

Phil Norrey
Chief Executive

To: The Chair and Members of the
Cabinet

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 2 July 2019
Please ask for : Karen Strahan, 01392 382264

Email: karen.strahan@devon.gov.uk
:

CABINET

Wednesday, 10th July, 2019

A meeting of the Cabinet is to be held on the above date at 10.30 am in the Committee Suite - County Hall to consider the following matters.

P NORREY
Chief Executive

AGENDA

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 12 June 2019 (previously circulated).

3 Items Requiring Urgent Attention

Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.

4 Announcements

5 Petitions

6 Question(s) from Members of the Council

FRAMEWORK DECISION

NIL

KEY DECISIONS

- 7 Investing in Vulnerable Children (Special Educational Needs and Disabilities (SEND) and Children's Social Care (Pages 1 - 8)

Report of the Chief Officer for Children's Services (CS/19/20) on approval to secure accelerated improvements as identified in the December 2018 Area SEND Inspection by Ofsted and CQC and May 2019 Focused Visit by Ofsted, attached.

Electoral Divisions(s): All Divisions

- 8 Children and Young People Plan (Pages 9 - 68)

Report of the Chief Officer for Children's Services (CS/19/21), seeking approval on the Devon Children and Families Partnership Children and Young Peoples Plan, attached.

An Impact Assessment is also available for the attention of Members at this meeting.

Electoral Divisions(s): All Divisions

MATTERS REFERRED

- 9 Treasury Management Annual / Outturn Report (following consideration by the Corporate Infrastructure and Regulatory Services Scrutiny Committee) (Pages 69 - 90)

Report of the County Treasurer (CT/19/59), previously considered and endorsed by the Corporate Infrastructure and Regulatory Services Scrutiny Committee held on 25th June 2019, attached.

Electoral Divisions(s): All Divisions

- 10 Children's Scrutiny Committee - Education, Health and Care Plan (EHP) Task Group Report (Pages 91 - 130)

The Children's Scrutiny Committee at its meeting on 10th June 2019 considered the Education, Health and Care Plan (EHP) Task Group Report (Minute *121 refers) which covered the process of applying for and producing an EHCP in Devon. The task group had been established to respond to concerns over not meeting the statutory timescales in completing and issuing EHCPs.

It is to be noted that some of the task groups recommendations had already been included in the Written Statement of Action and were therefore being progressed.

The Children's Scrutiny Committee subsequently resolved that the Task Group report and recommendations be endorsed and commended to the Cabinet.

Recommendations

a) that the Children's Scrutiny Committee be thanked for its Task Group Report and the recommendations are noted;

b) that Cabinet also note the current work being undertaken in the Written Statement of Action which already includes most of the task groups recommendations; and

(b) that the relevant Cabinet Member and Chief Officer for Children's Services take forward the Report and progress subject to available resources, engaging other partners, stakeholders and contractors as necessary.

Electoral Divisions(s): All Divisions

11 Children's Scrutiny Committee - Special Guardianship Task Group Report (Pages 131 - 150)

The Children's Scrutiny Committee had, at its meeting on 10th June 2019, considered the Special Guardianship Task Group Report (Minute *127 refers) which focussed on the experience of Special Guardians and subsequently reflected on the issues faced by them.

The Committee resolved that the Report and recommendations be endorsed and commended to the Cabinet.

Recommendation

a) that the Children's Scrutiny Committee be thanked for its Task Group Report and the recommendations be noted and

(b) that the relevant Cabinet Member and Chief Officer for Children's Services take forward the Report and progress subject to available resources, engaging other partners and stakeholders as necessary.

Electoral Divisions(s): All Divisions

12 Children's Scrutiny Committee - Schools Funding in Devon 2019/20

At its meeting on 10th June 2019, the Children's Scrutiny Committee, in considering a Report from the Head of Education and Learning (CS/19/17) on Schools Funding in Devon 2019/20 noted that in 2019/20 the funding per pupil in Devon was £4,395 compared to the national average of £4,689, a difference of £294. This meant that across the authority this equated to £27 million less funding, based on the October 2018 school census.

The Committee therefore resolved that the Cabinet be asked to lobby the Department of Education over the need to increase funding for schools in Devon, highlighting in particular:-

- (a) the real term reduction in schools funding of 10% since 2009/10;
- (b) that Devon gets £294 per pupil less than the national average;
- (b) high needs pressures and including increased EHCP numbers;
- (c) the inadequacy of Government capital maintenance funding to meet the current school building maintenance backlog; and
- (d) the deferment of announcement of round 3 of the priority schools building programme.

Recommendation

(a) that the Children's Scrutiny Committee be thanked for their support and full recognition of the Schools Funding issues in Devon;

(b) that the Cabinet Member for Children's Services and Schools be asked to make representations to the Secretary of State for Education over the pressing need to increase funding for schools in Devon, highlighting in particular the issues raised by the Scrutiny Committee relating to the real term reduction in schools funding, the amounts received in Devon compared to the national average, the pressures of high needs and increasing EHCP numbers, the inadequate capital maintenance funding to deal with school building maintenance backlogs and the deferment of announcement of round 3 of the priority schools building programme.

Electoral Divisions(s): All Divisions

13 Corporate Infrastructure and Regulatory Services Scrutiny Committee - Traffic Speed Task Group
(Pages 151 - 192)

At its meeting on 25 June 2019, the Corporate Infrastructure and Regulatory Services Scrutiny Committee considered the Report of the Traffic Speed Task Group (Minute *132 refers) and the recommendations contained therein.

The Corporate Infrastructure and Regulatory Services Scrutiny Committee expressed their thanks to those involved in the production of the Report and commented on the positive effect of 20mph on climate change, the importance of culture change and educating communities in relation to 20mph and the role of the planning process in designing housing and communities that supported 20mph zones. It was further considered that some budget lines were already committed, therefore it was recognised that some works might need to be deferred and / or re-organised to accommodate the recommendations.

The Corporate Infrastructure and Regulatory Services Scrutiny Committee RESOLVED that the Task Group Report and recommendations be commended to the Cabinet.

Recommendation

A proposed recommendation will be made available at the meeting.

Electoral Divisions(s): All Divisions

14 Corporate Infrastructure and Regulatory Services Scrutiny Committee - Maintenance of Vegetation and Drainage Adjacent to the Highway

At its meeting on 25 June 2019, the Corporate Infrastructure and Regulatory Services Scrutiny Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste on the Maintenance of Vegetation and Drainage Adjacent to the Highway.

The Corporate Infrastructure and Regulatory Services Scrutiny Committee subsequently RESOLVED to;

(a) ask the relevant Cabinet Member to

- (i) where appropriate, to write to Landowners to prompt them and their tenants to undertake their duties regarding maintenance and drainage adjacent to the highway;
- (ii) write to the NFU and CLA to request a meeting to discuss responsibilities with a view to improving the current situation; and
- (iii) consider inviting the NFU to the planned local conferences.

(b) request that Cabinet asks the Communications team to publicise the policy and responsibilities of landowners and tenants regarding ash die back, hedge cutting and drainage.

Recommendation

A proposed recommendation will be made available at the meeting.

Electoral Divisions(s): All Divisions

STANDING ITEMS

15 Question(s) from Members of the Public

- 16 Minutes
- a Standing Advisory Council on Religious Education - 14th June 2019 (Pages 193 - 198)
 - b Devon Education Forum - 19 June 2019 (Pages 199 - 206)
 - c Devon Authorities Strategic Waste Committee - 19th June 2019 (Pages 207 - 210)

Minutes of the bodies shown above are circulated herewith for information or endorsement as indicated therein:

[NB: Minutes of [County Council Committees](#) are published on the Council's Website:
 Minutes of the [Devon Education \(Schools\) Forum](#):
 Minutes of the [South West Waste Partnership](#)
 Minutes of the [Devon & Cornwall Police & Crime Panel](#)

- 17 Delegated Action/Urgent Matters (Pages 211 - 212)

The Registers of Decisions taken by Members under the urgency provisions or delegated powers will be available for inspection at the meeting in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. A summary of such decisions taken since the last meeting is attached.

- 18 Forward Plan (Pages 213 - 220)

In accordance with the Council's Constitution, the Cabinet is requested to review the list of forthcoming business (previously circulated) and to determine which items are to be defined as key and/or framework decisions and included in the Plan from the date of this meeting.

[NB: The Forward Plan is available on the Council's website at: <http://democracy.devon.gov.uk/mgListPlans.aspx?RPId=133&RD=0&bcr=1>]

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

NIL

<p><i>Notice of all items listed above have been included in the Council's Forward Plan for the required period, unless otherwise indicated. The Forward Plan is published on the County Council's website.</i></p>
<p><i>Notice of the decisions taken by the Cabinet will be sent by email to all Members of the Council within 2 working days of their being made and will, in the case of key decisions, come into force 5 working days after that date unless 'called-in' or referred back in line with the provisions of the Council's Constitution. The Minutes of this meeting will be published on the Council's website, as indicated below, as soon as possible.</i></p>
<p><i>Members are reminded that Part II Reports contain confidential information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.</i></p>

Membership
Councillors J Hart (Chair), S Barker, R Croad, A Davis, R Gilbert, S Hughes, A Leadbetter, J McInnes and B Parsons
Cabinet Member Remits
Councillors Hart (Policy, Corporate and Asset Management), Barker (Resources), Croad (Community, Public Health, Transportation & Environmental Services), Davis (Infrastructure Development & Waste), R Gilbert (Economy & Skills) S Hughes (Highway Management), Leadbetter (Adult Social Care & Health Services), McInnes (Children's Services & Schools) and Parsons (Organisational Development & Digital Transformation)
Declaration of Interests
Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.
Access to Information
Any person wishing to inspect the Council's / Cabinet Forward Plan or any Reports or Background Papers relating to any item on this agenda should contact Karen Strahan, 01392 382264. The Forward Plan and the Agenda and Minutes of the Committee are published on the Council's Website and can also be accessed via the Modern.Gov app, available from the usual stores.
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In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.
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Questions to the Cabinet / Public Participation
A Member of the Council may ask the Leader of the Council or the appropriate Cabinet Member a question about any subject for which the Leader or Cabinet Member has responsibility. Any member of the public resident in the administrative area of the county of Devon may also ask the Leader a question upon a matter which, in every case, relates to the functions of the Council. Questions must be delivered to the Office of the Chief Executive Directorate by 12 noon on the fourth working day before the date of the meeting. The name of the person asking the question will be recorded in the minutes. For further information please contact Karen Strahan on 01392 382264 or look at our website
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NOTES FOR VISITORS

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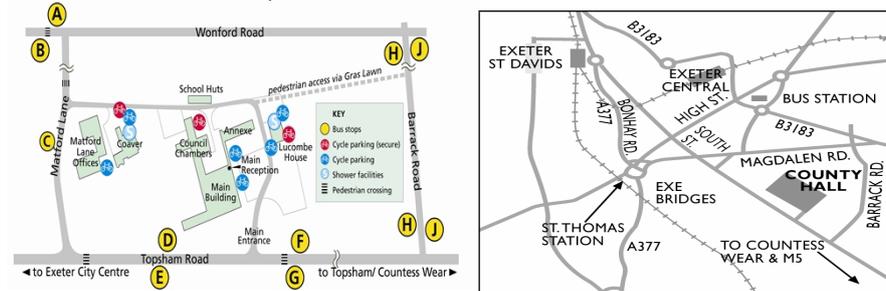
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NB   Denotes bus stops

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First Aid

Contact Main Reception (extension 2504) for a trained first aider.

CS/19/20
Cabinet
10 July 2019

INVESTING IN VULNERABLE CHILDREN (SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) AND CHILDRENS SOCIAL CARE)

Report of the Chief Officer for Childrens Services

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation:

To secure the accelerated improvements identified in the December 2018 Area SEND Inspection by Ofsted and CQC and May 2019 Focused Visit by Ofsted:

1. Cabinet approve investment for 14.2 full time equivalent (FTE) employees at an ongoing cost of just over £640,000 per annum; and
2. Cabinet approve one-off investment for 8.5 full time equivalent employees for a short-term period at a cost of £378,000 in 2019/20 and £58,000 in 2020/21.

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#### 1. Background

In 2014, the government introduced much needed reforms to the arrangements to meet the needs of children with SEND. The government funding for the reforms did not fully match the increased demand and expectation. The system, nationally and locally, is experiencing sustained pressure.

In 2016, Ofsted commenced a programme of SEND inspections. To date, over 80 Local Authorities have been inspected and about half have been issued with a Written Statement of Action (WSoA). Devon's SEND services were inspected in December 2019; a WSoA was issued

(<https://files.api.ofsted.gov.uk/v1/file/50054047> ). Devon will be re-inspected in about 18 months with an expectation that the four key areas identified for accelerated improvement will have been fully resolved. To date three Local Authorities (Suffolk, Dorset and Hartlepool), at re-inspection, have failed to make sufficient progress and have received a letter advising of planned government intervention. At the time of writing, our action plan in response to the WSoA has not been approved by Ofsted.

In 2018 Ofsted introduced a new framework for the Inspection of Local Authority Children's Services (ILACS). The framework raises the expectations bar particularly in relation to the quality of supervision and the reliability of practice audit as a tool of quality assurance. These were identified as areas requiring further development in our recent Ofsted Focused Visit.

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## **2. Proposal**

Devon County Council's overarching strategy and medium-term financial plan has a clear commitment to vulnerable children, receiving full, cross party support.

The SEND Inspection identified four areas where accelerated progress needs to be made:

- a) Strategic plans and the local area's SEND arrangements are not embedded or widely understood by stakeholders including schools, settings, staff and parents and carers
- b) The significant concerns that were reported about communication with key stakeholders, particularly parents and families
- c) The time it takes to issue Education, Health and Care Plans (EHCP) and the variable quality of these plans. Plans do not consistently capture a child and young person's needs and aspirations so that they are a valuable tool to support the planning and implementation of education, health and care provision to lead to better lived experiences for the child and their families
- d) Weaknesses in the identification, assessment, diagnosis and support of those children and young people with autism spectrum disorder

While not addressed in the inspection framework, we also know that transitions into adult services are a major challenge for young people and their families. In addition, the Council's Overview and Scrutiny Report, Behind the Education, Health and Care Plan (EHCP)

(<https://democracy.devon.gov.uk/documents/s26019/Behind%20the%20EHCP%20Task%20Group%20Report%20FINAL.pdf>) recommended investment in the 0-25 team to match that found in other Local Authorities and to ensure staff caseloads are reasonable. The investment proposals set out here will address the identified weaknesses in the WSoA and in Behind the EHCP.

### Strengthened Engagement Function (WSoA 1 & 2)

This will increase and bring together capacity across Childrens Services. This has historically been an under-developed area of practice and continues to be a significant vulnerability for the partnership and for future SEND and social care inspection. Investment for 3.2 FTE is sought.

We are also procuring a portal which enables parents and professionals to access, monitor and contribute to the child's EHCP, in real time, on line.

### EHCP Timeliness and Quality (WSoA 2 & 3)

Four area-based teams within the 0-25 SEN Service deliver on EHCP timeliness and quality. They rely on a very complex web of partners producing their advice/EHCP submissions in a timely way.

The teams work very closely with the Inclusion Service whose task is to support children back into school. These are mostly children with high levels of anxiety associated with their complex needs. These are the children who are likely to be receiving bespoke education packages or be electively home educated because parents do not believe the school offer can meet their child's needs and they are anxious about the child's deteriorating mental health. The capacity of the 0-25

and Inclusion Service to achieve integration or re-integration is under intense pressure. A child, settled in the right school, has a transformative impact on the child and the family.

Investment is sought for six staff, 1.5 FTE in each area whose roles straddle 0-25 and Inclusion. The roles will ensure timely and effective intervention for children and young people with autistic spectrum conditions whose anxiety and/or fragile mental health is precluding their engagement with school. In addition, a designated social care officer to match the designated clinical officer is needed to ensure social care contributions to EHCP are timely and of the right quality.

## Preparation for Adulthood (PfA)

Timely, planned and proactive PfA and transition to adult care and health services is hindered by capacity within the system. There is a need to accelerate the move to a more joined up approach across education, health and care, ensuring the right bespoke practice and joint commissioning arrangements are in place to support young people to achieve their goals and to prepare to live as independently as possible as they approach adulthood. A team of four social workers or equivalent supported by a Team Manager will ensure effective and timely intervention for all young people who will need support, including those with autistic spectrum conditions and complex needs, so that they are supported to be independent, resilient and thrive into adulthood.

## Transformational change, achieving integration

In Devon, for multiple reasons, our services for children and young people with complex needs and their families are less integrated than we want. The evidence base in favour of integrated education, health and care services in this area is compelling, with a growing number of local authorities adopting a more coherent approach, focused on personalisation, independence and prevention.

The transitions work, undertaken through purposeful systems, stimulated a change in practice which was more joined up across the system and created an energy and desire in the workforce to do things differently. Strategic and operational partners across health, education and social care have the appetite for change and the inspection has helped to crystallise the system conditions which are now ripe for the next phase of change, which should be aspirational and ambitious.

We therefore want to undertake a project to redesign, with parents, children, young people and disabled adults, the SEND system to achieve a fully integrated (Health, Education, and Social Care) 0 to 25 system that ensures a seamless, multi-agency whole system response at all stages of the SEND process that supports young people to transition into adulthood at the right time, with the right support.

We plan to offer a secondment (0.5 FTE) to secure the right skill set, experience, and SEND knowledge to develop and implement robust system redesign. The CCG has committed to sharing the cost for this role and the project team will be drawn from across Devon's leaders (experts by experience, paediatricians, specialist nursing, Children and Family Health, Babcock, SEND 0-25, inclusion, schools, children and adult social care)

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Alongside this proposal the CCG is taking an investment proposal through its governance to ensure appropriate resourcing of the fourth strand of WSoA, which is focused on responding to Autistic Spectrum Conditions.

## Strengthening Children's Social Care

A short-term booster investment is required to accelerate the full embedding of Eclipse (the case management system in Children's Social Care). During the recent focused visit, too few practitioners were able to fully showcase their work because of their limited confidence and competence in using Eclipse.

All managers in Children's Social Care are involved in quality assuring the work of the service. This is a key tool in securing the effective protection of vulnerable children. Compared to other Local Authorities, Devon's experience in this area of practice is relatively new and therefore is less well developed. Ofsted, in the full inspection which is expected later this year or early next, will expect to see a more developed practice. Short-term booster investment to fund four Quality Assurance Manager posts for up to nine months is required to support the enhanced activity already being implemented by the service.

### **3. Investing to Save**

Good Children's Social Care means better and more timely interventions and improved decision making which is significantly better value for money and significantly better for children. This has to be understood as a long-term investment that, over time, will lead to reduced activity and costs at the higher tariff.

The investment in the 0 to 25 and Inclusion Team will, over three years, recover (in the High Needs Block of the Dedicated Schools Grant) the costs of the investment sought. The reintegration of children into a school that can meet their needs has a transformative impact on the child and family as well as delivering better value for money. Similarly, the PfA investment sought will, over three years, recover the cost of the investment and have a similarly profound impact on the lives of individuals who are supported on their path towards greater independence.

### **4. Options/Alternatives**

The Scrutiny Task and Finish Group recommends a higher level of staffing into the 0-25 team than is proposed here, but, because of the focused nature of its work, the group did not explore some of the wider system investments needed. A more balanced investment that addresses all the elements of the WSoA, as well as the longer-term transformation is recommended.

In making this investment, the Council would, at least in part, be attempting to close a gap that is the responsibility of central government. The Council intends to continue its committed lobbying of central government. It could decide to hold off investment to exert more pressure on central government. However, we know that the system in Devon is not yet meeting the needs of all the children and

families with SEND who need support and that the current pressure in the system is unsustainable and this course of action is therefore not recommended.

## 5. Financial Considerations

The proposals within this report require additional staffing of 14.2 full time equivalent employees and have an ongoing cost of just over £640,000. The proposals also require additional staffing of 8.5 full time equivalent employees on a short-term basis that will cost £378,000 in 2019/20 and £58,000 in 2020/21.

The costs will fall to the County Council's General Fund, and whilst the proposals relating to Education and Health Care Plans and Preparation for Adulthood are expected to achieve ongoing savings, the former will be to the benefit of the Dedicated Schools Grant (DSG) High Needs Block.

| TABLE 1                           | Recurrent investment |                  |                  |                  | 2022/23 and ongoing<br>£'000 |
|-----------------------------------|----------------------|------------------|------------------|------------------|------------------------------|
|                                   | FTE                  | 2019/20<br>£'000 | 2020/21<br>£'000 | 2021/22<br>£'000 |                              |
| <b>SEND</b>                       |                      |                  |                  |                  |                              |
| Strengthened Engagement Function  | 3.2                  | 95               | 155              | 155              | <b>155</b>                   |
| EHCP                              | 6                    | 134              | 239              | 239              | <b>239</b>                   |
| Preparation for Adulthood         | 5                    | 91               | 247              | 247              | <b>247</b>                   |
| <b>Total recurrent investment</b> | <b>14.2</b>          | <b>320</b>       | <b>641</b>       | <b>641</b>       | <b>641</b>                   |

| TABLE 2                                 | One Off Investment |                  |                  |                  | 2022/23 and ongoing<br>£'000 |
|-----------------------------------------|--------------------|------------------|------------------|------------------|------------------------------|
|                                         | FTE                | 2019/20<br>£'000 | 2020/21<br>£'000 | 2021/22<br>£'000 |                              |
| <b>SEND</b>                             |                    |                  |                  |                  |                              |
| Transformational Change SEND            | 1                  | 32               | 30               | 0                | <b>62</b>                    |
| Designated Social Care Officer          | 0.5                | 16               | 28               | 0                | <b>44</b>                    |
| <b>Sub Total SEND</b>                   | <b>1.5</b>         | <b>48</b>        | <b>58</b>        | <b>0</b>         | <b>106</b>                   |
| <b>Children's Social Care</b>           |                    |                  |                  |                  |                              |
| QA Manager                              | 3                  | 167              | 0                | 0                | <b>167</b>                   |
| Eclipse Team                            | 4                  | 163              | 0                | 0                | <b>163</b>                   |
| <b>Sub Total Children's Social Care</b> | <b>7</b>           | <b>330</b>       | <b>0</b>         | <b>0</b>         | <b>330</b>                   |
| <b>Total one-off investment</b>         | <b>8.5</b>         | <b>378</b>       | <b>58</b>        | <b>0</b>         | <b>436</b>                   |

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| TABLE 3                   | Savings  |            |            | 2022/23 and<br>ongoing<br>£'000 |
|---------------------------|----------|------------|------------|---------------------------------|
|                           | 2019/20  | 2020/21    | 2021/22    |                                 |
|                           | £'000    | £'000      | £'000      |                                 |
| EHCP                      | 0        | 170        | 340        | <b>560</b>                      |
| Preparation for Adulthood | 0        | 85         | 185        | <b>285</b>                      |
| <b>Total savings</b>      | <b>0</b> | <b>255</b> | <b>525</b> | <b>845</b>                      |

## **6. Equality Considerations**

This investment will have a positive equalities impact. Many of the children and young people with SEND and/or involved with Children's Social Care will meet at least one of the protected characteristics in the Equalities Act.

## **7. Legal Considerations**

There are no specific legal considerations.

## **8. Public Health Impact**

Children with SEND and those involved with Children's Social Care are often more vulnerable to poor public health outcomes. Investment in this area will promote better public health outcomes for a vulnerable group

## **9. Conclusions**

The reforms to the SEND system introduced by the 2014 legislation were the right ones, but they have placed significant additional financial and administrative pressure on local authorities. We know that we are on the right path because Ofsted and CQC have confirmed this to us and have affirmed that the actions set out in the WSoA are acceptable to them. The additional investment sought, coupled with that by the CCG and that for Children's Social Care, will ensure we are better able to meet the needs of children and families and that the re-inspection will not result Government intervention in Devon.

Jo Olsson

**Electoral Divisions:** All

Cabinet Member for Childrens Services and Schools: Councillor James McInnes

Chief Officer for Childrens Services: Jo Olsson

LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

*Contact for Enquiries:*

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CS/19/21  
Cabinet  
10 July 2019

## DEVON CHILDREN AND FAMILIES PARTNERSHIP CHILDREN AND YOUNG PEOPLES PLAN

Report of the Chief Officer Children's Services

***Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.***

### **Recommendation:**

That Cabinet agree the Devon Children and Families Partnership Children and Young Peoples Plan

#### **1. Background**

- 1.1. The Devon Children and Families Partnership (DCFP) was established in 2018 in response to the Wood Review reforms subsequently set out in statutory guidance, Working Together 2018. The DCFP strategic plan sets out the vision and priorities for children and families in Devon for the next three years.
- 1.2. The DCFP is led by three local safeguarding partners, Devon County Council, the Clinical Commissioning Group (CCG) and Devon and Cornwall Police. Membership of the partnership spans education, including schools, social care, public health, CCG, health providers, district councils, voluntary sector, police and children and families.
- 1.3. The partnership has responsibility to safeguard and promote the welfare of children and young people in Devon. To do this, partners need to work together effectively. The core purpose of the partnership is to ensure that **children and families get the right support, in the right place, at the right time.**

#### **2. Proposal**

##### **The Plan is attached at Appendix A**

- 2.1. The development of the Children and Young Peoples Plan (CYPP) has been coordinated by the DCFP through a range of multi-agency events with key partners and stakeholders. The plan refreshes the commitments we made and the direction we set in 2017 when we published our Delivery Plan for Devon's Children's Services 2017-2018.
- 2.2. The voice of children and families in Devon has been a critical foundation to the priorities of the plan. The CYPP has been developed drawing on engagement across a range of service development areas throughout 2017/18 for example Stand Up Speak Up messages from Children In Care, Community Health and

# Agenda Item 8

Wellbeing re-procurement engagement, Devon Parent Carer Voice and Local Offer Reference Group.

- 2.3. We will continue to engage with children and families throughout the life of the plan to refine our interventions and demonstrate our impact.
- 2.4. At a partnership level we have reviewed data about our population in Devon taken from the Joint Strategic Needs Analysis and Devon Children and Young People's Sustainability and Transformation Plan Data Pack. This informed priorities within the CYPP and challenged stakeholders to consider the impact on outcomes for children of current projects and service development.
- 2.5. The style of the plan breaks with tradition and moves towards total digital communication. It puts the purpose and priorities of the partnership in the hands of staff and children, accessible through mobile devices and accessible in language and design, giving everyone the digital navigation system and connection to drive our collective efforts.
- 2.6. The draft plan has been widely shared. This has included the Early Help Roadshows running in each locality of the County through June, an online questionnaire with supported engagement by youth services, childrens centres, school councils, placement providers, schools, maternity and public health nursing, District Councils, parent, carer representative groups. Feedback has been overwhelmingly positive.
- 2.7. The DCFP intends to launch the plan in September 2019 and it will be built into the DCFP website in July.
- 2.8. The plan will be supported by more detailed documents such as an Outcomes Framework a Workforce Development Strategy and a Joint Commissioning Plan and there are multiple sub-strategies and plans. The plan will be annually refreshed. The significant strengthening of the engagement and participation with Children and Families over the coming year will be a significant influence on the refreshed plan.
- 2.9. Working Together 2018 requires independent scrutiny of the effectiveness of the partnership in safeguarding and promoting the welfare of children and young people. We intend that the independent scrutiny will precede the annual plan refresh, and will include all stakeholders, including children and young people.

### **3. Financial Considerations**

- 3.1. Each safeguarding partner of the DCFP contributes to the partnership budget and in 19/20 we have successfully secured equal shares from each partner, historically the Local Authority provided the lion's share of investment in the partnership. However, each partner is confronting significant challenges to manage the pressure on budgets and the partnership resource may prove challenging to maintain.
- 3.2. The priorities of the plan are focused on areas of increased demand or high spend. As important is the preventative and early intervention support that

needs to be in place to prevent increased demand in the future. Continuing to support early help services is a challenge in the current financial conditions.

#### **4. Environmental Impact Considerations**

- 4.1 Children and young people have expressed their deep concern about Climate Change. We have not yet included this as a priority in the plan as we are still exploring this with young people to determine our collective action.

#### **5. Equality Considerations**

- 5.1 An Impact assessment has been undertaken to inform the plan. The design process has ensured that issues of inequality are addressed through the priorities of the plan.

#### **6. Public Health Impact**

- 6.1 The CYPP has been informed by the Joint Strategic Needs Analysis the Director of Public Health Annual Review 2018 on Children and Young People and Annual Review 2019 focused on Mental Health. The plan prioritises prevention and early help and routes to tackle inequalities and narrow the gap.

Electoral Divisions: All

Cabinet Member for Children's Services: Cllr James McInnes

Chief Officer for Childrens Services: Jo Olsson

Head of Commissioning Childrens Services: Fiona Fleming

#### **LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS**

*Contact for Enquiries: Fiona Fleming Head of Commissioning,  
[Fiona.fleming@devon.gov.uk](mailto:Fiona.fleming@devon.gov.uk), 01392 383000*

Appendix A – Children and Young People Plan





Devon  
Children's  
Families  
Partners

# Children and Young People's Plan

Page 13  
2019 - 2022





Our Purpose:

To ensure children and families receive **the right support, at the right time, and in the right place.**



Page 15



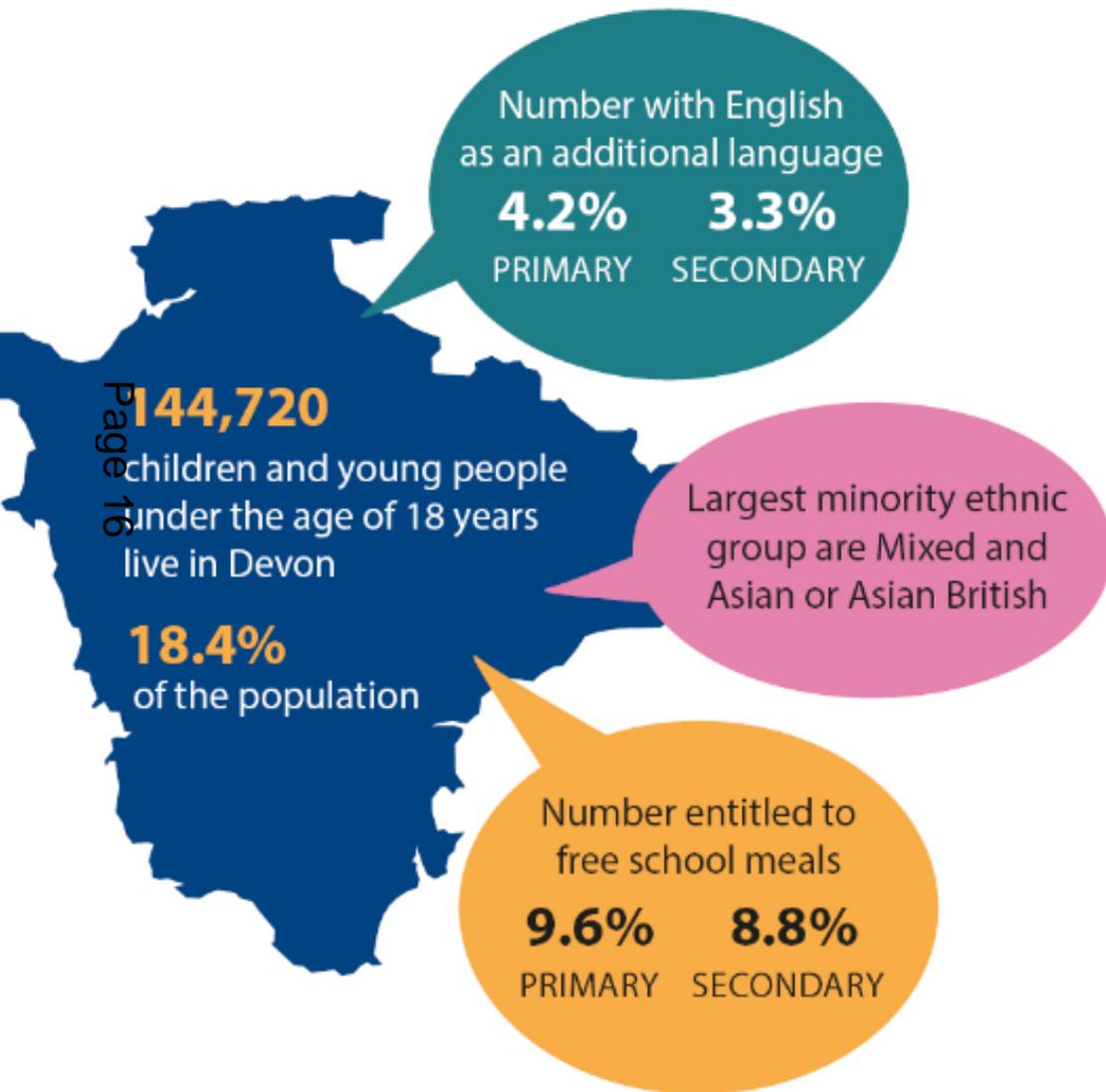
Devon  
Children  
Families  
Partners

We believe that every child in Devon should have the **best possible start in life** and the **opportunity to thrive**

# A Snapshot of Children in Devon



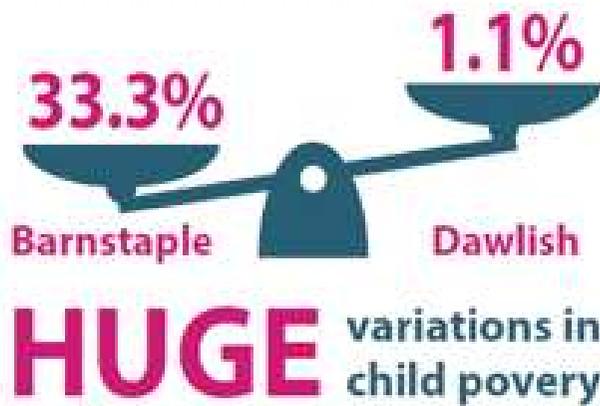
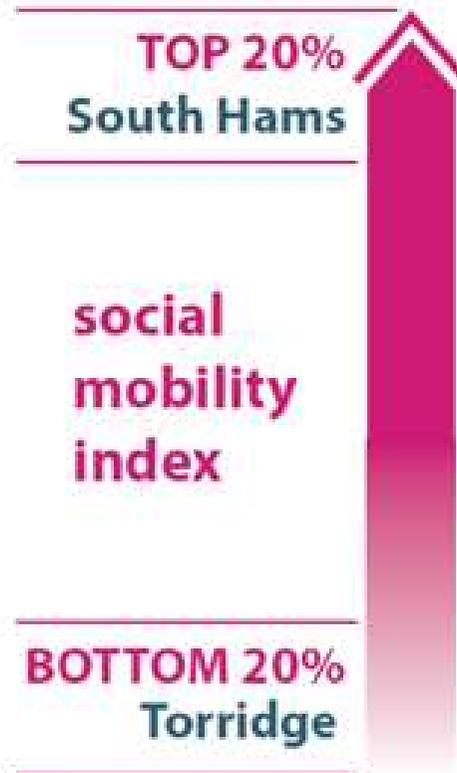
Devon  
Children  
Families  
Partners



# Impact of Poverty on Children in Devon



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Children  
Families  
Partners



# Strong Foundations

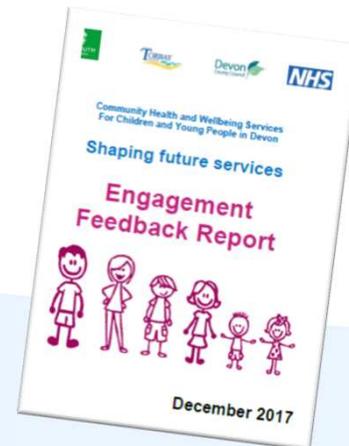


Devon Parent Carers' Voice

We know:

- Our population
- What children and families value
- What has worked already and what still needs to be done or accelerated
- The national policy landscape

Page 18



# Equality



Devon  
Children's  
Families  
Partners

Many things in life impact on people's access to opportunities whether this is through poverty, where you live, your readiness for education or the health of your family.

We want to narrow the gap in health outcomes and life chances between those who live in the most and least disadvantaged areas in Devon and believe every child has a right to routes out of poverty and disadvantage. All our priorities in this plan aim to help in achieving this.



## [Equality and Diversity](#)

# Valuing Diversity



Devon  
Children's  
Families  
Partners

We recognise and value diversity in all its forms and know that:

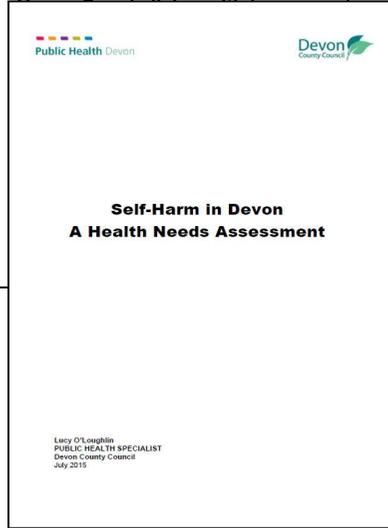
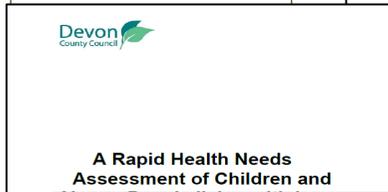
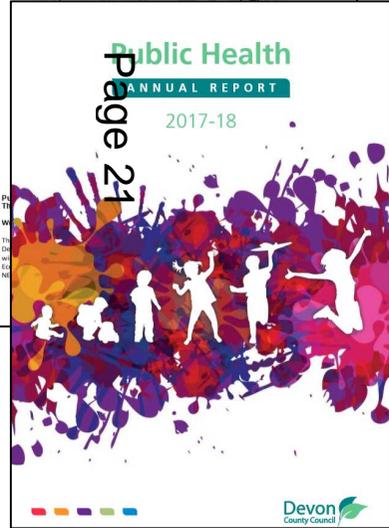
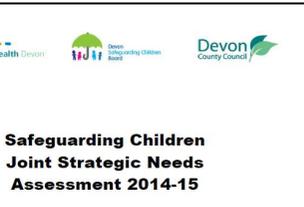
- Families come in many different shapes and sizes and that these unique relationships are the fundamental building block of people's lives
- Communities across Devon are often very different and diverse in nature and can play a vital role in helping to give children and families the support they need



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[Equality and Diversity](#)

# What data is available?



Public Health England  
Home > Introduction > Data  
Technical Guidance Contact us Your data

## Child and Maternal Health

Indicator keywords

Domain: Child Health Profiles

Overview Compare Map Trends Compare Area Inequalities England Population Reports Definitions Download

### Data Pack: Devon Children and Young People's Sustainability and Transformation Plan January 2018, version 4



➤ Children's Scrutiny Committee Task Group Investigations



Children and Young People's Plan 2019-2022 Engagement activity



1,140 Views represented

Campaign outputs



Tweets



Likes and Retweets



Views of DCFP web page



People engaged via Early Help Roadshows

Feedback by type

53% Professionals/practitioners



34% Parents/carers and families



5% Children and young people



8% Other



# Delivery Plan 2016-2018 Our Values

## Five Key Shifts:

- Strengths based practice
- Strengthening Early Help
- Locality model
- Integration of systems and services
- Bespoke and personalised

Page 23



# Delivery Plan 2016-2018 Our Values

## Four Principles:

- Children are best brought up in families
- We will support families to find their own solutions
- We will listen to each other and work together with services shaped by all
- Children and families will always know where they stand with us

Page 24



# What kind of Plan now?



Devon  
Children's  
Families  
Partners

- Something to **communicate our priorities** to children and families clearly
- That gives a **strong identity** to be proud of
- That **challenges** - keeps us on our toes, agile and ready for the future
- That is **aspirational and ambitious** and talks to the heart and mind
- That is human, with a **focus on purpose, impact and outcomes** for our children and their families
- That helps to **create the conditions for good practice to flourish**, both restorative and trauma informed
- And is fit for a **digital world** - is adaptable, flexible and connects things up

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# Our Core Values

What you have been saying....



At our multi-agency events we have asked staff to set out the personal values they bring to work every day and the values that bind us together as a partnership.

# How we work

We will always aim to help children and families be more resilient, strengthen relationships and build social connections and are committed to working together to:

- **Listen, hear and understand**
- **Get under the surface** to understand what is driving your problems
- Help you help yourself through information, advice and **support as early as possible**
- Support your **whole family & build on your strengths** where needed
- Be **flexible, adaptable and personalised**
- **Work in ways that are right for you** with support that is **integrated and community-based**

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Devon  
Children  
Families  
Partners



*We believe children are best brought up in families with the right support that wraps around them when needed*

Life Chances

Healthy and Well

Feel Safe

Protect from Harm

Page 28  
We have set clear **priorities for action** in each main area of our activity



# Our Priorities

Backed by specific plans and strategies

# Our Priorities

We believe all children and young people in Devon have the right to:

| Life Chances                                                    | Be Healthy and Well                                                                                                    | Feel Safe                                                       | Be Protected from Harm                                 |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|--------------------------------------------------------|
| <i>achieve their potential with the opportunities to thrive</i> | <i>have the best start in life, stay well and thrive. With good information and specialist help when they need it.</i> | <i>be protected from neglect and supported when vulnerable.</i> | <i>be protected from harm, abuse and exploitation.</i> |



# Our Priorities



Devon  
Children's  
Families  
Partners

## Life Chances

We are ambitious for all our children and young people and have **high expectations of our schools**, colleges, settings and partnership support services.

We want all children in Devon to have the **best start in life** and, as they grow into young adults, to have **access to opportunities** for training, education, employment and apprenticeships to help them gain the skills they need to **become independent and thrive**.

