provision within some mainstream schools.

Outcomes following Reinspection

Ofsted and CQC judged that the area had not made sufficient progress in addressing **two** of the significant weaknesses identified during the 2020 inspection.

Examples of further improvement needed:

- Too many children and young people requiring SEND support have a poor experience.
- For those children with an EHC plan, too often they do not receive the provision that is set out in their plan.
- The rate of exclusion from schools in Somerset for children and young people with SEND continues to be too high
- High rates of repeat suspensions and imposition of long-term part-time timetables was reported.

Next Steps

- The area is required to develop and implement an **Accelerated Progress Plan (APP)** to address the remaining **two** areas of weakness by **Tuesday 21st March 2023**.
- Two year programme of activity within the **Written Statement of Action (WSoA)** will end.
- Activities that remain **outstanding** and a **priority** will form part of the plan for delivery of the new **SEND Strategy** that will be published in Spring 2023.
- Governance arrangements to change to reflect closure of WSoA and development of new Children and Families Board.

Questions?

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Scrutiny for Policies, Children and Families Committee
6 March 2023

External Placements Task and Finish Group

Lead Member: Cllr Leigh Redman, Task and Finish Group Chair

Author(s): Neil Milne and Fiona Abbott, Democratic Services

Contact Details: 01823 357628

Division and Local Member: All

1. Summary

1.1 The purpose of this report is to outline for members of the Scrutiny for Policies, Children and Families Committee, the findings of the External Placements Task and Finish Group. The Committee is invited to consider and comment on the recommendations.

1.2 The Task and Finish Group was made up of Cllr Leigh Redman (Chair), Cllr Simon Carswell and Cllr Martin Lovell and co-opted Committee member Ruth Hobbs and the group was supported by Neil Milne and Fiona Abbott. The Task and Finish Group thank Siobhan Cleverly and Jayne Shelbourn-Barrow.

1.3 The Task and Finish Group was set up following a request from the Executive in autumn 2022 for the Scrutiny Committee to consider the areas of overspend within the Children's Services budget area. We have based our report on the financial reporting up to Month 7 (31 October 2022).

Our 3 identified aims were to:

- to investigate and understand why these overspends occur;
- identify measures that might help to reduce these budget pressures in future; and then
- to make recommendations to Executive to aid improvements.

The Group used the Table set out at paragraph 4.2 below, to identify the 3 largest projected overspends, these were:

- External placements;
- 16/17 year-olds living with support; and
- Residential.

2. Issues for consideration

2.1. Recommendations to Executive

Committee Members are asked to consider the Task and Finish Group's report and support its recommendations to the Executive Member for Children and Families: -

- That the Council enhances its own capacity and provision for placements by creating more homes in Somerset;

- That the Council should not make any placements in homes which are not registered with Ofsted (see paragraph 3.10 below for explanation of this term);
- That the Council considers buying local block (contract) places, to increase capacity/provision (see paragraph 3.13 below for more information on this);
- That the Council pledges that the language used in this area should always refer to 'placements' rather than 'children' when reporting on work to support our children who are looked after (CLA);
- That Council lobbies Government through the Local Government Association (LGA) to better support councils with guidance, help with forecasting and impact planning, review regulations and commission an annual 'state of the sector' review;
- That, along with the Homes and Horizons report, an update be brought to the Scrutiny Committee in 6 months. Prior to coming back, the Corporate Parent Board should feed into the scrutiny meeting.

3 Background

- 3.1** The Executive asked the Council's Scrutiny Committees to receive periodic budget monitoring updates report, to aid financial oversight and address the worsening budget position for this financial year (22/23) and the projected budget for the next financial year (23/24).
- 3.2** With a view to maximise our effectiveness, whilst recognising the limited time scale to complete the work, we agreed at our November 2022 meeting to establish two Task and Finish Groups, for the main areas in the children's services budget that have the highest overspend – 'external placements' and 'home to school transport'.
- 3.3** Members will recall that 'External placements' are where the Council has to place a Child Looked After with an independent fostering agency (IFA), or a residential children's home, or a residential school or a specialist residential unit and not with the Council's own in-house foster carers. We noted a quote from one of our looked after young people: 'Everybody just wants to be loved, to be wanted and to belong. Being nice to each other is the beginning of building communities.'
- 3.4** A sustainable and workable resolution for reducing the on-going overspend in this area would be particularly important as there was currently a variance/overspend of £12m+. We noted that prior to last April (2022) we did not have any children in unregistered places, so we accepted that there are a number of factors that had contributed to this situation.
- 3.5** The group was made aware that there are enough beds in Somerset for all children in care in a combination of residential and foster care. However, the national purchasing model means that providers do not and are not obliged to prioritise Somerset children. Somerset County Council are not able to influence

business decisions of external providers.

