

CHILDREN'S SCRUTINY COMMITTEE

25 March 2024

Present:

Councillors P Sanders (Vice-Chair in the Chair), J Bradford, J Brazil, P Bullivant, C Channon, L Hellyer, F Letch MBE, P Maskell, J Trail BEM and C Mabin (Church of England Diocesan representative)

Apologies:

Councillors T Adams, S Aves, T Adams, G Gribble, I Hall and M Squires

Members attending in accordance with Standing Order 25:

Councillors A Leadbetter and L Samuel

* 134 **Announcements**

The Chair welcomed Mrs R Saltmarsh to the meeting who was attending in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

* 135 **Declarations of Interest**

The Chair reminded Members they should declare any interests they may have in any item to be considered, prior to any discussion taking place on that item. The list of Membership of other Authorities can be found here: [A list of county councillors who are also district, borough, city, parish or town councillors](#)

* 136 **Minutes**

RESOLVED that the Minutes of the meetings held on 18 January 2024 be signed as correct records.

* 137 **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

* 138 **Public Participation**

There were no oral representations from members of the public.

* 139 **Responses of the Cabinet to Reports of the Committee**

Cabinet Members, Councillors Leadbetter and Samuel, would address any issues within the main agenda items.

* **140** **Scrutiny Committee Work Programme**

The Scrutiny Officer updated the Committee as to the Work Programme, reminding Members of the Masterclass on 4 June to consider items for the forthcoming year.

Members agreed that Foster Carers be added as an item to the Work Programme.

* **141** **SEND Transformation Programme update**

(Councillors A Leadbetter and L Samuel attended in accordance with Standing Order 25(1) and spoke to this item at the invitation of the Committee.)

The Committee received two reports, firstly, of the Director of Children & Young People's Futures which provided an update on the Special Education Needs and Disabilities (SEND) Transformation Programme (CS/24/07) and, secondly, a joint report to Cabinet of the Chief Executive, Director of Finance & Public Value and Director of Children and Young People's Futures relating to the SEND Safety Valve Agreement (DFP/24/44).

The Council and its partners agreed in September 2023 to a new system-wide approach to delivering improvements through the SEND Transformation Programme, as set out under seven key strands outlined in Appendix A to the first report:

1. Strategy
2. Inclusion & Early Help (Education)
3. Preparation for Adulthood
4. SEN Statutory processes
5. Sufficiency
6. Financial management & Placement Value
7. Multi agency pathways

The first report provided an update on the Sufficiency strand and on the overall progress made since the previous Committee meeting.

As to the second report, which was considered by Cabinet on 13 March 2024, but which was embargoed until the afternoon of 7 March, the Cabinet received in December a report on the Council's proposed submission to the Department for Education (DfE) as part of the SEND Safety Valve Programme. The Council received confirmation on 7 March after 4pm that the Minister had made an offer for the Council to enter into a Safety Valve

Agreement with the DfE for a period of nine years on the terms set out in the second report.

The report stated this was a significant achievement and opportunity for the Council that not only provided the framework for service improvement but also put the Council back onto a sustainable financial footing by ensuring services were delivered within the annual ringfenced grant for the High Needs Block and by reducing the cumulative SEND deficit to zero by the end of the term.

In summary, the second report stated that the cumulative SEND deficit could reach £207 million at 31 March 2026 before it then stabilised. The DfE had agreed to contribute £95 million to this deficit with the remainder coming from various sources, including interest earned on the DfE contribution, as detailed in the report.

Members' questions and discussion points in relation to the two reports included:

- Confirmation that Cabinet had at its meeting on 13 March agreed that the Authority enter into the Safety Valve Agreement with the DfE.
- The DfE contribution of £95 million would be released to the Authority yearly over a nine year period until 2031/32, dependent on key stages being met within the safety valve management plan. If events did not happen as planned, the Authority would enter back into further negotiations with the DfE.
- Safety valve agreements reached with other national Local Authorities and the DfE each varied in the level of support being made available.
- Concern that cuts should not be made to services and assurance that mitigations were in place to manage this.
- That increased local sufficiency would avoid the need for expensive out of county placements.
- Concern that despite the DfE contribution the SEND deficit would continue to rise year on year.
- Important to note that in-year savings towards the cumulative SEND deficit would be from the overall Council budget and not just from within Children's Services.
- The NHS-led project Partnership for Inclusion of Neurodiversity in Schools was progressing well, as was the provision of resource bases programme.
- Retention of educational psychologists had stabilised and a further three had been recruited to start in September; and a significant improvement had been made in the number of children currently awaiting an assessment.