We have a strong **focus on disadvantage** and want to help everyone to access their right to an education, be included and **achieve their full potential**.



*You have the  
right to achieve  
your potential with  
opportunities to  
thrive*

# Our Priorities



Devon  
Children's  
Families  
Partners

## Life Chances

### 1. A good education for all

We will:

- Work together with schools, colleges and others to **raise overall educational outcomes** and to **narrow the attainment gap** for boys and disadvantaged pupils
- Maintain our **focus on inclusion** and ensuring all children get their right to a full education
- Continue to **develop local opportunities for training, education, employment and apprenticeships** with particular support for young people with additional needs or from disadvantaged backgrounds.



 Championing all our Children

# Our Priorities

Life Chances

## 2. Better support for children in care and care leavers

We want all our children in care and those leaving care to be set up for life to **aspire and achieve**.

We will do what it takes to keep children in care in **good, local, family based placements** so that their education, friendships and community connections can be sustained.



[Virtual Schools website](#)

# Our Priorities

## Life Chances

### 3. Improving our Special Educational Needs (SEND) offer

- We will have a major review and redesign in order to:
- Improve access to advice, support and guidance
  - Ensure lead practitioners help families navigate the system and remove barriers
  - Ensure everyone that needs one gets a timely and comprehensive Education Health and Care Plan
  - Improve the multi-agency response to Autistic Spectrum Conditions
  - Integrate services and wrap support around children and families
  - Ensure more support to improve the transition into adulthood



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# Our Priorities



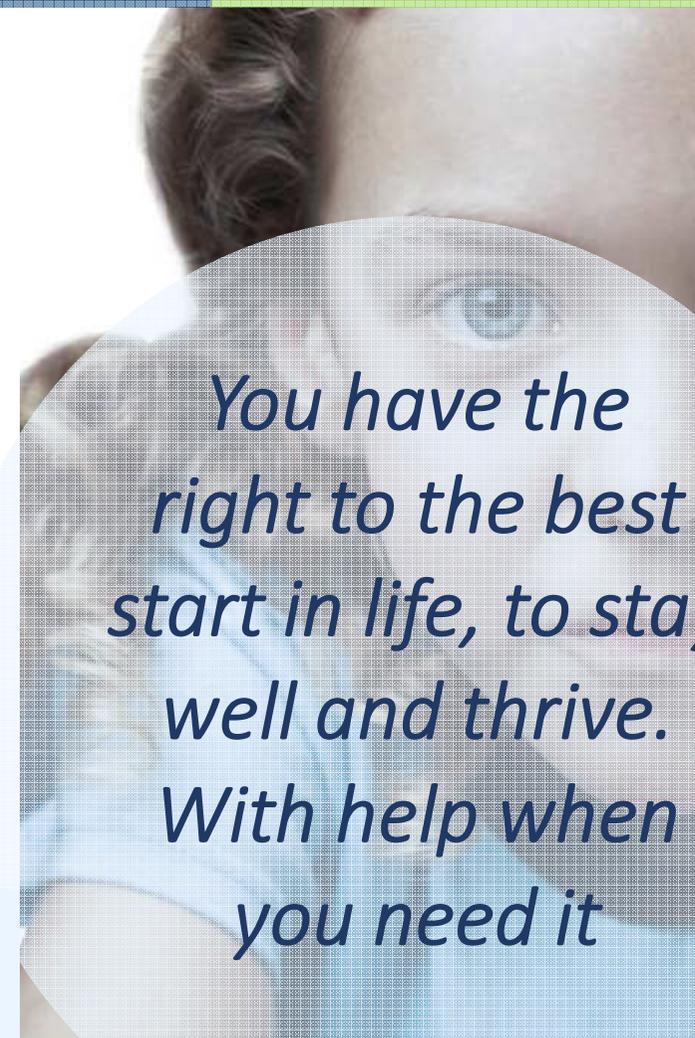
Devon  
Children's  
Families  
Partners

## Healthy and Well

For most children, the **family and community** ensure their health and wellbeing.

Families need access to good **information and advice**, and our Ante-natal, Maternity, Public Health Nursing Services and Children's Centres will all work together to ensure that **no infant, child or family slips through the net**, with support tailored to their needs.

We will continue to improve care for children with **long term conditions** such as asthma and diabetes, and focus on **prevention** to tackle issues like child obesity and tooth decay.



*You have the right to the best start in life, to stay well and thrive. With help when you need it*

## Devon Sustainability & Transformation Plan

# Our Priorities

## Healthy and Well

### 1. Emotional wellbeing, mental health and self-harm

Supporting the emotional wellbeing and mental health of children and young people with their families continues to be a priority. We will continue to embed preventative strategies and support across schools, public health nursing and wider support services.

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# Our Priorities



Devon  
Children's  
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Partners

## Healthy and Well

### 2. Early support for Autism

We will continue to work together to develop our local offer to autistic children by working with parents and children to make sure we make an impact and improve life chances.

We will:

- **Not wait for a diagnosis** before giving support to children who display behaviours linked to autism
- **Support the emotional health and wellbeing of children, young people and their families** who may be living with autism
- Provide **more self-help information** for parents



Community Health & Wellbeing Service Strategy

Working together for children and families

# Our Priorities



Devon  
Children  
Families  
Partners

## Healthy and Well

### 3. Improving Speech and Language services

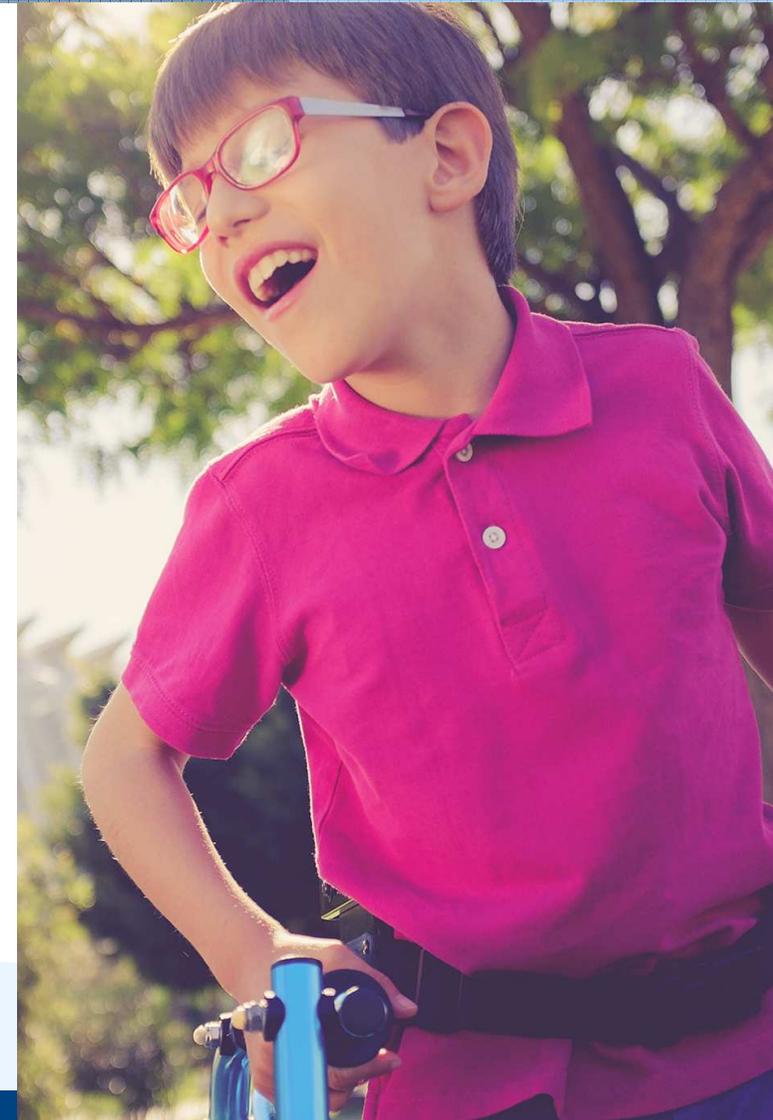
Speech, language and communication needs must not prevent a child in Devon achieving in school and will be better understood and responded to by all professionals and practitioners.

We will:

- **Intervene early** and offer ongoing support for the communication needs of children.
- **Adapt school and community environments** to ensure communication barriers are removed
- Continue to **develop and provide training** for schools and settings to support early communication, speech and language development

## Community Health & Wellbeing Service Strategy

Working together for children and families



# Our Priorities



Devon  
Children's  
Families  
Partners

## Feel Safe

**Every child and young person has the right to feel safe, be protected from neglect, and free from the exploitation of others.**

Preventing **neglect** continues to be a top priority and we want to ensure the right support is always available for children and families where drugs, alcohol and other multiple issues significantly impact on children.

The **exploitation of children by adults** such as that relating to drugs and other criminal activity is a growing concern. We will continue to work together to ensure information and training is in place.

We will also work together to **improve the way we reach out** to vulnerable young people, including those missing education, and to intervene where there is a risk of crime, radicalisation, gangs, knife crime or anti-social behaviour.

*You have the right  
to be protected  
from neglect and  
supported when  
vulnerable*

# Our Priorities



Devon  
Children's  
Families  
Partners

Help to feel safe

## 1. Better identification and prevention of neglect

Where the needs and actions of parents may impact on the care of children leading to neglect, we will work together more effectively to identify it, prevent it or intervene early.



[Neglect Strategy and Toolkit](#)

Working together for children and families

# Our Priorities



Devon  
Children's  
Families  
Partners

Help to feel safe

## 2. Support for vulnerable young people at risk

We will:

- Work together to prevent children missing education, particularly those from disadvantaged and vulnerable backgrounds
- Work with the community and youth services to support young people at risk of becoming part of gangs or involved in crime and anti-social behaviour
- Support families and carers if a young person is missing and after they return home
- Identify and support vulnerable young people at risk of radicalisation or of exploitation by adults



PREVENT Strategy

Working together for children and families

# Our Priorities



Devon  
Children's  
Families  
Partners

Help to feel safe

## 3. Helping children stay out of care

We want to help more children and young people to stay out of care by supporting them in their own families and communities. This means ensuring help and support is available earlier and managing often high levels of risk, need and complexity in a different way. We will:

- Develop a **multi-agency team** to support children and young people in crisis where there is **a risk of family breakdown**
- Develop a **crisis response for children in care** to help them off the roller coaster of placement crisis/breakdown



# Our Priorities

## Protect from Harm

We have a statutory responsibility to intervene in families to protect children at risk of harm. In a few cases this can mean removing children from families and making alternative arrangements for their long term care.

We want to improve the way this system works, and to strengthen our partnership with schools, health, the police and others to ensure no child at risk slips through the net.

Protecting children from domestic violence and sexual abuse remains our top priority. The harmful impact of child exploitation is becoming an ever growing concern as is the impact of self-harm, with increasing numbers of children being admitted to hospital.



***You have the right  
to be protected  
from harm, abuse  
and exploitation***

# Our Priorities

## Protect from Harm

### 1. Protecting and supporting children where there is domestic or sexual violence and abuse

We will:

- Protect children from the harm of domestic abuse
- Support children and young people who live in families where there is domestic abuse
- Ensure adult and children's services work together with the whole family
- Ensure all services support parenting in addition to dealing with any immediate need

## DVSA Strategy and Action Plan



## 2. Helping children experiencing emotional distress and reducing the impact of self harm

We will:

- Ensure children and families have the right information and support to help if experiencing a crisis
- Make sure people know how to ask for help
- Help individuals and families develop alternative strategies for dealing with emotional distress
- Provide good information so children can keep themselves safe, particularly from the risks online

 [CAMHS Transformation Plan](#)



# Our Priorities



Devon  
Children's  
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Partners

Protect from Harm

## 3. Preventing exploitation

We will:

- Be there to help young people break free from exploitation
- Work together to disrupt all exploitation
- Better understand the impact of young people as perpetrators of exploitation and develop an offer to intervene



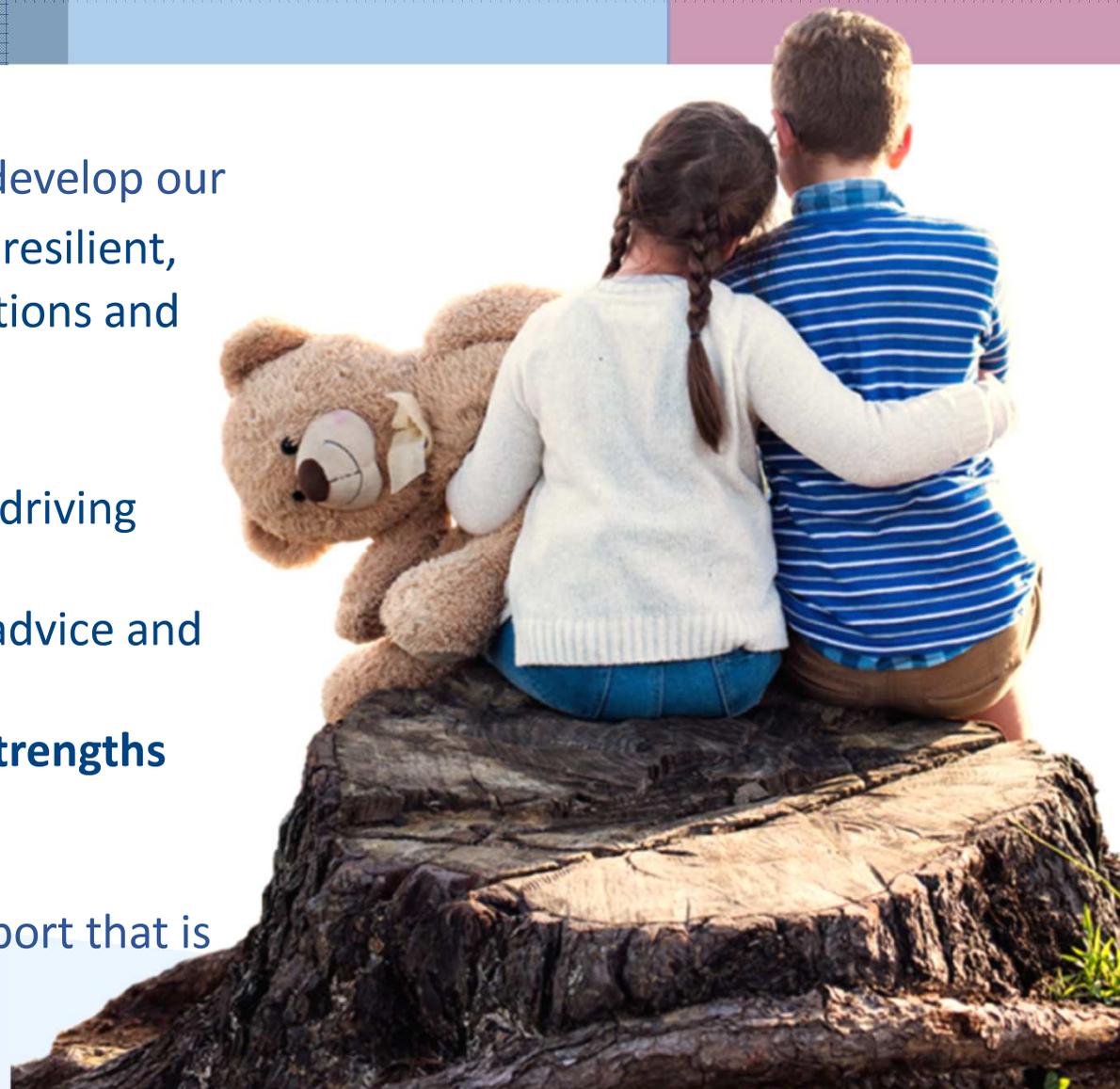
[> Exploitation of Children Strategy and Toolkit](#)

# Workforce development and improvement



To deliver on our commitments, we will further develop our workforce to help children and families be more resilient, strengthen relationships and build social connections and are committed to working together to:

- **Listen, hear and understand**
- **Get under the surface** to understand what is driving your problems
- Help you help yourself through information, advice and **support as early as possible**
- Support your **whole family & build on your strengths** where needed
- Be **flexible, adaptable and personalised**
- **Work in ways that are right for you** with support that is **integrated and community-based**



# Workforce development and improvement



| Life Chances                                                                                                                                                                                                                                                                                                                                                                                                                                           | Healthy and Well                                                                                                                                                                                                                                                                                           | Feel Safe                                                                                                                     | Protected from Harm                                                                                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Partnership approach (with Schools, Regional Schools Commissioner, Devon Schools Alliance, Teaching Schools Alliance, One Devon Team South West and Ofsted) to skills development, peer mentoring, on-line learning and good practice.</p> <p>Strengthened, focused and integrated leadership across health, education and social care for <b>children in care and care leavers</b> leading to more targeted workforce development initiatives.</p> | <p>Autism and communication training to all schools</p> <p>Different conversations training focused on developing choice and control for families of disabled children.</p> <p>Graduated response tool training to support children with SEND</p> <p>Psychological therapies training for staff (IAPT)</p> | <p>Multi-agency safeguarding training</p> <p>Neglect toolkit and graded care profile training</p> <p>Exploitation toolkit</p> | <p>Developing strength's based practice</p> <p>Multi agency training on Domestic Violence and Abuse.</p> <p>Roll out of training for restorative approaches including supervision</p> <p>Development of appreciative inquiry</p> |

An increasing number of children benefit from coordinated multi-agency early help. More will be done to further develop the Early Help Offer and to increase the number of impactful early help interventions with Lead Practitioners

# Measuring Our Success



| Life Chances                                                                                                                                                                                                                                                                                                                                                                                                 | Healthy and Well                                                                                                                                                                                                                                                                                                                                         | Feel Safe                                                                                                                                                                                                                                                                                                 | Protected from Harm                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>FS &amp; education outcomes</p> <p>Effective early help, reducing rate of statutory intervention</p> <p>Higher levels of inclusion and EET for vulnerable groups</p> <p>Timeliness of EHCP's &amp; SEND re-specification</p> <p>Children in care placement moves, school moves, and changes in social worker.</p> <p>Leavers in suitable accommodation, EET, emotional well being &amp; mental health</p> | <p>Rate of children with communication needs achieving expected progress in school</p> <p>Number of CYP receiving support from CAMHS</p> <p>Number and wait times for children's autism diagnosis</p> <p>Number of children accessing speech, language and communication services</p> <p>Reduce the number of CYP admitted to Tier 4 inpatient units</p> | <p>Increase reporting of exploitation</p> <p>Intelligence about interventions with children involved in all forms of exploitation</p> <p>Effective interventions Neglect and/or Child Sexual Abuse</p> <p>Outcomes and impact of audit, Local Child Safeguarding Reviews and practice learning events</p> | <p>Rate of care entry of older children</p> <p>Rate of <b>children in care</b> placed in local in-house foster care</p> <p>Reduce the number of children admitted to hospital for self harm</p> <p>Reduce the number of domestic abuse incidents with children present and increase the number of children victims or witnesses to be supported.</p> <p>ILACS (Annual Conversation, Focused Visit, JTAI, and ILACS Inspection)</p> |

# Impact Assessment

Version 2017

To publish, please send a dated PDF to [impactassessment-mailbox@devon.gov.uk](mailto:impactassessment-mailbox@devon.gov.uk)

|                       |                                                                                           |
|-----------------------|-------------------------------------------------------------------------------------------|
| <b>Assessment of:</b> | <b>Devon Children and Families Partnership Children and Young People's Plan 2019-2022</b> |
| <b>Service:</b>       | Devon Children and Families Partnership<br>Children's Services and services for families. |

|                                                     |                                                          |
|-----------------------------------------------------|----------------------------------------------------------|
| <b>Head of Service:</b>                             | Head of Commissioning Childrens Service's, Fiona Fleming |
| <b>Date of sign off by Head Of Service/version:</b> | 28 <sup>th</sup> June 2019                               |
| <b>Assessment carried out by (incl. job title):</b> | Rob Elkin Participation Team Manager                     |

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## Section 1 - Background

|                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Description:</b> | <p>This assessment aims to consider the impact of the Children and Young People's Plan 2019-2022, developed and produced by the Devon Children and Families Partnership.</p> <p>The Devon Children and Families Partnership (DCFP) was established in 2017/18 and is led by safeguarding partners including: - Devon County Council, NHS Devon (Clinical Commissioning Group) and Devon Cornwall and Police. Though membership extends to and includes other multi agency partners including district councils, schools, social care, public health, children and families and the voluntary sector for example. The DCFP oversee the functions of what was previously the Devon Safeguarding Children Board (DSCB) and the Children, Young People and Families Alliance. This partnership arrangement responds to the Woods Review of Local</p> |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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|                           | <p>Safeguarding Children’s Boards (2016) and seeks to implement recommendations made as part of the review and since detailed in Working Together 2018.</p> <p>Partners hold many statutory duties for children and young people in Devon. This includes a responsibility to work together effectively to safeguard and promote the welfare of children and young people in Devon. Statutory responsibilities held by partners relating to children and young people in Devon are described in a range of legislation including:- <i>Working Together to Safeguard Children (2018)</i>; <i>the Children Act (1989)</i>; <i>the Children and Families Act (2014)</i>; <i>Special Educational Needs &amp; Disability Code of Practice:- 0-25 years (2014)</i>; <i>Education Act (2002)</i>; <i>Education (Independent School Standards) Regulations (2014)</i>; <i>Non Maintained Special School Regulations (2015)</i>; <i>the Care Act (2014)</i>.</p> <p>The DCFP’s primary aim is also: -</p> <p><i>Ensuring children and families can get the right support, in the right place and at the right time.</i></p> <p><i>#We Are Devon-Working Together for Families.</i></p> <p>The DCFP have produced a Children and Young People’s Plan which is informed by the primary aim held by the partnership. This plan sets out core values and principles and the DCFP’s vision and priorities for children, young people and families in Devon for the next three years. The plan aims to facilitate multi-agency/ inter-agency working between partners and help to ensure children, young people and their families are safe and where needed they are supported effectively to achieve the best outcomes. Providing children and young people with the best start in life and the opportunity to thrive whilst recognising diversity in communities and families acts as a key foundation of the plan. The Children and Young People’s Plan also recognises workforce development and improvement in the context of the strategic priorities identified to enable children, young people and families to be effectively supported, to build resilience, strengthen relationships and build social connections. Outcome measures that will be used to evaluate and illustrate progress, outcomes and impact achieved through implementation of the plan are also included.</p> <p>1.</p> |
| Reason for change/review: | The Children and Young People’s Plan has been produced to identify and set out the DCFP’s strategic direction of travel, identify, core values, principles, vision and priorities for children, young people and families in Devon for the next three years following the new arrangements and establishment of the DCFP in 2018. The plan supports and responds to the DCFP’s responsibilities to safeguard, protect and promote the welfare of children                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

and young people in Devon and aligns with the primary purpose of providing the right support, in the right place at the right time. The plan is also intended to create the conditions for good practice to flourish.

## Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

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| Options Appraisal and Recommendations: | <p>A recommendation is being made for Cabinet Members to welcome, endorse and agree the Children and Young People’s Plan produced by the Devon Children and Families Partnership (please see Cabinet report for further details).</p> <p>The vision and priorities identified in the Children and Young People’s Plan include all children and young people in Devon having the right to: -</p> <ol style="list-style-type: none"> <li>1. Life Chances. This includes: - a good education for all, better support for children in care and care leavers and improving the Special Educational Needs and Disabilities (SEND) offer.</li> <li>2. Be Healthy and Happy. This includes: -emotional wellbeing, mental health and self-harm, early support for autism and improving speech and language services.</li> <li>3. Feel Safe. This includes: - better identification and prevention of neglect, support for vulnerable young people at risk and helping more people stay out of care.</li> <li>4. Be protected from Harm. This includes: - protecting and supporting children where there is domestic or sexual violence and abuse, helping children in crisis and reducing the impact of self-harm and preventing exploitation.</li> </ol> |
| Social/equality impacts (summary):     | <p>Principles, actions and priorities included in the Children and Young People’s Plan have the potential to achieve positive impacts for children, young people and families in Devon.</p> <p>What children and young people, families and multi-agency practitioners have told us during engagement has influenced the vision, principles, and values upon which the plan has been based. This could have a positive impact for all in Devon feeling included, listened to and valued. Whilst also empowering all to identify with, share and work towards achieving aspirations, ambitions and outcomes for children and families in Devon. The plan</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

can also provide assurance of the DCFP's commitment to listen to all and work together to shape systems of services which are effective.

Implementation of the plan would seek to support children and families at an earlier point to allow them to build resilience, stronger social relationships and acquire coping strategies increasing the likelihood that children and young people can remain with and be brought up in their family. This may have a positive impact in children and young people continuing to grow and develop as part of stronger, stable, nurturing family units/ environments and could prevent and reduce the number of children and young people coming into the statutory care of the Local Authority and its partners. Also, knowing where and how to seek help and advice will empower families to know how to best support themselves to achieve better outcomes. Building and wrapping support around families in ways which builds on their strengths has the potential to promote empowerment, independence and resilience.

Potential positive impact may be achieved for all children and young people in Devon by enhancing inclusion in education and in providing opportunities for children and young people to engage in training, further education employment and apprenticeships. Thus, providing young people with the chance to be gaining more skills, qualifications and accreditation to allow them to be as successful in their career and in adulthood regardless of background going forward.

Implementing the plan has the potential to positively impact the lives of some of our most vulnerable children and young people in Devon. This may include children and young people who have special educational needs and disabilities (SEND). Actions to improve support could provide opportunities to achieve independence, improve communication, achieve better educational outcomes and skills that will facilitate them in achieving their potential and accessing opportunities in their adult lives. Moreover, the plan has the potential to promote effective multi-agency working to achieve a positive impact to protect and prevent harm for children, young people and families who are highly vulnerable by identifying those who are more at risk of exploitation and crisis at an earlier point. Whilst also offering earlier support and intervention to those who may have experienced domestic or sexual violence and abuse. This may help to reduce the impact of these experiences over time on their lives. Providing them with tools to move forward positively.

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| Environmental impacts (summary):                                                              | To minimise any impact on the environment through emissions that could be expended due to families travelling to access support and information, it is important for partners to ensure there is equitable support and easy access to information online or within local areas/ communities. Thus, reducing the need to travel extensively across the county. Locality models and considering and valuing the diversity of local communities in which families live are integral to the implementation of the Children and Young People’s Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Economic impacts (summary):                                                                   | Implementation of the Children and Young People’s Plan has the potential to positively impact multi-agency working, systems of services and support available to children, young people and families in Devon. The development of multi-agency partners/services across the system who will support children, young people and their families in Devon has the potential for positive impact. The workforce/service support will be facilitated to provide the best support and support which is tailored to individual context. Thus, support has the potential to be as effective as it can be in responding to a family’s needs. This may facilitate families in building resilience and social relationships and increase the likelihood of children and families remaining together operating from a stronger position. This may then also reduce the likelihood of children coming into care/ accessing statutory services. Effective support will allow and empower families to be able to best support themselves and move forward positively together. |
| Other impacts (partner agencies, services, DCC policies, possible ‘unintended consequences’): |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| How will impacts and actions be monitored?                                                    | The Children and Young People’s Plan will be subject to regular review and monitoring. The plan identifies a series of measures which will help to monitor progress, outcomes and impact being achieved across priority areas identified. Review and monitoring of these measures and any further action plans that may be required to deliver the plan’s purpose will be overseen by the Devon Children and Families Partnership, Executive Group.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

# Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

## Section 3 - Profile and views of stakeholders and people directly affected

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| <p>People affected:</p>                                           | <p>Children and young people aged 0-18 years living across Devon.</p> <p>Children in Care and Care Leavers (including those children and young people who are unaccompanied asylum-seeking children (UASC) and children and young people with complex additional needs and/or special educational needs and disabilities (SEND) aged 0-25 years.</p> <p>Families of children and young people living across Devon.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>Diversity profile and needs assessment of affected people:</p> | <p><u>Reach:</u> - The Joint Strategic Needs Assessment (JSNA) Devon Overview (2018) indicates Devon has a population of around 780,000. Around 144,720 are children and young people aged 0-18 years. This represents 18.4% of the population. 14% of the Local Authority's children are living in poverty.</p> <p><u>Dependence:</u></p> <p>“In Devon there are around 5,000 children and young people aged 0-19 years estimated to have a disability as per DLA eligibility. When the broader Equality Act definition of disability is considered, this figure is likely to be higher (11,000 to 12,000), however not all persons within this wider group will require additional support or reach thresholds for SEN or social care. This estimate further rises to 30,000 when all children with a long-term condition such as diabetes or asthma are included. It is estimated that more than 3,500 children in Devon experience problems with memory, concentration and learning, and more than 3,000 having difficulties with communication <sup>17</sup>. In terms of physical disabilities, it is suggested that 2,300 children in Devon experience mobility problems and more than 1,200 and 2,000 have impairments in manual dexterity and coordination difficulties respectively” (p56).<sup>1</sup></p> <p>“Devon has a higher than average proportion of children with SEN; and especially of children identified as having SEN relating to social, emotional, behavioural and mental health needs. In terms of future need, based on population projections, there may be approximately 400-600 more children with disabilities in 2021 than there are at present in Devon. There may be an additional small increase in children with complex needs due to</p> |

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<sup>1</sup> Direct Quote from the Joint Strategic Needs Assessment Devon Overview (2018).

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|                                     | <p>factors such as increased survival of preterm babies; and a continuing rise in children with diagnosed autistic spectrum disorders due to historical under-recognition.” (p5)<sup>2</sup>. In 2018, 16,288 children and young people were identified as having special educational needs, this represents 17% of all pupils. At January 2018, 4,093 children and young people identified as having a Statement or Education, Health and Care Plan maintained by the Devon Local Authority. “The top 3 categories of need for this cohort of young people, making up two thirds if the cohort are: - Social, emotion and mental health difficulties, speech, language and communication needs and autistic spectrum disorder” (p2).<sup>3</sup></p> <p>“6,000 individuals in Devon report domestic violence and abuse to the police.....by the time they are 18 many children will have felt the direct or indirect effects of sexual violence or abuse”(p 10 &amp; 18)<sup>4</sup>. The impact of abuse is recognised as being far reaching and life limiting.</p> <p>At March 2018, there were 697 Children in Care of Devon County Council. At April 2018, Devon had 38 unaccompanied asylum-seeking children in their care. At 6<sup>th</sup> September 2018, there were 528 Devon Care Leavers.<sup>5</sup></p> <p><u>Experience:</u> - In developing the Children and Young People’s Plan, the DCFP have held a number of multi-agency events throughout 2017/18 to allow opportunities to engage with multi-agency partners and services, parents and carers, children and young people. The outcomes of these engagement events have helped to develop the final version of the plan. Examples of forums used to facilitate engagement has included: - Stand Up Speak Up messages from Children in Care, Devon Parent Carer Voice and Local Offer Reference Group. The final version of the plan has also been hosted on the DCFP website and an invitation extended to all stakeholders to provide any further feedback or thoughts.</p> |
| Other stakeholders (agencies etc.): | <ul style="list-style-type: none"> <li>• Devon County Council;</li> <li>• NHS Devon (Clinical Commissioning Group);</li> <li>• Devon &amp; Cornwall Police;</li> <li>• Schools, colleges and other providers of education;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

<sup>2</sup> Direct quote from Devon’s Joint Strategic Needs Assessment for Children and Young People with Special Educational Needs and Disabilities (SEND), (2017).

<sup>3</sup> Direct quote from Children with Special Educational Needs, Education Annual Report 2017/18.

<sup>4</sup> Ending Domestic Violence and Sexual Violence and Abuse, Devon’s Vision, 2016-2021.

<sup>5</sup> Source: - Sufficiency Strategy for Placements & Services for Children in Care, Care Leavers and Disabled Children, 2018-2021.

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                   | <ul style="list-style-type: none"> <li>• Social care services;</li> <li>• Public Health;</li> <li>• Devon District Councils;</li> <li>• Community and Voluntary Sector providers/ organisations;</li> <li>• Health Services including Community, Health and Wellbeing Services.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                 |
| Consultation process and results: | In developing the Children and Young People’s Plan, the DCFP have held a number of multi-agency events throughout 2017/18 to allow opportunities to engage with multi-agency partners and services, parents and carers, children and young people. The outcomes of these engagement events have helped to develop the final version of the plan. The DCFP will continue to engage with children and families to refine and demonstrate impact. The DCFP also intend to engage with children and young people to determine actions and priorities that may need to be included in the plan concerning Climate Change as they have expressed they have deep concerns relating to this topic. |
| Research and information used:    | <ul style="list-style-type: none"> <li>• Joint Strategic Needs Assessment Devon Overview (2018)</li> <li>• Devon’s Joint Strategic Needs Assessment for Children and Young People with Special Educational Needs and Disabilities (SEND) 2018.</li> <li>• Children with Special Educational Needs, Education Annual Report 2017/18.</li> <li>• Ending Domestic Violence and Sexual Violence and Abuse, Devon’s Vision, 2016-2021.</li> <li>• Sufficiency Strategy for Placements &amp; Services for Children in Care, Care Leavers and Disabled Children, 2018-2021.</li> </ul>                                                                                                            |

## Section 4a - Social Impacts

### Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to ‘private and family life’).
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)
- Fair
- Necessary
- Reasonable, and

- Those affected have been adequately consulted

| <b>Characteristics</b>                               | <b>In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage?</b><br><br><b>Are there any lawful, reasonable and proportionate, unavoidable negative consequences?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, ‘close gaps’).</b><br><br><b>In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| All residents (include generic equality provisions): | <p>What children and young people, families and multi-agency practitioners have told us during engagement has influenced the vision, principles, and values upon which the Children and Young People’s Plan has been based and actions and priorities identified in the plan to be taken forward by the DCFP. This could have a positive impact for all in Devon feeling included, listened to and valued, whilst also empowering all to identify with, share and work towards achieving aspirations, ambitions and outcomes for children and families in Devon. This has the potential to provide assurance of the DCFP’s commitment of listening and working together to shape services and systems of services to work effectively with children, young people and families.</p> | <p>Actions and priorities identified within the Children and Young People’s Plan will help to ensure all children, young people and their families are supported earlier. Supporting children and families at an earlier point will allow them to build resilience, stronger social relationships and acquire coping strategies increasing the likelihood that children and young people can remain with and be brought up in their family. This may have a positive impact in children and young people continuing to grow and develop as part of stronger, stable, nurturing family units/ environments and could prevent and reduce the number of children and young people coming into the statutory care of the Local Authority and its partners.</p> <p>Potential positive impact may be achieved for all children and young people in Devon by enhancing inclusion in education and in providing opportunities for children and young people to engage in training, further education employment and apprenticeships. Providing young people with the chance to be gain more skills, qualifications and accreditation to allow them to be as successful in their</p> |

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|                                                                                                                     |  | <p>career and in adulthood regardless of background going forward.</p> <p>Moreover, priorities and actions within the plan have the potential for a positive impact, in empowering families to know where to go to obtain advice and support they need for themselves to allow them to continue to best support the specific needs of their child or young person.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Age:                                                                                                                |  | <p>Actions and priorities identified in the Children and Young People’s Plan have the potential to positively impact the lives of those aged from 0-18 years and also those aged 0-25 years where children and young people have special educational needs and disabilities (SEND). To provide them with opportunities to achieve independence, achieve better educational outcomes and skills that will facilitate them in achieving their potential and accessing opportunities in their adult lives. Actions and priorities also have the potential to positively impact on promoting and enhancing communication of children and young people with SEND. Actions and priorities focusing on children in care, care leavers and children and young people with SEND also have the potential to promote inclusion and sense of belonging and stronger social relationships in families and/ or placement.</p> |
| Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people: |  | <p>Actions and priorities identified within the Children and Young People’s plan has the potential to positively benefit lives, opportunities and life chances of children and young people with special educational needs and disabilities including early support for these children with autism and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>their families. Earlier and improved support and intervention facilitated by actions and priorities included in the plan will equip children and young people and the families with what they need, in ways which are personalised to best promote equity and enable children, young people and families to achieve the best outcomes and their highest potential.</p> |
| <p>Culture and ethnicity: nationality/national origin, skin colour, religion and belief:</p> | <p>Actions and priorities identified within the Children and Young People’s Plan will help to ensure all children, young people and their families are supported earlier and are supported by multi-agency partners/ services in ways which are personalised, appreciate the context, values and characteristics of families on an individual basis and the diversity within their local community. This has the potential to positively impact upon children and families as they will be effectively supported to achieve the best possible outcomes, facilitate and empower individuals to develop the skills they need to move positively into adulthood, with greater independence whilst achieving their highest potential in education, socially and emotionally to have good emotional, mental and physical health and well-being.</p> <p>Specifically, our Exploitation of Children Strategy identifies the need and our approach to working with children, young people and families in relation to forced marriage and trafficking.</p> |                                                                                                                                                                                                                                                                                                                                                                           |

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| <p>Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).</p> | <p>Actions and priorities identified within the Children and Young People's Plan will help to ensure all children, young people and their families are supported earlier and are supported by multi-agency partners/ services in ways which are personalised, appreciate the context, values and characteristics of families on an individual basis and the diversity within their local community. This has the potential to positively impact upon children and families as they will be effectively supported to achieve the best possible outcomes, facilitate and empower individuals to develop the skills they need to move positively into adulthood, with greater independence whilst achieving their highest potential in education, socially and emotionally to have good emotional, mental and physical health and well-being.</p> |  |
| <p>Sexual orientation and marriage/civil partnership:</p>                                                                                                              | <p>Actions and priorities identified within the Children and Young People's Plan will help to ensure all children, young people and their families are supported earlier and are supported by multi-agency partners/ services in ways which are personalised, appreciate the context, values and characteristics of families on an individual basis and the diversity within their local community. This has the potential to positively impact upon children and families as they will be effectively supported to achieve the best possible outcomes, facilitate and empower individuals to develop the skills they need to move positively into adulthood, with greater independence whilst achieving their highest potential in education,</p>                                                                                             |  |

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|                                                                                                                                                                                      | socially and emotionally to have good emotional, mental and physical health and well-being.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
| Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation. | Actions and priorities included in the Children and Young People's Plan have the potential to promote effective multi-agency working to achieve a positive impact to protect and prevent harm for children, young people and families who are highly vulnerable by identifying those who are more at risk of exploitation and crisis at an earlier point, whilst also offering earlier support and intervention to those who may have experienced domestic or sexual violence and abuse. This may help to reduce the impact of these experiences over time on their lives. Providing them with tools to move forward positively.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| Human rights considerations:                                                                                                                                                         | The vision, values, principles, actions and priorities identified in the Children and Young People's Plan would support many of the articles identified in the United Nations Convention on the Rights of Children (1990) and the United Nations Convention on the Rights of Persons with Disabilities (2006). The United Nations Convention on the Rights of the Child (1990) describes a number of articles detailing the rights of all children and young people age 18 and under, this includes non-discrimination, best interests of the child, the right to life, survival and development, health and health services, standards of living, right to education, freedom of expression and thought. In addition, The United Nations Convention on the Rights of Persons with Disabilities (2006) describes a further series of articles clarifying the rights of all individuals with a disability including children and young people. This includes respect for each person's dignity and personhood, disabled people being full and equal members of communities/ society, equal life chances, education, equal rights to family life whereby disabled children should never be forced to live away from parents and families unless this is the best thing for them, health without discrimination, independence, standard of living, right to enjoy culture, recreation, leisure and sport in an equal basis to people who are non-disabled. |  |

## Supporting independence, wellbeing and resilience?

Give consideration to the groups listed above and how they may have different needs.

|                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <p>In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?</p> | <p>Actions and priorities included in the plan would ensure earlier support, intervention and access to information and advice for children, young people and families. Knowing where and how to seek help and advice will empower families to know how to best support themselves to achieve better outcomes. Building and wrapping support around families in ways which builds on their strengths has the potential to promote empowerment, independence and resilience. Improving inclusion in education and health and wellbeing of children and young people will allow them to develop skills and access opportunities which allow them to grow and achieve their potential as they move to adulthood.</p> |
| <p>In what way can you help people to be safe, protected from harm, and with good health and wellbeing?</p>                                                  | <p>Actions and priorities included in the Children and Young People’s plan have the potential to identify children who may be most at-risk behaviours which can have harmful impact. Earlier identification and support has the potential to prevent children and young people from engaging in risky behaviours keeping them safe and promoting their welfare. Earlier support may also help children and young people to manage their experiences and facilitate families in developing coping strategies which promote resilience and help to maintain good emotional, mental and physical health and wellbeing.</p>                                                                                           |
| <p>In what way can you help people to be connected, and involved in community activities?</p>                                                                | <p>Actions and priorities included in the plan seeks to promote inclusion and development of workforce across a range of multi-agency services will facilitate a culture of practice based on offering support building on families strengths and appreciating the diversity of their local community. Moreover, there is a move towards locality-based support and developing support in communities that best meets the needs of children, young people and families locally.</p>                                                                                                                                                                                                                               |

## Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

|  |                                                     |
|--|-----------------------------------------------------|
|  | Devon County Council's Environmental Review Process |
|  | Planning Permission                                 |
|  | Environmental Impact Assessment                     |
|  | Strategic Environmental Assessment                  |

| Page 64                                                                                         | <b>Describe any actual or potential negative consequences.</b><br><b>(Consider how to mitigate against these).</b> | <b>Describe any actual or potential neutral or positive outcomes.</b><br><b>(Consider how to improve as far as possible).</b> |
|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| Reduce, reuse, recycle and compost:                                                             |                                                                                                                    |                                                                                                                               |
| Conserve and enhance wildlife:                                                                  |                                                                                                                    |                                                                                                                               |
| Safeguard the distinctive characteristics, features and special qualities of Devon's landscape: |                                                                                                                    |                                                                                                                               |
| Conserve and enhance Devon's cultural and historic heritage:                                    |                                                                                                                    |                                                                                                                               |

|                                                                                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Minimise greenhouse gas emissions:                                                                                                                    |  | Given the rural nature of Devon as a County, consideration may need to be given to location and ease of access to information, support and intervention. If families are having to travel distance from their homes and communities to access services and support this has potential to impact negatively on the environment. The direction of travel will seek to promote equitable and easier access to a range of information and multi-agency support to children and families, which is available for families as close to their homes and within their local communities as far as possible. |
| Minimise pollution (including air, land, water, light and noise):                                                                                     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Contribute to reducing water consumption:                                                                                                             |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level): |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Other (please state below):                                                                                                                           |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

### Section 4c - Economic impacts

|  |                                                                |                                                                       |
|--|----------------------------------------------------------------|-----------------------------------------------------------------------|
|  | <b>Describe any actual or potential negative consequences.</b> | <b>Describe any actual or potential neutral or positive outcomes.</b> |
|--|----------------------------------------------------------------|-----------------------------------------------------------------------|

|                                 | (Consider how to mitigate against these). | (Consider how to improve as far as possible).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------------|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact on knowledge and skills: |                                           | <p>Actions and priorities included in the Children and Young People’s Plan focus on training, upskilling and development of multi-agency partners/services across the system who will support children, young people and their families in Devon. This has the potential for positive impact as the workforce/service support will be facilitated to provide the best support and support which is tailored to individual context thus support has the potential to be as effective as it can be in responding to a family’s needs. This facilitates families in building resilience and social relationships and increase the likelihood of children and families remaining together operating from a stronger position. This may then also reduce the likelihood of children coming into care/ access statutory services. Effective support will allow and empower families to be able to best support themselves and potentially move forward positively together.</p> |
| Impact on employment levels:    |                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Impact on local business:       |                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

**Section 4d -Combined Impacts**

|                                       |  |
|---------------------------------------|--|
| Linkages or conflicts between social, |  |
|---------------------------------------|--|

|                                     |  |
|-------------------------------------|--|
| environmental and economic impacts: |  |
|-------------------------------------|--|

**Section 5 - 'Social Value' of planned commissioned/procured services:**

|                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured? | Successful implementation of actions and priorities included in the Children and Young People's Plan has the potential to support development of children and young people in Devon, protect them from harm and harmful behaviours and allow them more opportunities to thrive, with good health, developing and acquiring more skills, qualifications, training. This could positively impact on wellbeing and improve social value in the years ahead. |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



## TREASURY MANAGEMENT STEWARDSHIP ANNUAL REPORT 2018/19

### Report of the County Treasurer

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

- Recommendations:**
- (1) That the Committee notes the report and considers whether it wishes to make any further comments to Cabinet on the 2018/19 Treasury Management outturn position.**
  - (2) That the Committee recommends to Cabinet that the corrected Treasury Management Strategy for 2019/20 be approved**

### 1. Introduction

- 1.1. The County Council has adopted the CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Services. A revised Code of Practice was published by CIPFA in December 2018 and a revised Policy Statement and Treasury Management Practices (TMPs) were agreed by Council in February 2018. The Treasury Management and Investment Strategy for 2018/19 was agreed by Council in February 2018 and forms part of the published budget book.
- 1.2. The purpose of this report is to show the outturn position, review performance and inform members of any key matters arising from the Council's Treasury and Debt Management activities during the 2018/19 financial year. The report also includes an update on the 2019/20 Strategy. This report, together with any comments offered by this committee, will be considered by Cabinet on 10<sup>th</sup> July.