3.6 Data

We discovered that as of 31 October 2022, there were 581 Somerset CLA across the County - 331 males and 242 females. The age breakdown is as follows: 0-4 = 19%, 5-9 = 16%, 10-15 = 37%, 16-17 = 27%. There were 29 Unaccompanied Asylum-Seeking Children (UASC) in Somerset, (all males). These children can arrive in Somerset either by the National Transfer Scheme or spontaneous arrivals. The Home Office recently increased the proportion of UASC that each authority will care for to 0.1% of child population. In Somerset this would equate to 111, so there will be a rise in these numbers.

3.7 Where are our children living?

In Somerset we noted and welcomed the Council's commitment to achieving early permanence (of placement) for our children. As a Corporate Parent, the Council strives to ensure that wherever possible every child should have the opportunity to live in a family environment.

We heard that 412 of our children were living within Somerset or within 20 miles of their home and this equated to 70.9%.

- Adoption – 36 children placed for adoption.
- Fostering – 355 children were within a fostering home, (227 in house, 128 independent fostering agencies).
- Placed with parents - 27 were placed with parents under regulations which allow us to assess and place, usually following a period of care away from home.
- Semi-independent - 71 children aged 16-18 were in supported semi-independent provision.
- Residential homes - 80 children were in residential homes, (including secure units, residential schools and care homes)
- There are currently 9 young people aged under 16 who are in unregistered placements and being cared for by agency staff. This was the position at 31 October 2022, however between 1st April 2022 and 31 October 2022 there were 28 young who required an unregistered setting for periods of time ranging from 3 days upwards. So the costs associated with unregistered at 31 October is not against the 9 placements but the total numbers in this time period. There were no placements in an unregistered placement for the whole duration of this period. It should be noted that prior to 2021 Q2, Somerset did not have any unregistered placements unlike other Local Authorities who had been forced into this position earlier.

3.8 What is a crisis placement?

- A crisis placement relates to a registered placement that is available for a young person **immediately** for a **set period of time**.
- These can be activity-based placements, outward bound placements or placements in a children's home for a limited time period.

- The duration of the placement can vary and will be set by the provider. They can range from 28 to 90 days.

3.9 What is an unregulated placement?

- Some establishments and types of accommodation are not required to register with Ofsted. These are known as 'unregulated'.
- A service where the accommodation is **not permanent** (such as a tent) or is **constantly moving** (such as a boat, narrow boat or motorised caravan), or has **no permanent base** is very unlikely to meet the definition of a children's home and will not be required to register with Ofsted.
- Supported accommodation in Somerset includes any semi-independent provision including the Pathways to Independence (P2i) offer. This is **not** Ofsted registered and is therefore deemed an unregulated setting.

3.10 What is the difference between unregulated and unregistered?

- **Unregulated** placements are allowed in law. This is when children (usually over the age of 16) need **support** to live independently rather than needing full-time care. Ofsted do not regulate this type of placement.

(We did note that young people under the age of 16 should not be placed in unregulated provision). It should be used as a steppingstone to independence, and only ever when it's in a young person's best interests. For many young people, it's the right choice. Some do not want to live with foster parents or live in a children's home. For some unaccompanied asylum-seeking children this can be the right option too, but not for all.

- **Unregistered** placements are when a young person who's being provided with some form of 'care' is living somewhere that is not registered with Ofsted. This is illegal. Once a provider delivers a care element as well as accommodation, they must register as a children's home. It's an offence not to.

We welcomed that the policy of the Council will continue so that no child/young person is placed in an unregistered setting.

3.11 What does 'care' mean?

- We found that this is not defined in law. It is not just about the age of the young person, although that's a factor. It is about vulnerability and the level of help that they need. If a young person does need care, then the service they are getting is very likely to need registration as a children's home. Certainly, if young people are under constant supervision then this is likely to be 'care'.
- It's also not about how long the young person lives there. There is an

all-too-common myth that if you only provide care for 28 days you do not need to register – this is not true! It does not matter how long you provide accommodation for. If you're providing care as well as accommodation, then you need to register.