The Committee agreed to future updates being scheduled and aligned to the seven strands of the SEND Transformation Programme.

[The presentation given at the meeting is attached.]

* **142** **Corporate Parenting Strategic Board - Impact of new Arrangements**

(Councillors A Leadbetter attended in accordance with Standing Order 25(1) and spoke to this item at the invitation of the Committee.)

The Committee received the report of the Head of Service of Corporate Parenting (CS/24/08) on the Corporate Parenting Strategic Board - impact of new arrangements, which asked for endorsement to the continued use of the Corporate Parenting Strategic Board and Subgroup structure that used a champion model, recognising the positive impact that this was having.

The new Strategic Board and Subgroups came into effect on 26 September 2023, and included partner agencies co-opted into the groups to work on the proposed workstreams for each area. The report provided an update on each of the following subgroups:

- Talented Me
- Healthy Me
- Care for Me
- Involve Me
- Welcome and Support Me

The new structure for the Corporate Parenting Strategic Board and its subgroups was starting to embed and was having a positive impact. It had been recognised by the DfE National Advisor for Care Leavers who was impressed by the pace of progress made.

Members' questions and discussion points included:

- There was a lot of work ongoing in improving housing, including regular meetings to look at young people in unsupervised accommodation, especially those in B&B provision; joint training with housing colleagues and personal advisors; and work around help in sustaining tenancies in the long term.
- There would be a further DfE National Advisor visit in June.
- Devon Districts were working closely together in this leadership role, ensuring all Chief Executives were kept fully informed.
- Recognition that more needed to be done for foster carers, similar to the Mockingbird project.
- Noted that as of today (25 March) there were 882 children in care; and that recognised improvements had been made.
- Officers agreed to clarify whether there was a need for accommodation for children in foster care during University vacation.
- A young care experienced corporate parenting lead had now been appointed who would attend the Subgroups and the Corporate Strategic Board.

The Committee endorsed the continued use of the Corporate Parenting Strategic Board and Subgroup structure and requested an update report at a future meeting.

* 143 **Local Government and Social Care Ombudsman (LGSCO) Report**

The Committee received the briefing report of the Director of Children and Young People's Futures (CS/23/11), together with the LGSCO report and recommendations made, attached at Appendix 1. This followed a complaint that had been escalated to stage two of the complaints procedure in May 2022.

Following investigation, the LGSCO had made several recommendations which had all been accepted by the Council and were outlined in the report, annotated with what action the Council had taken for each recommendation.

Members' questions and discussion points included:

- There had been an unprecedented number of stage two complaints received relating to Children's Services, resulting in delays due to lack of inhouse investigators and having to use external investigation teams.
- Reassurance that numbers of complaints had now reduced and currently there were not any stage two complaints.
- Reassurance that any future capacity concerns would be highlighted in the quarterly report which would come before this Committee, as recommended by the LGSCO.
- Following the recommendations made by the LGSCO, the financial impact was estimated to be between £400,000 and £500,000.
- Confident that on the right course, but further learning would be taking place across service areas and further information included in the quarterly report.

The Committee requested a further review of this matter in six months' time.

* 144 **Children's Social Care Visits Report - Progress on recommendations**

The Committee received the report of the Director of Children and Young People's Futures (CS/24/09) on the Children's Social Care Visits report – progress on recommendations.

The report updated the Committee on the response of the service in relation to those recommendations.

Questions and discussion points included:

- Members queried the number of international Social Workers as mentioned in paragraph 3.1 of the report and Officers would revert accordingly.
- Welcome the pay cap for Children's agency workers across the South West Councils.
- Data showing the improving picture of the Children's Services workforce would be included in the next performance report.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.30 am and finished at 12.35 pm