### 2. Minimum Revenue Provision

- 2.1. Each year the Council has a statutory obligation to charge to the revenue account an annual amount of Minimum Revenue Provision (MRP), which is a charge to make provision for the repayment of the authority's external debt and internal borrowing. The charge is based on the historic borrowing required to fund the Council's capital programme.
- 2.2. The current policy, following a review during 2018/19, is to charge MRP based on the period of benefit of the capital investment, i.e. over the life of the asset. All supported borrowing up to 1<sup>st</sup> April 2008 will be charged over the life of the assets, calculated using the annuity method. The final outturn for MRP for 2018/19 was £14.853m.

### 3. Treasury Management Outturn Position 2018/19 - Borrowing

- 3.1. The overall aims of the borrowing strategy are to achieve:
  - Borrowing at the lowest rates possible in the most appropriate periods;
  - The minimum borrowing costs and expenses;
  - A reduction in the average interest rate of the debt portfolio.

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- 3.2. Since 2009 the Council has followed a policy of containing the capital programme, taking out no new external borrowing and repaying debt whenever this can be done without incurring a financial penalty. Therefore, the Medium Term Financial Strategy (MTFS) assumption was that no new long-term borrowing would be required.
- 3.3. In accordance with the MTFS, no long-term borrowing was undertaken during the 2018/19 financial year. Instead all borrowing required to fund capital expenditure was met from internal cash balances.
- 3.4. Active treasury management and the maintenance of levels of liquidity have ensured that no short-term borrowing was required during the financial year. Cash positions are monitored daily and modelled over a monthly horizon to ensure that anticipated liquidity levels are forecast accurately.
- 3.5. No opportunities arose during the 2018/19 financial year to repay outstanding debt without incurring substantial premium penalties, which would negate any benefit of repaying the debt. The Public Works Loan Board (PWLB) sets premature repayment rates, and where the interest rate payable on a current loan is higher than the repayment rate, the PWLB policy imposes premium penalties for early repayment. With current low rates of interest these penalties would be of a significant cost. Therefore it will only make financial sense to repay debt early if the PWLB changes its current policy, or if interest rates rise and cancel out the repayment premiums.
- 3.6. At 31st March 2019 the level of long term debt stood at £507.85m as detailed in the table below.

## Analysis of Long Term Debt

|                                 | <b>Actual<br/>31.03.18<br/>£'m</b> | <b>Interest<br/>Rate<br/>%</b> | <b>Actual<br/>31.03.19<br/>£'m</b> | <b>Interest<br/>Rate<br/>%</b> |
|---------------------------------|------------------------------------|--------------------------------|------------------------------------|--------------------------------|
| <b>Fixed Rate Debt</b>          |                                    |                                |                                    |                                |
| PWLB                            | 436.35                             | 4.99                           | 436.35                             | 4.99                           |
| Money Market                    | 71.50                              | 5.83                           | 71.50                              | 5.83                           |
| <b>Variable Debt</b>            |                                    |                                |                                    |                                |
| PWLB                            | 0.00                               |                                | 0.00                               |                                |
| Money Market                    | 0.00                               |                                | 0.00                               |                                |
| <b>Total External Borrowing</b> | <b>507.85</b>                      | <b>5.11</b>                    | <b>507.85</b>                      | <b>5.11</b>                    |

- 3.7. The carrying amount for long term debt figure presented in the Statement of Accounts for 2018/19, comprising PWLB, LOBO and market debt, is £511.172m, £3.3m higher than the figure stated above. This difference is due to an accounting standard adjustment which requires us to record the value of our long term debt at its Net Present Value in the Statement of Accounts. The LOBOs (Lender Option Borrower Option) have stepped interest rates and are revalued annually based on the effective interest rate for the duration of the loan. There was £10.9m of PWLB interest outstanding at year end which is also taken into account. The revaluation has the effect of smoothing the stepping of the interest over the life of the loans.

## 4. Treasury Management Outturn Position 2018/19 - Investments

- 4.1. The overall aim of the Council's investment strategy is to:
  - Limit the risk to the loss of capital;
  - Ensure that funds are always available to meet cash flow requirements;
  - Maximise investment returns, consistent with the first two aims;

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- Review new investment instruments as they come to the Local Authority market, and to assess whether they could be a useful part of our investment process.
- 4.2. Following the flow of generally positive economic statistics over the Summer, the Bank of England's Monetary Policy Committee (MPC) came to a decision on 2 August to make the first increase in Bank Rate above 0.5% since the financial crash, to 0.75%. However, the MPC emphasised again that future Bank Rate increases would be gradual and would rise to a much lower equilibrium rate than before the crash.
- 4.3. Following the August rise in the base rate, the interest rates on offer to the Council increased, but there was only a limited scope to take advantage of the increased rates during the remainder of the financial year. The average interest rate earned on investments, excluding the CCLA property fund, for the year was 0.81%, against the full year budget target return of 0.55%. The CCLA property fund has yielded an average rate of 4.36% for the same period against a full year budget target of 4.5%. The combined total return from all investments was 0.97%.
- 4.4. Revenue lending during 2018/19, including the use of term deposits, call accounts and property funds, earned interest of £2.027 million against a full year budget of £1 million. The surplus achieved over budget can be partly attributed to the higher rates of interest earned compared to the target rate. The Council also had more cash to invest than forecast, as a result of slippage on the capital programme and additions to reserves during the year. The interest figure quoted is the return from the Council's Treasury Management activity and is different from the figure presented in the Outturn Report and the Statement of Accounts which also includes interest generated from a number of other sources.
- 4.5. All lending has been carried out in accordance with the Council's Treasury Management Strategy and with institutions on the list of approved counterparties.
- 4.6. The following table shows the County Council's fixed and variable rate investments as at the start and close of the financial year:

## Schedule of Investments

|                                                  |              | Actual<br>31.03.18<br>£'m | Interest<br>Rate<br>% | Actual<br>31.03.19<br>£'m | Interest<br>Rate<br>% |
|--------------------------------------------------|--------------|---------------------------|-----------------------|---------------------------|-----------------------|
| <b>Bank, Building Society &amp; MMF Deposits</b> |              |                           |                       |                           |                       |
| <b>Fixed Rates</b>                               |              |                           |                       |                           |                       |
| Term Deposits                                    | < 365 days   | 107.50                    | 0.73                  | 147.50                    | 1.01                  |
|                                                  | 365 days & > | 10.00                     | 0.75                  | 10.00                     | 1.00                  |
| Callable Deposits                                |              |                           |                       |                           |                       |
| <b>Variable Rate</b>                             |              |                           |                       |                           |                       |
| Call Accounts                                    |              | 27.02                     | 0.40                  | -                         | -                     |
| Notice Accounts                                  |              | 5.00                      | 1.05                  | 12.50                     | 1.01                  |
| Money Market Funds (MMF's)                       |              | 30.00                     | 0.46                  | 46.83                     | 0.77                  |
| <b>Property Fund</b>                             |              | 10.00                     | 4.42                  | 10.00                     | 4.23                  |
| <b>All Investments</b>                           |              | <b>189.52</b>             | <b>0.84</b>           | <b>226.83</b>             | <b>1.10</b>           |

- 4.7. The figure as at 31<sup>st</sup> March 2019 includes £11.7m related to the Growing Places Fund (GPF). This figure was approximately £12.8m as at 31<sup>st</sup> March 2018. Devon County Council is the local accountable body for the GPF, which was established by the Department for Communities and Local Government to enable the development of local funds to address infrastructure constraints, promoting economic growth and the delivery of jobs and houses. The Council is working in partnership with the Local Economic Partnership, and interest achieved on the GPF funds, based on the average rate achieved by the Council's investments, will accrue to the GPF and not to the County Council.

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## 5. Prudential Indicators

- 5.1. Linked to its Treasury Management Strategy, the County Council is required to monitor its overall level of debt in line with the CIPFA Code of Practice. Part of the code requires consideration of a set of Prudential Indicators in order to allow the Council to form a judgement about the affordable, prudent and sustainable level of debt.
- 5.2. The purpose of the indicators is to demonstrate that:
- Capital expenditure plans are affordable;
  - All external borrowing and other long term liabilities are within prudent and sustainable levels;
  - Treasury management decisions are taken in accordance with professional good practice.
- 5.3. Three Prudential Indicators control the overall level of borrowing. They are:
- **The authorised limit** - this represents the limit beyond which any additional borrowing is prohibited until the limit is revised by the County Council. Revision may occur during the year if there are substantial and unforeseen changes in circumstances, for example, a significant delay in achieving forecast capital receipts. In normal circumstances this limit will not require revision until the estimate for the following year is revised as part of the budget setting process.
  - **The operational boundary** – this indicator is based on the probable external debt and other long term liabilities during the year. Variations in cash flow may lead to occasional, short term breaches of the Operational Boundary that are acceptable.
  - **The upper limit for net debt** - the Council needs to ensure that its gross debt does not, except in the short term, exceed the total of the Capital Financing Requirement.
- 5.4. During the Budget process, the following Borrowing Limits were set for 2018/19:
- Maximum borrowing during the period (Authorised Limit) £777.76m.
  - Expected maximum borrowing during the year (Operational Limit) £752.760m.
  - Underlying Borrowing Requirement to Gross Debt - £90,964 under borrowing.
  - Maximum amount of fixed interest exposure (as a percentage of total) 100%.
  - Maximum amount of variable interest exposure (as a percentage of total) 30%.
- 5.5. Members are asked to note that during 2018/19 the Council remained within its set Borrowing Limits and complied with the interest rate exposure limits.

## 6. 2019/20 Update

- 6.1. The Treasury Management Strategy for 2019/20 is attached at Appendix 1 to this report. Following the presentation of the Strategy to the January meeting it was then incorporated into the budget book presented to Cabinet and then Council for approval. However, at that stage the section from below table 12 up to and including table 13 was inadvertently omitted from the final version. Therefore, it is recommended that the Corporate Infrastructure & Regulatory Services Scrutiny Committee recommends that Cabinet approves the version attached at Appendix 1 to correct the previous omission.
- 6.2. The Medium Term Financial Strategy assumes that, over the three year period, no new long-term borrowing will be required. This is still envisaged to be the case, although this will be kept under review.
- 6.3. The PWLB policy of imposing premium penalties for the early repayment of long term debt means there is little potential to repay further debt during the current financial year.

- 6.4. Forecasting future interest rates is difficult as the factors affecting interest rate movements are outside of the Council's control. Whilst short term rates are generally linked to the Bank of England's Base Rate, long term rates are determined by other factors, e.g. the market in Gilts. The County Council retains an external advisor, Link Asset Services (formerly Capita), who forecast future rates several years forward. Similar information is received from a number of other sources.
- 6.5. For 2019/20, the Council set a prudent target rate for lending to bank and building society deposits of 0.75%, with a target rate for the investment in the CCLA Property Fund of 4.5%. The 0.75% target rate took into account the August 2018 increase in the Bank of England base rate, which has resulted in increased rates being available compared to those available before the increase. However, it made no allowance for any further increases. Given the extension of the Brexit date to 31 October, there seems less likelihood of there being any capacity for further rate increases to have an impact on interest achieved in 2019/20. Link Asset Services are now forecasting an increase in the base rate up to 1.00% in March 2020, while other commentators expect that it will be much longer before a further increase takes place. It is anticipated that the budgeted income target of £1.6 million will be achieved. At this stage no action has been taken to implement any permitted non-specified investments, other than the £10m allocation to the CCLA Property Fund.

## 7. Summary

- 7.1. No long term or short-term borrowing was undertaken during 2018/19. It is not envisaged that any new long-term borrowing will be required over the next three year period but this will be reviewed annually.
- 7.2. No opportunities arose during the 2018/19 financial year to repay outstanding debt without incurring substantial premium penalties, which would negate the benefit of repaying the debt.
- 7.3. Investment income of £2.027 million was achieved in 2018/19 against a full year budget of £1 million. This represented a return of 0.97%, including the Property Fund investment. Successful prudent management of the Council's short-term cash reserves has delivered a surplus of £1.027 million for the 2018/19 financial year.

Mary Davis

Electoral Divisions: All

Local Government Act 1972

List of Background Papers - Nil

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## **Treasury Management Strategy 2019/20 – 2021/22 and Prudential Indicators 2019/20 - 2023/24**

### **Introduction**

In February 2018, following the publication of a revised Code of Practice for Treasury Management by the Chartered Institute of Public Finance and Accountancy (CIPFA), the Council adopted a revised Treasury Management Policy Statement together with a statement of its 'Treasury Management Practices' (TMPs). No changes are proposed to these policies for 2019/20.

The policy requires the Council to consider a treasury strategy report, setting out the strategy and plans to be followed in the coming year, as part of the budget process. The key changes to the strategy in comparison with 2018/19 are changes to the policy for Minimum Revenue Provision (MRP) for the repayment of debt, and the addition of short dated bond funds and multi-asset income funds to the Strategy.

The Treasury Management Strategy sets out the County Council's policies in relation to: the management of the Council's cashflows, its banking, money market and capital market transactions; borrowing and investment strategies; monitoring of the level of debt and funding of the capital programme. The Treasury Management Strategy should be read in conjunction with the Capital Strategy.

The County Council is required to monitor its overall level of debt in line with the national code of practice drawn up by CIPFA. Part of this code requires consideration of a set of "prudential indicators" in order to form a judgement about the affordable, prudent and sustainable level of debt.

The prudential indicators, treasury management strategy and the annual investment strategy have been reviewed in line with the Capital Programme 2019/20 – 2023/24, and the Capital Strategy.

This Treasury Management Strategy document sets out:

- Minimum revenue provision;
- Capital expenditure funding;
- Prudential indicators on the impact of capital financing and monitoring of the level and make-up of debt;
- The current treasury position, debt and investments;
- Prospects for interest rates;
- The borrowing strategy; and
- The investment strategy.

### **Treasury Management and Investment Strategy Overview**

The Treasury Management and Investment Strategy sets out the MRP policy, capital expenditure funding, prudential indicators, the current treasury position, debt and investments; prospects for interest rates; the borrowing strategy; and the investment strategy.

Since 2009 the Council has followed a policy of containing the capital programme, taking out no new external borrowing and repaying debt whenever this can be done without incurring a financial penalty. Capital expenditure new starts have been limited to those that were financed from sources other than external borrowing. To meet the need for capital expenditure, the highest priority schemes across the Authority are funded from corporate capital receipts over the capital programme timescale.

The ability of the Council to repay further debt will depend on the cost of repayment and the availability of cash to fund the repayment. Under their current policy the Public Works Loan Board (PWLB) sets premature repayment rates, and where the interest rate payable on a current loan is higher than the repayment rate, the PWLB imposes premium penalties for early repayment. Current interest rate forecasts suggest that it is extremely unlikely that gilt yields will rise sufficiently to cancel out the premiums in the medium term.

With the Council continuing to face significant budget pressures, officers have been looking at whether the Treasury Management Strategy can be enhanced to provide the opportunity to gain higher returns on the investment of the Council's cash balances. This also takes into account that the Council now has a higher level of cash balances than it has had over the last 5 years. As a result, the proposed strategy includes the ability for the Council to invest in short-dated bond funds and multi-asset income funds. Short dated bond funds will invest in high quality short dated government or corporate bonds. Multi-asset income funds will invest in a wider range of investments designed to produce an income yield. In both cases, the funds concerned will invest in tradable instruments where the capital value of the investment will fluctuate.

Higher yielding investments will inevitably mean that there is an increased risk of loss of capital. However, given that cash balances are at a higher level than previously forecast, it may make sense to invest a small proportion of the Council's cash in higher yielding investments. In addition, Parliament has provided a statutory override, such that any capital gains or losses will not need to be accounted for in the general fund until the investments are realised, or until March 2023, when the statutory override ends. These would need to be seen as longer term investments, and by looking at the longer term the risk of capital loss would be mitigated.

Before any investment is made in either short-dated bond funds or multi-asset income funds a rigorous process will be undertaken to identify which funds would best meet the Council's requirements. Any allocations would only then be made in full consultation with the Cabinet Member for Resources Management. Officers are also investigating other ways to make savings by better use of the Council's cash balances, and will report back on any further initiatives during the year.

Following the Bank of England's decision to increase the base rate to 0.75% in November, the target return for 2019/20 for deposits with banks and building societies has been increased from 0.55% to 0.75% as banks and building societies have started to increase their rates. The target rate for the CCLA Property Fund will remain at 4.50%. Should investments be agreed in the other non-specified investments identified in the strategy then the targeted yield from those funds would be 2.00% for short dated bond funds and 3.50% for multi-asset income funds.

### Minimum Revenue Provision

Minimum Revenue Provision (MRP) is a charge to the authority's revenue account to make provision for the repayment of the authority's external debt and internal borrowing. The authority has a statutory obligation to charge to the revenue account an annual amount of MRP.

In 2015/16 the authority changed from the 4% method of calculating MRP to the 'Asset Life: Equal Instalment method' which delivered significant revenue savings. MRP therefore, is currently calculated by dividing the existing debt over the estimated life of the asset on a straight-line basis. This means that each financial year the charge to the Council for existing debt is the same and does not change.

The authority has the option, under existing regulations, to apply the 'Asset Life: Annuity Method' instead of the equal instalment or 'straight-line' method. The annuity method reflects the fact that an assets deterioration is slower in the early years of its life and accelerates towards the latter years.

It is arguably the case that the annuity method provides a fairer charge than equal instalments, as it considers the time value of money; whereby paying £100 in 10 years' time is less of a burden than paying £100 today.

In order to calculate MRP under the Annuity method, an appropriate annuity rate needs to be selected. The percentage chosen corresponds with the Monetary Policy Committee's inflation target rate of 2.1%. MRP will increase by this percentage each year. By implementing this revised policy in 2018/19 the authority will deliver revenue savings of £3.925 millions, and a further £3.803 millions in 2019/20.

Switching from the Asset Life to Annuity method will have no impact on total amount debt set aside for the repayment of debt. MRP will still cover all existing debt repayments, including internal borrowing commitments.

Overall the total MRP to be set aside, and total debt repaid, will not alter. The revision in policy is a re-phasing; something akin to debt rescheduling.

The authority's MRP strategy is to charge all elements based on the period of benefit of the capital investment i.e. over the life of the asset.

All supported capital expenditure and unsupported borrowing up to 1st April 2008 will be charged over the life of the assets, calculated using the Annuity method.

Any unsupported (internal) borrowing post 1 April 2008 (including Vehicle and Equipment Loans Pool), Capitalisation Direction and charges to other public sector bodies will be charged over the life of the asset, on a straight line basis. The annuity method will not be applied to projects financed from internal borrowing, as this source of financing is applied to a wider range of projects with differing lives. Therefore, the existing equal instalment method is a more appropriate method of calculating MRP.

We will not provide for MRP in circumstances where the relevant expenditure is intended to be financed from external contingent income, where it has not yet been received but where we conclude that it is more probable than not that the income will be collected, for example when forward funding S106 contributions.

Capital financing costs are also affected by PFI contracts and finance leases coming 'on Balance Sheet'. The MRP policy for PFI contracts will remain unchanged, with MRP being charged over the period of benefit of the capital investment i.e. over the life of the asset.

The main Prudential Indicator to measure the acceptable level of borrowing remains the ratio of financing costs to total revenue stream. The figures for MRP shown in table 6 reflect the adoption of this strategy.

### Capital Expenditure

Table 1 shown below, summarises the Capital Programme and liabilities from capital projects that will appear on the balance sheet in future years. The Capital Programme has been tested for value for money via option appraisal and for prudence, affordability and sustainability by looking at the impact that the proposed Capital Programme has on the revenue budget and through the Prudential Indicators.

**Table 1 – Capital Expenditure**

|                                        | <b>2019/20<br/>Estimate<br/>£'000</b> | <b>2020/21<br/>Estimate<br/>£'000</b> | <b>2021/22<br/>Estimate<br/>£'000</b> | <b>2022/23<br/>Estimate<br/>£'000</b> | <b>2023/24<br/>Estimate<br/>£'000</b> |
|----------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| <b>Total Capital programme</b>         | <b>110,900</b>                        | <b>103,225</b>                        | <b>101,643</b>                        | <b>97,145</b>                         | <b>68,531</b>                         |
| Funded by:                             |                                       |                                       |                                       |                                       |                                       |
| <b>Gross borrowing</b>                 | 6,112                                 | 11,401                                | 6,126                                 | 3,179                                 | 1,500                                 |
| <b>Other capital resources</b>         | 104,788                               | 91,824                                | 95,517                                | 93,966                                | 67,031                                |
| <b>Total capital programme funding</b> | <b>110,900</b>                        | <b>103,225</b>                        | <b>101,643</b>                        | <b>97,145</b>                         | <b>68,531</b>                         |
| <b>Total capital expenditure</b>       | <b>110,900</b>                        | <b>103,225</b>                        | <b>101,643</b>                        | <b>97,145</b>                         | <b>68,531</b>                         |

### Prudential Indicators

#### Capital Financing Requirement

The Capital Financing Requirement represents the Council's underlying debt position. It shows the previous and future spend for capital purposes that has been or will be financed by borrowing or entering into other long term liabilities. The Capital Financing Requirement and debt limits will be higher than the Council's external debt, as they will be partly met by internal borrowing from the Council's internal cash resources. This reduces the cost of the required borrowing, but the Council also needs to ensure that a prudent level of cash is retained.

The forecast Capital Finance Requirement for 2019/20 and the following four years are shown in table 2 below.

**Table 2 – Capital Financing Requirement**

|                                      | <b>2019/20<br/>Estimate<br/>£'000</b> | <b>2020/21<br/>Estimate<br/>£'000</b> | <b>2021/22<br/>Estimate<br/>£'000</b> | <b>2022/23<br/>Estimate<br/>£'000</b> | <b>2023/24<br/>Estimate<br/>£'000</b> |
|--------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Underlying borrowing requirement     | 613,096                               | 619,209                               | 622,375                               | 623,862                               | 652,166                               |
| Other long-term liabilities          | 128,637                               | 123,888                               | 118,485                               | 112,918                               | 106,854                               |
| <b>Capital financing requirement</b> | <b>741,732</b>                        | <b>743,097</b>                        | <b>740,860</b>                        | <b>736,780</b>                        | <b>759,020</b>                        |

#### Limits to Debt

The Authorised Limit represents the level at which the Council is able to borrow and enter into other long term liabilities. Additional borrowing beyond this level is prohibited unless the limit is revised by the Council. Table 3 details the recommended Authorised Limits for 2019/20 – 2023/24.

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## Appendix 1

**Table 3 – Authorised Limits**

|                                                  | <b>2019/20<br/>Estimate<br/>£'000</b> | <b>2020/21<br/>Estimate<br/>£'000</b> | <b>2021/22<br/>Estimate<br/>£'000</b> | <b>2022/23<br/>Estimate<br/>£'000</b> | <b>2023/24<br/>Estimate<br/>£'000</b> |
|--------------------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Authorised limits for borrowing                  | 648,096                               | 654,209                               | 657,375                               | 658,862                               | 687,166                               |
| Authorised limit for other long-term liabilities | 128,637                               | 123,888                               | 118,485                               | 112,918                               | 106,854                               |
| <b>Authorised limit for external debt</b>        | <b>776,732</b>                        | <b>778,097</b>                        | <b>775,859</b>                        | <b>771,780</b>                        | <b>794,020</b>                        |

The Operational Boundary is based on the anticipated level of external debt needed during the year. Variations in cash flow may lead to occasional, short term breaches of the Operational Boundary that are acceptable. Sustained breaches would be an indication that there may be a danger of exceeding the Authorised Limits. Table 4 details the recommended Operational Boundaries for 2019/20 and following years.

**Table 4 - Operational Limits**

|                                                   | <b>2019/20<br/>Estimate<br/>£'000</b> | <b>2020/21<br/>Estimate<br/>£'000</b> | <b>2021/22<br/>Estimate<br/>£'000</b> | <b>2022/23<br/>Estimate<br/>£'000</b> | <b>2023/24<br/>Estimate<br/>£'000</b> |
|---------------------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Operational limits for borrowing                  | 623,096                               | 629,209                               | 632,375                               | 633,862                               | 662,166                               |
| Operational limit for other long-term liabilities | 128,637                               | 123,888                               | 118,485                               | 112,918                               | 106,854                               |
| <b>Operational limit for external debt</b>        | <b>751,732</b>                        | <b>753,097</b>                        | <b>750,860</b>                        | <b>746,780</b>                        | <b>769,020</b>                        |

The forecast opening balance for External Borrowing at 1 April 2019 is £507.85 million and remains unchanged at 31 March 2020.

The Council also needs to ensure that its gross debt does not, except in the short term, exceed the total of the Capital Financing Requirement. Table 5 details the Capital Financing Requirement against the total gross debt plus other long term liabilities. The level of under borrowing reflects the use of internal borrowing from the Council's internal cash resources.

**Table 5 – Underlying Borrowing Requirement to Gross Debt**

|                                                 | <b>2019/20<br/>Estimate<br/>£'000</b> | <b>2020/21<br/>Estimate<br/>£'000</b> | <b>2021/22<br/>Estimate<br/>£'000</b> | <b>2022/23<br/>Estimate<br/>£'000</b> | <b>2023/24<br/>Estimate<br/>£'000</b> |
|-------------------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Capital financing requirement                   | 741,732                               | 743,097                               | 740,860                               | 736,780                               | 759,020                               |
| Gross borrowing and other long-term liabilities | 636,487                               | 631,738                               | 626,335                               | 620,769                               | 614,706                               |
| <b>Under/ (over) borrowing</b>                  | <b>105,246</b>                        | <b>111,360</b>                        | <b>114,525</b>                        | <b>116,011</b>                        | <b>144,314</b>                        |

The debt management strategy and borrowing limits for the period 2019/20 to 2023/24 have been set to ensure that over the medium term net borrowing will only be for capital purposes.

### Ratio of Financing Cost to Net Revenue Stream

Table 6 below shows the relationship between Capital Financing Costs and the Net Revenue Stream for 2019/20 and future years. Financing cost is affected by Minimum

## Appendix 1

Revenue Provision (MRP), interest receivable and payable and reductions in other long term liabilities.

**Table 6 – Ratio of Financing Costs to Net Revenue Stream**

|                                                                                               | <b>2019/20</b>  | <b>2020/21</b>  | <b>2021/22</b>  | <b>2022/23</b>  | <b>2023/24</b>  |
|-----------------------------------------------------------------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
|                                                                                               | <b>Estimate</b> | <b>Estimate</b> | <b>Estimate</b> | <b>Estimate</b> | <b>Estimate</b> |
|                                                                                               | <b>£'000</b>    | <b>£'000</b>    | <b>£'000</b>    | <b>£'000</b>    | <b>£'000</b>    |
| Minimum revenue provision                                                                     | 12,685          | 12,692          | 12,547          | 12,754          | 13,072          |
| Interest payable                                                                              | 26,017          | 26,017          | 26,017          | 26,017          | 26,017          |
| Recharges and other adjustments                                                               | (325)           | (478)           | (625)           | (799)           | (1,027)         |
| Interest receivable                                                                           | (1,600)         | (1,600)         | (1,600)         | (1,600)         | (1,600)         |
| Capital financing cost (excluding other long-term liabilities)                                | 36,777          | 36,631          | 36,339          | 36,372          | 36,462          |
| Capital financing costs of other long-term liabilities                                        | 15,362          | 14,625          | 14,901          | 14,636          | 14,689          |
| Capital financing costs including other long-term liabilities                                 | 52,139          | 51,256          | 51,240          | 51,008          | 51,151          |
| <b>Estimated net revenue stream</b>                                                           | <b>509,988</b>  | <b>539,870</b>  | <b>538,435</b>  | <b>541,775</b>  | <b>541,775</b>  |
| <b>Ratio of financing costs (excluding other long term liabilities) to net revenue stream</b> | <b>7.21%</b>    | <b>6.79%</b>    | <b>6.75%</b>    | <b>6.71%</b>    | <b>6.73%</b>    |
| Ratio of financing costs (including other long-term liabilities) to net revenue stream        | 10.22%          | 9.49%           | 9.52%           | 9.41%           | 9.44%           |

## Treasury Management Prudential Indicators

Where external borrowing is required it can either be at fixed or variable rates of interest, and can be taken out for periods from a year to 50 years. The use of prudential indicators seeks to reduce the risks associated with fixed and variable interest rate loans and with borrowing for different loan periods.

Borrowing at fixed rates of interest for long periods can give the opportunity to lock into low rates and provide stability, but means that there is a risk of missing possible opportunities to borrow at even lower rates in the medium term. Variable rate borrowing can be advantageous when rates are falling, but also means that there is a risk of volatility and a vulnerability to unexpected rate rises.

Borrowing for short periods or having large amounts of debt maturing (and having to be re-borrowed) in one year increases the risk of being forced to borrow when rates are high.

The Council's policy has been to borrow at fixed rates of interest when rates are considered attractive.

The proposed Prudential Indicators for 2018/19 and beyond are set out in Table 7.

**Table 7 – Treasury Management Prudential Indicators**

| Prudential Indicators                          | Upper Limit | Lower Limit |
|------------------------------------------------|-------------|-------------|
|                                                | %           | %           |
| Limits on borrowing at fixed interest rates    | 100         | 70          |
| Limits on borrowing at variable interest rates | 30          | 0           |
| Percentage of Fixed Rate Debt maturing in:     |             |             |
| Under 12 months                                | 20          | 0           |
| 12 Months to within 24 months                  | 25          | 0           |
| 24 Months to within 5 Years                    | 30          | 0           |
| 5 years and within 10 Years                    | 35          | 0           |
| 10 years and within 20 years                   | 45          | 0           |
| 20 years and within 35 years                   | 60          | 0           |
| 35 years and within 50 years                   | 75          | 20          |

The limits have been set taking into account the CIPFA Code of Practice which requires that the maturity date for LOBO (Lender Option Borrower Option) loans is assumed to be the next call date, rather than the total term of the loan. This will apply to the Council's Money Market loans.

### Monitoring the Indicators

It is important to monitor performance against forward looking indicators and the requirement that borrowing should only be for capital purposes. The total level of borrowing will be monitored daily against both the operational boundary and the authorised limit. If monitoring indicates that the authorised limit will be breached, a report will be brought to the Cabinet outlining what action would be necessary to prevent borrowing exceeding the limit and the impact on the revenue budget of breaching the limit. It will be for the Cabinet to make recommendations to the County Council to raise the limit if it is felt appropriate to do so.

The indicators for capital expenditure, capital financing requirement, capital financing costs and the treasury management indicators will be monitored monthly. Any significant variations against these indicators will be reported to the Cabinet.

### Analysis of Long Term Debt

The following Table 8 shows the County Council's fixed and variable rate debt as at 31 March 2018 and 31 December 2018 (current).

The interest rates shown do not include debt management costs or premiums/discounts on past debt rescheduling.

There has been no movement in the Council's external debt over the last financial year, as no new borrowing has been required and no further opportunities have arisen to repay debt.

**Table 8 – Analysis of Long Term Debt**

|                                 | Actual<br>31.03.18<br>£'m | Interest<br>Rate<br>% | Current<br>31.12.18<br>£'m | Interest<br>Rate<br>% |
|---------------------------------|---------------------------|-----------------------|----------------------------|-----------------------|
| <b>Fixed Rate Debt</b>          |                           |                       |                            |                       |
| PWLB                            | 436.35                    | 4.99                  | 436.35                     | 4.99                  |
| Money Market                    | 71.50                     | 5.83                  | 71.50                      | 5.83                  |
| <b>Variable Debt</b>            |                           |                       |                            |                       |
| PWLB                            | 0.00                      |                       | 0.00                       |                       |
| Money Market                    | 0.00                      |                       | 0.00                       |                       |
| <b>Total External Borrowing</b> | <b>507.85</b>             | <b>5.11</b>           | <b>507.85</b>              | <b>5.11</b>           |

## Schedule of Investments

The following schedule shows the County Council's fixed and variable rate investments as at 31 March 2018 and as at 31 December 2018 (current).

**Table 9 – Schedule of Investments**

|                                                | Actual<br>31.03.18*<br>£'m | Interest<br>Rate<br>% | Current<br>31.12.18*<br>£'m | Interest<br>Rate<br>% |
|------------------------------------------------|----------------------------|-----------------------|-----------------------------|-----------------------|
| <b>Bank, Building Society and MMF Deposits</b> |                            |                       |                             |                       |
| <b>Fixed Rates</b>                             |                            |                       |                             |                       |
| Term Deposits                                  | < 365 days                 | 107.50                | 0.73                        | 137.50                |
|                                                | 365 days & >               | 10.00                 | 0.75                        | 10.00                 |
| Callable Deposits                              |                            |                       |                             |                       |
| <b>Variable Rate</b>                           |                            |                       |                             |                       |
| Call Accounts                                  |                            | 27.02                 | 0.40                        | 0.00                  |
| Notice Accounts                                |                            | 5.00                  | 1.05                        | 12.50                 |
| Money Market Funds (MMFs)                      |                            | 30.00                 | 0.46                        | 22.45                 |
| <b>Property Fund</b>                           |                            | 10.00                 | 4.42                        | 10.00                 |
| <b>All Investments</b>                         |                            | <b>189.52</b>         | <b>0.84</b>                 | <b>192.45</b>         |

The Council's cash balance available for investment varies during the year, with the balance building up during the first half of the financial year, and then tapering down towards the end of the financial year. It is now anticipated that the cash balances at 31<sup>st</sup> March 2019 will be lower than those at the start of the year.

The recent investment performance of the County Council's cash has been affected by the low interest rates introduced as part of the measures used to alleviate the global credit crunch. Interest rates have also been impacted by the introduction of new banking regulations requiring banks to hold higher levels of liquidity to act as a buffer.

\* The figures as at 31 March 2018 and 31 December 2018 include respectively around £12.8m and £11.6m related to the Growing Places Fund (GPF). Devon County Council has agreed to be the local accountable body for the GPF, which has been established by the Department for Communities and Local Government to enable the development of local funds to address infrastructure constraints, promoting economic growth and the delivery of jobs and houses. The Council is working in partnership with the Local Economic Partnership, and interest achieved on the GPF cash, based on the average rate achieved by the Council's investments, will accrue to the GPF and not to the County Council.

The rates on offer increased marginally during 2018/19, following the Bank of England's decision to increase the base rate up to 0.75%, but continue to be low in comparison to the past, and the returns on the County Council's cash investments are forecast to remain at low levels for the foreseeable future; however, the Treasury Management Strategy will continue to ensure a prudent and secure approach.

### Prospects for Interest Rates

Forecasting future interest rate movements even one year ahead is always difficult. The factors affecting interest rate movements are clearly outside the Council's control. Whilst short term rates are influenced by the Bank of England's Base Rate, long term rates are determined by other factors, e.g. the market in Gilts. Rates from overseas banks will be influenced by their national economic circumstances. The County Council retains an external advisor, Link Asset Services, who forecast future rates several years forward. Similar information is received from a number of other sources.

Following a flow of generally positive economic statistics after the quarter ended 30 June 2018, the Bank of England's Monetary Policy Committee (MPC) came to a decision on 2 August 2018 to make the first increase in Bank Rate above 0.5% since the financial crash, from 0.5% to 0.75%. At their November meeting, the MPC left Bank Rate unchanged, but expressed some concern at the Chancellor's fiscal stimulus in his Budget, which could increase inflationary pressures.

Link Asset Services are forecasting that the overall longer run future trend is for gilt yields, and consequently PWLB rates, to rise, albeit gently, with the market pricing in the next rise in base rate, up to 1.0% for around May 2019, followed by increases in February and November 2020, before ending up at 2.0% in February 2022. These forecasts are summarised in the following Table 10.

**Table 10 – Base Rate Forecasts and PWLB Rates**

|                            | Dec (act)<br>2018 | March<br>2019 | June<br>2019 | Sep<br>2019 | Dec<br>2019 | March<br>2020 |
|----------------------------|-------------------|---------------|--------------|-------------|-------------|---------------|
| <b>Base Rate Forecasts</b> |                   |               |              |             |             |               |
| Link Asset Services        | 0.75%             | 0.75%         | 1.00%        | 1.00%       | 1.00%       | 1.25%         |
| Capital Economics          | 0.75%             | 0.75%         | 1.00%        | 1.25%       | 1.50%       | 1.50%         |

|                              | Dec (act)<br>2018 | March<br>2019 | June<br>2019 | Sep<br>2019 | Dec<br>2019 | March<br>2020 |
|------------------------------|-------------------|---------------|--------------|-------------|-------------|---------------|
| <b>PWLB Rates</b>            |                   |               |              |             |             |               |
| Link Asset Services forecast |                   |               |              |             |             |               |
| <b>10 Year</b>               | 2.50%             | 2.50%         | 2.60%        | 2.60%       | 2.70%       | 2.80%         |
| <b>25 Year</b>               | 2.85%             | 2.90%         | 3.00%        | 3.10%       | 3.10%       | 3.20%         |
| <b>50 Year</b>               | 2.58%             | 2.70%         | 2.80%        | 2.90%       | 2.90%       | 3.00%         |

## Appendix 1

However, these forecasts are based on a smooth transition for Brexit. The economic outlook will depend significantly on the nature of EU withdrawal, in particular the form of new trading arrangements, the smoothness of the transition to them and the responses of households, businesses and financial markets. The Bank of England has stated that its response to Brexit could be to shift policy in either direction. It could cut rates if it sees a disorderly Brexit damaging economic growth, but might be forced to hike rates if there is a run on the pound.

As a result, economic and interest rate forecasting remains difficult. The above forecasts, (and MPC decisions), will be liable to further amendment depending on how economic data and developments in financial markets transpire over the next year.

When budgeting for interest payments and receipts a prudent approach has been adopted to ensure that, as far as is possible, both budgets will be achieved.

### **Borrowing Strategy 2019/20 – 2021/22**

The overall aims of the Council's borrowing strategy are to achieve:

- Borrowing at the lowest rates possible in the most appropriate periods;
- The minimum borrowing costs and expenses; and
- A reduction in the average interest rate of the debt portfolio.

Since 2009 the Council has followed a policy of containing the capital programme, taking out no new external borrowing and repaying debt whenever this can be done without incurring a financial penalty. This strategy has worked well in a period of austerity. The Council's external borrowing level has reduced by £102m since 2008/09, resulting in reduced Capital Financing Charges.