3.12 Homes and Horizons

We were interested to learn more about 'Homes and Horizons' which is a unique and innovative ten-year partnership between the Council, Homes2inspire (part of the Shaw Trust) and NHS Somerset to co-design a new model of care for our most vulnerable looked after children.

It will provide up to ten high quality family homes, 20 high needs foster care and therapeutic education services across Somerset – hopefully helping our most complex and vulnerable young people to achieve better education results, improved mental health and wellbeing, and increased life chances.

We learnt that each home will have a manager, a deputy manager and a support team that will form a close, caring environment. In Somerset, each home will be a home to 2 or 3 children. The high needs foster carers will be trained and supported to provide a welcoming home to teenage children who need a loving and caring environment after facing significant challenges in their early years.

We were pleased to note that these will be Somerset homes for Somerset children, with the aim to ensure the children/young people are fully prepared for adult life and offered every opportunity to reach their full potential. The foster care and residential home provision will link into the Council's therapeutic education provision, to provide a nurturing learning environment.

We particularly welcomed the ambition that Homes and Horizons placements will prevent our children and young people having to leave Somerset, and move away from their family, friends, schools and the people who care for them. This will over time also stop the need to rely on distant and expensive residential placements. The homes in Somerset will be well-maintained, attractive living spaces that our children take pride in.

3.13 Contract Placements

We noted that the Competition & Markets Authority report published in March 2022 (Children's social care market study) highlighted significant issues in the children's social care market and the role of contract placements, for local authorities being able to purchase at greater scale.

3.14 Summary of the external placements market

We noted that the 'Care Review' last year (2022) recommended the establishment of regional Local Authority (LA) cooperatives to establish the

shape and sufficiency of care placements in regional areas, and we look forward to the Government's response to those recommendations.

The Council has to operate within the national framework set out by the Government and after considering this topic the Task and Finish Group suggest that the Government should help to oversee a more collective approach to engagement with the placements market, and this should include establishing what minimum level of activity must be carried out collectively. This would help Councils across England, including Somerset, to reduce overspends in this area and provide consistent and sustainable placements. Action from the Government would help to set out an appropriate degree of activity in each of the key areas of forecasting, market shaping and procurement.

We also suggest that the Government provide additional support to all Councils and other bodies to help improve forecasting, market shaping and procurement.

We suggest that the Government conduct or commissions a review of regulation impacting on the placements market in England. In Somerset we believe this would help reduce some identified barriers that are limiting the ability of suppliers to bring new supply to the market to meet emerging needs, specifically in the areas of: regulation; property and planning; and, recruitment and retention.

We think it would be beneficial for the Government to review the impact of the planning system on the ability of providers to open new children's homes.

We suggest that the Government should commission an annual 'state of the sector' review, and this would help to provide a broad consideration and overview of the extent and causes of any shortfalls in children's home staff or foster carers.

We also think that the Government should create an appropriate oversight regime that is capable of assessing the financial health of the most difficult to replace providers of children's homes to include a warning to the placing authority if a failure is likely. This would help to ensure that children's interests are adequately protected if a provider gets into financial distress.

4 What are the current issues

- 4.1** We noted that Councils in England, Scotland and Wales have statutory duties in relation to the children taken into their care. Councils are obliged to safeguard and promote children's welfare, including through the provision of accommodation and care. In discharging these duties, Councils can provide some care and accommodation themselves and purchase the remainder from independent providers, some of which are profit-making. Somerset, as do many other Councils, rely more heavily on independent provision for residential

placements than they do for fostering placements, and this is more true in England and Wales than in Scotland. In children's homes, over three-quarters of placements in England and Wales now come from independent providers.

Regulators assess most residential placements and fostering services as being of good quality, and there was no clear difference, on average, between their assessments of the quality of private provision, as compared with provision provided by the Council. It was clear to us there were problems in the way the placements market is operating. Children were not consistently gaining access to placements that appropriately met their needs and were in the right locations. We felt that Local authorities were sometimes paying too much for placements.

We quickly established that a main concern was the sufficiency of local homes for our children. It should be noted that this is both a national and local issue, in terms of fostering and registered provision. Ofsted have closed down a small number of homes over the past few months where our children were living.

Fostering – there continued to be a national shortage of fostering homes and there continues to be a local drive to recruit. We noted that the campaign to recruit foster parents in Somerset had been successful but this needed to be maintained.

Regulation – we noted that from April 2023 onwards, there would be a requirement for all 16+ accommodation to be regulated. Whilst there is currently some funding coming to the Council to help support the impact of this, we noted Officers concerns that this may impact on provision and consequently our children.

Impact of Court delays & inconsistent decisions– we understood there continue to be delays in the Court system and this can adversely affect our children moving to permanence via adoption.

4.2 Understanding the figures and where are we spending the most money

In Somerset, we found that there were a small number of provisions that significantly impact on our spend. This is because some of those needing placements have a unique and complex set of requirements that often require bespoke settings with very specialist provision and resources delivered by professionally qualified providers. Whilst the average cost of residential placement is between £5-6K per week, due to some very complex needs there were a small number of placements (12) that cost £8-14K each week.

We noted that an area of concern were those that had been placed (for a variety of reasons) in unregistered settings and the impact this would have on

funding due to the high cost of agency staff. We were pleased to learn that unregistered placements have now been reduced to 3 and this would be better for those individuals and help to reduce the additional funding request for the increased demand in external placements.

In considering the overspend we decided to focus on the situation and the net projection for 22/23 as at month 7. For unregistered placements at that time this stood at £9.5m with the projected overspend being £7.6m. We were surprised to learn that this overspend had occurred because of the huge and unpredictable cost for a small number of placements. We noted that the spending for unregistered placements related to the amount spent on just 9 placements. It was explained to us that these high figures and subsequent weekly costs were subject to a variety of factors that sometimes included court order stipulations and the unique requirements for each placement that had to be bespoke and frequently arranged with very short notice.

Placement Type	2021/22			2022/23		
	Budget	Actuals	Variance	Budget	Actuals	Variance
External Foster Care	6,898,000	6,120,898	(777,102)	7,208,100	7,094,791	(113,309)
Residential	11,957,300	14,467,886	2,510,586	13,040,900	15,220,910	2,180,010
Family Assessment	1,233,400	1,233,937	537	733,300	1,466,326	733,026
Leaving Care	901,200	1,736,510	835,310	1,361,700	1,977,495	615,795
Secure	404,100	896,177	492,077	390,100	1,284,524	894,424
16/17 year olds living with support	3,321,100	3,103,442	(217,658)	2,786,100	5,271,737	2,485,637
Unregulated placements	2,721,500	3,327,414	605,914	1,844,600	7,175,282	5,330,682
Remand	468,000	(13,281)	(481,281)	0	1,535	1,535
Total	27,904,600	30,872,983	2,968,383	27,364,800	39,492,600	12,127,800

4.3 What are we doing to give assurance around spend

We welcomed the assurance from officers that the Council continues to search for registered provision for all of our children. This includes daily searches and weekly meetings to discuss and monitor this situation with monthly meetings Chaired by the Director of Children's Services.

We noted the 'permanence tracking' took place on a fortnightly basis to ensure the Council continued to achieve early permanence for all children and to identify issues that would impact/prevent this.

We noted that reviews were held for all children living in residential homes to ensure they were receiving the right levels of support and to ensure, where appropriate, there were plans to move children from residential to fostering.

We noted the role of the complex cases panel to look at shared costs to ensure our children with the most complex needs were being discussed between social care, education and health to plan and share costs where there were identified education and health needs.

We welcomed that fostering recruitment continues to be a priority for the Council and that fees and allowances for our carers had recently been increased to aid retention and mitigate against the cost-of-living crisis. It was important that foster carers in Somerset reported feeling valued and supported with good training opportunities and we would support all efforts to ensure this was maintained.

We noted the on-going work the Council was undertaking to form a Strategic Partnership to ensure the first 2 homes would be able to open early in 2023 – and that a further 2 homes would be able to accommodate children before the summer. We welcomed the commitment from Officers to prioritise those children with complex needs currently in unregistered provision.

Somerset continues to receive positive feedback from providers about how we work with them to arrange care and support for our children. We continue to work closely with providers, so that we become the Local Authority of choice for providers within Somerset.

6 Background papers

- 6.1**
- [Scoping report](#) to November 2022 Scrutiny Committee meeting
 - [Children's Social Care Market Study – Competitions and Markets Authority, March 2022](#)
 - Budget Monitoring reports to [Executive 2022/2023](#)

Note: For sight of individual background papers please contact the report authors.

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