The capital programme continues to include new starts funded by grants or capital receipts but with no requirement for new external borrowing. There is no expectation that government funding will deviate from its current downward trajectory. The authority faces significant challenges in balancing its revenue budget in the coming years and it is therefore difficult to imagine how significant additional borrowing could be financed. As a result, the Medium Term Financial Strategy (MTFS) continues to assume that, over the three year period, no new long-term borrowing will be required, although this will be kept under review.

The potential to repay further debt, or refinance debt at lower rates, will continue to be closely monitored. The ability of the Council to repay further debt will depend on the cost of repayment and the availability of cash to fund the repayment.

The loans in the Council's current debt portfolio all have maturity dates beyond 2027. Under their current policy the Public Works Loan Board (PWLB) sets premature repayment rates, and where the interest rate payable on a current loan is higher than the repayment rate, the PWLB imposes premium penalties for early repayment. With current low rates of interest this would be a significant cost which would impair the benefit of repayment. Therefore, it will only make financial sense to repay debt early if the PWLB changes its current policy, or if interest rates rise and cancel out the repayment premiums. Current interest rate forecasts suggest that it is extremely unlikely that gilt yields will rise sufficiently to cancel out the premiums in the medium term.

It is forecast that as at 31 March 2019 the Council will have cash balances of around £160m. A prudent level of balances is required to meet cashflow. In addition, the cash balances will in part be made up of earmarked reserves and will therefore be committed to meeting Council expenditure. However, the level of cash balances would enable early repayments to be considered, should interest rates rise sufficiently to cancel out the premiums.

If short-term borrowing is required to aid cashflow, this will be targeted at an average rate of **0.6%**.

### **Investment Strategy 2019/20 – 2021/22**

The County Council continues to adopt a very prudent approach to its investments. The majority of investments will be “Specified Investments” as defined by the Ministry of Housing, Communities and Local Government (MHCLG). For such investments, only a small number of selected UK banks and building societies, money market funds and Non-Eurozone overseas banks in highly rated countries are being used, subject to strict criteria and the prudent management of deposits with them. The lending policy is kept under constant review with reference to strict criteria for inclusion in the counterparty list. In addition, non-specified investments are included in the strategy, including the potential to invest in property funds, short-dated bond funds and multi-asset income funds.

The Treasury Management Strategy will continue to be set to ensure a prudent and secure approach.

The full County Council is required under the guidance in the CIPFA Treasury Management Code of Practice to approve an Annual Investment Strategy.

The overall aims of the Council’s strategy continue to be to:

- Limit the risk to the loss of capital;
- Ensure that funds are always available to meet cash flow requirements;
- Maximise investment returns, consistent with the first two aims; and
- Review new investment instruments as they come to the Local Authority market, and to assess whether they could be a useful part of our investment process.

**The overriding objective will be to invest prudently, with priority being given to security and liquidity before yield.**

The outlook for cash investment remains challenging. Whereas in the past there has been a perception that Governments would not allow banks to fail, the current regulatory environment puts more emphasis on the requirement for investors to take a hit by funding a “bail-in”. A bail-in is where the bank’s creditors, including local authorities depositing money with them, bear some of the burden by having part of the debt they are owed written off. The balance of risk has therefore changed, and as a result the Council has considered alternative forms of investment in order to diversify its risk.

## Appendix 1

Under the Markets in Financial Instruments (MiFID II) directive, local authorities are now classed as retail clients by the Financial Conduct Authority (FCA). This has implications for the range of investments that are available to local authorities. While bank and building society deposits are unaffected by the new regulations, some banks have determined that they will only take term deposits from professional clients, and a range of alternative forms of investments are only available to professional clients. However, if the local authority meets criteria set by the FCA, then it can apply to the financial institutions with which it wishes to invest to request that the institution concerned “opts up” the local authority to elective professional client status. The Council has made applications and been opted up to elective professional client status where required.

Those counterparties who have confirmed that they will treat the Council as a professional client under the MiFID II regulations are set out in Table 11 below.

**Table 11 – Counterparties that have “opted up” the Council to elective professional client status**

| Counterparty                   | Counterparty Type |
|--------------------------------|-------------------|
| Standard Chartered             | UK Bank           |
| Commonwealth Bank of Australia | Overseas Bank     |
| CCLA                           | Property Fund     |
| Aberdeen Standard              | Money Market Fund |
| Insight                        | Money Market Fund |

In addition, brokers Tradition and Tullett Prebon, and our treasury advisors, Link Asset Services, have opted up the Council to professional client status. The majority of bank and building society deposits are unaffected by the MiFID II regulations.

Subject to the MiFID II regulations, a variety of investment instruments are available to the Local Authority market. In addition to the notice accounts and fixed term deposits available from UK and overseas banks, it is also possible for the Council to invest, for example, in UK Government Gilts, bond funds and property funds. These alternative instruments would either require the Council to tie up its cash for significantly longer periods, thus reducing liquidity, or would carry a risk of loss of capital if markets go down. The Council has considered these alternatives and concluded that investment in a range of different funds should be permitted within the Treasury Management Strategy.

The Investment Strategy will be split between “Specified Investments”, which meet criteria specified in guidance issued by the Ministry of Housing, Communities and Local Government (MHCLG), and a range of longer term “Non-specified Investments”.

### Specified Investments

Specified Investments will be those that meet the criteria in the MHCLG Guidance, i.e. the investment:

- is sterling denominated;
- has a maximum maturity of 1 year;
- meets the “high credit quality” as determined by the Council or is made with the UK government or is made with a local authority in England, Wales Scotland or Northern Ireland or a parish or community council; and
- the making of which is not defined as capital expenditure under section 25(1)(d) in SI 2003 No 3146 (i.e. the investment is not loan capital or share capital in a body corporate).

# Agenda Item 9

## Appendix 1

Specified Investments will include bank and building society deposits. Security is achieved by the creation of an 'Approved List of Counterparties'. These are the banks, building societies, money market funds and other public bodies with whom we are prepared to deposit funds. In preparing the list, a number of criteria will be used not only to determine who is on the list, but also to set limits as to how much money can be placed with them, and how long that money can be placed for.

Banks are expected to have a high credit rating. The Council uses the ratings issued by all three of the major credit rating agencies, Fitch, Moody's and Standard & Poor's, made available to the Council through its external Treasury Advisors. These are monitored daily.

The lowest rating published by any of the agencies is used to decide whether an institution is eligible for inclusion. Where the counterparty is only rated by two of the major ratings agencies the lowest rating published by either of the two is used. This rating also determines the maximum amount which can be loaned to an individual counterparty. Non-Eurozone overseas banks that meet the criteria are included from countries with a high Sovereign rating.

The time length of all deposits with financial institutions will be managed prudently, taking account of the latest advice from the Council's external advisors.

Money Market Funds have a portfolio comprised of short-term (less than one year) securities representing high-quality, liquid debt and monetary instruments. Following the financial crisis these funds were seen as higher risk and were therefore not used by the Council. However, the new regulatory environment around the concept of "bail-in" means that many money market funds are now regarded as a more secure form of investment than bank deposits, as they diversify their investments across a range of financial institutions to spread the risk, and will therefore be used where appropriate.

Money market funds must have an 'AAA' rating to be included on the counterparty list. They may be CNAV (Constant Net Asset Value), LVNAV (Low Volatility Net Asset Value) or VNAV (Variable Net Asset Value). Yields and prices will be monitored on a daily basis to ensure that there is minimal risk of loss of capital.

Other public sector bodies are principally arms of Government, or other local authorities, and although not rated are deemed suitable counterparties because of their inherent low risk.

The 'Approved List of Counterparties' specifies individual institutions and is formally reviewed at least monthly. Notification of credit rating downgrades (or other market intelligence) is acted upon immediately, resulting in any further lending being suspended.

Table 12 below summarises the current 'Approved List' criteria.

**Table 12 – Specified Investments Counterparty Approved List Criteria**

| Counterparty Type                    | Fitch     | Moody's   | Standard & Poor's | Credit Limit |
|--------------------------------------|-----------|-----------|-------------------|--------------|
| <b>UK Banks</b>                      |           |           |                   |              |
| not below                            | AA- & F1+ | Aa3 & P-1 | AA- & A-1+        | £50 million  |
| not below                            | A- & F1   | A3 & P-1  | A- & A-1          | £30 million  |
| <b>UK Building Societies</b>         |           |           |                   |              |
| not below                            | AA- & F1+ | Aa3 & P-1 | AA- & A-1+        | £50 million  |
| not below                            | A- & F1   | A3 & P-1  | A- & A-1          | £30 million  |
| <b>Non-Eurozone Overseas Banks</b>   |           |           |                   |              |
| Sovereign Rating of                  | AAA       | Aaa       | AAA               |              |
| and not below                        | AA- & F1+ | Aa3 & P-1 | AA- & A-1+        | £50 million  |
| and not below                        | A- & F1   | A3 & P-1  | A- & A-1          | £30 million  |
| <b>UK Public Bodies</b>              |           |           |                   |              |
| <b>Central Government</b>            |           |           |                   |              |
| – Debt Management Office             |           |           |                   | Unlimited    |
| <b>Local Government</b>              |           |           |                   |              |
| – County Councils                    |           |           |                   | £10 million  |
| – Metropolitan Authorities           |           |           |                   | £10 million  |
| – London Boroughs                    |           |           |                   | £10 million  |
| – English Unitaries                  |           |           |                   | £10 million  |
| – Scottish Authorities               |           |           |                   | £10 million  |
| – English Districts                  |           |           |                   | £5 million   |
| – Welsh Authorities                  |           |           |                   | £5 million   |
| <b>Fire &amp; Police Authorities</b> |           |           |                   | £5 million   |
| <b>Money Market Funds</b>            |           |           |                   |              |
|                                      | AAA       | Aaa       | AAA               | £30 million  |

Where the short term rating of a counterparty is one notch below the stated criteria, but the counterparty meets the long term rating criteria, they may still be used subject to the advice of our external advisors (Link Asset Services) who will take into account a range of other metrics in arriving at their advice.

The counterparty limits shown in the table also apply at a banking group level. This ensures that the Council is not exposed to the risk of having maximum sums invested in multiple institutions owned by a group that encounters financial difficulties.

The credit ratings shown in the table for banks and building societies allow for greater sensitivity in recognising counterparty risk. Liquidity in investments is the second key factor in determining our strategy. Funds may be earmarked for specific purposes or may be general balances, and this will be a consideration in determining the period over which the investment will be made.

**The Council has a self-imposed limit of ensuring that at least 15% of deposits will be realisable within one month.**

The Council will look to invest in specified investments for a range of durations up to one year to ensure sufficient liquidity for cashflow purposes. Our treasury advisors, Link Asset Services, provide advice on the recommended maximum length of deposit for each of the counterparties that the Council uses, and their recommendations will be taken into account when determining the length of time that any deposit is placed for.

### **Non-Specified Investments**

Non-specified investments are those that do not meet the criteria described above, but are intended to be a longer term investment, generating a higher yield, but with a slightly higher degree of risk.

**The limit on non-specified investments will be set at no more than 25% of the total treasury investments at any time or £40m whichever is the lower.**

The Council has previously decided that investment in a commercial property fund would be a prudent way to diversify risk and achieve a higher yield, as it would benefit from forecast growth in GDP. The CCLA Property Fund is therefore included as an approved counterparty, and an initial investment of £10 million was made in 2015.

In addition, short-dated bond funds and multi-asset income funds may be used. Short dated bond funds will invest in high quality short dated government or corporate bonds. Multi-asset income funds will invest in a wider range of investments designed to produce a higher income yield, but will have a higher level of risk. In both cases, funds will be targeted where the total return is likely to be higher than the income yield, to reduce the risk of capital loss should the investment need to be realised.

The Council will only use funds that are subject to a statutory override to IFRS9. Under the IFRS9 accounting standard unrealised gains and losses arising from funds previously measured as Available for Sale will now be classified as Fair Value through Profit and Loss and taken to the Comprehensive Income and Expenditure Account in the year they arise. As a result, any capital loss would impact on the yield gained from the investment.

However, Parliament has put in a statutory override for investments that fall under the following definitions:

- A money market fund;
- A collective investment scheme as defined in section 235 (1) of the Financial Services and Markets Act 2000;
- An investment scheme approved by the Treasury under section 11(1) of the Trustee Investments Act 1961 (local authority schemes)

The regulation (override) makes it clear that the revenue account should not be charged in respect of that fair value gain or loss and instead that amount should be charged to an account established, charged and used solely for the purpose of recognising fair value gains and losses in accordance with this regulation. The statutory override applies from 1st April 2018 to 31st March 2023. This reduces the risk to the Council of capital losses impacting on investment income, as any capital loss would only impact on the Council at the point that the investment is realised, or after the statutory override ends in March 2023. However, the risk of loss of capital at those points needs to be recognised, and these investments should be seen as longer-term investments.

Non-specified investments can also include bank and building society deposits of over a year, in line with the criteria set out in the section on Specified Investments.

Table 13 below summarises the 'Approved List' criteria for non-specified investments.

**Table 13 – Non-Specified Investments Counterparty Approved List Criteria**

| <b>Counterparty Type</b>                                                                                        | <b>Credit Limit</b> |
|-----------------------------------------------------------------------------------------------------------------|---------------------|
| CCLA Property Fund                                                                                              | £30 million         |
| Short-dated bond funds                                                                                          | £20 million         |
| Multi-asset income funds                                                                                        | £20 million         |
| Bank and Building Society Deposits over 1 year<br>(meeting credit rating criteria as per Specified Investments) | £30 million         |

Where a bank or building society is considered for an investment of over one year, the credit limit will be applied to the total investments with that institution, including specified and non-specified investments, i.e. deposits above and below one year.

### **Interest Rate Targets**

For the 2019/20 financial year it has been assumed that the average interest rate earned on lending to banks and building societies will be **0.75%** p.a. The target rate takes into account the November 2018 increase in the Bank of England base rate, which has resulted in increased rates being available compared to those available before the increase.

The yield from investment in the CCLA Property Fund is assumed to be **4.50%**. Further analysis will be required to identify short-dated bond funds and multi-asset income funds that would meet the Council's requirements. The targeted yield from those funds would be **2.00%** for short dated bond funds and **3.50%** for multi-asset income funds. Currently these are not factored into the budget for investment income.

The targets we have set for 2019/20 are considered to be achievable.

Given the degree of uncertainty about future economic prospects and the future level of interest rates, MTFS forecasts have been based on the average rates for lending to banks and building societies continuing to be 0.75% for 2020/21 and 2021/22. However, these will be reviewed in the light of changes to the rates on offer from the Council's counterparties over the MTFS period.

### **Investments that are not part of treasury management**

The revised Treasury Management Code also requires the authority to report on investments in financial assets and property that are not part of treasury management activity, but where those investments are made primarily to achieve a financial return.

The Council does not currently have a policy of making commercial investments outside of its treasury management activity for mainly financial reasons. All capital investments outside of treasury management activities are held explicitly for the purposes of operational services, including regeneration, and are monitored through existing control frameworks.

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## Appendix 1

The Authority does not generally invest in equity shares but does have two £1 shares in NPS (SW) Ltd, valued at £247,000 and an equity investment in Exeter Science Park Ltd to £1.881 million. At 31 March 2018 these shares were recognised in the balance sheet at £2.128 million. However, these are not held as financial investments, but for the purposes of providing operational services, including economic regeneration.

### **Performance Targets**

The primary targets of the Treasury Management Strategy are to minimise interest payments and maximise interest receipts over the long term whilst achieving annual budgets, without taking undue risk. Where there are comparative statistics available for individual aspects of the Strategy these will be used to monitor performance. The Council will continue to review best practice at other authorities and work with its treasury advisors (Link Asset Services) to assess performance.

# The Education, Health and Care Plan Task Group

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## Preface

This report covers the process of applying for and producing an Education Health and Care Plan (EHCP) in Devon, putting the needs of the child or young person at the centre of the decisions.

The task group appreciates the huge amount of effort put in by families and carers to support their child or young person with Special Educational Needs and Disabilities. It also recognises the support provided by their friends and relatives, and also the work done by schools, SENCOs, social care and health professionals, educational psychologists, the 0-25 team, support and advisory groups (e.g. Devon Information and Advice Service) and everyone involved in their life. Everyone aims to help them access education to achieve a fulfilling life and to reach as much independence in adulthood as possible. Also, more importantly, we appreciate the huge effort put in by every child and young person themselves towards all that they achieve. Our aim is to improve that journey for all.

The needs of the child or young person to access education are at the centre of all decisions, and where this is not experienced, this is where improvements need to be made. Appropriate aspirations need to be set a step at a time and reviewed in a timely manner.

Over the last year the task group has followed a family through the process of applying for an EHCP, heard evidence from many people, and received many emails and stories. This all indicates that some families are now experiencing a faster EHCP process; however, getting the process to work for all within the timeframe is still a problem. A lot of this problem is communication between all concerned and their understanding of what the education system can offer. Dialogue needs to be improved and the expectations of timing and what is possible need to be better understood.

The task group has sought to ensure the recommendations made are based on evidence collected from all witnesses and is confident that with collaboration they are realistic within the timeframe specified. The scrutiny process strives to identify improvements and has conducted this review with independent minded councillors acting together as a critical friend.

I would like to place on record the task group's sincere thanks to the many witnesses who gave up their time and talked to the task group openly and honestly which has enabled us to understand how the system functions. We have been touched by the passion and perseverance of parents as well as the hard work and dedication of all staff during what has been an unsettling time of changes. I would also like to thank the members of the task group for the incisive, yet sensitive, way in which they have carried out this piece of work. Finally, we would like to thank the scrutiny team for their professional support and advice, especially Stephanie Lewis who has put this report together.

The task group will wait with anticipation at the progress of their findings through Scrutiny, Cabinet and hopefully into policy, as part of the journey to improve services for children in Devon.

**Cllr Su Aves**  
**Chair, Behind the Education Health and Care Plan Task group**  
**Children's Scrutiny Committee**

## 1. Recommendations

This scrutiny task group's independent investigation began in July 2018. Devon had an Area SEND Inspection in December 2018 and in response the local area produced a Written Statement of Action (WSOA). The task group is mindful that a SEND Improvement Board with accompanying Improvement Plan has been in place since 2016. The scrutiny task group are pleased that some of their recommendations are already included in the WSOA and being actioned. These are covered in the second part of the recommendations on page 6 and 7.

The task group asks the Children's Scrutiny Committee and Cabinet to endorse and action the following recommendations, with a report on progress against the recommendations in six months' time.

### Task Group Recommendations

| <b>1. Invest in appropriate resources and support in the 0-25 Team to enable staff to effectively meet the increasing volume and complexity of needs for children and young people with SEN.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                     |           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Responsible Agency  | Timescale |
| 1.1 Adequately resource levels of staff in the 0-25 Team, benchmarking against other local authorities, to help manage the increased demand on the 0-25 Team.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Children's Services | 6 months  |
| 1.2 Ensure council staff are fully consulted on any changes to Devon's EHC process, to allow mutual information sharing and the empowerment of staff at all levels to have their voice heard, in order to improve the consistency of the EHC process for everyone.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Children's Services | 6 months  |
| 1.3. Ownership and delivery of clear and consistent messages from senior managers to all staff, through full team meetings, online and email, before changes are implemented to ensure consistent advice is given to schools, parent/carers and professionals from the whole SEN team. This should include information around the timings of implementation, to manage expectations and to reduce inquiries caused by confusion.                                                                                                                                                                                                                                                                                                                                             | Children's Services | 6 months  |
| <p>1.4 Invest in the emotional and mental wellbeing of staff within the SEN Team, in line with the Council's Leadership Charter, to enable staff to feel empowered to deliver services, through:</p> <ul style="list-style-type: none"> <li>• increased visibility of senior managers from Children's Services;</li> <li>• the delivery of clear and consistent messages and team priorities from all senior managers;</li> <li>• annual staff survey to consult on emotional and mental wellbeing and suggested improvements for change;</li> <li>• a confidential process through which staff can report any abuse from parents/carers/schools, to allow the Council to measure and collect data on staff wellbeing so they can be appropriately supported; and</li> </ul> | Children's Services | 6 months  |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                           |                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|------------------|
| <ul style="list-style-type: none"> <li>delivery of supervision for all staff in the 0-25 Team, recognising the increasingly complex and difficult caseloads.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                           |                  |
| <b>2. Improve the quality of Plans to ensure provision and support meets the needs of the child and young person.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                           |                  |
| <b>2.1</b> Ensure guidance and advice to professionals outlines the expectation that recommendations for provision should be specific in terms of duration and type of SEN provision, ensuring that the needs of the child and young person are placed at the centre of any Plan.                                                                                                                                                                                                                                                                                                                                                                                        | <b>Responsible Agency</b>                                                 | <b>Timescale</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Children's Services                                                       | 12 months        |
| <b>3. Achieve good outcomes for children and young people with an EHCP in all Devon schools.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                           |                  |
| <b>3.1</b> The Cabinet be asked to continue to lobby Government: <ul style="list-style-type: none"> <li>to allow local authority maintained Special Schools which are rated outstanding, to open new specialist provision under the same umbrella, to allow Local Authorities to better manage and meet demand for specialist school places for children and young people with Special Educational Needs in Devon;</li> <li>for fairer funding for Devon's pupils;</li> <li>to require SEN Funding in schools to be ringfenced for SEN provision only; and</li> <li>to increase funding to local authorities to provide increased SEN provision and training.</li> </ul> | <b>Responsible Agency</b>                                                 | <b>Timescale</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Children's Services/<br>Cabinet Member for Children's Services and Skills | 6 months         |
| <b>3.2</b> Continue to achieve and maintain good educational outcomes for all children and young people with SEN in all Devon schools, including Independent provision, academies and DCC mainstream and maintained special schools, and report to Children's Scrutiny Committee with quarterly education statistics for all pupils with SEN in all Devon Schools.                                                                                                                                                                                                                                                                                                       | Children's Services                                                       | Annually         |
| <b>3.3</b> Request the Children's Scrutiny Committee undertake additional research via task groups/spotlight reviews into the annual review process, children and young people identified with autism, transitions between children and young people and adults' services, and whether the EHCP is being delivered, to check the overall effectiveness of EHCPs.                                                                                                                                                                                                                                                                                                         | Children's Scrutiny Committee                                             | 12 months        |
| <b>3.4</b> Send a copy of the Task Group's Report to the Commons Select Committee on SEND.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Children's Scrutiny Committee                                             | 3 months         |
| <b>3.5</b> Request that Children's Scrutiny Committee monitors progress on the Written Statement of Action (WSOA) and receives quarterly updates.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Children's Scrutiny Committee                                             | 3 months         |

## Task Group recommendations covered by the WSoA

The task group independently collected evidence which resulted in the following recommendations.

The task group is pleased to acknowledge that these recommendations are recognised within the SEND partnership; there are already actions agreed within the SEND Implementation Plan and in addition targeted action is within the Written Statement of Action (WSoA) that will be monitored by Ofsted and CQC. The action owners and timescales are clearly defined within the WSoA. The task group recognises that updates will also be provided to Scrutiny as part of the monitoring that will be in place under Ofsted.

Whilst the task group endorses this progress, they felt it was still important to highlight these as part of their independent findings.

| <b>4. Improve communication and information sharing between all stakeholders involved in the EHCP process, especially families, to ensure the parent/carer and young person's voice is rooted at the heart of the system.</b>                                                                                                                                                                                                                                                                                                                                                                                    |                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <p><b>4.1</b> The implementation of a user-friendly, confidential and protected access, online database which allows open and transparent communication between relevant parties, avoids duplication, increases effectiveness of the process and improves the timeliness of issuing EHCPs, to improve communication.</p>                                                                                                                                                                                                                                                                                         | <p>Progress underway through WSoA</p> <p>Section C</p> |
| <p><b>4.2</b> Improve the support and guidance for parent/carers to help understand the EHCP process, including:</p> <ul style="list-style-type: none"> <li>a) an intuitive and user-friendly website that easily signposts parent/carers to relevant information and advice;</li> <li>b) an EHCP process &amp; timeline flowchart which clearly explains to parent/carers what will happen and when;</li> <li>c) all written communication to parent/carers in plain English, free from jargon, clear and informative; and</li> <li>d) increased number of parent/carer support groups and advocacy.</li> </ul> | <p>Progress underway through WSoA</p> <p>Section B</p> |
| <p><b>4.3</b> Enhanced engagement and feedback from young people and parent/carers in order to continually improve the EHCP process for all families, through an improved and detailed feedback survey at the 20-week assessment stage.</p>                                                                                                                                                                                                                                                                                                                                                                      | <p>Progress underway through WSoA</p> <p>Section C</p> |

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## 5. Implement a joined-up approach of services to deliver quality and timely EHCPs for children and young people

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <p><b>5.1</b> Delivery of integrated training across all partner organisations to include:</p> <ul style="list-style-type: none"><li>a) continuous improvement in the level of skills and knowledge for all those working with children and young people with SEND;</li><li>b) increase the understanding and purpose of an EHCP and when this should be the appropriate outcome for a child or young person; and</li><li>c) develop a deeper understanding of the different roles and responsibilities of each organisation within the EHCP system.</li></ul> | <p>Progress underway through WSoA</p> <p>Section A</p> |
| <p><b>5.2</b> Provide more guidance and information for schools and SENCOs on the needs, outcomes and provision of an EHCP, available on the DCC Local Offer website, to help support the referral process and ensure EHCP and SEN expectations are understood.</p>                                                                                                                                                                                                                                                                                            | <p>Progress underway through WSoA</p> <p>Section C</p> |

## 2. Introduction

- 2.1 The task group — Councillors Su Aves (Chair), Frank Biederman, Emma Brennan, Linda Hellyer and Debo Sellis — would like to place on record its gratitude to the witnesses who contributed to this review. In submitting its recommendations, the Group has sought to ensure that its findings are supported with robust evidence to substantiate its proposals.
- 2.2 At its meeting on 4 June 2018, the Children’s Scrutiny Committee considered an update report on Special Education Needs and Disability which highlighted the specific challenges faced by the local authority in meeting the needs of those children and young people with Special Educational Needs (SEN), in particular issues relating to the First Assessment Process and the issuing of Education, Health and Care Plans (EHCPs), which was under considerable pressure and had resulted in delays in completing assessments within the statutory 20-week timescale.
- 2.3 Members of the Children’s Scrutiny Committee felt that a more in depth and robust approach could be taken moving forward, and agreed that a task group, which could drill down and examine the complex challenges faced by the Authority in relation to EHCPs, should be established.
- 2.4 The Scope of the Review was to:
- better understand the experiences of children and young people and parent/carers who go through the EHCP assessment process;
  - look at the impact on children and young people and parent/carers of:
    - the timeliness of assessments and issuing of plans
    - the quality and appropriateness of completed plans
    - communication between the SEN Team and parent/carers

- look at staff capacity and wellbeing;
  - examine the reasons behind these issues and delays, including the impact of increased demand and reliance on information from other agencies; and
  - make recommendations to improve the EHCP process and the experience of children and young people and parent/carers.
- 2.5 Between July 2018 and April 2019, the Scrutiny task group met 12 times and spoke to in excess of 36 people from more than 16 organisations. Data collection included witness interviews, staff surveys, school visits, attending parent/carer representative groups and the Chair of the task group following a family through the EHCP process. The task group aimed to speak to a cross section of representatives including parent/carers, schools, local authority SEN 0-25 Team, Educational Psychologists, and Health and Social Care providers.
- 2.6 The task group attended a parent representative group, Devon's Local Offer Reference Group, to gain a better understanding of the challenges faced by parent/carers when requesting an Education, Health and Care Needs Assessment. Members found it beneficial to be able to ask questions first hand to those parent/carers who had experienced various difficulties and who were able to feedback the views of parent/carers from across the county.
- 2.7 Members also carried out several school visits across Devon to speak with Headteachers, SENCOs and teachers about their experiences of requesting EHCP's for young people, how they managed to put support in place for young people with SEN during a time of continued real-time funding cuts, and the pressures they are currently experiencing and how this is affecting children and young people with SEN in their schools.
- 2.8 The task group were keen to understand how staff in Devon County Council's 0-25 Team were managing the significant increase in the number of requests for Assessment and the number of young people now with an EHCP, the impact on their capacity and caseloads and their overall wellbeing. A survey was sent out to all staff working in the 0-25 Team. The overall findings show a service with a significant level of demand which appeared to put too much pressure on staff. Respondents appear to have reasonable management and peer support as well as personal control over how they carry out their tasks. However, change and how it is communicated seemed to be a particular area for improvement. Comments were also made about the need for the system to work better as a whole, with other professionals being included.
- 2.9 Whilst the task group agreed to focus this piece of work expressly on the EHCP Process and the 20-week First Assessment stage, having spoken to witnesses they are mindful that many of the issues raised extend beyond just this process. As a result, the Children's Scrutiny Committee may wish to carry out further work which looks in more detail at the annual review process, children and young people identified with autism and transitions between children's services to adulthood.
- 2.10 The key themes raised within the Report that form the conclusion of the task group's work are:
- Parent Voice and communication;
  - Staff Experiences;
  - Systems Working and Partnerships; and
  - Outcomes of an EHCP

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- 2.11 The recommendations made are a combination of long term and short-term initiatives. However, the value judgement that underpins this work recognises the need for a significant focus on long-term strategies moving towards the realisation of the ambitions.
- 2.12 Whilst undertaking this task group review, Ofsted and the Care Quality Commission carried out a local area SEND Inspection, which included all the services supporting children and young people with SEND. As a result, the Local Authority and NHS Devon were required to submit a Written Statement of Action addressing four key areas:
- Embedding the Strategy;
  - Improving communication;
  - Timeliness of Education Health and Care Assessments; and
  - Improving support for children and young people with Autism.
- 2.13 Much of the information and evidence heard by Ofsted and the CQC Inspection resonated with the task group, particularly around communication between parent/carers and professionals, the timeliness and quality of Plans and identifying and improving support for children and young people with Autism. Some of the areas for improvement discussed by the Inspection fell outside of the task groups remit and have been suggested as further areas of investigation for the Children's Scrutiny Committee.
- 2.14 The information contained in this Report supports the ambitions and more detailed recommendations made by the task group. This work does not seek to solve all of the challenges identified, however the task group believes that with a joint approach with other agencies, progress towards the ambitions is achievable.
- 2.15 Although the timeliness of meeting statutory assessment deadlines has been the driving force for this review, the overall impact on pupils, families and those professionals involved in the EHCP process is also a key consideration.

## 3. National Policy and Context

### Children and Families Act 2014

- 3.1 The Children and Families Act transformed the way support was provided for children and young people with SEN & Disabilities, so that services consistently supported the best possible outcomes for them. The Act places the views, wishes and aspirations of children and young people and their parent/carers at the heart of the system, with the development of coordinated assessments and Education, Health and Care Plans; improving cooperation between all services responsible for providing education, health or social care; and giving parent/carers and young people greater choice and control over their support. The Act focusses on the following themes:
- working towards clearly defined outcomes
  - engagement and participation of parent/carers and young people
  - joint Commissioning and developing a Local Offer of support
  - coordinated assessments and Education, Health and Care Plans
  - personalisation and personal budgets<sup>1</sup>

<sup>1</sup> Council for Disabled Children and young people (2014) fact sheet at [https://councilfordisabledchildrenandyoungpeople.org.uk/sites/default/files/field/attachemnt/PfA\\_FactSheet\\_CFA\\_2014\\_and\\_CA.pdf](https://councilfordisabledchildrenandyoungpeople.org.uk/sites/default/files/field/attachemnt/PfA_FactSheet_CFA_2014_and_CA.pdf)

- 3.2 The Children and Families Act introduced Education, Health and Care Plans (EHCP) which is a Plan following a single assessment and planning process for young people with SEND which can continue up to the age of 25.

## **SEND Code of Practice**

- 3.3 Since 2014, local authorities and health authorities have operated under the new SEND Code of Practice which brought together joint responsibility of education, health and care services to identify and plan to meet the needs of children and young people with special educational needs (SEN).

## **What is Special Educational Need?**

- 3.4 The SEND Code of Practice states that a child or young person has SEN “if they have a learning difficulty or disability which calls for special educational provision to be made for him or her”.<sup>2</sup> The Code defines a child of compulsory school age as having a learning difficulty or disability if they have:
- a significantly greater difficulty in learning than the majority of others of the same age, or
  - a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions<sup>3</sup>.
- 3.5 For children and young people aged two or more, special educational provision is educational or training provision that is additional to or different from that made available for other children and young people or young people of the same age by mainstream schools, maintained nursery schools, mainstream post-16 institutions or by relevant early years providers. For a child under two years of age, special educational provision means educational provision of any kind.

## **What is an Education, Health and Care plan (EHCP)?**

- 3.6 The majority of children and young people with special educational needs (SEN) and/or disabilities will have their needs met within local mainstream early years’ settings, schools or colleges. Some children and young people may require an education, health and care needs assessment in order for the local authority to decide whether it is necessary to provide extra provision.
- 3.7 An EHC needs assessment may result in an EHCP which is designed to provide special educational provision to meet the SEN of the child, to secure the best possible outcomes for them across education, health and social care and, as they get older, prepare them for adulthood. A good EHCP should be clear, concise, understandable and accessible to education providers and practitioners as well as to the parent/carer and child or young person. Previously, Children and young people were issued with a Statement of Special Educational Need, which were converted to EHCPs following the introduction of the Children and Families Act in 2014.
- 3.8 EHCPs must clearly set out the care and support which is reasonably required by the young person’s SEN to support them in achieving their ambitions. Whilst a multi-

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<sup>2</sup> Department for Education (2015) SEND Code of Practice, <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

<sup>3</sup> Department for Education (2015) SEND Code of Practice <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

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agency partnership approach is expected, it is the educational needs that determine whether a child or young person requires an EHCP.

3.9 As outlined within the SEND Code<sup>4</sup>, local authorities use the information collected from the assessment to:

- establish and record the views, interests and aspirations of the parent/carer and child or young person;
- provide a full description of the child or young person's special educational needs and any health and social care needs;
- establish outcomes across education, health and social care based on the child or young person's needs and aspirations; and
- specify the provision required and how education, health and care services will work together to meet the child or young person's needs and support the achievement of the agreed outcomes.

## **What happens during the EHC Needs Assessment Process?**

3.10 A request for an EHC Needs Assessment can be made by a young person, parent, school or any other professional who feels an assessment may be necessary, simply by contacting the local authority's special educational needs department and requesting an assessment for an EHCP.

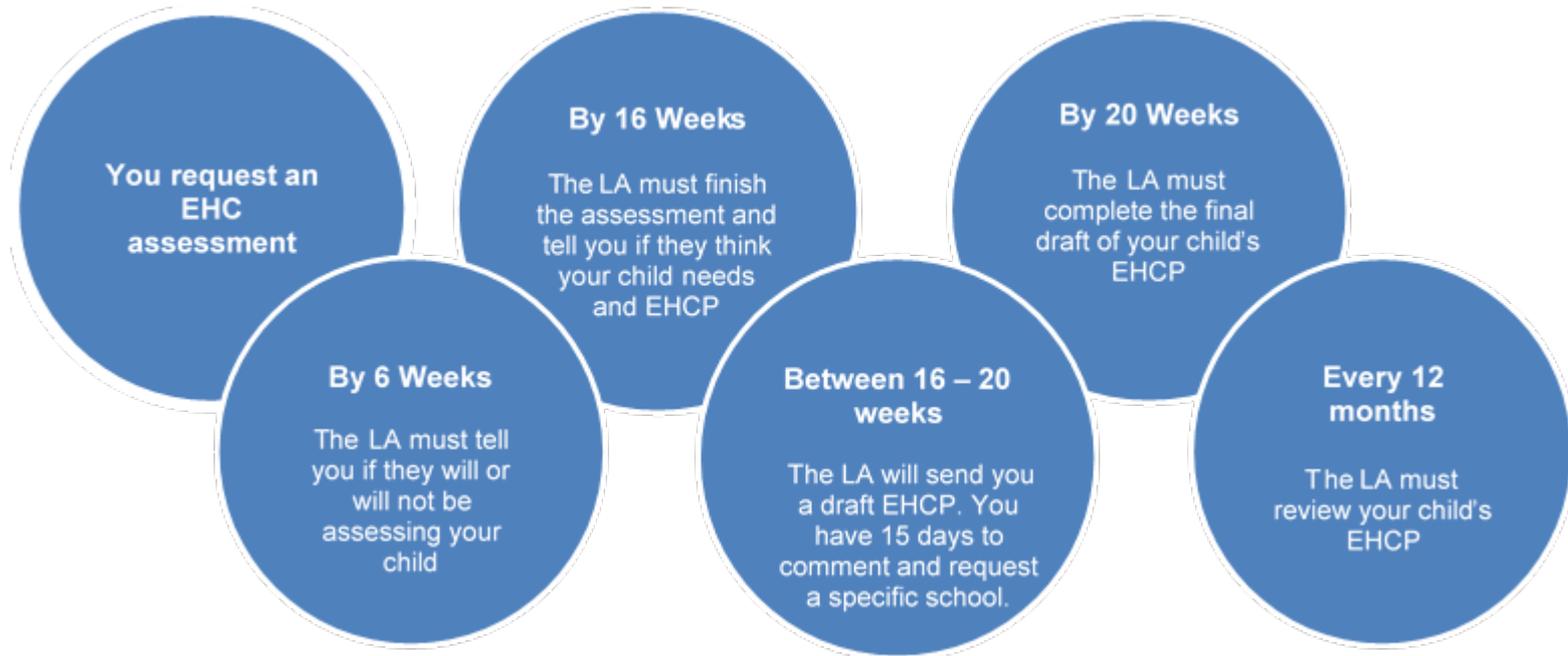
3.11 After a request is made the local authority has 6 weeks to decide whether or not to carry out an EHC Needs Assessment. If the decision is made to carry out an assessment, the local authority will gather evidence and information from the people who work closely with the child or young person; as well as collecting the views of the parent and the child. If a decision is made not to proceed, the local authority must give its reasons for this decision.

3.12 If the needs assessment results in an EHCP being issued, this will be produced within 16 weeks of the initial request. To create a plan, professionals from education, health and care will work with the parent/carer and the child to consider what outcomes are desired and what is needed to achieve them. A draft copy of the plan will be sent to the parent/carer to check and suggest changes. They must respond within 15 days to request changes. The school or setting named on the EHCP will also be informed and must also respond within 15 days.

3.13 The whole process from the EHC needs assessment request to the agreement of an EHCP must be completed within the 20-week statutory timescale. The following diagram outlines the process of a parent or carer requesting an Education, Health and Care Needs Assessment and Plan.

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<sup>4</sup> Department for Education (2015) SEND Code of Practice <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>



*The Challenging behaviour Foundation<sup>5</sup>*

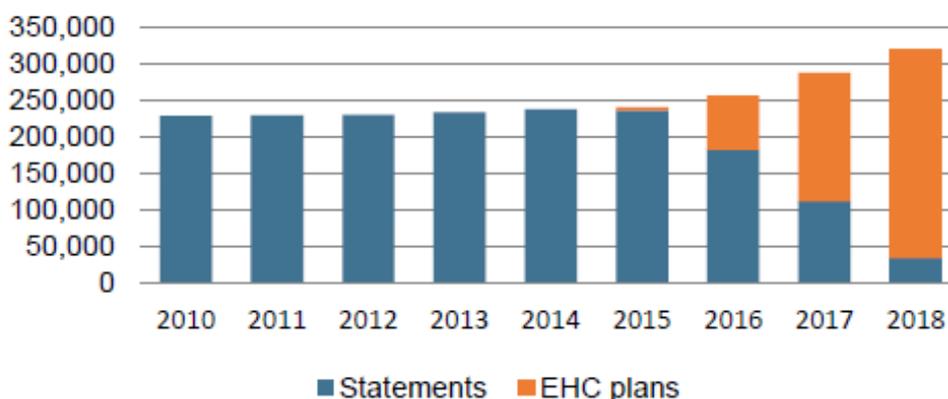
3.14 Every local authority has a statutory duty to complete the first assessment stage within the 20-week timescale as directed by the Code of Practice. However, in Devon this timescale is not being met for the majority of pupils in the local area and Devon's timescales are amongst the lowest in the country.

### National Statistics

3.15 National trends show that the number of statements and EHCPs has continued to increase, with a total of 285,722 children and young people with an EHCP and 34,097 children and young people with statements of special educational needs, maintained by local authorities as at January 2018. This gave a combined total of 319,819 children and young people, an increase of 32,529 (11.3%) from 287,290 in January 2017, which was driven in part due to the large increase in the 16-19 and 20-25 age groups.

3.16 The combined number of children and young people with statements and EHCPs nationally has increased each year since 2010, as per the table below.<sup>6</sup>

**Statements and EHC plans in place**



<sup>5</sup> The Challenging Behaviour Foundation: <https://www.challengingbehaviour.org.uk/education-housing-social-care/getting-an-ehcp.html>

<sup>6</sup> Department for Education (2018) Statements of SEN and EHC Plans, England 2018 at <https://www.gov.uk/government/statistics/statements-of-sen-and-ehc-plans-england-2018>

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3.17 During the 2017 calendar year, there were 45,205 children and young people assessed with a decision made on whether or not to issue an ECHP. Of these, 42,162 (93.3%) had new EHCPs issued. Of the new EHCPs made during 2017, 64.9% were issued within the 20-week time limit, an increase from 58.6% in 2016.

**Figure I: New EHC plans issued within 20 weeks by exception cases**

Year: Calendar year 2014-2017

Coverage: England

| Exception cases                                    | 2014  | 2015   | 2016   | 2017   |
|----------------------------------------------------|-------|--------|--------|--------|
| <b>Excluding</b> exception cases:                  |       |        |        |        |
| Number of new EHC plans issued                     | 1,177 | 19,712 | 30,942 | 36,702 |
| Percentage of new EHC plans issued within 20 weeks | 64.3  | 59.2   | 58.6   | 64.9   |
| <b>Including</b> exception cases:                  |       |        |        |        |
| Number of new EHC plans issued                     | 1,359 | 24,216 | 36,019 | 41,250 |
| Percentage of new EHC plans issued within 20 weeks | 61.5  | 55.5   | 55.7   | 61.3   |

Source: SEN2 2018

3.18 The SEND Regulations list several situations where local authorities do not have to apply the 20-week deadline to get an EHCP finalised. These situations are known as “exception cases” and are listed as follows:

- Exceptional personal circumstances that affect the child, young person, or their family during the EHCP process;
- Cases where the child or their parent aren’t living in the local authority for a continuous period of 4 weeks or more; and
- Cases where the local authority asks a school for professional advice to inform the EHCP over a specific period: a week before the end of the summer holiday, up until a week before the new academic year.

## Financial Landscape

3.19 Public services are under increasing pressure to improve outcomes for children and young people, against a backdrop of funding cuts and reducing resources. In 2013, the school funding reforms changed the way in which schools fund SEN provision. The new system is as follows:

- Mainstream schools receive funding directly from either the Education Funding and Skills Agency (EFSA) (for free schools and academies), or local authority (for DCC maintained schools) to meet the needs of the majority of children and young people with SEN. They are expected to spend £6,000 per learner from their SEN Allocated Budget.
- The High Needs Block, managed and allocated by the local authority, is to fund provision which is additional to and different from the resources normally available to schools to meet the SEN of specific individuals with complex needs.
- Special Schools (3-19yrs) are funded at £10,000 per place plus any additional top up agreed by the local authority.
- For 19-25 year olds, funding is only allocated through an EHCP for those young people who, it has been identified, need longer to complete or consolidate their learning.

- 3.20 Many local authorities are experiencing increased pressure on the High Needs Block as the number of complex, high cost placements grow. There is no additional funding from central Government to meet this demand and the costs have to be managed within existing resources.
- 3.21 In the National Media, pressure has also been placed on the Government to increase SEND funding for local authorities, as more and more councils are on the verge of a crisis due to significant overspending on the High Needs Block. The Guardian highlighted that many families were being failed by a system on the verge of a crisis as demand for specialist provision continued to increase and threatens to bankrupt local authorities.<sup>7</sup>

“If you talk to parents, they will say we want a decision that is needs-led. If you talk to local authorities, they say they are on their knees because of special needs. It is breaking them. Their core argument is that they don’t get the money from Westminster to be able to do it.”

The Guardian <sup>8</sup>

- 3.22 Also emphasised is the significant amount of Government funding that children and young people in England with special educational needs and disabilities (SEND) are losing out on, up to £1.2bn worth of services because Government funding has failed to keep pace with soaring demand for additional support over the past four years. With the number of children and young people with an EHCP increasing by 33% over four years, central Government funding paid into the “high-needs block” of councils’ education budgets to cover SEND provision has only increased by 7% over the same period, from £5.6bn to £6bn in today’s prices, resulting in massive funding shortfalls in nine out of 10 local authorities.<sup>9</sup>

### House of Commons Education Select Committee: SEND

- 3.23 In 2018, the Education Select Committee launched an inquiry into support for children and young people with special educational needs and disability (SEND). The Inquiry intends to review the success of the Government’s 2014 reforms, how they have been implemented, and what impact they are having in meeting the challenges faced by children and young people with SEND.
- 3.24 Latest evidence given to the Inquiry on 24 April 2019 suggests that experiences of children and young people with SEN are getting worse, with 60% of local areas inspected in 2018 requiring a written statement of action. This is an increase from 25% of local areas in 2016, and 51% of local areas requiring a written statement of action in 2017, showing a year on year increase.<sup>10</sup> It is suggested one of the key reasons is due to no national consistency for EHCPs, as children and young people’s experiences can look very different across different local areas.
- 3.25 Local areas highlighted as doing well by the Inquiry are those where leaders are really listening to and engaging with children and young people and their families throughout the process, to ensure the plan for the child is the best it can possibly be.

<sup>7</sup> The Guardian (2018) <https://www.theguardian.com/education/2018/oct/22/special-needs-pupils-being-failed-by-system-on-verge-crisis>

<sup>8</sup> The Guardian (2017) <https://www.theguardian.com/education/2017/sep/05/crisis-in-support-for-sen-children-and-young-people-ehc-plans>

<sup>9</sup> The Guardian (2019) <https://www.theguardian.com/education/2019/apr/15/special-needs-children-and-young-people-lose-out-on-12bn-of-support-says-union>

<sup>10</sup> House of Commons (2019) Education Select Committee on SEND at <https://www.parliament.uk/business/committees/committees-a-commons-select/education-committee/inquiries/parliament-2017/special-educational-needs-and-disability-inquiry-17-19/>

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- 3.26 In speaking with children and young people during the Inquiry, the Select Committee heard how young people wanted better involvement with their Plans, better communication between professionals and young people about the process, and ensuring their plan was accessible to them so that the young person knew what provision they should be getting and understand how it will support them.
- 3.27 The Education Select Inquiry into SEND is still ongoing and in the process of collecting further evidence.

## 4. Local Context and Performance

- 4.1 For the number of children and young people supported by a statement or EHCP in Devon, the figures last year show a similar picture to that of the national trend. Overall the number of children and young people with an EHCP has increased each year for the past four years. In January 2018, the Council managed a total of 4,093 statutory plans (including both EHCPs and Statements) across the 0-25 age range; an increase of 10% from January 2017 and representing 2.8% of the overall Devon pupil cohort. Nationally, the percentage increase from 2017 to 2018 was 11%.
- 4.2 Local data indicates that as of January 2019 the number of pupils with an EHCP maintained by Devon has again increased, to 5,162 which represents a further 26% increase on the previous year. Official national statistics for January 2019 will be released in the summer of 2019.
- 4.3 A representation of the year on year increase of pupils with a statement or EHCP in Devon are shown in the table below.

|                 | Pupils with Statement/EHCP maintained by DCC | % increase each year |
|-----------------|----------------------------------------------|----------------------|
| <b>Jan 2015</b> | 3,572                                        | -                    |
| <b>Jan 2016</b> | 3,510                                        | -1.7%                |
| <b>Jan 2017</b> | 3,718                                        | 5.9%                 |
| <b>Jan 2018</b> | 4,093                                        | 10%                  |
| <b>Jan 2019</b> | 5,162                                        | 26%                  |

- 4.4 The total percentage increase in the number of pupils with a statement or EHCP from January 2015 to January 2019 is 44.5% (1,590). The task group is aware that this is a significant increase in the numbers of EHCPs/Statements maintained by the Council, which has resulted in additional pressure on staff and a vast increase in caseloads.

## Requests for Statutory Assessments

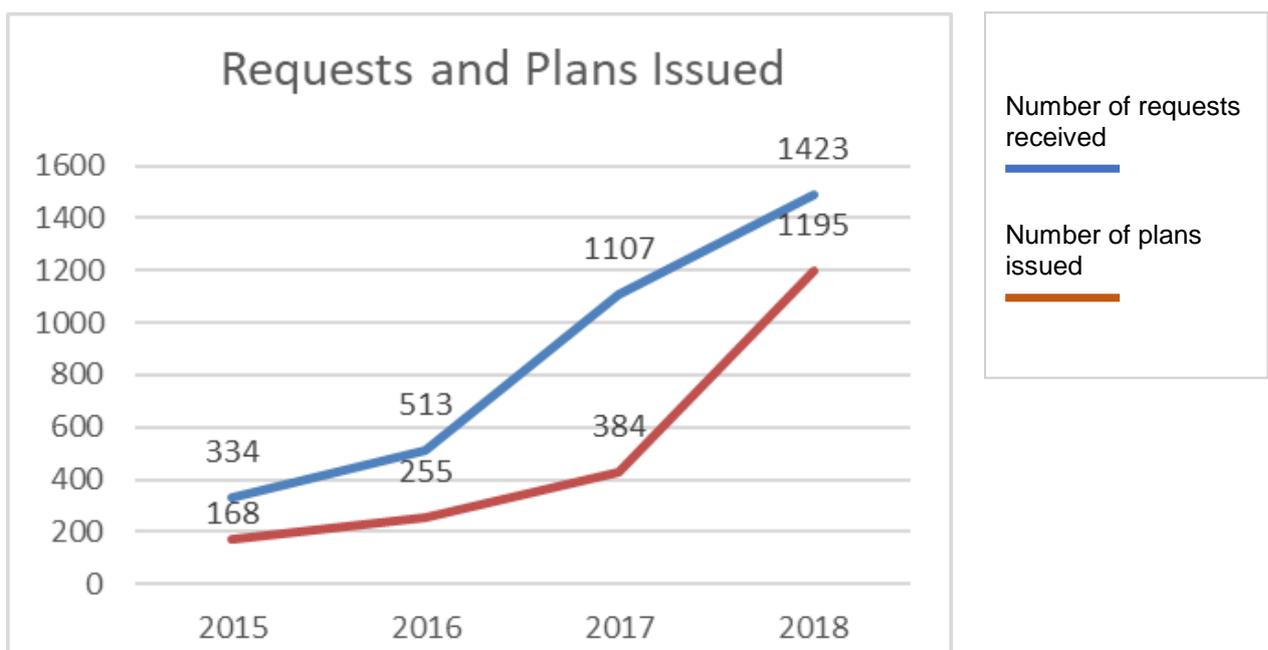
- 4.5 The volume of requests for new assessments in Devon has also seen a dramatic increase over the past 4 years. There were 1,423 requests for new assessments as at January 2018, compared to 334 in 2015, an overall increase of 326%.

|                                   | Jan - Dec 2015 | Jan - Dec 2016 | Jan - Dec 2017 | Jan - Dec 2018 |
|-----------------------------------|----------------|----------------|----------------|----------------|
| Requests for EHC Needs Assessment | 334            | 513            | 1107           | 1423           |

- 4.6 The table below shows the significant increase in final Plans issued by the 0-25 Team, and therefore the increase in workloads. The task group noted that the number of plans issued is not a direct correlation to the number of requests received in the same year and were not made up of the same population of children and young people.

|                    | Jan - Dec 2015 | Jan - Dec 2016 | Jan - Dec 2017 | Jan - Dec 2018 |
|--------------------|----------------|----------------|----------------|----------------|
| Final EHCPs Issued | 168            | 255            | 384            | 1195           |

- 4.7 The number of plans issued within the 20-week statutory timescale still requires significant improvement. As shown in the graph below, the number of plans issued in 2018 has seen improvements and is now closer to the rate of those received. However, due to the extremely high backlog of cases under assessment, there is still a significant delay in realising the impact of these improvements and issuing all plans within 20 weeks. This explains the large percentage increase in the number of plans issued from 2017 to 2018, which includes a significant number of assessments received in previous years. Since September 2018, the number of weeks taken to complete an assessment and issue the final plan has reduced from an average of 39 weeks to 33 weeks.



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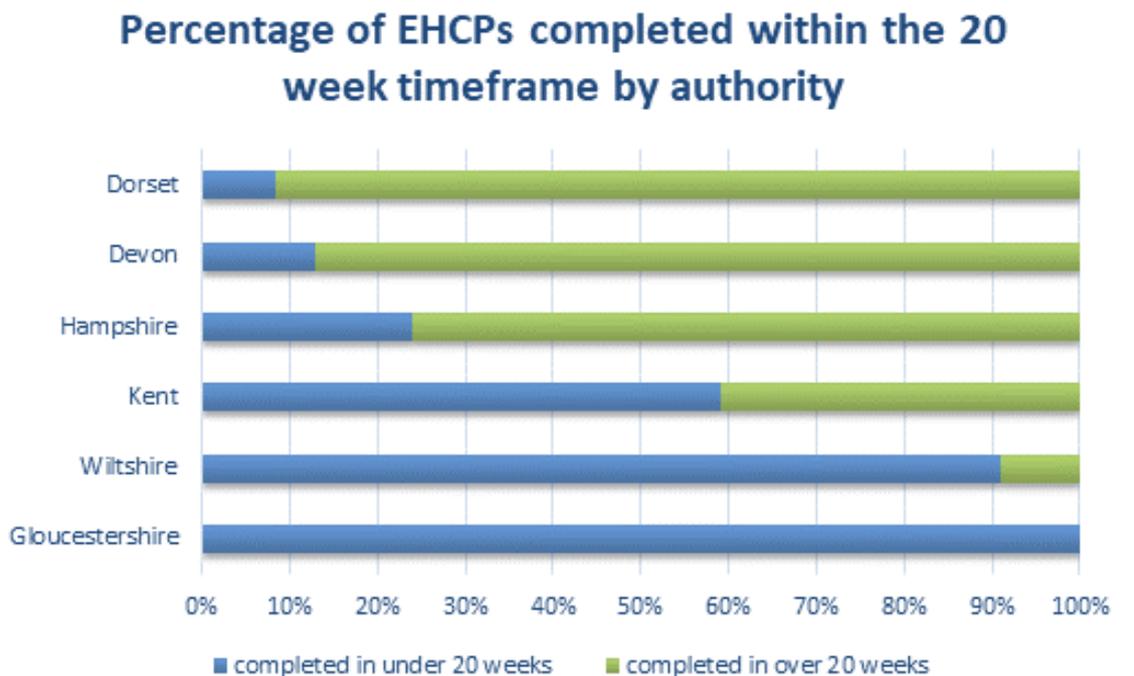
4.8 Cases under assessment are reliant on professional advice being received in full before a plan can be issued. However, the timeliness of advice from Educational Psychologists, Health and Care professionals has historically been far too low. As a result, where work was being undertaken by a commissioned service, the Council and the Clinical Commissioning Group have used contract escalation processes to deliver improvement. The result of this is that the percentage of professional advice received on time has risen from a 5% in January 2018 to 75% in December 2018.

4.9 The significant delays in issuing Plans was also emphasised by parent/carers:

*“Some EHCPs among children and young people with autism have taken up to two years to complete and timeframes of 30-50 weeks are common.”*

4.10 In order to benchmark the level of capacity and resource in Devon against other authorities, the task group reviewed the comparative volume of requests, EHCPs issued as well as the total number of EHCPs supported by the authority for 2018. This data was analysed against the number of plans completed within the 20-week timeframe.

4.11 The task group was concerned at the difference between Devon’s completion of EHCPs within the statutory timeframe, compared to those other local authorities used for comparison completing higher percentages<sup>11</sup>. Most notably Gloucestershire, which meets the 20-week deadline for all EHCPs issued.



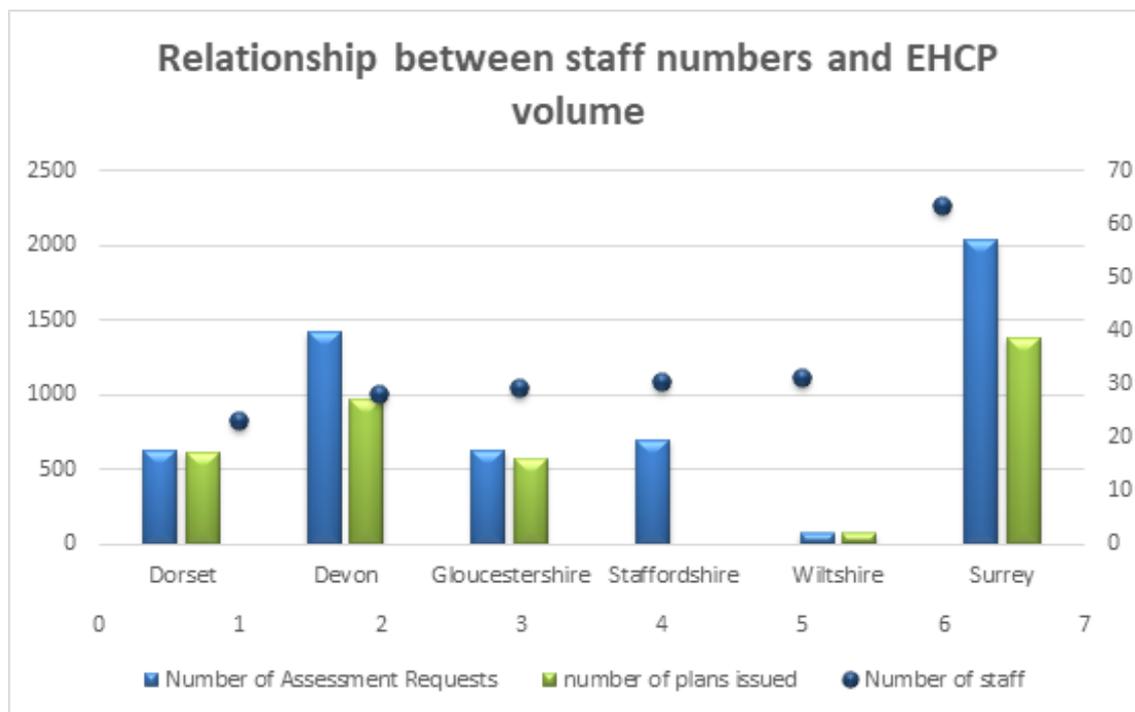
4.12 This does only show part of the picture, as comparative numbers vary greatly between authorities, and the task group have not measured the quality of the plans, the volume completed or reviewed how much outside the 20-week deadline they were issued.

4.13 Whilst it is difficult to compare like for like in terms of staffing, as the roles of the SEN Officers often differ between local authorities, it gives the task group an indication of the comparison between staff capacity and workloads. The Councils used for

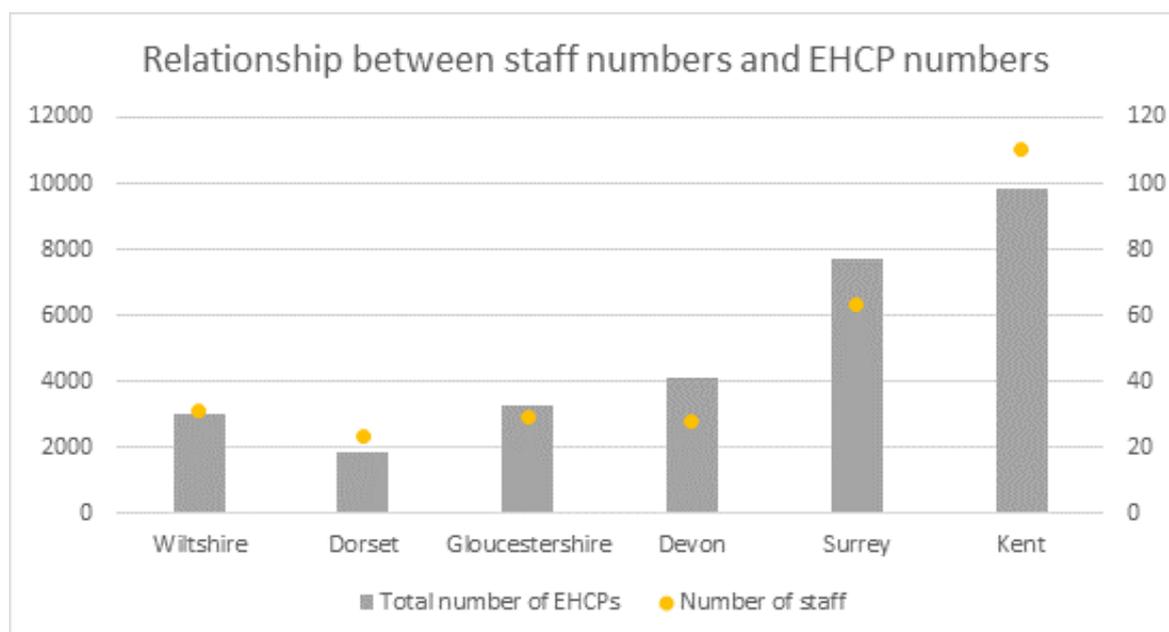
<sup>11</sup> GOV.UK (2018) Statements of SEN and EHC Plans, England 2018 at <https://www.gov.uk/government/statements-of-sen-and-ehc-plans-england-2018>

benchmarking are a selection of good, medium and low performing Councils in terms of percentage of plans issued within the statutory 20 weeks, based on the 2018 Government statistics.<sup>12</sup>

4.14 Devon has a high number of assessment requests, slightly below 1500, and plans issued at almost 1000. Considering this against the number of staff within the SEN team when compared to other local authorities, it is clear that staff in Devon have a higher workload. The task group felt this highlighted concerns around staff capacity, and the ability of the 0-25 Team to meet the high demand in caseloads with the current levels of resources.



4.15 This trend is continued when looking at the total number of EHCPs managed by an authority, again Devon has a higher ratio of EHCPs to staff. In comparison, Kent has a much higher number of EHCPs yet more staff in order to cope with this level of demand.



<sup>12</sup> GOV.UK (2018) Statements of SEN and EHC Plans, England 2018 at <https://www.gov.uk/government/statements-of-sen-and-ehc-plans-england-2018>

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- 4.16 A further consideration of the task group was the fact this data reflects 2018 statistics, and the disproportionality is now even greater with Devon managing over 5,000 Plans in 2019 compared to approximately 4,000 Plans in 2018. This is evidenced below, which shows that the number of caseloads per worker has increased from approximately 146 in 2018 to 184 in 2019, a percentage increase of 26%.

|            | <b>Total Number Pupils with Statement or EHCP</b> | <b>Number of Staff</b> | <b>Number of Statements/ EHCP to Staff ratio</b> |
|------------|---------------------------------------------------|------------------------|--------------------------------------------------|
| Devon 2018 | 4,093                                             | 28                     | 146                                              |
| Devon 2019 | 5,162                                             | 28                     | 184                                              |

## 5. Parent Voice & Communication

### Parent Voice

- 5.1 Whilst undertaking the task group Review, Members were extremely keen to engage with and listen to parent/carers who had experienced and gone through the EHCP process, to understand the challenges they faced and hear their ideas and suggested areas for improvement.
- 5.2 The task group attended a meeting of the Local Offer Reference Group (LORG), a parent representative group, where Members could hear first-hand some of the key issues experienced. The task group were informed that many of these issues had previously been raised to the SEN Team, and they were working collaboratively through the LORG to implement changes to better improve the experiences of parent/carers and families.
- 5.3 The most fundamental area of concern highlighted was the lack of communication between parent/carers and professionals, including the 0-25 Team, Schools, Educational Psychologists, Mental Health services, Health and Social Care Professionals. This was the root cause of many problems raised by parent/carers, with many citing that communication had not been open or honest, leaving many unclear of the process or what was happening with their Assessment request. As a result, parent/carers had suggested that the 0-25 Team copy in parent/carers to all communications with other professionals and be open and honest regarding the cause of delay for their assessment. This in turn would help to manage parent/carers expectations.
- 5.4 Parent representatives also raised concern around the letters sent to parent/carers, suggesting they be made more user friendly, more personalised to the young person and only use plain English to avoid confusion. This was also expressed by schools, who explained that parent/carers often brought in letters they needed explaining to ask the SENCO whether the child was going to be assessed or not and whether they had been offered their choice of specialist provision. The Egress email system was also felt to be incompatible for parent/carers, often failing to work and unable to save emails sent to parent/carers to allow them to refer back to conversations and evidence when needed. Therefore, parent/carers suggested a more user-friendly email system or database which would allow them to log on and monitor the progress of their

assessment, checking if any further information was required, and being kept fully informed of their child's progress.

- 5.5 Further concerns were raised regarding the review of EHC Assessments and how effectively the Council engages with young people and parent/carers to collect their feedback in order to improve the process for all families. The SEND Code of Practice advises that local partners should develop effective ways of harnessing the views of young people and families so that commissioning decisions on services for those with SEN are shaped by users' experience, ambitions and expectations.<sup>13</sup> However, the views of parent/carers collected by the task group clearly identify the current process as being ineffective, with surveys conducted at the end of the EHC process, rather than at the 20-week stage, which parent/carers felt would provide a more accurate picture of the young person and parent/carer experience. Parent/carers also advised that the feedback survey was inappropriate, with suggestions that interviews conducted independently by Devon Information and Advice Service (DIAS) could help collate more useful information.
- 5.6 The task group identified poor communication as a fundamental weakness in the Assessment Process, resulting in diminished parental trust and widespread frustration. Moving forward, parent/carers need to be kept better informed of progress and mechanisms need to be put in place to achieve this.
- 5.7 The following diagram highlights some of the key areas of concern with the EHCP process, as raised by parent/carers.

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<sup>13</sup> Department for Education (2014) SEND Code of Practice at <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

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EHCP timescales are over running too often and significantly in too many cases, especially among children with autism

DCC does not work with parents sufficiently during the EHCP process which causes extreme stress and delays, and goes against the Code of Practice

Outcomes of Plans are not consistently SMART, with no reference to timescales, quantity or who is to deliver the required service

Who is involved in the process? Named key worker or point of contact for parent.

Multi agency working – professionals do not communicate with each other! Parent becomes the key worker

Be aware of parent/carer disabilities and needs and aim to reduce barriers e.g. plain English, accessibility of info

Lack of suitable specialist school places creating a backlog of children waiting in the system



## Parent Voice

Keep parents updated with how long the delay is, where they are in the queue and if the 0-25 Team is waiting for any further information (sometimes parents not told or aware!)

Egress email system caused many delays and parents cannot save and access emails at a later date

Parents don't feel secure or confident in the process

Draft and final plans are not specific enough – plans should include specific timeframes such as 'weekly' not 'regularly' and specific language such as 'must have' not 'would benefit from...'

Inadequate support and advice available to parents to understand the process, with DIAS overstretched and unable to meet demand and DCC online information confusing and insufficient

Parents do not feel they have a voice – the feedback process is only carried out once a plan is issued rather than at the 20 week stage which would provide a more accurate assessment of experience.

Whilst we fully acknowledge there is an increasing amount of pressure on the SEN Team, there is much work to be done around the communication, timescales and quality of plans being written

## COMMUNICATION

- 5.8 Experiences shared by witnesses with the task group indicate that all stakeholders feel that communication between parent/carers, schools, professionals and the 0-25 Team has been inadequate and one of the biggest contributing factors to parent/carers feeling frustrated, angry and confused with the EHC Assessment process and to staff and professionals being unable to carry out their roles efficiently and effectively.
- 5.9 This view was echoed by staff in the 0-25 Team who indicated that:

**“Better channels of communication across health, social care and education are required so that stories only need to be said once and evidence is gathered systematically”.**

- 5.10 Better communication between teams, with a system that allows the parent to ‘tell their story once’ and allows schools and professionals to submit reports and evidence to one location, would reduce duplication of workloads, increase timeliness of submissions and increase overall communication between all partners. The use of ICT in order to facilitate this need was raised as a potential solution to this issue:

**“Using ICT more effectively to communicate with professionals, schools and parents – with more use of video conferencing or shared networks to reduce e-mails and better access to resources or plans” (0-25 Team)**

### Education Health and Care (EHC) Hub

- 5.11 To resolve some of the issues around communication between parent/carers and professionals, councils have looked to acquire ICT solutions and the development of a work flow management tool which would allow parent/carers and professionals to access an online digital database to view, upload and share information and reports.
- 5.12 Councils in the process of implementing an Education Health and Care Hub system include Hampshire County Council, Suffolk County Council, Nottinghamshire County Council, and Stoke on Trent City Council with more councils looking to implement a similar system in order to improve the process of EHC Needs Assessments for children and young people and their families. The Task Group is aware that officers in Education and Learning have researched possible hubs and used the parental feedback to inform the procurement which is underway.
- 5.13 A case study of Stoke-on-Trent City Council, who have been rolling out an online EHC Hub since early 2019, provides some information around the application of the system and the benefits the Council has realised since its introduction. Whilst it is too early to gain statistical data on the benefits of the system, it has allowed for more open and transparent communication between parents and the City Council, allowing parents to be more openly included in the EHCP journey. Whilst a lot of time, training and a change of culture was required to implement the system across a wide range of agencies, the Hub has allowed for much better joined up working between partners, using one system to share and upload information.

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5.14 Most importantly, system users including parents and staff have fed back how much easier the process is with the EHC Hub, providing secure information sharing that keeps the process on track and everyone fully informed at every stage.

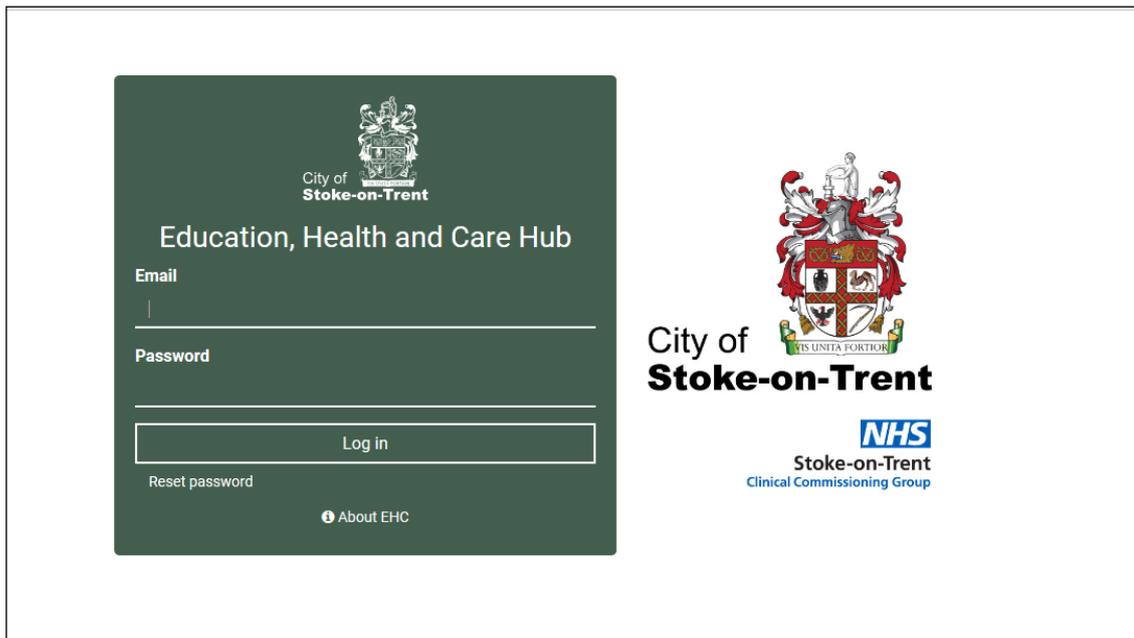
## Case Study: Stoke-on-Trent City Council

### Key features of the EHC Hub are:

- young people and families will be able to submit their views online and upload additional information, including photographs and images that are important to the child or young person.
- practitioners will be able to submit information and advice online avoiding any unnecessary delays with the delivery of paper-based reports.
- young people and families will be able to view who has been asked for information and advice and can let the Local Authority know if someone has recently become involved.
- young people and families will be able to view information and advice at the same time as the Local Authority receives it.
- correspondence between the Local Authority and the young person and family will be held on the EHC Hub so decisions are shared immediately.
- when a draft EHC Plan is issued, young people and families can give feedback via the EHC Hub on each section.

### Benefits to the EHCP Process:

- the EHC Hub provides a secure shared touch point for everyone involved in the 20-week EHCP process to make their contribution, see the contributions of others and all work towards a positive outcome;
- for families it offers a level of involvement and transparency unavailable until now.
- for the Local Authority it provides a welcome level of cohesion and assistance in collaborating with and managing the input of all partners across Education, Health and Care, and
- for the contributing practitioners it offers a streamlined process for engaging with each case and for seeing the whole picture.



14

In speaking with witnesses, the task group identified the following points as important to be addressed through the implementation of an online hub system:

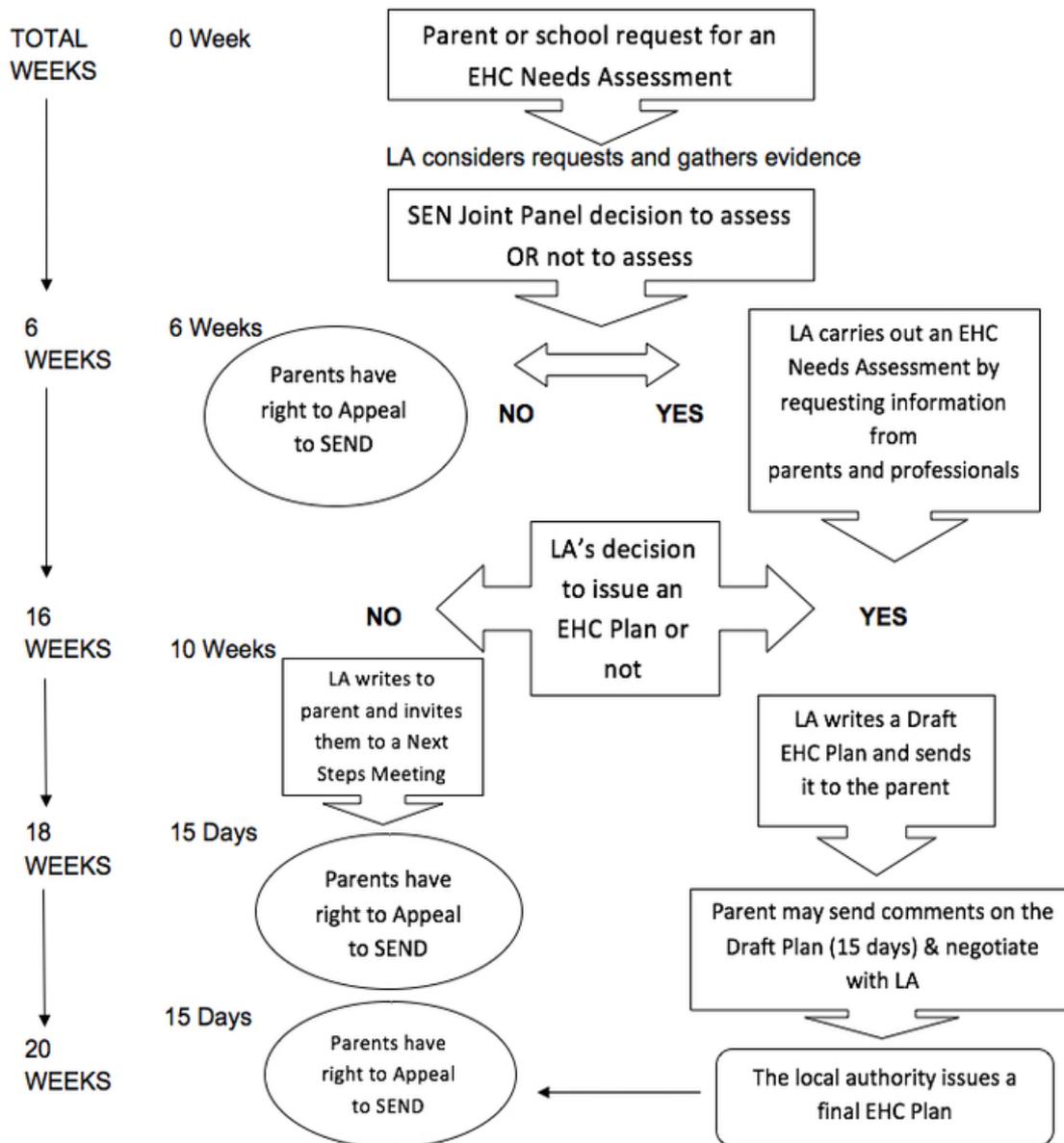
- a) parent/carers to log on, upload and access up to date information and the current status of their EHCP;
- b) the 0-25 Team to access a parent/carer's application, to make amendments, provide updates and communicate with the parent/carer as necessary;
- c) all professionals (including 0-25 Team, Education Psychologist's (EP's), health and social care) to access up to date information and share and submit reports/evidence electronically; and
- d) amendments and annual reviews to be processed quickly and effectively.

## INFORMATION AND SUPPORT FOR PARENT/CARER

- 5.15 In addition to improving the level of communication to families, the task group heard how some parent/carers had not been aware of the process of an EHC Needs Assessment and how to access further information and support. The Children and Families Act 2014 places a duty on local authorities to develop a Local Offer of services available across education, health and care and offer Information, Advice and Support directly to young people and parent/carers on matters relating to SEN and disability. This should be easily accessible, good quality information and support to help young people. The task group noted that letters sent to parent/carers notifying whether the local authority will conduct an assessment or not, do not mention or provide clear details of Devon's Local Offer website, where parent/carers can find all the information they require around support and services for SEN.
- 5.16 Another suggested area for improvement was the development of a simple flowchart to clearly show parent/carers the timescales of going through the EHC Assessment and what should happen when, personalised to the process in Devon. An example of a flowchart by Westminster Information and Advice Service is shown on the following page.

<sup>14</sup> Stoke-on-Trent City Council, online Education, Health and Care Hub: <https://ehchub.stoke.gov.uk/>

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Westminster Information and Advice Support Service<sup>15</sup>

## 6. 0-25 Team Staff Experiences

### Staff Capacity

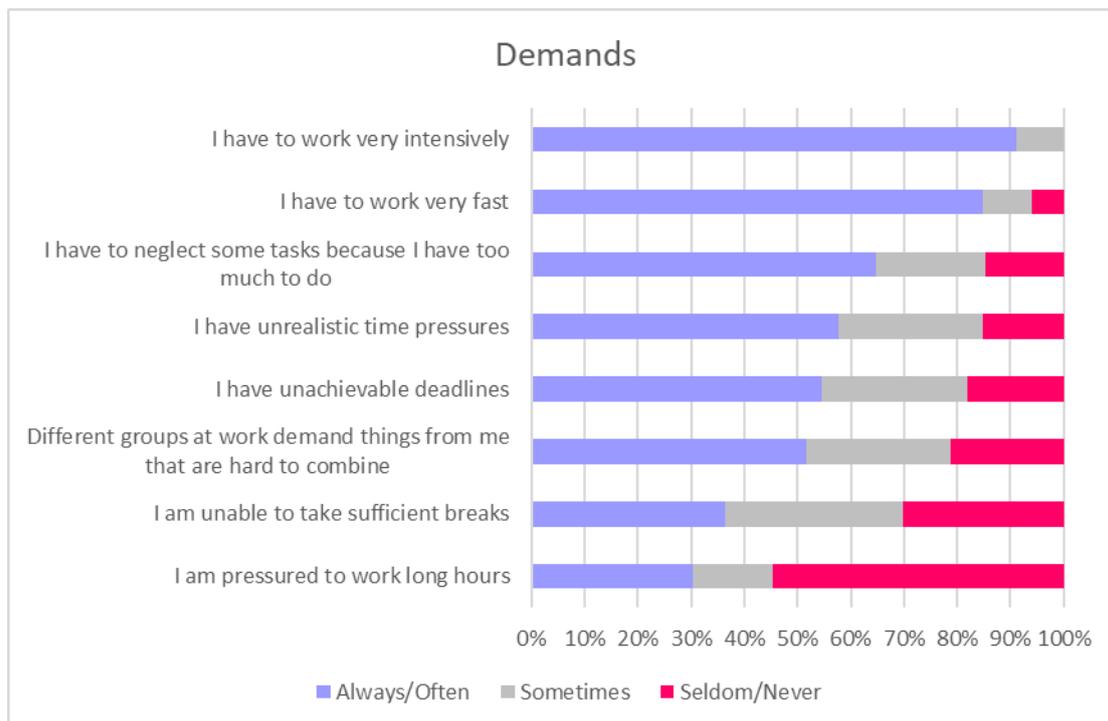
- 6.1 In speaking with witnesses across all organisations, one of the main themes which reoccurred and was highlighted to the task group, from parent/carers, schools, practitioners and the 0-25 Team, was the sharp and sudden rise in caseloads and number of assessment requests received by the local authority against a backdrop of insufficient increases in funding to meet this demand.
- 6.2 Much of the feedback received from the survey completed by staff in the 0-25 Team, highlighted staff capacity as a serious concern in being able to meet the high level of demand now being seen across the First Assessment Process:

<sup>15</sup> Westminster Information and Advice Support Service: <http://www.westminsteriass.co.uk/pages/information-and-advice/education/ehc-plans/ehc-timeline>

*“I think the team is significantly under resourced ..... with over 5000 EHCPs that are current and more requests arriving daily, how does the local authority think it cannot increase the level of staffing proportionately?” (0-25 Team)*

*“there has been a much bigger increase in requests for plans which means more reviews, more phase transfers, more amendments etc. At this time, we just do not have capacity to complete all the required work and clear the backlog of work we have, which causes many staff to overwork and suffer from stress.” (0-25 Team)*

- 6.3 There were eight questions in the survey relating to demands placed on staff. The results show that this service area is under significant pressure from service demands:



- 6.4 All participants say they have to work intensively, with more than 90% of participants saying that they always or often have to. Less than 6% of participants say that they seldom or never work very fast. Two thirds of participants always or often neglect tasks because they have too much to do.

- 6.5 This feeling of reduced staff capacity within the 0-25 Team was also expressed by many parent/carers and schools:

*“EHCP managers are very clearly overstretched and unable to deal with cases efficiently or effectively.....significant understaffing of service especially at senior level” (Parent)*

*“The School understands the pressure on the 0-25 Team due to the numbers they have to deal with. Nevertheless, it is a frustration that you only seem to get a response if you push for one.” (School)*

The task group notes that SEN caseworkers will now become named contacts. This would make contact more streamlined between families and the 0-25 team.

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## Staff Wellbeing

- 6.6 Staff wellbeing was an area of significant concern for the task group, with Members aware that staff are facing increasingly complex and difficult cases, which require additional support, both practically and emotionally.

*We face more complex cases (child sexual exploitation, drugs gangs, fabricated illness, neglect) and have to liaise with families and schools and young people but we do not get supervision. We carry these cases and the trauma every day. We receive verbal abuse in person and on phones from both schools as well as parents. (0-25 Team)*

- 6.7 Sickness rates within the 0-25 Team have also been exacerbated by the level of demand placed on teams and the realisation that many staff work well above contracted hours in order to try and meet statutory deadlines. In turn, this has put added pressure on teams operating further below their capacity.

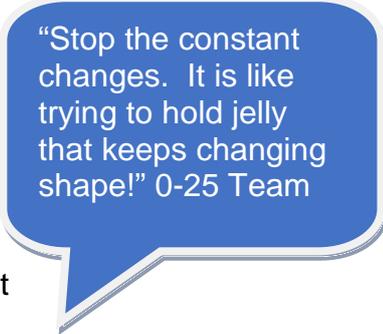
*We were understaffed in our area team .....In addition, a lot of work has been generated when colleagues have been off sick. There could have been a plan put in place for this. (0-25 Team)*

*The workload has become so great that even with working up to 60 hours+ per week at times, I still cannot meet the deadlines required. Whilst I appreciate this is not an 'expectation' of my job, the reality is that if I didn't do this, I would be even further behind with meeting statutory deadlines - when you are told the expectation is to meet 100% of deadlines on time the pressure to work in this way is immense. This is not a sustainable way of working! (0-25 Team)*

- 6.8 In order to help increase staff wellbeing, workplace supervision provides a safe and confidential environment for staff to reflect on and discuss their work and their personal and professional responses to their work.<sup>16</sup> It is an extremely important tool for those individuals dealing with highly complex services, and staff should have access to appropriate forms of support. Workplace supervision should be valued within the context of the culture of the organisation, which is crucial in setting the tone, values and behaviours expected of individuals. It should sit alongside good practices in recruitment, induction and training to ensure that staff have the right skills, attitudes and support to provide high quality services. This in turn, may help to reduce levels of sickness and improve the level of wellbeing and feeling of support within the 0-25 Team, thereby improving the overall effectiveness of the team.

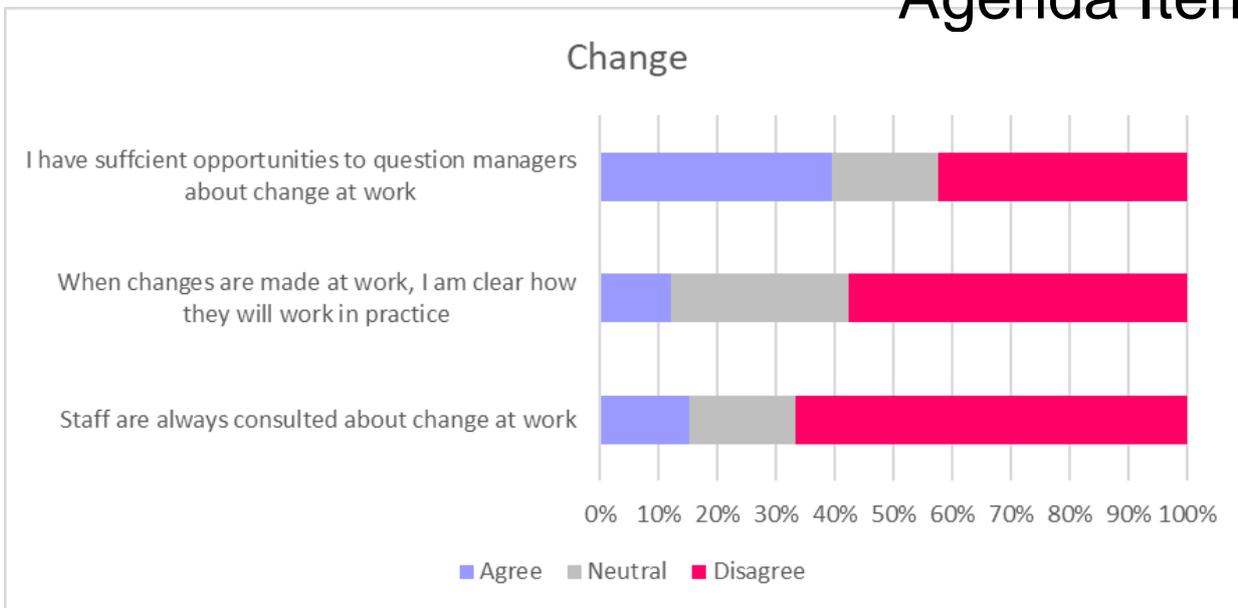
## Changes to the process

- 6.9 In response to the survey filled out by the 0-25 Team, concern was raised over the lack of consultation with staff when changes to the process are made at a senior level. From the three questions asked, the responses indicated high levels of uncertainty around change. The responses were balanced on the opportunities to question managers about change. However almost 60% of staff say that they are seldom or never clear about how changes will work in practice, and an even higher 70% say that staff are seldom or never consulted about change at work.



“Stop the constant changes. It is like trying to hold jelly that keeps changing shape!” 0-25 Team

<sup>16</sup> CQC (2013) Supporting Information and Guidance: Supporting Effective Clinical Supervision, [https://www.cqc.org.uk/sites/default/files/documents/20130625\\_800734\\_v1\\_00\\_supporting\\_information-effective\\_clinical\\_supervision\\_for\\_publication.pdf](https://www.cqc.org.uk/sites/default/files/documents/20130625_800734_v1_00_supporting_information-effective_clinical_supervision_for_publication.pdf)



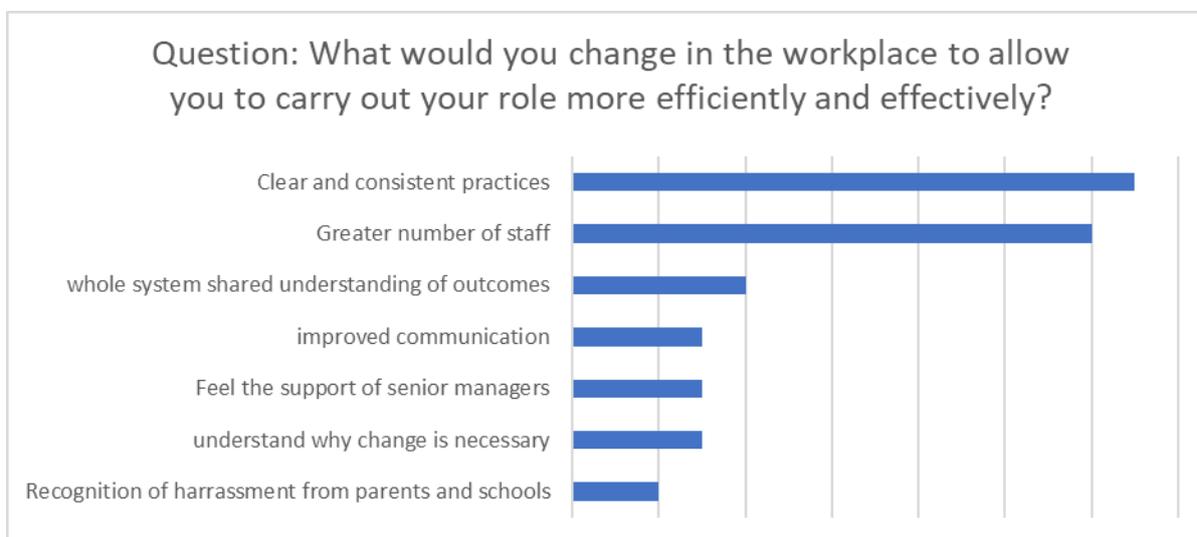
6.10 Staff talked about how changes were made which they felt little control over and had a disproportionate impact on their work:

*“We (staff) are rarely consulted on changes to the process and this has a big impact on how we work. Changes are made higher up and the consequences of how things will be implemented on a basic level are not considered. Things are constantly changing so parents hear different messages from the team week to week.” (0-25 Team)*

*“Changes are made by people who do not know the impact it will have to the wider picture. By saving time and money in one aspect the butterfly effect is immense on other aspects of the role”. (0-25 Team)*

6.11 This in turn causes confusion and frustration among staff and can often result in different advice being given to schools whilst changes are implemented throughout the SEN Team.

6.12 As part of the survey, the task group gave staff the opportunity to suggest what changes they would make in the workplace to allow them to carry out their role more effectively. This was done via an open text box where respondents were invited to suggest which changes would be of benefit. As is demonstrated on the following chart there are two clear areas that many respondents identified; clear and consistent practices from management and other professionals, and an increase in staff to meet the increase in demand.



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- 6.13 The areas identified above highlight key themes such as better communication, a clearer understanding of roles and responsibilities across all organisations and the need for more staff to meet demand and current pressures across the service.

## 7. Working in Partnership

- 7.1 The successful sharing of information between local partners, including the local authority, schools, educational psychologists, health and social care professionals, is key to the effective delivery of services and implementation of EHCPs. Information sharing is vital to support an effective assessment and planning process which fully identifies needs and outcomes and the education, health and care provision needed by the child or young person. Local authorities and partners should work together to agree local protocols for information collection and management to inform planning of provision for children and young people with SEN.
- 7.2 As far as possible, there should be a 'one story' approach to sharing information during the assessment and planning process so that families and young people do not have to repeat the same information to different agencies, or different practitioners and services within each agency. Currently, parent/carers informed the task group that this was not always happening, and they often had to repeat information and forms to different organisations.
- 7.3 One area raised by staff to achieve this joint approach of service delivery was the implementation of joint training between all local partners, to aid better understanding of the different roles and responsibility of each organisation, the purpose and appropriate use of an EHCP and to ensure the reports provided by professionals contributing to an EHCP are needs specific to the child.

Routine joint training with other professionals across health, social care and education on SEND categories of need, developing a shared understanding of what is reasonable to expect at SEN support level, what may constitute an EHCP application, what evidence is required and what support is available to ensure the plan is being implemented effectively and statutory duties are being met. (0-25 Team)

- 7.4 Further to this, a change in the culture within all SEND services was highlighted as being vital to achieve better outcomes for children and young people with SEN, to emphasise that the needs and provision for children and young people with SEN is the responsibility of all local partners, and not just one organisation.
- 7.5 The task group also heard from schools who identified concerns around the appropriate use of an EHCP and when is best to advise parent/carers that an assessment is the correct course of action.

**"We need everyone to understand that SEN is everyone's business, not just the 0-25 team".**

- 7.6 This was seen where a child has a medical or social need, but the school is managing the young person's educational needs and therefore does not feel an EHCP is the best course of action. However, schools were finding that health and social care professionals had advised parent/carers to request an EHCP through the school, only for the school to advise that the child's educational needs were already being met;

leaving parent/carers feeling frustrated. It was felt that better understanding of the process by health and social care professionals was required, along with better information and signposting for parent/carers where the young person requires additional health or social care support, which should then be funded by health or social care and not by education authorities.

*If there is a health issue, they (professionals) should be looking at other support mechanisms for the family to address health/social reasons, not directing back to the school who are managing the child's needs and do not require an EHCP. (School)*

- 7.7 Additional pressures faced by Special Education Needs Coordinators (SENCOs) was also raised as an area of serious concern by schools, and their ability to keep pace with a growing demand in SEN in the face of a bureaucratic system which is often repetitive, unclear and difficult to navigate. This had resulted in schools giving SENCOs dedicated days per week to work purely on EHCP requests, which was not sustainable and to the detriment of other pupils with SEN in the school. Headteachers were concerned that, as a result, there would be a crisis in schools being able to recruit and retain SENCOs due to stress and unsustainable workloads.
- 7.8 The need for local partners to work cohesively to improve the quality of plans was of extreme importance to the task group, having heard evidence of outcomes not reflecting the needs identified within the Plan and parent/carers receiving conflicting advice from different services and outcomes with mixed solutions. Importantly, parent/carers advised that plans were often not specific to the child and failed to detail who would provide the provision, how often the provision should take place and how long it should last for. Quite often, plans included language such as “the young person would benefit from ....” or “the young person should receive regular sessions around...” rather than specifying the child or young person “will have” a provision and that it should be “weekly” rather than “regularly”. This would help schools and professionals to implement the Plan effectively, thereby meeting the young person’s specific special educational need.
- 7.9 Quality of reports received from professionals was raised as an issue by the 0-25 Team which impacted on their ability as a result to write a Plan specific to the needs of the child:

*“There is an emphasis on quantitative data (number of applications and EHCPs awarded- input and output) but there doesn't appear to be the same emphasis on quality and impact. For example, the quality of reports, advice, support, interventions and the subsequent impact on settings, the children and young people and their families. These factors can either hinder or support the productiveness of the 0-25 team and their ability to ensure decisions made are based on being fully informed.” (0-25 Team).*

*There is evidence that not all reports are specific enough to be able to understand fully what the young person requires that is over and above SEN support. This is often due to other professionals (across health, education and social care) having limited understanding of the difference between SEN support and EHCP. (0-25 Team).*

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7.10 Crucially, all local partners felt that the whole EHCP system was a difficult and complex process, but it was the responsibility of all partners to work together in collaboration to improve the experience for children, young people and their families.

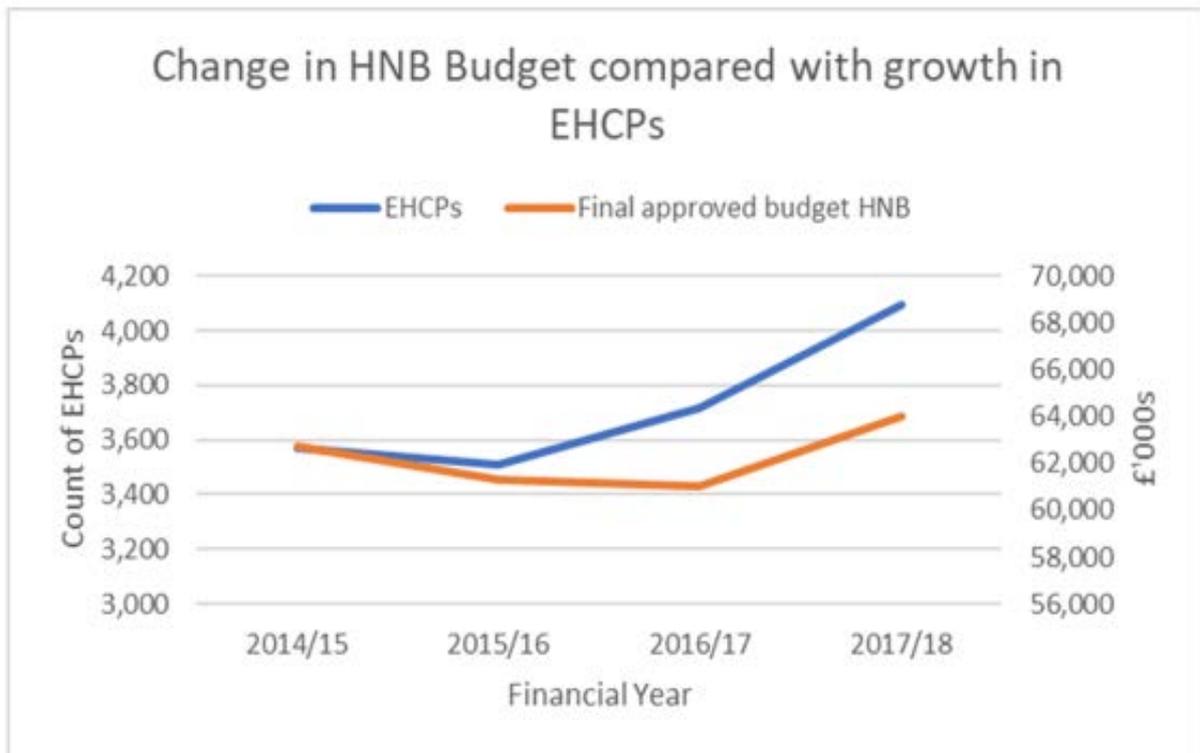
“The EHCP process is complex and as such improving the process should be a whole system approach to changing cultures, practices and perceptions. This would aid understanding of roles and responsibilities, ensure transparency and support the development of a shared and cohesive approach.” (0-25 Team)

## 8. Outcomes for children and young people with an EHCP

### SEN School Placements

- 8.1 Children and young people with an EHCP are predominantly placed within mainstream schools and local authority maintained special schools. This is in line with both the Code of Practice and Devon’s SEND Strategy<sup>17</sup> which outlines the SEN funding priorities, which are:
- ensure statutory provision is in place in mainstream schools;
  - ensure there are sufficient special school places in Devon to meet demand; and
  - use specialist independent providers only when the SEN of a child or young person requires that level of specific provision and it cannot be met in mainstream or special schools.
- 8.2 The percentage of pupils with plans attending specialist settings has increased, which causes pressure on both special school places and the High Needs Block, due to increased use of the independent sector which is more costly. This is especially relevant given that the increase in the number of children and young people supported with EHCPs has grown significantly more than the High Needs Block funding growth available to the local authority to support them.
- 8.3 The following graph shows the difference between the High Needs Block Funding and the number of EHCPs.

<sup>17</sup> Devon County Council (2017) Devon SEND Strategy, [https://devoncc.sharepoint.com/sites/PublicDocs/Education/Children and young people/SEND/Strategic%20Documents/Devon%20SEND%20Strategy%202017-20.pdf?cid=79751a88-0e6e-467e-9805-4713ed601bae](https://devoncc.sharepoint.com/sites/PublicDocs/Education/Children%20and%20young%20people/SEND/Strategic%20Documents/Devon%20SEND%20Strategy%202017-20.pdf?cid=79751a88-0e6e-467e-9805-4713ed601bae)



Devon County Council: SEN Annual Report 2017/18<sup>18</sup>

- 8.4 Concerns have been raised over the increase in EHCPs resulting in young people placed in the independent sector which is often due to a lack of capacity in local authority special schools or parental preference indicating a lack of confidence in the mainstream sector. A lack of specialist provision was highlighted to the task group on many occasions by parent/carers, staff and professionals:

We need more spaces in specialist provisions. Another reason for delay is that we do not have a place in a school to put a child. Even if we finalise the plan to ensure the child has the statutory protection that comes with an EHCP, we still need to keep working on the case until a suitable placement becomes available which has an impact on everyone's workloads. (0-25 Team).

Significant lack of suitable school places is creating a huge backlog of waiting children and young people in the system (Parent)

- 8.5 Changes in the culture around parent/carers desired outcomes in terms of school placement may be necessary, to avoid the assumption that an EHCP automatically results in a place at an independent or maintained special school, or that it is the required outcome, as many mainstream primary and secondary schools should be able to meet the needs of children and young people with SEN:

<sup>18</sup> Devon County Council (2019) Children and young people's Scrutiny Committee SEN Annual Report, <https://democracy.devon.gov.uk/documents/g2861/Public%20reports%20pack%2018th-Mar-2019%2014.15%20Children%20and%20young%20peoples%20Scrutiny%20Committee.pdf?T=10>

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It is generally expected by all involved that a change of school is imminent from mainstream to specialist for a significant number of these cases as a natural consequence of the EHCP process. There is a perception amongst many parent/carer/professionals that an EHCP = specialist setting (0-25 Team).

- 8.6 In order to meet the increased demand for specialist school places, the Council will have increased its current provision within Devon County Council's maintained special schools, by 500 places in 2020.
- 8.7 However, despite this increase in provision, the fundamental problem is that Councils' are not allowed to create or open new special schools due to Government legislation which states that all new schools must be an academy or free school decided by the Government. This in turn, hinders the Council's ability to increase specialist provision and thereby meet its statutory duty to provide enough school places to meet demand in a timely manner. Councils' must therefore rely on alternative providers to build new schools, often resulting in more independent places, at a higher cost to the authority, when funds are not increasing at the same rate as the number of EHCPs issued.

## 9. Devon Local Area SEND Inspection

- 9.1 Whilst the task group was investigating the EHCP process, between the 10 to 14 December 2018 Ofsted and the CQC conducted a joint inspection of the local area of Devon, to assess the effectiveness of the local area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014.
- 9.2 The focus of the Inspection concentrated on three key areas which were the effectiveness of the local area in:
- identifying children and young people who have special educational needs and/or disabilities;
  - assessing and meeting the needs of children and young people who have special educational needs and/or disabilities; and
  - improving outcomes for children and young people who have special educational needs and/or disabilities.
- 9.3 The findings of the inspection highlighted areas of good practice including positive academic outcomes, support for children and young people with the most complex needs and the strong commitment and dedication from staff across the local area. However, Her Majesty's Chief Inspector (HMCI) determined that a Written Statement of Action (WSOA) was required to address four areas of weakness identified by Ofsted and CQC:
1. Strategic plans and the local area's SEND arrangements are not embedded or widely understood by stakeholders, including schools, settings, staff and parent and carers;
  2. The significant concerns that were reported about communication with key stakeholders, particularly with parents and families;
  3. The time it takes to issue Education Health and Care Plans (EHCP) and the variable quality of these plans; and
  4. Weaknesses in the identification, assessment, diagnosis and support of those children and young people with autism spectrum disorder.

- 9.4 The local authority and the clinical commissioning group are jointly responsible for submitting the written statement of action to Ofsted and senior leaders are working together to develop the detailed priority actions that will form the WSoA. The required outcome is that lived experience for children and families involved with SEND will be good and will match the good educational outcomes achieved by children and young people with SEND in Devon.
- 9.5 Many of the themes and findings highlighted by the Joint Inspection were also heard by the task group as explored previously in this Report and highlighted in the recommendations.

## 10. Conclusion

- 10.1 This task group was created to respond to concerns around the Council and local partners not meeting the statutory 20-week timescale in completing and issuing Education, Health and Care Plans. During this review, the task group has gathered evidence from a wide range of witnesses and sources and heard of the experiences of parent/carers, schools, staff and other professionals.
- 10.2 The task group recognises the importance of effective communication between parent/carers and professionals in order to improve the overall experience of young people and their families, as well as the need for collaborative working and effective communication between partner agencies in order to deliver timely and quality EHCPs to children and young people with SEND.
- 10.3 Investment in future resourcing of the Council's 0-25 Team to better meet the increasing demands in SEN provision, is vital if the Council is to meet its statutory duty in issuing EHCPs within 20-weeks and improve the aspirations of children and young people with special educational needs.
- 10.4 The task group believes the 0-25 SEN Team are working hard to improve services relating to the EHCP Assessment process. However, moving forward, they must commit and be supported to communicate better with parent/carers and across organisations, being as open as possible about the challenges they face, and the decisions made, to ensure that statutory deadlines are met and the needs of children and young are placed at the heart of the process.
- 10.5 EHCPs should be based on needs to enable access to education not only on diagnosis. In some areas of SEN diagnosis is still difficult to determine e.g. autism, ADHD and attachment difficulties, because this holds up getting help place in quickly for the child or young person. Time is of the essence to maintain progress.
- 10.6 There are a number of questions and areas of investigation that the group did not cover in detail but recognise may be extremely significant. These include identifying children and young people with autism, the annual review process and transitioning of children and young people to adults' services.
- 10.7 Finally, the task group believes that now is the opportunity for the Council to improve outcomes and experiences for all children and young people with SEN in Devon Schools, and trusts that by working closely with local partners in a collaborative and cohesive way, the ambitions set out within this Report can be achieved.

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## 11. Membership

Councillors Su Aves (Chair), Frank Biederman, Emma Brennan, Linda Hellyer, and Debo Sellis.

## 12. Contact

For all enquiries about this report or its contents please contact:  
Stephanie Lewis (Deputy Democratic Services Manager)  
[stephanie.lewis@devon.gov.uk](mailto:stephanie.lewis@devon.gov.uk)

## 13. Witnesses

### Witnesses

8.1 The task group heard testimony from a number of witnesses and would like to express sincere thanks to the following people for their contribution and the information shared.

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|                        |                                                                                               |
|------------------------|-----------------------------------------------------------------------------------------------|
| Victoria Benfield      | SENCO, Highweek Primary School                                                                |
| Sue Brealey            | Devon Information and Advice Service (DIAS) Manager                                           |
| Tim Cockerill          | Interim Principal Educational Psychologist, Babcock LDP                                       |
| Dr Jane Dunlop         | Community Paediatrician and Designated Officer SEND, NEW Devon CCG                            |
| Angela Fleming         | Headteacher, Bluecoat C of E Primary School Torrington                                        |
| Julia Foster           | SEND Senior Manager, Devon County Council                                                     |
| Adrian Fox             | Head Accountant, Education and Learning                                                       |
| Louise Goodchild       | Interim Principal Educational Psychologist, Babcock LDP                                       |
| Greg Ireland           | SENCO, ISCA Academy                                                                           |
| Judy Martin            | Headteacher, Highweek Primary School                                                          |
| Helen McShane          | Assistant Head and SENCO, Countesswear Primary School                                         |
| Dr Martin Miles        | Independent Educational Psychologist                                                          |
| Aimee Mitchell         | Headteacher, ISCA Academy                                                                     |
| Elizabeth Nash         | Senior Business Change Manager, Children and young people's Social Care, Devon County Council |
| Simon Niles            | Children and young people's Services Strategic Manager                                        |
| Parent Representatives | Local Offer Reference Group (LORG), Devon County Council                                      |

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|                 |                                                                                        |
|-----------------|----------------------------------------------------------------------------------------|
| Julie Ruddick   | SEN Mediation and Tribunals Officer                                                    |
| Dawn Stabb      | Head of Education & Learning, Devon County Council                                     |
| Kate Taylor     | Senior Commissioning Manager for Children and young peoples, NEW Devon CCGs            |
| Claire Thompson | Head of Specialist Services and Safeguarding, Babcock LDP                              |
| Jennie Waldron  | Principal Social Worker, Children and young people's Social Care, Devon County Council |
| Mel Webb        | SEND Local Offer and Participation Officer, Devon County Council                       |
| Kate White      | SENCO, Clyst Heath Community Primary School                                            |
| Liz Wood        | Disability Lead of Southern, Adult Social Care, Devon County Council                   |
| Michelle Young  | SENCO, Bluecoat C of E Primary School Torrington                                       |
| Mags Zaharia    | Early Years SEN, Bluecoat C of E Primary School Torrington                             |

The Task group would also like to thank staff of the 0-25 Special Educational Team at Devon County Council for completing an online survey and also those parent/carers who sent in additional information and examples of their own EHCP experiences.

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# Special Guardianship Task Group

June 2019

# Agenda Item 11

10<sup>th</sup> June 2019  
Children's Scrutiny Committee

## 1. Recommendations

1.1 The Task Group asks the Children's Scrutiny Committee and Cabinet to endorse and action the recommendations below, as part of the Council's review of special guardianship support. The Task Group requests that an update on the progress of the recommendations should be brought back to the Children's Scrutiny Committee in six to nine months' time.

|    | Ambition                                                                                                                           | Specific Recommendations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----|------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Impartial and consistent advice and support for prospective special guardians before and during the assessment process             | <p><b>1.1</b> Joined up working across children's social work and assessment teams to ensure that consistent advice is provided to families around special guardianship, including access to legal advice</p> <p><b>1.2</b> Improved signposting to independent and impartial advice through charities such as Grandparents Plus</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2. | All special guardians to have access to history of the child they care for, and to their support plan                              | <p><b>2.1</b> All special guardians to be provided with a summary report of the child's history as soon as the special guardianship order is made (where the child is known to Devon Children's Services)</p> <p><b>2.2</b> All special guardians to be provided with a copy of the child's support plan as soon as the plan is finalised</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 3. | A fair and equitable financial assessment and support policy and special guardianship allowances structure                         | <p>Review current financial assessment and support policy, and subject to securing appropriate funding:</p> <ul style="list-style-type: none"> <li>consider how a preventative approach can be taken to providing financial support to more special guardianship families in need</li> <li>bring special guardianship allowances in line with the new foster carer allowances scheme, which is based on the needs of the child</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 4. | A comprehensive package of ongoing support which enables special guardians provide the best care and support possible for children | <p><b>4.1</b> Bespoke introductory training, which mirrors the initial training undertaken by foster carers and adoptive parents to be made available to all special guardians</p> <p><b>4.2</b> Ongoing access to a programme of training including therapeutic parenting, for all special guardians</p> <p><b>4.3</b> Creation of permanent social work and business support roles and increased family practitioner resource within the SGO support team, subject to a review of current capacity within the team and appropriate funding being secured</p> <p><b>4.4</b> Introduce special guardian support groups in other parts of the county, supported and led by newly trained peer guides, and improve overall attendance levels at support groups</p> <p><b>4.5</b> Where a support plan is in place, all special guardians to be offered a support plan review on an annual basis, to coincide with the financial reassessment where applicable</p> |

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|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>5.</b> | Special guardians and parents to have access to the support and advice they need to adjust to changed family arrangements                                                                                         | <p><b>5.1</b> Where appropriate, parents to have access to counselling to support them to manage the loss of their child</p> <p><b>5.2</b> Special guardians to be supported to manage contact issues with parents through training and support groups</p> <p><b>5.3</b> Subject to increased capacity outlined in recommendation 4.3, the SGO support team to provide parental contact risk assessments, and to support special guardians to make informed decisions around contact</p>                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>6.</b> | Special guardianship families to be supported to access alternative respite options which provide positive experiences for children and special guardians                                                         | <p>Review, with a view to improving, current respite and alternative options for SGO families to include:</p> <ul style="list-style-type: none"> <li>• supporting and enabling informal ‘respite’ networks</li> <li>• improved signposting to appropriate universal and early help services which can provide day ‘respite’</li> <li>• increased access to family based support trips and activities</li> <li>• increased provision of group trips and activities for older children and young people</li> </ul>                                                                                                                                                                                                                                                                                                                                                         |
| <b>7.</b> | Improved support for children and young people living with special guardians, by improving access to mental health services, transition to independence and celebrating their achievements                        | <p><b>7.1</b> ‘Fast-track’ access to CAMHS assessment for all children with an SGO</p> <p><b>7.2</b> Subject to securing appropriate funding, the SGO support team to provide therapeutic support to SGO children who are not previously looked after</p> <p><b>7.3</b> Cabinet to lobby the Department for Education on the vital need for the continuation of the Adoption Support Fund after 2020, and to widen the scope of the fund to be accessible to all children with an SGO, rather than only those who were previously looked after</p> <p><b>7.4</b> The achievement of young people living with special guardians to be recognised through an annual celebration event</p> <p><b>7.5</b> To explore options to improve support for SGO young people during their transition to independence, including access to Personal Advisors and Pathway Planning</p> |
| <b>8.</b> | Government and district council policy to recognise and reflect the unique position and needs of special guardians and children in respect of legal aid, housing benefits, child tax credits and universal credit | <p><b>8.1</b> Cabinet to lobby the Department for Education over speeding up the provision of legal aid for special guardians, and to provide specific exemptions for special guardians for the over-occupancy penalty and the ‘two child’ rule</p> <p><b>8.2</b> The Cabinet Member for Children’s Services to write to district councils urging them to use their discretion to ensure that special guardianship families are not penalised through the under-occupancy penalty or ‘two-child’ rule in respect of child tax credits</p>                                                                                                                                                                                                                                                                                                                                |
| <b>9.</b> | Improve multi-agency knowledge and understanding of special guardianship and the needs of the children they care for                                                                                              | Development of ‘guide to special guardianship’ targeted at schools, GPs, hospitals, housing authorities and relevant charities such as Age UK, to raise awareness of special guardianship and the potential needs of children and families, supported by a targeted social media campaign                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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## 2. Background and Scope

2.1 In October 2017, Members welcomed four 'special guardians' to their Corporate Parenting Forum to hear their very personal journeys to becoming a special guardian, and the challenges they continue to face on day to day basis to provide the best care and support possible for the children in their care.

2.2 Having a strong desire to explore and understand this area further, the Children's Scrutiny Committee undertook a Masterclass in March 2018, to better understand the role of Special Guardianship Orders and the advice and support the local authority currently provides to special guardians and children in Devon.

2.3 At their March meeting the Committee established a Task Group to look in more depth at some of these issues. The Task Group agreed that its scope would be to examine:

- the sufficiency of the financial, practical and emotional support provided by the local authority to special guardians and children;
- the impact of issues such as access to legal aid and the application of the under-occupancy penalty on special guardians and children;
- parity on these issues when compared with adoptive parents and foster carers.

## 3. Kinship Care and Special Guardianship

3.1 A 'kinship carer' is a family member or friend who takes on the care and support of a child, when the child's parents are unable to do so. This usually means that the child is living with the family member or friend on a full-time basis, either temporarily or permanently.

3.2 The reasons for kinship care are varied. The charity Grandparents Plus estimates that around 52% of kinship care arrangements are as a result of parental drug or alcohol misuse, but other circumstances include bereavement, imprisonment, parental abuse or neglect and parental ill health<sup>1</sup>. There are several different forms that kinship care can take.

### Informal Kinship Care

3.3 Kinship care can be an informal arrangement between the parents and a family member or friend. The local authority is not usually involved in the arrangement and parental responsibility remains with the child's parents.

### Kinship Foster Care

3.4 Kinship foster care is a formal arrangement where the local authority places a child in their care with a family member or friend. The carer must be assessed and approved as a foster carer and will be required to undertake training, keep records and will be entitled to receive a fostering allowance, paid at the same rate as other foster carers. Because the child is 'looked after' by the local authority, the local authority retains parental responsibility. In some cases, a family member or friend may become a kinship foster carer as an interim measure, while more long-term arrangements are made.

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<sup>1</sup> <https://www.grandparentsplus.org.uk/what-is-kinship-care>

## **Special Guardianship Orders**

3.5 A Special Guardianship Order (SGO) is a legal order made by the court which appoints one or more carers to be a child's 'special guardian'. Under the order the special guardian takes on parental responsibility for the child in all but a few areas.

3.6 Local authorities are required to provide support services for special guardians, including financial support, following an assessment of need.

3.7 SGOs were originally intended to provide permanence and support better outcomes for older children living in foster care, but today they are more commonly used for younger children and babies, who may otherwise be adopted outside of the birth family. In Devon, as of September 2018, there were 436 children aged 0-17 year with an SGO. Over 40% of these children were aged 2 years or under when the SGO was made, where as less than 5% were teenagers.

## **Who are special guardians?**

3.8 In Devon, around 66% of special guardians are the grandparents of the child and around 20% are other family members or close friends of the family. They have usually taken on the care of the child for the sole reason that the child's parent is unable to do so and this is often unplanned and unexpected. They may have already raised their own children, or have their own young children or other caring responsibilities.

3.9 The remaining 14% of special guardians are foster carers, who apply to become a special guardian to provide greater stability and permanence for the child or young person involved, as well as to recognise the close family relationship which has been established, usually over a number of years, taking on parental responsibility from the local authority.

3.10 Many of the issues outlined in this report will be relevant to all types of special guardians, although some such as managing contact with parents and training, tend to be more pertinent to grandparents and other family or friend carers.

## **Comparisons with adoptive families and foster care**

3.11 One of the key areas for this review was to consider the parity of support available to special guardians, adoptive parents and foster carers, and the children they care for. It is important to recognise that these three families situations are in many ways quite different from each other, and that carers will have different needs and expectations of support. It is also important to remember that children living with a special guardian, like adopted children, are not in the care of the local authority, and therefore we should also expect the local authority to take a different role in supporting these families.

3.12 However, it is also crucial to remember that the children special guardians care for will often have had very similar experiences to children in care and adopted children and will have many of the same needs. Many of these children will have experienced some form of trauma and as a result they are likely to have additional needs and / or display challenging behaviour. Therefore, it is equally important that the needs of special guardians and the children they care for are met sufficiently.

## **4. Hearing the voice of Special Guardians**

4.1 Throughout this review, the Task Group has heard from a range of witnesses, but there has been a particular focus on understanding the experiences of special guardians and hearing their views. The voice of the special guardian has been reflected throughout this report, but some of the key experiences and needs expressed by special guardians are represented on the next page.

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## Special Guardians have told us...

### This is our experience...

We have to fight hard for every bit of financial support we get

Working, even part time, just isn't possible

Our family practitioner is great and gives us excellent support

We felt under scrutiny by social services and not supported, and received contradictory advice

We try to support each other with 'respite' but some children are very challenging to care for and it's not always possible

Managing my own feelings and emotions during the assessment process was extremely difficult

I didn't have enough information about available legal support or advice, or how to access it

I have never seen a support plan

Many families are at breaking point and feel isolated

### This is what we need...

A small amount of respite once a month would make a huge difference

Other agencies need to have a better understanding of SGOs

We need the same access to trauma informed care training as foster carers

Our children need more support with emotional and mental health issues

We need financial support – it's a huge financial commitment we hadn't planned for

I need help managing contact – it is often hard to know what is best for the child

I would like to see that children with special guardians are treated the same way as any other child in need

There has to be more support for the welfare of carers

## 5. Advice and Assessment

### Taking on the care of a child

5.1 When family members or friends first take on the care of a child it can be at very short notice, following a crisis situation. At this stage, the child and family may already have a social worker working with them, and the child's social worker will carry out a viability assessment (prior to the formal assessment process) to assess the carer's ability to look after the child in the short term and their suitability for further assessment. Alternatively, the child may be living elsewhere, and a family member or friend may be being considered as a possible alternative to the child coming into care and/or being placed for adoption.

5.2 Special guardians have told us that the overriding reason that they became a special guardian was their love for the child and the desire for them to remain within the family, rather than being adopted or taken into care. Family members and friends can feel an immense amount of pressure at this time to make a decision about taking on the care of the child on a long-term basis, and it is important that the local authority supports them to make an informed decision.

### Assessment process and outcome

5.3 Local authorities are required to assess the suitability of prospective special guardians and provide a report and recommendation to the court. In Devon the majority of these assessments are undertaken by social workers in the Family & Friends Assessment Team. The assessing social worker will meet with the prospective special guardians over a number of weeks and undertake an in-depth investigation and assessment of their ability to meet the child's needs until they reach adulthood. This includes medical and health checks, enhanced police and local authority searches and obtaining references, as well as discussing the financial implications of taking on the child, approaches to parenting and relationships with other family members, including any other children in the home. Social workers need to approach the assessment with an open mind and recommendations will be based on what is best for the child in the short and long term.

5.4 The social worker's report will make a recommendation to the court which will recommend that one of the following decisions be made:

- that a special guardianship order be made naming the assessed family member or friend;
- that the family member or friend become or remain a kinship foster carer for a period of time (often where the child has more complex needs and/or the carer would benefit from accessing the wider support available to foster carers);
- that the family member or friend is unable to meet the child's needs, in the short or long term, and that alternative arrangements should be found for the child's care.

### Court timescales

5.5 The law requires that the local authority's assessment be completed within 16 weeks, with a possible extension to 24 weeks. However, where there are pending care proceedings, the court has the power to require that an assessment be completed in as little as 6 weeks. Meeting this deadline is often extremely challenging for the local authority, but is also leaves a very short amount of time for the potential special guardian to adjust to their new responsibility. Special guardians have told us that this is a very difficult and emotional time for them and everyone involved. They are often having to manage complex and changing relationships with the child's parents, and that court timescales can bring additional pressure. The court process itself can also be intimidating and quite overwhelming.

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## Advice and support

5.6 The support and advice available to prospective special guardians prior to assessment can be variable, and families are sometimes given contrasting advice from different social workers. The local authority will provide some initial legal advice to prospective special guardians, and will in some cases provide financial assistance with legal fees, but the advice given on accessing this support is inconsistent. Special guardians report a lack of both practical and emotional guidance and support at this stage of the process.

5.7 During the assessment process itself, the assessing social worker will provide information and advice to the potential special guardian. During the first meeting the social worker will provide an information pack containing information about what it means to be a special guardian, FAQs and contact information. The social worker also explains the assessment process and is able to offer advice and guidance on other potential options including becoming a kinship foster carer, for either the short or medium term.

## Recommendation 1

| Ambition                                                                                                                  | Specific Recommendations                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Impartial and consistent advice and support for prospective special guardians before and during the assessment process | <b>1.1</b> Joined up working across children's social work and assessment teams to ensure that consistent advice is provided to families around special guardianship, including access to legal advice<br><b>1.2</b> Improved signposting to independent and impartial advice through charities such as Grandparents Plus |

## 6. Access to records and support plans

### Child's records and history

6.1 Some special guardians have told us that when they first took on care of their child, they were given very little information about the child's history, including information about past trauma, which has impacted on their ability to care for the child. Although many special guardians as family members will have some knowledge and understanding of the child's history, this should not be assumed. There are clear challenges around confidentiality and data protection, and family sensitivities which all need to be considered. However, in the same way that adopters and foster carers receive information about the child's history to enable them to provide informed and appropriate care, special guardians too need to have this understanding.

### Support Plans

6.2 Dependant on their needs, many children living with special guardians will have a support plan in place which will outline how the local authority will support the special guardian to meet the needs of the child. Support plans should be developed and agreed between the social worker and the special guardian. Some special guardians have told us that they have never been given a copy of the final support plan, or that it was very difficult to get hold of. It is vital that special guardians are provided with a copy of the support plan from the beginning, without having to request this.

## **Recommendation 2**

| Ambition                                                                                              | Specific Recommendations                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| All special guardians to have access to history of the child they care for, and to their support plan | <p><b>2.1</b> All special guardians to be provided with a summary report of the child’s history as soon as the special guardianship order is made (where the child is known to Devon Children’s Services)</p> <p><b>2.2</b> All special guardians to be provided with a copy of the child’s support plan as soon as the plan is finalised</p> |

## 7. Financial support and allowances

### **The Regulations**

7.1 The Special Guardianship Regulations 2005<sup>2</sup> state that financial assistance is payable where it is necessary to facilitate arrangements for a person to become the special guardian of the child, and / or where it is necessary to support the continuation of these arrangements, after the order is made. It is on this basis that the local authority may provide support with legal fees and may also provide one off payments for the purchase of necessary items such as a bed for the child or a car seat, as well as a means tested special guardianship allowance.

7.2 The Regulations require that local authorities must carry out an assessment of need (including financial support) where the child is or has previously been looked after by the local authority, but there is no requirement for the local authority to carry out an assessment where the child has not been looked after. This Regulations also require that this assessment takes into account the special guardian’s financial resources and the child’s needs, through a means test.

### **Accessing financial support**

7.3 Although not required to do so by the Regulations, most local authorities will provide an assessment of need upon request, regardless of looked after status (particularly where it is considered that the child would have come into the care of the local authority if the special guardianship order had not been made).

7.4 However, some of the special guardians we spoke to felt they had been denied financial support or were disadvantaged because their child had never been in the care of the local authority, usually because they had taken on the care of the child to prevent this very thing from happening. Many said that accessing financial support from the local authority was very difficult and that they have had to fight hard for every bit of financial assistance they receive, and that they had to reach ‘breaking point’ before help was provided.

7.5 The statutory Special Guardianship Guidance<sup>3</sup> states that a special guardianship arrangement should not fail solely on financial grounds, but it would surely be far more pragmatic for local authorities to provide financial assessment and support to these special guardianship families before a crisis point is reached.

7.6 Many of the witnesses spoken to, including special guardians themselves, felt that the current policy on financial assessment and support was far too rigid and re-active, when it should be flexible and pre-emptive. Family circumstances and needs can change quickly, and they need a system of

<sup>2</sup> <http://www.legislation.gov.uk/ukxi/2005/1109/regulation/6/made>

<sup>3</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/656593/Special\\_guardianship\\_statutory\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/656593/Special_guardianship_statutory_guidance.pdf)

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financial assessment and support that can react to this. Frontline staff need to be given the time and flexibility to work with special guardians in a pre-emptive and pragmatic way, to find financial solutions which support special guardianship arrangements to succeed.

## Allowances scheme

7.7 In Devon, the means tested special guardianship allowance has historically mirrored foster carer allowances. The allowance is agreed for two years initially and then only payable thereafter following the outcome of an annual re-assessment.

7.8 Around 70% of special guardians in Devon receive an allowance (being means tested, some will receive less than the standard fostering allowance). The foster carer allowances structure has recently been revised, and from January 2019 allowances are based around the needs of the child, rather than the experience of the foster carer. Allowances for special guardians are currently under review in light of this, but at present special guardian allowances continue to be paid in line with the previous foster carer allowances structure.

## Recommendation 3

| Ambition                                                                                                   | Specific Recommendation                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A fair and equitable financial assessment and support policy and special guardianship allowances structure | Review current financial assessment and support policy, and subject to securing appropriate funding: <ul style="list-style-type: none"><li>consider how a preventative approach can be taken to providing financial support to more special guardianship families in need</li><li>bring special guardianship allowances in line with the new foster carer allowances scheme, which is based on the needs of the child</li></ul> |

## 8. Training and ongoing support

### Training

8.1 While the majority of special guardians will have parenting experience, becoming a special guardian is a very different and often overwhelming experience. The transition involves taking on a different role in the child's life (for example, changing from a 'grandparent' role to a 'parent' role). Many children have also experienced trauma, and the special guardian needs support and guidance on how to parent and care for a child with these experiences, such as therapeutic parenting methods, understanding attachment behaviours and trauma informed care. Some special guardians have told us that they felt supported by the local authority through the assessment and court process, but that this support disappeared once the order was made, being left to 'get on with it'.

8.2 In Devon, special guardians are currently able to access some of the training (including therapeutic parenting) that is available to foster carers, however this is only when spare places are available. Special guardians have also expressed that 'foster carer' training often covers issues that aren't relevant to them, such as record keeping, and therefore it would be more beneficial to have something bespoke for their situation.

8.3 Peterborough City Council, in partnership with their fostering and adoption service provider TACT, have developed a single permanency team, who support all foster carers, adopters and special guardians and as part of this have opened up their full plethora of training to all of these carers. The 2019/20 schedule includes training sessions on attachment, self-harm, County Lines, Therapeutic Crisis Intervention amongst many others. Some of these sessions are open to all carers

and others are bespoke to certain types of carers, so that their specific needs can be addressed. Peterborough have found that there at times short waiting lists for some training courses, but over all their approach to permanency training works well and carers feel supported.

8.4 Special guardian's needs are also being recognised in Devon, and work is currently being undertaken to develop introductory training new special guardians. This will go a long way to providing the support and guidance that special guardians need in those first few months. However, raising a child is a life long journey, and child's needs change as they get older, with many children and special guardians needed greater support as they reach adolescence. It is therefore important that special guardians are able to access a range of training, not only when they are new special guardians, but to have the offer of continued support and training whenever they may need it in the future.

## **Social work and family practitioner support**

8.5 Devon's Special Guardianship support team is currently made up of 1 FTE Team Manager, a 0.5 FTE Social Worker and 3.5 FTE Family Practitioners. Special guardians also have access to the children's social work duty line and out of hours support. Until very recently, adoption social workers would complete support assessments and provide assistance to family practitioners with more complex cases, however this is no longer possible following the formation of the regional adoption agency and the transfer of adoption social workers to Adopt South West. The team's social worker is able to bridge this gap currently, but the role is at present a temporary post, as is the Team Manager position.

8.6 The small team of family practitioners provide day to day support and advice to over 400 special guardianship families across the county. They do not hold a case load but respond to requests for support as needed and as resources allow. Special guardians told us that they highly valued the support provided by their family practitioners and that they felt that they were very committed to helping families.

8.7 Family practitioners are highly skilled and experienced in supporting families and are trained in restorative practice and trauma informed care. However, their time is spread very thinly across a large county and high number of families, and their capacity to provide this one to one support to special guardians and children is very limited. The team currently has no admin support, relying on assistance from business support colleagues in other teams. A lot of family practitioner time is spent managing financial support related queries and other administrative task, much of which could be dealt with by business support colleagues, freeing up family practitioner time.

8.8 Support for special guardians varies dramatically across the country, with some local authorities providing only very basic support for families after the order is made. However some local authorities, including Essex County Council, have invested in upscaling the social work resource they provide to special guardians, recognising that these children and carers have many of the same needs as fostering and adoptive families. To support their 700+ special guardianship families, Essex's SGO support team is made up of one Team Manager, two Senior Practitioners, three Social Workers, one Mental Health Co-ordinator and four Child & Family Support Workers (similar role to Devon's Family Practitioners). This means that special guardianship families with the highest needs are able to access social work support, including specialist mental health support.

## **Support groups and peer support**

8.9 Devon runs three support groups for special guardians across the county, based in Exeter, and in the north and the south of the county. Support groups give special guardians an opportunity to come together and access peer support, and hear from guest speakers from relevant services such as educational psychology. Family practitioners also attend these groups when they have capacity.

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8.10 Special guardians who attend support groups find them a great help, but due to the vastness of the county, it is difficult for many special guardians to attend, and they must arrange their own travel and childcare if needed. Attendance at these groups can be low.

8.11 The SGO support team is currently working with special guardians to set up a Peer Guide scheme, mirroring the model used in fostering. Peer Guides would be special guardians who would undertake training and be supported to offer peer support and mentoring to other special guardians. There has been a great deal of enthusiasm from special guardians for this scheme and a number have put themselves forward to be peer guides.

## Support plans

8.12 Many children who live with a special guardian will have a support plan, which will outline how the local authority will support the special guardian to meet the needs of the child. Once the support plan is put in place, it is not subject to regular review, however the special guardian can request a reassessment and this assessment could result in a revised support plan. However, children's needs can change very rapidly, and special guardians should have the opportunity to have the support they need reviewed regularly.

## Recommendation 4

| Ambition                                                                                                                              | Specific Recommendations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A comprehensive package of ongoing support which enables special guardians to provide the best care and support possible for children | <p><b>4.1</b> Bespoke introductory training, which mirrors the initial training undertaken by foster carers and adoptive parents to be made available to all special guardians</p> <p><b>4.2</b> Ongoing access to a programme of training including therapeutic parenting, for all special guardians</p> <p><b>4.3</b> Creation of permanent social work and business support roles and increased family practitioner resource within the SGO support team, subject to a review of current capacity within the team and appropriate funding being secured</p> <p><b>4.4</b> Introduce special guardian support groups in other parts of the county, supported and led by newly trained peer guides, and improve overall attendance levels at support groups</p> <p><b>4.5</b> Where a support plan is in place, all special guardians to be offered a support plan review on an annual basis, to coincide with the financial reassessment where applicable</p> |

## 9. Relationships and contact with parents

### Parental loss

9.1 Whatever the reason for a special guardianship order, whether or not the child's parents are supportive of the arrangement, in most cases the parents of the child concerned will be experiencing a range of emotions, including loss. This is an extremely complex area and each family's circumstances will be different; there may be a court ruling which disallows or limits contact between the child and the parent, or the local authority or special guardian may feel that it is best for the child if contact is limited or ceased. Even if regular contact between the parent and child does continue, there is still often a significant sense of loss. The parent themselves may also be vulnerable, or they may feel very angry at what has happened, and will need support in managing this loss and change in family arrangements.

## Managing contact

9.2 For special guardians, managing relationships and contact with the parents of the child they care for is one of the most emotionally challenging and difficult issues they face. Unlike adoptive parents and foster carers, the child’s parents will usually know the address of where the child is living, and we know that parents turning up on the door step and making demands to see their child are not uncommon.

9.3 For many special guardians, the parent of the child is their own son or daughter, or another very close relative, and so when the SGO is first made, they are not only trying to manage the change in relationship between the child and the parent, but also the change in or loss of the relationship they themselves have with the child’s parent. For grandparents, this means putting the needs of their grandchild above the needs of their own child.

9.4 Because of the emotions and complexities involved it can also be difficult for special guardians to make objective and informed decisions about contact requests from parents, and they can be left not knowing what to do for the best.

## Support

9.5 Family practitioners will support special guardians with advice and guidance where possible, but as indicated earlier in this report, there is little capacity for them to work intensively with special guardians. Support and advice from other special guardians may be found through support groups.

9.6 Special guardians and parents can make use of the Family Solution Service which offers facilitated meetings, including mediation, which can support families to resolve conflict and find positive solutions. For families who need support with contact, contact centres can enable children to spend time with parents, including supervised contact where necessary.

9.7 These services may go some of the way to addressing parental contact issues, but they are not suitable for all family situations. Special guardians have told us that managing contact with parents is often very fraught and emotionally challenging for everyone involved, and that not enough training or support is provided in this area.

## Recommendation 5

| Approach                                                                                                                  | Specific Recommendations                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Special guardians and parents to have access to the support and advice they need to adjust to changed family arrangements | <p><b>5.1</b> Where appropriate, parents to have access to counselling to support them to manage the loss of their child</p> <p><b>5.2</b> Special guardians to be supported to manage contact issues with parents through training and support groups</p> <p><b>5.3</b> Subject to increased capacity outlined in recommendation 4.3, the SGO support team to provide parental contact risk assessments, and to support special guardians to make informed decisions around contact</p> |

## 10. Respite, trips and activities

### Respite

10.1 Respite services are provided to families where children have high levels of additional needs and disabilities, or sometimes in a time of crisis. Dependant on the needs of the child and the family, some respite will take the form of overnight care in a fostering or residential setting. Day respite, such as a childminder or a supported playgroup may be more suitable for some families, and respite support can also be provided in the home.

10.2 The law requires that overnight respite care must be provided by a regulated carer which equates to the child coming into the care of the authority for that period (there is an exception for disabled children). Unless a child has a high level of need and respite services are detailed in their support plan, special guardian families will not have access to regular respite and it is generally expected that they will be able to arrange their own 'respite' through their wider family network. However, special guardians tell us that this is often not possible, either due to the specific needs of the child, challenging behaviour, or because family relationships are so fractured that they do not have a wider network of support that can offer this kind of help.

10.3 Some special guardians who have made links with others through support groups do provide 'respite' and childcare to each other, but again this can be more difficult, dependant on the needs of children. For the same reasons, accessing universal services such as library groups or church/community playgroups is not always possible. The local authority could take a greater role in supporting support group networks to provide 'respite', and support accessing appropriate universal and early help services.

### Trips and activities

10.4 There are a range of alternatives to traditional respite, including trips and activities which enable children and their carers to do something fun together, such as a day out to a leisure park or a short holiday. This kind of family based support is becoming more commonly used and promoted, as it avoids the separation of the child from the family which can have a negative emotional impact on the child.

10.5 Equally, activities and trips away from carers can be really beneficial for older children, helping them build confidence, learn new skills and have fun, in a safe and supported environment, as well as providing some 'respite' for special guardians, particularly during school holidays, which can be a particular intense time for families. Previous trips organised by the SGO support team include a PGL holiday, a pantomime trip and farm visits.

10.6 Feedback from young people and special guardians indicates that these trips and activities can be extremely positive and worthwhile experiences for children. The SGO support team have very limited funding to provide these kinds of activities, but have been successful in securing some charity funding, although seeking out and applying for funding opportunities can be resource intensive.

10.7 Many of the special guardians we spoke to told us that lack of access to respite is one of the biggest difficulties for them, and that again they feel that they have to be at crisis point before any help is provided. Whilst traditional overnight respite may not be appropriate for the majority of special guardian families, the local authority should be taking a greater role in providing and enabling alternative provision, by supporting informal networks, signposting and providing positive trips and activities for children and families.

## **Recommendation 6**

| Overall Ambition                                                                                                                                          | Specific Recommendations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Special guardianship families to be supported to access alternative respite options which provide positive experiences for children and special guardians | Review, with a view to improving, current respite and alternative options for SGO families to include: <ul style="list-style-type: none"> <li>• supporting and enabling informal ‘respite’ networks</li> <li>• improved signposting to appropriate universal and early help services which can provide day ‘respite’</li> <li>• increased access to family based support trips and activities</li> <li>• increased provision of group trips and activities for older children and young people</li> </ul> |

## 11. Support for children and young people

### **CAMHS assessment**

11.1 CAMHS (Child and Adolescent Mental Health Service) in Devon is responsible for assessing and treating young people with emotional, behavioural or mental health difficulties. Waiting lists for CAMHS assessments are long, and while children living with special guardians are more likely to need the services of CAMHS than their peers in the general population, unlike children in the care of the local authority, special guardian children are not given any special priority when it comes to having their mental health needs assessed, and can be waiting many months before they are offered an appointment.

11.2 As these children have many of the same experiences and needs as children in care, it seems incredibly unfair that they do not have access to the same ‘fast-track’ assessment, and we are concerned about the impact of this on children’s safety and on their long-term emotional health and wellbeing. There is also a considerable impact on the special guardians who are having to manage the child’s needs in the meantime.

### **Adoption Support Fund**

11.3 The Adoption Support Fund (ASF) was launched by the Department for Education in 2015 to provide therapeutic support for children of adoptive families, and was later opened up to special guardianship families, where the child has previously been looked after by the local authority. Following a recent extension, the fund is now due to come to an end in July 2020, and local authorities and families are greatly concerned about how children and young people will continue to be supported if the ASF is not continued.

11.4 In its current form, the ASF is only available to SGO children who have previously been in the care of the local authority, which means that children who went from living with their parents straight to a family or friend carer, completely miss out on accessing the vital therapeutic support that this fund provides.

### **Support groups for young people**

11.5 Young people who live with special guardians have told us that they really value having a safe space to spend time with other young people who have had similar experiences to them. Devon County Council runs a fortnightly group in Exeter called RIO (Really I’m Ordinary) for young people who live with special guardians and who are adopted, which provides this space. Young people are able to spend time playing games and taking part in activities such as cooking, as well as sharing a meal together. Social workers and family practitioners support the group and the young people who attend build positive relationships with each other and the staff who support them.

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The Exeter RIO group is the only one of its kind in Devon, and although some young people from further afield do attend, there is no longer any travel arranged for them, and in order for them to attend, staff have to drive to collect them from home, and return them again.

11.6 Children and young people growing up with special guardians are likely to face many more challenges than their peers, and may find many elements of childhood and growing up more complicated. These children and young people deserve to be celebrated for their achievements and supported to grow in confidence and thrive.

## **Transition to independence**

11.7 Thoughts of leaving home and becoming independent can be daunting for any young person, but those who have experienced instability in their homelife may find this even more difficult to traverse. Where as young people leaving the care of the local authority are provided are supported with pathway planning and a 'personal advisor', there are no such provisions for children living with special guardians.

11.8 Although many special guardians will be able to provide the support that the young person needs during this time of transition, in the same way that many parents do, some special guardianship families are looking for additional support at this time, and currently find that that there is very little that the local authority will support them with. They also feel that there is lack of joined up working with district council housing services to support young people at this time.

## **Recommendation 7**

| Ambition                                                                                                                                                                                   | Specific Recommendations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Improved support for children and young people living with special guardians, by improving access to mental health services, transition to independence and celebrating their achievements | <p><b>7.1</b> 'Fast-track' access to CAMHS assessment for all children with an SGO</p> <p><b>7.2</b> Subject to securing appropriate funding, the SGO support team to provide therapeutic support to SGO children who are not previously looked after</p> <p><b>7.3</b> Cabinet to lobby the Department for Education on the vital need for the continuation of the Adoption Support Fund after 2020, and to widen the scope of the fund to be accessible to all children with an SGO, rather than only those who were previously looked after</p> <p><b>7.4</b> The achievement of young people living with special guardians to be recognised through an annual celebration event</p> <p><b>7.5</b> To explore options to improve support for SGO young people during their transition to independence, including access to Personal Advisors and Pathway Planning</p> |

## **12. Legal aid, the under-occupancy penalty & the 'two child' rule**

12.1 There are a number of matters which fall outside of the local authorities remit but which can have a significant impact on special guardians financially.

### **Legal aid**

12.2 Legal aid is not currently available to special guardians (or prospective special guardians) and many end up having to self-fund both the SGO application and the defence of any contact issues in the future. The Legal Aid Agency has however now agreed that they will extend legal aid to special

guardians but have not indicated when this will happen. It is fantastic that the government has recognised the special situation of special guardians and their entitlement to financial aid, but special guardians need this support now, and therefore this needs to be fully expedited without delay.

## The under-occupancy penalty

12.3 The under-occupancy penalty (also known as the ‘bedroom tax’) does not provide an exemption for special guardianship families, meaning that those special guardians who have their own children living with them and who receive housing benefit or universal credit may be penalised for providing a separate room for the child they have taken into their care under an SGO. Housing authorities do have the ability to provide Discretionary Housing Payments (DHP) for households where it does not seem reasonable to apply the restriction, however the DHP is primarily used as a short-term solution and it is up to the individual housing authority to make the decision at their own discretion.

12.4 While it may be appropriate for siblings of certain ages and genders to share a bedroom, it is completely understandable that a special guardian may feel that it is far more appropriate for a child from the wider family, and who may have experienced trauma and / or be displaying challenging behaviour, to have their own bedroom, and they should not be penalised financially for this.

## The ‘two child’ rule

12.5 Support under child tax credits and universal credit was limited to two children from April 2017. There are however several exemptions from this rule, including one which applies to ‘children living long term with family or friends including informal caring arrangements where the child would otherwise likely be looked after by the local authority’<sup>4</sup>. Whilst this exemption clearly acknowledges the unique situation of kinship care, the wording makes it unclear as to whether this exemption applies to private law SGOs or to foster carers who become special guardians. It would be helpful if special guardianship was specifically referred to under this exemption.

## Recommendation 8

| Ambition                                                                                                                                                                                                          | Specific Recommendations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Government and district council policy to recognise and reflect the unique position and needs of special guardians and children in respect of legal aid, housing benefits, child tax credits and universal credit | <p><b>8.1</b> Cabinet to lobby the Department for Education over speeding up the provision of legal aid for special guardians, and to provide specific exemptions for special guardians for the over-occupancy penalty and the ‘two child’ rule</p> <p><b>8.2</b> The Cabinet Member for Children’s Services to write to district councils urging them to use their discretion to ensure that special guardianship families are not penalised through the under-occupancy penalty or ‘two-child’ rule in respect of child tax credits</p> |

## 13. Multi-agency awareness and understanding

13.1 Special guardianship families report that there is not a consistent level of understanding of their situation amongst the services they interact with. Some schools seem to be very aware of special guardianship and are very supportive of families and their needs, where as others have very little understanding of both the parental responsibility aspects of an SGO, and the experiences and needs of children, such as attachment disorder and associated behaviours. Schools are entitled to

<sup>4</sup> [https://www.entitledto.co.uk/help/Exemptions\\_to\\_2\\_child\\_limit](https://www.entitledto.co.uk/help/Exemptions_to_2_child_limit)

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claim the Pupil Premium allowance for children with an SGO and concerns were raised that many schools are unaware of this, and / or are not aware that a child in their school even has an SGO.

13.2 Some special guardians have reported a lack of awareness by GPs and in the health service generally, and that they have struggled to get access to important medical records (i.e. vaccination) for the children they care for.

13.3 There is a need to raise the profile of special guardianship amongst other agencies so that they are able to provide the best possible support to special guardians and the children in their care.

## **Recommendation 9**

| <b>Ambition</b>                                                                                                      | <b>Specific Recommendations</b>                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Improve multi-agency knowledge and understanding of special guardianship and the needs of the children they care for | Development of 'guide to special guardianship' targeted at schools, GPs, hospitals, housing authorities and relevant charities such as Age UK, to raise awareness of special guardianship and the potential needs of children and families, supported by a targeted social media campaign |

## **14. Conclusion**

14.1 Special guardians play an important and unique role in the care of children across Devon. They provide a loving home for children when their parents are unable to, and they often make huge personal sacrifices and face significant challenges in doing this. Special guardianship arrangements not only provide the child with a stable family setting, but often prevent the need for the child to be looked after by the local authority, and the resources associated with this.

14.2 Most children who live with a special guardian, a foster carer or who are adopted have experienced trauma of some form and will have a number of needs associated with this. However, the support available to special guardians and the children they care for is much more limited. There are also additional complexities associated with kinship care, such as managing parental relationships which need to be considered.

14.3 SGO children are no different to adopted children and children in care, and they and their carers deserve an equity of care and support.

## **15. Membership**

Councillors Linda Hellyer (Chair), Emma Brennan, Debo Sellis and Margaret Squires

## **16. Contact**

For all enquiries about this report or its contents please contact:  
Vicky Church (Scrutiny Officer) [victoria.church@devon.gov.uk](mailto:victoria.church@devon.gov.uk) 01392 383691

## 17. Sources of Evidence

### Task Group Activity

The Task Group undertook a range of evidence gathering activity including:

- Special Guardianship Masterclass (20<sup>th</sup> March 2018)
- Scoping meeting with Head of Children’s Social Care (23<sup>rd</sup> July 2018)
- Workshop to hear from special guardians (28<sup>th</sup> November 2018)
- Witness interviews (27<sup>th</sup> September 2018, 28<sup>th</sup> November 2018, 11<sup>th</sup> February 2019, 6<sup>th</sup> March 2019)
- Visit to the RIO youth group (6<sup>th</sup> March 2019)
- Receipt and consideration of written testimony from special guardians
- Written evidence from Essex County Council and Peterborough City Council
- Desk research

### Witnesses

The Task Group heard testimony from a number of stakeholders and witnesses and would like to express sincere thanks to the following people for their contribution and the information shared. Particular thanks is offered to the special guardians who took the time to contribute to this review through the workshop and written testimony, and to the young people from the RIO group who spent time with Members during their visit.

|                               |                                                                                                           |
|-------------------------------|-----------------------------------------------------------------------------------------------------------|
| Darryl Freeman                | Head of Children’s Social Care, Devon County Council                                                      |
| Kath Drescher                 | Senior Manager Adoption, Fostering, Atkinson and Youth Offending Service, Devon County Council (outgoing) |
| Andrea Morris                 | Senior Manager, Countywide Services, Devon County Council                                                 |
| 12 special guardians          |                                                                                                           |
| Richard Porter                | Interim Team Manager for Fostering and Special Guardianships, Devon County Council                        |
| Sarah Carter                  | Head of Permanency, Placements and Sufficiency, Essex County Council                                      |
| Elizabeth Markham             | Team Manager for SGO and Kinship Assessment, Essex County Council                                         |
| Rachel Miller                 | Team Manager, Special Guardianship Support, Devon County Council                                          |
| Greg Ward                     | Family Practitioner, Special Guardianship Support, Devon County Council                                   |
| Gavin Williams                | Family Practitioner, Special Guardianship Support, Devon County Council                                   |
| Kath Bond                     | Family Practitioner, Special Guardianship Support, Devon County Council                                   |
| Sonia Grute                   | Social Worker, Family & Friends Assessment Team, Devon County Council                                     |
| Caroline Dalwood              | Social Worker, Family & Friends Assessment Team, Devon County Council                                     |
| Barry Miller                  | Social Worker, Special Guardianship Support, Devon County Council                                         |
| Young people at the RIO group |                                                                                                           |

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- ❖ Adoption and Special Guardianship Leadership Board, Trends in adoption and special guardianship support and priorities for the future  
<http://www.cvaa.org.uk/wp-content/uploads/2018/08/Trends-in-adoption-and-special-guardianship-support-and-priorities-for-the-future.pdf>
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<https://www.legislation.gov.uk/ukpga/1989/41/contents>
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- ❖ Devon County Council Standards Committee, Customer Feedback Monitoring Report for Quarter 3 2017-2018  
<https://democracy.devon.gov.uk/documents/s15028/Q3%20Customer%20Feedback%20Monitoring%20Report.pdf>
- ❖ The Fostering Network, The Mockingbird Programme  
<https://www.thefosteringnetwork.org.uk/policy-practice/projects-and-programmes/mockingbird-programme>
- ❖ Grandparents Plus, Growing up in Kinship Care: Experiences as Adolescents and Outcomes in Young Adulthood  
<https://www.grandparentsplus.org.uk/growing-up-in-kinship-care-experiences-as-adolescents-and-outcomes-in-young-adulthood>
- ❖ Grandparents Plus, What is kinship care?  
<https://www.grandparentsplus.org.uk/what-is-kinship-care>
- ❖ Local Government and Social Care Ombudsman, Devon County Council (15 014 806)  
<https://www.lgo.org.uk/decisions/children-s-care-services/friends-and-family-carers/15-014-806>
- ❖ Local Government and Social Care Ombudsman, Devon County Council (15 010 012)  
<https://www.lgo.org.uk/decisions/children-s-care-services/other/15-010-012>
- ❖ Local Government and Social Care Ombudsman, Family Values: Council services to family and friends who care for others' children  
<https://www.lgiu.org.uk/briefing/family-values-council-services-to-family-and-friends-who-care-for-others-children-lgo/>
- ❖ Local Government and Social Care Ombudsman, Firm Foundations: complaints about council support and advice for special guardians  
<https://www.lgo.org.uk/information-centre/news/2018/may/ombudsman-challenges-councils-to-ensure-appropriate-support-provided-for-special-guardians>
- ❖ The Special Guardianship Regulations 2005  
<http://www.legislation.gov.uk/uksi/2005/1109/contents/made>
- ❖ TACT Peterborough  
<http://www.tactcare.org.uk/peterborough/>

# Traffic Speed Task Group

June 2019

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## 1. Recommendations

The Task Group ask the Corporate Infrastructure and Regulatory Services Scrutiny Committee, Devon County Council Cabinet and the Police to endorse and take action on the report and recommendations below; with a report on progress against the recommendations in nine months' time.

| Ambition                                                                                                       | Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Agency                    | Timeframe       |
|----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------|
| 1. Taking a different approach to our policy of setting traffic speeds and embedding the safe systems approach | 1.1 Review and refocus the Road Safety Strategy and current Speed Limits Policy to reflect; <ul style="list-style-type: none"> <li>a) The wider consideration of health, sustainable travel and whole environmental impacts of speed management;</li> <li>b) Adoption of the safe systems approach;</li> <li>c) Inspirations from the TfL Healthy Streets Strategy;</li> <li>d) DfT 2013 Speed Limit Policy recommendations</li> <li>e) Public consultation on substantial changes.</li> </ul> | DCC                       | Within 6 months |
|                                                                                                                | 1.2 All new residential developments (over 50 houses) to be designed as 20mph from 2019 onwards.                                                                                                                                                                                                                                                                                                                                                                                               | DCC                       | From now        |
|                                                                                                                | 1.3 Trial a default residential 20 mph limit in Newton Abbot and Kingkerswell.                                                                                                                                                                                                                                                                                                                                                                                                                 | DCC                       |                 |
| 2. Supporting local areas to determine their own environment                                                   | 2.1 Review the SCARF process to reflect changes made to the Road Safety Strategy and Speed Limits Policy, ensuring local communities have a meaningful and transparent say on proposed local schemes, using a matrix similar to that used in Torbay. (Appendix 2)                                                                                                                                                                                                                              | DCC                       | Within 6 months |
|                                                                                                                | 2.2 Develop a local toolkit that Communities and Town and Parishes can use to create Healthy Streets supporting a hyper local approach to communication on lower speeds as well as practical steps that can be taken in local areas. This should be supported where possible with practical support and training.                                                                                                                                                                              | DCC<br>Highways and Comms | 9 months        |
| 3. Enforcement of existing limits                                                                              | 3.1 DCC to be more open to innovative trials, including associated monitoring, where safe to do so and funding can be secured.                                                                                                                                                                                                                                                                                                                                                                 | DCC                       | From now        |
|                                                                                                                | 3.2 A named County Councillor to sit on the Speed Watch Community development group to lead on the planning and development of Speed Watch across Devon.                                                                                                                                                                                                                                                                                                                                       | Police/<br>PCC            | From now        |

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| Ambition              | Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Agency                                    | Timeframe               |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|-------------------------|
|                       | <p>3.3 Improving the approach and processes around Community Speed Watch to include;</p> <ul style="list-style-type: none"> <li>a) Clear lines of communication with County and Parish Councillors as well as local police</li> <li>b) Resolution of the blockages in accessing equipment</li> <li>c) Better access to training for volunteers</li> <li>d) Publicity of other opportunities for people in Devon to volunteer to support local police work including Speed Watch.</li> <li>e) Consideration of a shared database to share and publicise speed offences – e.g. as used in Kent and Sussex.</li> </ul> <p>To ultimately increase the number of communities involved in the Speed Watch programme.</p> | Police/PCC/lead Council or once appointed | From now                |
| 4. Leading by example | 4.1 Sign up to the 'Driving for Better Business' initiative and promote across Devon.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | DCC                                       | From now                |
|                       | 4.2 The 'doing what matters' team to take forward the recommendations and report with leaders to ensure maximum impact.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | DCC                                       | Nine months             |
|                       | 4.3 Write to all Devon MPs to encourage Government to push for greater use of Intelligent Speed Adaptation for works vehicles eg. Buses, taxis etc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | DCC                                       | On conclusion of review |

## 2. Introduction

- 2.1 Speed, speeding and road safety have been consistent themes throughout the evolution of the scrutiny process at Devon County Council. The first task group concerned with speed was established by the Place Scrutiny Committee in 2008. Recommendations included taking a consistent and clear approach to the implementation of all speed limits and speed management across Devon be maintained and publicised, that representation be made to the government to change the guidance governing 20mph limits, and that 20 mph speed restrictions be pursued in the vicinity of Devon Schools. However, Cabinet resolved that 20 mph speed limits should only be introduced with reference to school's individual circumstances.<sup>1</sup>
- 2.2 During the Place Scrutiny Committee meeting on 11 September 2015, Members requested that the Committee consider reviewing DCC's speed limit policy. There were concerns that the recent South Devon Link Road speed limit proposals risked compromising current DCC policy on speed limits. There were also concerns surrounding the implementation of the policy where some roads with 30mph limits had given way to unrestricted national speed limits.<sup>2</sup>
- 2.3 The Corporate Infrastructure and Regulatory Services Scrutiny Committee (CIRS) agreed on 12 June 2018 that a Task Group be set up to review DCC's existing speed limit policy. The terms of reference for the review were:
- to review DCC's existing speed limit policy;
  - to explore the ways in which vehicle speeds can be managed in conjunction with enforcement and education, for the benefit of people's health;
  - to consider how DCC could further involve local communities in decisions surrounding speed limits and to examine the approach of other local authorities to this; and
  - to understand how DCC's policy relates to anticipated government guidance.
- 2.4 Since its inception, the task group has met ten times and taken evidence from twenty-six witnesses, named at the end of this report. The task group also carried out a survey and then a focus group/round table discussion with Town and Parish Councils across Devon.
- 2.5 The Task Group has approached the issue of speed with a broader approach; viewing the community, road safety and appearance of vehicle speeds as having a significant impact upon community environment and human health. The recommendations and the conclusion in the report are designed to prompt policy makers to think differently about speed and move beyond a reductive intervention based only upon injury or death.
- 2.6 The Task Group has understood the difference between setting the speed limit on a road at the right level and then also ensuring that drivers comply with the speed limit. In some Communities even when traffic is travelling at the legal limit it can still feel too fast and deter healthy lifestyle choices. Technology is being developed that will limit speeds on vehicles, however this will only be useful in conjunction with the right speed limit. The task group would like to see communities playing a bigger part in setting and supporting healthy movements of traffic.

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<sup>1</sup> Environment, Economy and Culture Overview and Scrutiny Committee 9/9/08, Minutes, <https://democracy.devon.gov.uk/CeListDocuments.aspx?Committeed=135&MeetingId=1464&DF=09%2f09%2f2008&Ver=2> (accessed, 05/06/2019)

<sup>2</sup> Devon County Council, minutes of the Place Scrutiny Committee, 11 September 2015, Item 90 – 'Speed Limit Policy'.

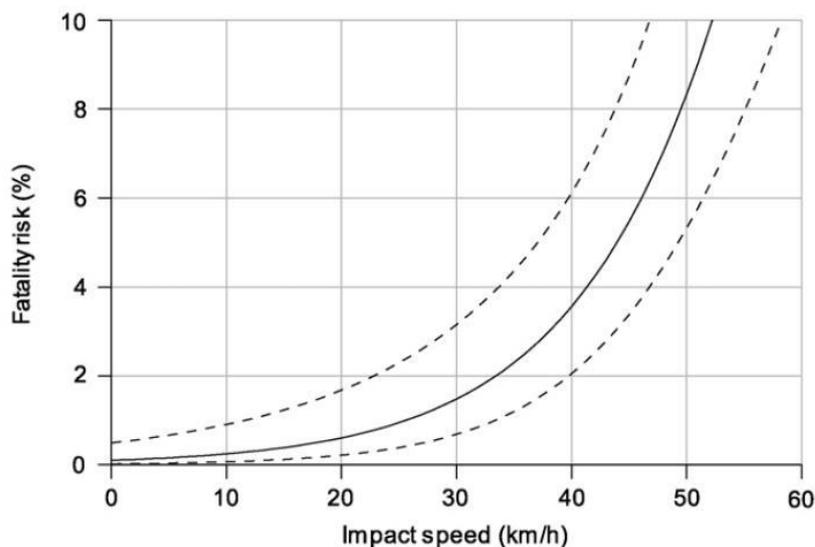
## 3. National Speed Policy Context

- 3.1 The Highways Agency is responsible for determining speed limits on the trunk road network. Local highways authorities can set their own speed limits on the local road network and in situations where local needs and conditions suggest a speed limit which is lower than the national speed limit, but these speed limits must be clearly signed. Local Highways authorities must also consider guidance issued by the Department for Transport when setting speed limits.<sup>3</sup>
- 3.2 Nationally there were 24,831 serious injuries in road traffic accidents reported to the police in 2017. There was a total of 170,993 casualties of all severities in reported road traffic accidents in 2017. This is 6% lower than in 2016 and is the lowest level on record. The number of fatalities aged 60 and over in reported road traffic accidents has increased from 533 in 2016 to 559 in 2017. This increase was driven by more older fatalities as pedestrians in 2017.

*'Local speed limits should not be set in isolation, but as part of a package with other measures to manage vehicle speeds and improve road safety'*<sup>4</sup>

- 3.3 Effective speed management involves many components designed to work together. Speed limits in areas where vehicle speeds are not self-limited by features such as on-street parking or by natural features such as road bends, are effective when supported by speed calming measures such as speed cushions or road narrowings. Increased road width and space are linked to increased vehicle speeds.<sup>5</sup>

Chart showing the correlation of speed and fatality



- 3.4 Impact speed is the underlying determinant of injury severity during traffic collisions. For every 1 mph reduction in average speed, collision frequency reduces by around 5%. Drivers travelling at higher speeds have less time to react to their environment. Longer stopping distances mean that resulting

<sup>3</sup> Department for Transport, 'Speed Limits', Department for Transport Circular 01/2013, 'Setting Local Speed Limits', January 2013. <https://www.gov.uk/speed-limits> (accessed 07/05/2019)

<sup>4</sup> Department for Transport, 'Setting Local Speed Limits', 01/2013, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/63975/circular-01-2013.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/63975/circular-01-2013.pdf), (accessed 07/05/2019)

<sup>5</sup> Department for Transport, 'Setting Local Speed Limits', 01/2013, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/63975/circular-01-2013.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/63975/circular-01-2013.pdf), (accessed 07/05/2019)

crashes are more severe, causing greater injury.<sup>6</sup> As speed increased, so does the severity of injury, this is demonstrated on the chart below where there is a fatality risk of 1.5% at 20mph compared to an 8% chance at 30mph. The dotted lines represent the 95% confidence interval.<sup>7</sup>

- 3.5 In built up areas the general speed limit is 30mph; on single carriageway roads it is 60 mph and on dual carriageways, 70 mph. However, in urban areas, particularly around schools, there has been a growing trend for local authorities to reduce the limit to 20 mph. It is important to remember that the speed limit is the absolute maximum - it does not mean that it is safe to drive at this speed in all conditions.<sup>8</sup>

## Environmentally friendly vehicle policy

- 3.6 The effectiveness of speed management measures in reducing vehicle speeds must be matched with their appropriateness for local people and balanced with issues such as noise and air pollution and congestion. Managing vehicle speed is essential for sustainable transportation policies, which are friendly to the environment, promote safety, and protect public health. Community coherence and an improved environment are increasingly recognised as key outcomes of speed reduction measures.
- 3.7 Making engineering measures appropriate for local people is difficult to achieve. Dangerous vehicle speeds discourage forms of active travel such as cycling and walking. Excessive vehicle speeds also bring problems to communities such as noise pollution, which can undermine the quality of life of local people. When new speed calming measures are introduced, meaningful monitoring must be in place to ensure that these speed calming measures are having the desired effects on vehicle speeds.
- 3.8 There is a complex relationship between speed management and vehicle emissions. The effects of speed limits on air pollution should not be generalised; different studies have produced varying results and an uneven picture. The task group has heard that lower speeds are better for the environment to a point, as vehicle engines reach maximum efficiency at specific speeds. However not all vehicles are made equally, with different emissions and optimal running speeds between petrol and diesel cars, not to mention different engineering on different models. With at least one study demonstrating that lowering speeds to 20mph reduces NO<sub>2</sub> and CO<sub>2</sub> emissions for diesel cars but increases them for petrol cars<sup>9</sup> and this does not apply to engines over 2.0 litres.
- 3.9 In urban environments, and where drivers do not maintain a constant speed, accelerating and frequently braking can disproportionately increase vehicle emissions. Traffic calming engineering works can unfortunately exacerbate this problem with heavy braking up to the measure (e.g. a chicane or speed hump) and then rapid accelerating away. As a result, the National Institute for Health and Care Excellence (NICE), has recommended “20 mph limits without physical measures to reduce speeds in urban areas where average speeds are already low (below around 24 mph) to avoid unnecessary vehicle accelerations and decelerations.”<sup>10</sup>

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<sup>6</sup> Taylor, M. C., Lynam, D. A. and Baruya, A. (2000), TRL Report 421 – ‘The Effects of Drivers' Speed on the Frequency of Road Accidents’. Crowthorne: TRL, cited in DfT, ‘Setting Local Speed Limits’;

<sup>7</sup> The Royal Society for the Prevention of Accidents. ‘20mph factsheet’ <https://www.rospa.com/rospaweb/docs/advice-services/road-safety/drivers/20-mph-zone-factsheet.pdf> Nov 2017

<sup>8</sup> House of Commons Briefing Paper, ‘Speed Limits in England’, 21 September 2017, p.3; <https://www.gov.uk/speed-limits>; The Department for Transport, ‘Speed Compliance Statistics, Great Britain: 2016’, 29 June 2017, p. 1.

<sup>9</sup> Imperial College London; Transport and Environmental Analysis Group, Centre for Transport Studies: ‘An evaluation of the estimated impacts on vehicle emissions of a 20mph speed restriction in central London’, April 2013 <https://www.cityoflondon.gov.uk/business/environmental-health/environmental-protection/air-quality/Documents/speed-restriction-air-quality-report-2013-for-web.pdf> (accessed 06/06/2019)

<sup>10</sup> National Institute for Health and Care Excellence, ‘Air pollution: outdoor air quality and health’, June 2017, p62 <https://www.nice.org.uk/guidance/ng70/chapter/Recommendations> (accessed 06/06/2019)

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## 4. Why do Drivers Speed?

4.1 The task group spoke to a senior academic from the University of Exeter to better understand why drivers might speed to equip the task group with greater understanding upon which to base their recommendations. As well as to gain greater insight into some of the contradictions in speed policy and approaches and public opinion.

**‘26% of drivers who support 20mph admit to frequently breaking those limits’<sup>11</sup>**

4.2 The task group heard that there is a difference between the cognitive attitude and the affective attitude of a driver. A cognitive attitude is the logical differentiation as to whether speeding is harmful or beneficial. (Is anyone going to get hurt/can I get to my destination quicker?) The affective attitude is the feeling as to whether speeding is enjoyable or not.

4.3 These attitudes do not have to be aligned, which leads to cognitive dissonance, meaning that speeding can be seen simultaneously as good and bad. If a motorist thinks speeding is probably bad but whizzing along a country road feels good, then they are likely to speed.

4.4 Feelings are a stronger determinant than rational thought, as demonstrated on the slide below. Furthermore, positive expectance beliefs and attitudes are more influential than negative ones in changing behaviour, particularly affective attitudes. Therefore, a negative cognitive attitude (I think speeding is bad) has the weakest influence on behaviour while positive affective attitudes (I love going fast) have the strongest.

### What factors influence a driver’s decision to speed?

| Speeding is ... | Good                | Bad               |
|-----------------|---------------------|-------------------|
| What I think    |                     | Weakest influence |
| How I feel      | Strongest influence |                   |

- Why? Optimistic/positivity bias – “Bad things happen to other people”
- Is it actually a ‘decision’? How conscious are drivers of their ‘behavioural inventory’ ?



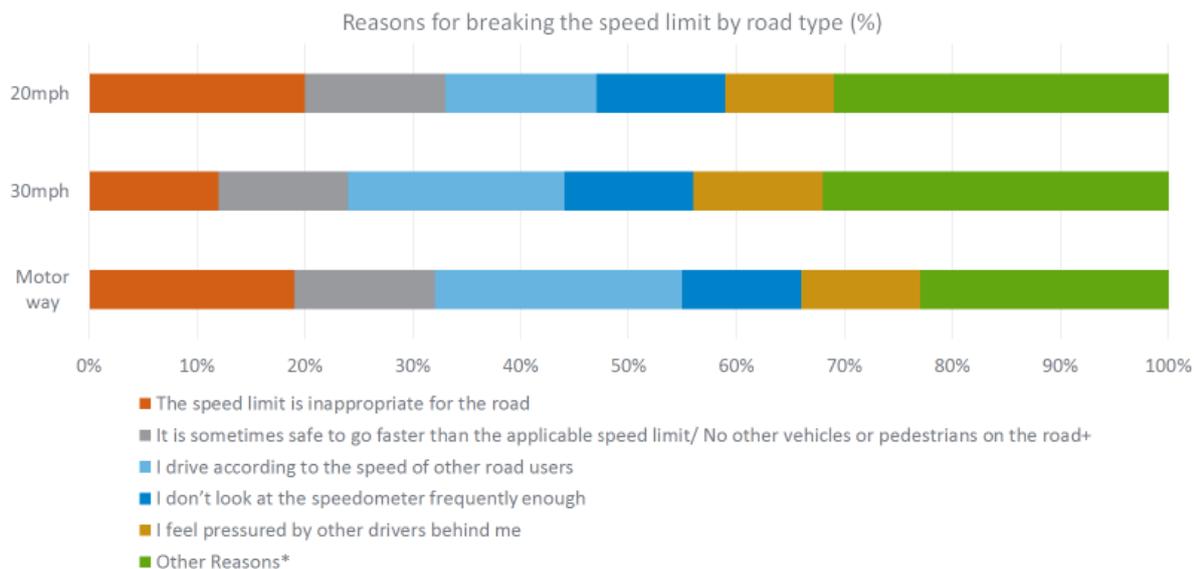
4.5 Perceived capability and perceived task difficulty also have significant impacts upon driver behaviour and risk taking. So, a road that appears hazard free, with clear visibility, smooth surface etc is more likely to encourage risk taking behaviour. If the driver in question has a high impression of their own

<sup>11</sup> Tapp et al 2015 ‘Vicious or virtuous circles? Exploring the vulnerability of drivers to break low urban speed limits <http://eprints.uwe.ac.uk/29286/3/Tapp%20et%20al%2020mph%20limits%20-%20paper%20responding%20to%202nd%20reviews%20-%20version%20sent.pdf> (accessed 06/06/2019)

skill as a driver, they are even more likely to break the speed limit. This is particularly an issue where low speed limits have been placed on inappropriate roads where faster speeds do not feel difficult to achieve. So, to decrease this, perceived capability must be reduced, and perceived task difficulty must be increased. Perceived capability can be reduced through education, persuasion and enforcement. Perceived difficulty can be reduced through engineering or other measures so that roads with slower speed limits feel objectively different to those with faster speed limits.

4.6 The RAC undertook research as part of their yearly review of motoring attitudes and behaviours. The graph below shows the self-reported reasons that people give for breaking the speed limit on roads with different speed limits.

Source: RAC Report on Motoring, 2017



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## 5. Local Policy and Safety Context

- 5.1 Councillors have reported that vehicle speeds are a highly emotive issue for the public. Groups such as older people (aged 60 and over) are more vulnerable to dangerous vehicle speeds. There is also an increasing number of older people in the population, especially in Devon.<sup>13</sup>
- 5.2 Appendix 3 of this report detailed the urban and rural road collisions from 2013-17. The heat map and associated graph in the Appendix demonstrates that collisions that result in casualties being killed or seriously injured (KSI) in Devon is increasing, particularly on rural roads. In Devon it is unsurprising that rural roads make up a consistent 70% of serious collisions over the past five years. The task group has heard that there are 48 collision clusters currently in Devon, if it were possible to address the top 20 then the authority could make some serious inroads in changing the trend. Treating these clusters would make a significant difference to the KSI.
- 5.3 Devon has a low number of children that are Killed or Seriously Injured (KSI) in traffic collisions but fears about the dangers of speeding from parents still exist and prevent some children from

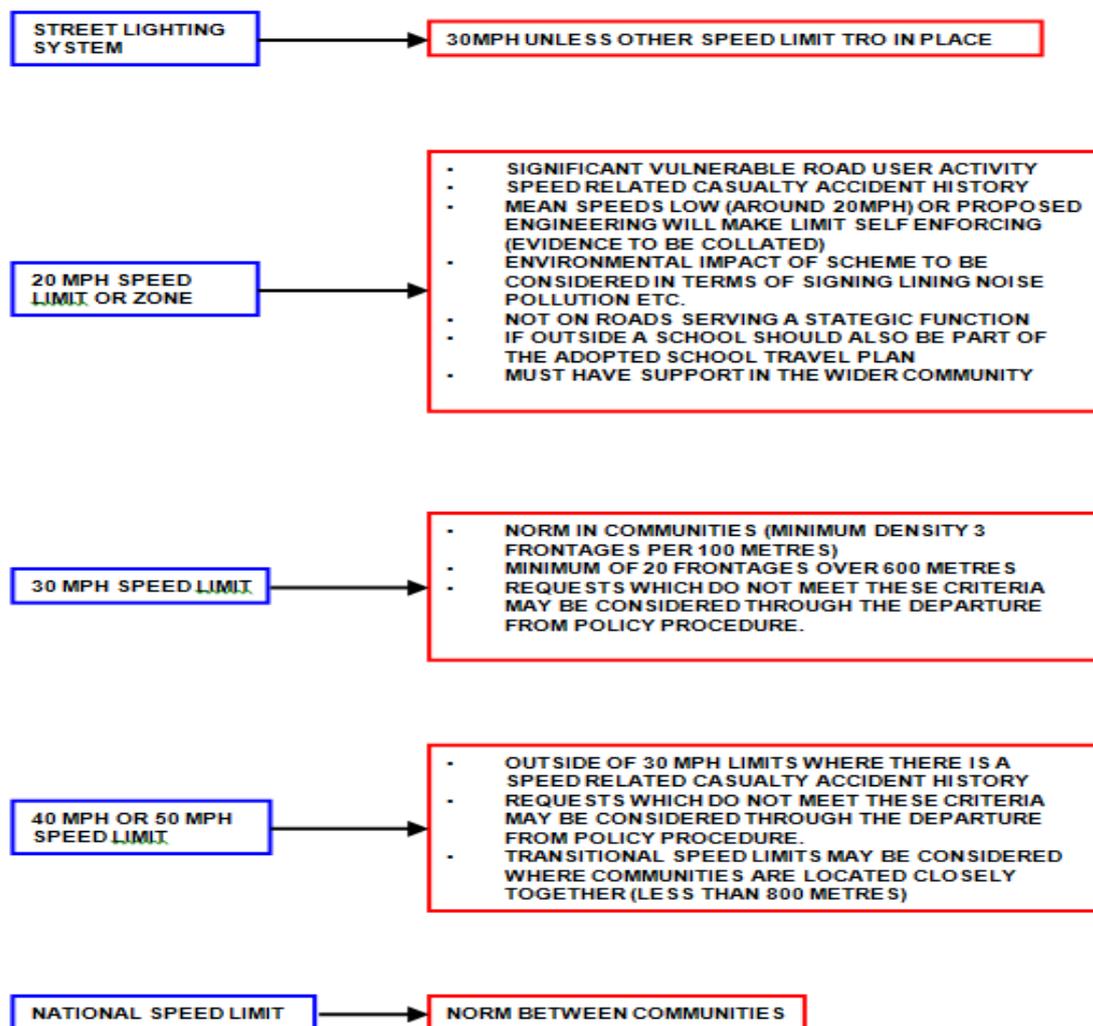
<sup>12</sup> RAC, 'Report on motoring' 2017 <https://www.rac.co.uk/report-on-motoring/report-on-motoring-2017> (accessed 06/06/2019)

<sup>13</sup> Department for Transport, 'Reported road casualties in Great Britain: 2017 annual report', 27 September 2018, p. 15, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/744077/reported-road-casualties-annual-report-2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/744077/reported-road-casualties-annual-report-2017.pdf) (accessed 06/06/2019)

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walking/cycling to school. This could have negative long-term health implications for children if their physical activity is limited.

5.4 Devon County Council Speed Limit Policy was last revised in 2009, the details of speed limit guidance can be found below. The most recent guidance from the Department for Transport on speed limits, particularly 20mph speed limits, was released in 2013. This guidance stated that Local Councils should “consider the introduction of more 20 mph limits and zones, over time, in urban areas and built-up village streets that are primarily residential, to ensure greater safety for pedestrians and cyclists”<sup>14</sup>. It was felt by Devon County Council that these changes to policy were unnecessary and due to budgetary constraints would not bring about any real change if implemented. The 20’s plenty campaign group was clear to the task group that this meant that the Council was not compliant with the latest speed policy.



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## The SCARF Process

5.5 The effectiveness of engineering measures in reducing vehicle speeds must be matched with their appropriateness for local people and balanced with issues such as noise and air pollution, congestion

<sup>14</sup> Department for Transport, *Department for Transport Circular 01/2013, Setting Local Speed Limits*, January 2013, p5

<sup>15</sup> Devon County Council, *Traffic Policy Note, Local Speed Limits*, DTP 34/05, November 2009, p3

and public transportation requirements. The task group has heard that traffic calming measures are often expensive to engineer and to maintain and there are challenges with funding. There was previously funding available for local changes such as traffic calming measures through the Local Transport Plan Budget. As outlined above, engineering measures are not always desirable as, in urban areas such as Exeter, introducing speed calming measures can lead to increased acceleration/deceleration and the associated problems of noise and air pollution.

- 5.6 The Speed Compliance Action Review Forum (SCARF) is the means by which speeding is analysed by DCC and Devon and Cornwall Constabulary, through this analysis it is determined what further enforcement action needs to be taken. To avoid duplication and to provide a co-ordinated, highly evidence-based response, DCC and the Police have developed a joint procedure to allow the concerns to be assessed in a consistent manner. SCARF makes use of data held by DCC, D&CC and the Peninsula Safety Camera Partnership (SCP) to ensure that assessment of complaints is evidence based. SCARF keeps records of its investigations and will not normally re-consider complaints that have already been assessed until a three-year period has elapsed.
- 5.7 The mean or average speed and the 85th percentile speed (the speed at which 85% of drivers travel at or below) are used to determine if there is a speeding issue and the appropriate intervention level. National Police Chief's Council (NPCC) guidelines are that enforcement may be appropriate where the mean speed is in excess of the Speed Limit or where the 85th%ile speed exceeds the speed limit by 10%+ 2mph. e.g. In a 30mph Speed Limit, a mean speed of 30mph would be normally be expected to have an 85th%ile speed of no greater than 35mph. The 5 potential outcomes from SCARF are demonstrated on the table below which has been produced by the task group based on information shared. It is important to note that outcomes from the SCARF process can be a blend of different measures.

| Level | Recorded speed                         |                                            | Action Taken                                                                                                                                        |
|-------|----------------------------------------|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
|       | Average (Mean) Speed                   | 85% of vehicles travel at:                 |                                                                                                                                                     |
| 0     | The speed limit                        | Not more than 15% above the Speed Limit.   | No action or Speed Indicator Device (SID) Deployment.                                                                                               |
| 1     | The speed limit                        | Between 15% and 25% above the Speed Limit. | SID Deployment with Police support &/or Community Speed Watch.                                                                                      |
| 2     | Up to 15% above speed limit            | Between 25% and 35% above the speed limit  | Occasional Police or SCP Enforcement, suitable for an Educational Initiative eg. Police Speed Gun or Mobile Vehicle Activated Sign (VAS) deployment |
| 3     | Greater than 15% above Speed Limit     | Greater than 35% above the Speed Limit     | Level 3 Regular Police Enforcement and Review Signing consider Mobile VAS (See TMT02- Vehicle Activated Signs)                                      |
| 4     | Greater than 25% above the Speed Limit |                                            | Suitable for SCP Mobile Camera Enforcement or Engineered Solution                                                                                   |

- 5.8 When recorded speeds fall substantially outside of the guidelines this could indicate that the speed limit is either set at the wrong level or that Enforcement, Engineering or Education, Training and Publicity are required. In cases of consistently high levels of a speed limit being broken, this could be

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taken as evidence that perhaps the speed limit is inappropriate. As such, in these cases, raising the speed limit and enforcing this should be considered. Indeed, inappropriate speed limits are considered potentially dangerous in that they can decrease the legitimacy of all other speed limits and create a disconnect between expectation (based on the posted limit) and the reality (the actual speeds travelled). If this disconnect between expectation and reality encourages inappropriate or unsafe behaviours amongst more vulnerable road users, then the risk of injury will rise. So it could be that the outcome of the SCARF process would result in raising a speed limit.

- 5.9 The SCARF process takes a clear evidence-based approach when speed limits are consistently broken to put in place interventions that are designed to improve compliance and therefore safety. However, the task group has heard several concerns about the process. Firstly, the approach relies on the local officer or enough residents and Councillors raising complaints, that may not be taken forward (see speech bubble below). Secondly the process can be cumbersome and lengthy to ascertain the evidence. Finally, the measures that are recommended are limited, often financially constrained, and may not address the actual problem.



The Parish Council has asked numerous times for traffic calming and a SCARF but have been declined.

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- 5.10 The task group has understood that there is often a challenge between providing what residents are asking for and what the budget is able to deliver. Whilst the SCARF process does manage resources in an evidence-based way, it does not consider what residents are asking for. This is further complicated as often residents and PARISH Councils may have a solution in mind already, as in the call out above. The task group have heard examples of the successful implementation of different solutions to those that residents have asked for, particularly in Cornwall where residents wanted a bypass and instead had a shared space scheme. The onus upon the County Council is to understand what is the change that residents want, rather than what is the intervention that they think might best address the problem.
- 5.11 There is work underway to change the thinking of the organisation; the Doing What Matters team is supporting the organisation to fully understand what life really feels like for the people of Devon, and to put citizen need at the heart of everything. The Doing What Matters team is developing leadership to constantly test our assumptions about our work, about citizen need and about the interaction between the public and the services we provide. The team helps leaders to engage in continual learning in order to improve the way our work is designed and managed, based on new knowledge and understanding, so that we can truly make a difference to people's lives.

## 6. 20mph Speed Limits

- 6.1 20mph Speed Limits have recently undergone a great deal of scrutiny, most notably with the long-anticipated publication of the Atkins Report in November 2018. The report bases its theory of change on the assumption that lower speeds reduce the frequency and severity of accidents.

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<sup>16</sup> Task Group Survey free text box to all Town and Parish Councils

## 20mph zones vs limits?

A 20mph zone only requires one physical calming device (the rest may be roundels or repeater signs) there is little practical difference between zones and limits.

Most authority-wide 20mph implementations use a mixture of both to produce community-wide 20mph areas. Often a single legacy table or ramp may be used to designate a series of roads as a zone.

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## Findings from the Atkins Report

- 6.2 The Atkins report was a much-anticipated National study into the effectiveness of 20 mph. Using twelve core case studies comprising a variety of area types, road types, and scale:

| Category                                                                                                                                                  | Case Study schemes                                                                |                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <b>Predominantly residential schemes – small scale standalone, covering an individual neighbourhood (two schemes):</b>                                    | Walsall (Rushall)                                                                 | Winchester (Stanmore)                                                   |
| <b>Predominantly residential schemes – large scale area-wide schemes, covering a substantial portion of the town or city in question (eight schemes):</b> | Liverpool (Area 7)<br>Liverpool (Area 2)<br>Middlesbrough<br>Calderdale (Phase 1) | Nottingham (Bestwood)<br>Brighton (Phase 2)<br>Portsmouth<br>Chichester |
| <b>City or town centre and adjacent residential areas (two schemes):</b>                                                                                  | Brighton (Phase 1)                                                                | Winchester (City Centre)                                                |

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- 6.3 The schemes involved lowering the speed limit from 30mph to 20mph through signing and road markings and supporting community engagement activities to raise awareness and encourage support. None of the schemes involved the introduction of physical traffic calming measures or changes to the street design.
- 6.4 A majority of people from almost all groups surveyed were in favour of 20mph speed limits before and after implementation. However, there was a consistent net agreement post implementation that 20mph speed limits had not improved perception of area as a community environment.
- Analysis of TomTom GPS journey speed data shows that a substantial proportion of drivers were already travelling at less than 20mph prior to the introduction of the new limits and median before speeds were already close to 20mph, 44% in residential case study areas and 59% in city centre case study areas. However, these numbers increased by 6% and 3% respectively after the implementation of 20mph speed limits.
  - Journey speed analysis shows that the median speed has fallen by 0.7mph in residential areas and 0.9mph in city centre areas.
  - In residential areas, in the short term, the absolute number of collisions and casualties has reduced. However, due to similar experiences in control areas, the analysis indicates a high level of probability (generally more than 50%) that the relative reductions identified in the case study areas are due to chance, and that there is no meaningful difference between the reduction in the case study and comparator areas.

<sup>17</sup> Information taken from witness session with Rod King from '20's Plenty' 2018

<sup>18</sup> Atkins and Maher, *20mph Research Study Process and Impact Evaluation Headline Report*, Nov 2018, p13  
<https://www.gov.uk/government/publications/20-mph-speed-limits-on-roads> (accessed 06/06/2019)

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- 6.5 Although 69% of residents agreed that the 20mph limits are beneficial for cyclists and pedestrians, there was only a small (but significant) increase in the proportion of survey respondents stating that they have increased their use of active travel modes. Some 5% of residents surveyed said that they are walking more, and 2% said that they are cycling more, since the introduction of the 20mph limits.
- 6.6 Journey times are estimated to have increased by 3% in residential areas and 5% in city centre areas, however, the vast majority of residents did not see an increase in frustrated driving behaviour and there is little evidence of route changes, as only 8% of (non-resident) drivers said that they avoid driving in the area, and only 4% of residents felt that there are less vehicles using their road. This is congruous with testimony from 20's plenty below:

There is no evidence that there is any increase in congestion in 20mph roads compared to 30mph.

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- 6.7 Longer term evidence from Portsmouth journey speed analysis shows an increase in 20mph compliance over time, from 58% one year after (2009) to 62% seven years after implementation. Implying that the positive effects from 20mph speed limits do not disappear over time.
- 6.8 **The summary finding from the research is that although the effects from 20mph speed limits are positive, they can be small at best. 20mph speed limits must be ensured to be appropriate to the road, for example if traffic speeds are already close to 20mph or are self-enforcing with measures such as traffic calming engineering.**

## 20's plenty for us

6.9 The task group spoke to Rod King, founder of The Campaign Group '20's Plenty' who was disappointed with the final Atkins report. The group highlight that the original objectives were not addressed, that the primary data used in the report has several limitations which are not taken into account, as well as the low numbers of figures used to limit the statistical validity of the data around casualty figures. The table below summarises the original objectives of the study and then gives the response from the campaign group:

| Objective                                                                                                                 | Our assessment |                                                                                                                                                |
|---------------------------------------------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Effectiveness.</b> To evaluate the effectiveness of 20mph speed limits, in a range of settings.                     | <b>Not met</b> | Methodology is flawed in comparisons made; uses data with inherent bias on speed measurements and data gathered is insufficient on casualties. |
| <b>2. Perceptions.</b> To examine drivers' and residents' perceptions of 20mph limits.                                    | <b>Met</b>     | The wide range of surveys are useful.                                                                                                          |
| <b>3. Cost/Benefits.</b> To assess the relative costs/benefits to vulnerable groups e.g. children, cyclists, the elderly. | <b>Not met</b> | Cost-effectiveness was not assessed or compared with other interventions such as physically calmed zones.                                      |

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<sup>19</sup> Witness Session with Rod King, founder of 20's plenty

|                                                                                                                                                              |                       |                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------------------------------------------------------------------------------------------|
| <p><b>4. Processes &amp; Factors.</b> To evaluate the processes and factors which contribute to the level of effectiveness of 20mph speed limit schemes.</p> | <p><b>Not met</b></p> | <p>These were discussed, but no evaluation made of the possible contribution in case studies chosen.</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------------------------------------------------------------------------------------------|

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- 6.10 The task group is very interested in the application of default 20 mph limits in Area-wide 20mph limits were first introduced in residential streets, city-wide, in Portsmouth. Portsmouth’s vision was for speeding on residential streets to become as unacceptable as drink driving. Initial results of the Portsmouth scheme were encouraging, with a reduction in average speeds (greatest on roads with the highest ‘before’ speeds), and indications that casualties have fallen.
- 6.11 Several English local authorities have since followed this approach by implementing 20mph as the default speed limit for residential streets, including Oxford, Bristol, Warrington, Islington, and Hackney. A greater number have made the political commitment to 20mph limits in principle, for example Norwich and Birmingham. The benefits of 20mph areas goes beyond a lowering of speed and many of the softer measures are harder to capture in statistical evaluation.

In Edinburgh a pilot implementation of the 20mph speed limit was found to have tripled the number of children cycling to school.

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- 6.12 Rod King presented to the task group the five factors to consider and work into the introduction of a 20mph limit to ensure a successful change to speed:
- 1/ Conviction** – Is the traffic authority communicating conviction with an authority-wide implementation. This delivers the benefits to most drivers’ home streets and increases ownership? Or alternatively, is it communicating a lack of conviction by implementing in an isolated manner on a trial basis?
  - 2/ Enforcement** – Do the police support the change in speed limit with a policy that includes some enforcement, so endorsing the mandatory nature of the limits? Alternatively do the police refuse to enforce and send a clear message that a 20mph limit should not be taken seriously?
  - 3/ Previous speed** – When implemented across a wide area, many streets that already have a low speed will be included for consistency. Reductions will be less or not at all on such streets and higher where previous speeds have been greater. Hence overall averages of average speeds may well underestimate the reductions on faster streets.
  - 4/ Engagement** – By recognising the social norming and engagement aspects of an implementation then the public will be far more aware of and buy into the values and benefits associated with the change. Especially if this is framed around making the community a better place for all. Public health specialists can bring useful skills and experience to such a behaviour change program. Alternatively, solely communicating via road signs is a poor substitute for engagement.

<sup>20</sup> 20’s Plenty for Us, *DfT 20mph Evaluation Conclusions*, no date; [http://www.20splenty.org/20mph\\_evaluation\\_conclusions](http://www.20splenty.org/20mph_evaluation_conclusions), (accessed 06/06/2019)

<sup>21</sup> Edinburgh City Council Transport and Environment Committee, *South Central Edinburgh 20mph Limit Pilot Evaluation 2013*, August 2013, [http://www.edinburgh.gov.uk/download/downloads/id/7820/south\\_central\\_edinburgh\\_20mph\\_limit\\_pilot\\_evaluation\\_2013.pdf](http://www.edinburgh.gov.uk/download/downloads/id/7820/south_central_edinburgh_20mph_limit_pilot_evaluation_2013.pdf) 2.27, (accessed 06/06/2019)

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**5/Multi-agency approach** – By approaching an authority-wide implementation with a team comprising Ambulance, Fire, Social Services, Traffic, Road Safety, Public Health, Police and Schools then each can play their part in setting this as a community enhancing initiative. Alternatively, only seeing it as a “traffic management” issue limits behaviour change and public buy-in.

6.13 In Torbay, a different model is used when assessing if an area should be lowered to 20mph. Their criteria for lowering to 20mph is to have two of either: Current mean speeds are at or below 24 mph, there is a depth of residential development and evidence of pedestrian and cyclist movements within the area and/or there is a record of injury accidents (based on police collision data) within the area, over a period of the last five years. Following this a matrix (Appendix 2) is used. This gives an example of how community support can be given more weight while still tackling speed limits through an evidence-based approach.<sup>22</sup>

6.14 The task group followed up two authorities that had successfully reported their introduction of 20mph limits, these are detailed in the boxes below. There are key aspects of both schemes that are reflected in the 20’s plenty step by step approach above. This includes the need for early engagement and winning over hearts and minds. In Sefton much of this was done after the introduction of 20mph. In Bristol the publicity campaign started much earlier. The task group would like DCC to explore default 20mph limits and evaluate how they work locally, learning lessons from other authorities that have already done this.

## Introduction of widespread 20mph zones in Sefton

In 2011, following the widely publicised conversion of all residential roads within Portsmouth, Elected Members requested a similar process be carried out within Southport. This was discussed in a report and on 3 October 2011, Sefton Cabinet Member – Transportation widened this request to include the whole of Sefton and introduced an annual rolling programme, funded from Sefton’s Local Safety Scheme allocation within the Capital Programme.

The rolling programme started in 2012/13 and completed in 2015/16. Approximately eight self-contained areas were treated each year. In each of these areas, consultation packs and questionnaires were hand delivered to every property in the area. This resulted in a spread of support for the introduction of the 20mph speed limits ranging from 53.4% to 94%, with an average of 74.7% of residents supporting the schemes over the four years of the programme. An average reduction of 1mph in 85%ile speeds has been observed since the introduction of the lower speed limits.

Sefton are complimenting the introduced speed limits with education, training and publicity programmes funded from the Capital programme for the next four or five years. The publicity/education programme that the Task Group has seen in Sefton’s local press comprises of subliminally ‘drip fed’ information every week in the local free papers. These messages highlight the advantages and reasons why people should drive at lower speeds in residential areas. They have no reference to Sefton Council. The messages change every week and hopefully prompt the reader to think about how they drive and understand how their actions impact upon others.

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<sup>22</sup> Torbay Council, *20mph Speed Limit Policy Criteria*, no date, <http://www.torbay.gov.uk/DemocraticServices/documents/s63224/Appendix%201%2020%20mph%20Residential%20Criteria.pdf>, (accessed 30/05/2019)

## Introduction of 20mph limits in Bristol

In 2010 two pilot areas of 20mph were trialled in the inner-city area and the results proved very fruitful which led to a Cabinet report. This agreed to rollout 20mph citywide and from Sept 2013 to Sept 2015 the speed limit was implemented across the whole city in six phases.

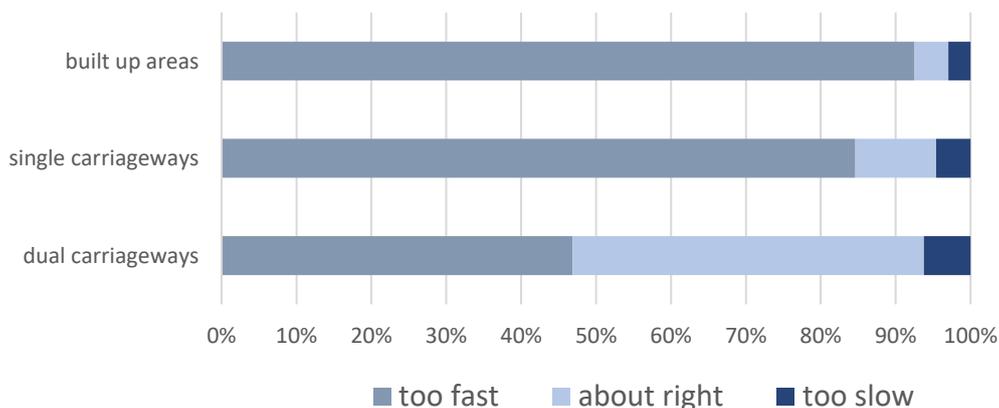
The results are that 90% of roads have a 20mph with a 30/40 and 50mph network of main arterial routes, although some main road in the centre of city are 20mph due to the volume of pedestrians and cyclists in the area. The overall outcomes of the project are to ensure reduced speed limits continue to help improve active travel and subsequently health and wellbeing for residents and make streets safer for all road users. The 20mph speed limits are wholly sign based interventions and rely on driver compliance to adhere to the speed limit (as is the case for all speed limits).

The rollout also included a comprehensive monitoring programme and in Feb 2018 the Bristol Twenty Miles Per Hour Limit Evaluation (BRITE) study was produced by the University of the West of England (UWE). This independent peer reviewed report assessed the impact of 20mph speed limits and found a reduction in road speeds and fatalities following road collisions since the lower speeds were introduced. 94% of surveyed roads have slower speeds, active travel levels have increased and there was a significant reduction in the number of fatal, serious and slight injuries and commensurate significant financial savings for the NHS. ([www.bristol20mph.co.uk](http://www.bristol20mph.co.uk)). A dedicated website was set up and there is now a Facebook page and twitter account to continue this work which has been invaluable as an engagement tool.

## 7. Re-envisioning Traffic Speeds and Living Streets

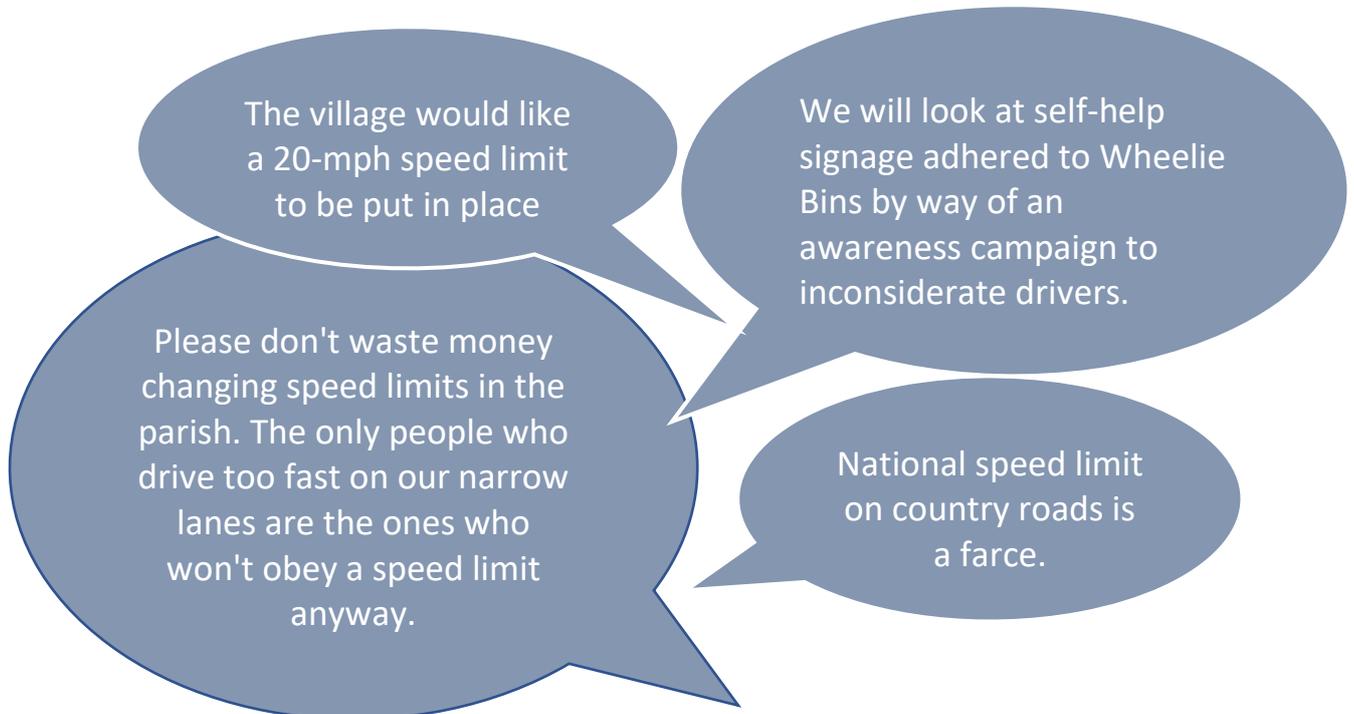
- 7.1 The task group undertook a survey to all Town and Parish Councils with the purpose of testing local opinion on speed limits. The response rate was 69, which is approximately one fifth of the Councils in Devon. Most respondents feel that vehicles travel too fast, especially in built up and residential areas:

Town and Parish Council views on speed



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- 7.2 Conducting a survey in this way did highlight limitations in road descriptors as the task group had limited scope to precisely define single carriageways where passing is possible compared to single carriage ways where there can be significant differences between urban and rural roads.
- 7.3 Of the 46 comments referring to speed, 32 spoke of ways to reduce speed, but only 21 gave a reason as to why they wanted to see traffic slowed. The most common reason for wanting slower speeds was safety, the only other concern spoken of was traffic congestion/volume. The most popular measures to reduce speed were greater enforcement and greater physical traffic calming measures/signage. A selection of typical comments is graphically shown below:



- 7.4 Respondents to the survey were also invited in to a focus group/round table discussion about speed. The table below is a summary of the main points that were raised coupled with suggestions that could help the issues

| Challenges/problems                                                                                                                                                                                                                                                                                                                                                    | Possible solutions                                                                                                                                                                                                                                                                                                                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Changing the speed limit to a lower speed</b></p> <ul style="list-style-type: none"> <li>- Will only be reduced if the average speed is fairly close to the proposed new speed.</li> <li>- traffic speed policy does not take into account local opinion and observations</li> <li>- Traffic speeds are not in keeping with growing rural communities</li> </ul> | <ul style="list-style-type: none"> <li>➤ policy to have the ability to be more proactive to speed problems, rather than reactive</li> <li>➤ Changes to the SCARF process to listen to residents.</li> <li>➤ More regular reviews of speed limits</li> <li>➤ 'Quiet Country Lanes' adopted as a classification with a maximum speed of 50mph</li> </ul> |
| <p><b>Reducing speeding</b> (drivers being within the speed limit but driving at inappropriate speeds)</p>                                                                                                                                                                                                                                                             | <ul style="list-style-type: none"> <li>➤ Hard hitting informational posters</li> <li>➤ Signage tactics from communities</li> <li>➤ Flashing lights next to a school to alert drivers picking up/dropping off time at the</li> </ul>                                                                                                                    |

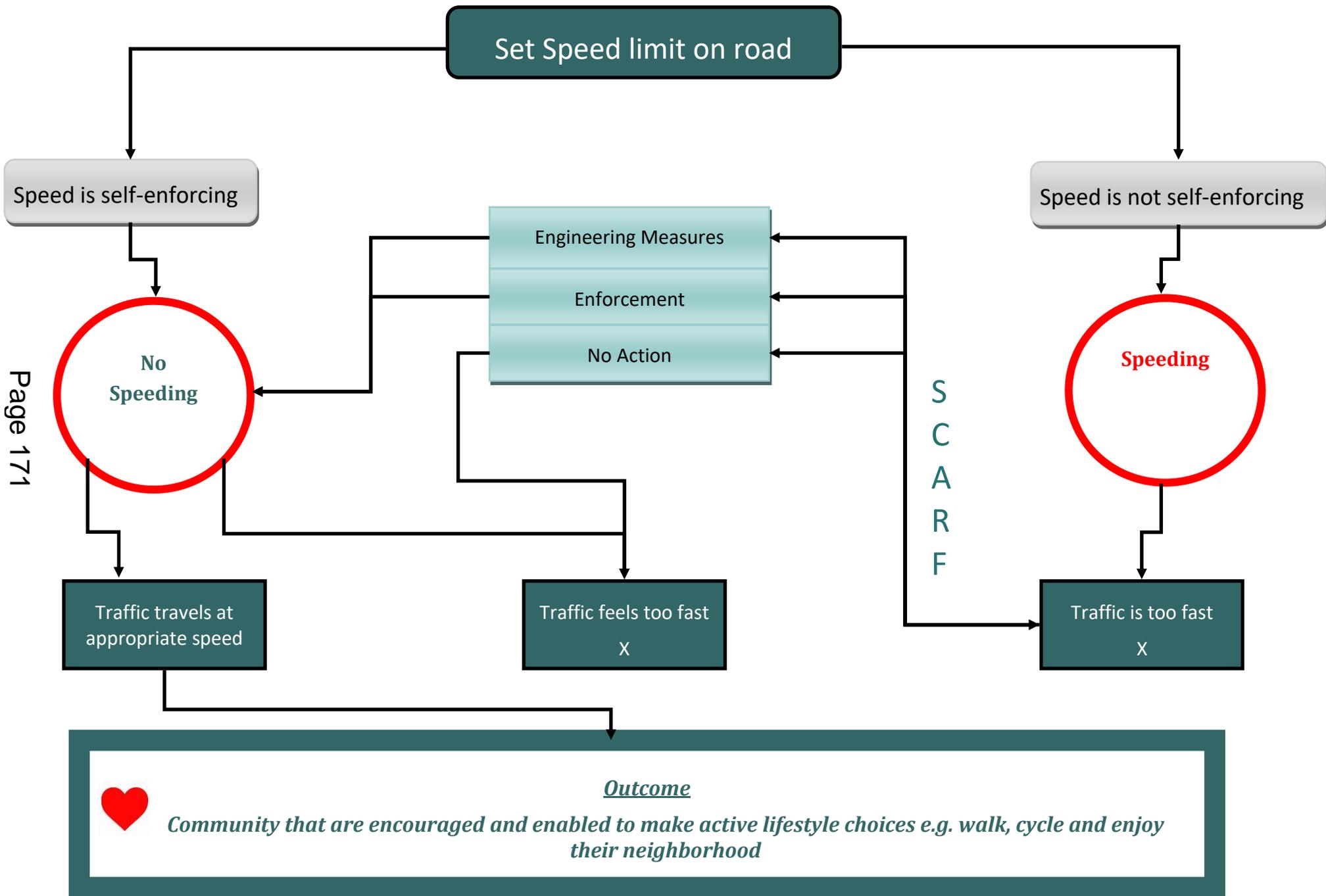
| Challenges/problems                                                                                                                                                                                                                                                                                                                                                                                                                               | Possible solutions                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>school. This could be used more extensively in Devon.</p> <ul style="list-style-type: none"> <li>➤ More enforcement</li> <li>➤ More innovative methods of ensuring speed remains close to a speed limit.</li> </ul>                                                                                                                    |
| <p><b>20mph Speed Limits</b> seen as somewhat ineffective but lots of communities would still like them.</p>                                                                                                                                                                                                                                                                                                                                      | <ul style="list-style-type: none"> <li>➤ Have to be accompanied by traffic calming measures</li> </ul>                                                                                                                                                                                                                                    |
| <p><b>Engineering measures</b></p> <ul style="list-style-type: none"> <li>- no budget given for traffic calming measures until there is a history of road traffic accidents in that area.</li> <li>- not all physical traffic calming engineering measures are helpful or achieve the right result.</li> <li>- Nothing can be done until there is a fatality!</li> <li>- <b>Vehicle Activated Signs</b> have proved to be unsuccessful</li> </ul> | <ul style="list-style-type: none"> <li>➤ Community could invest themselves</li> <li>➤ Vehicle Activated Signs which show the speed of the vehicle may be more effective</li> <li>➤ Communities expressed a wish for DCC to engage more with such methods as tree planting, road colours and other such cost-effective methods.</li> </ul> |
| <p><b>Rat-running</b> through small villages creating a large problem with the volume of fast-moving vehicles which are unsafe and unsociable</p>                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"> <li>➤ Sat navs may be sending large vehicles down small and inappropriate country roads. It would be beneficial if there were a warning to alert people as to when they were in a residential area</li> </ul>                                                                                          |
| <p><b>Community Speed Watch</b></p> <p>One community set up a community Speed Watch and managed to gain vehicle activated signage as a result. This did not change speed, however. It did garner much abuse toward the Speed Watch volunteers. The fear of harassment of Speed Watch volunteers was echoed by others.</p>                                                                                                                         | <ul style="list-style-type: none"> <li>➤ More support from the Police for Community Speed Watch and more visible support.</li> </ul>                                                                                                                                                                                                      |

- 7.5 The task group has considered the testimonies from witnesses and put together the diagram over the page, which attempts to demonstrate the nuances that even in cases where the majority of speed is not breaking the speed limit, it may still feel too fast. This in turn can set the tone around safety for the neighbourhood. The task group asserts that an approach is required where roads are viewed as one aspect of a community and can act as an enabler for better health.
- 7.6 The speed set on any road will be informed by the local interpretation of National Policy. It may already have some features that make drivers adhere to the speed limit. The policy guidance suggests setting speed limits in line with how fast traffic is already travelling. If for example in a twenty mph zone the road is narrow and frequently has parked cars down one side, with several turns and corners, drivers are unlikely to exceed the speed limit. In an ideal world traffic meeting this speed limit will be felt by pedestrians and residents to be part of an environment where roads are safe spaces. This means that the goal – of promoting health environments has been met. However,

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an alternative outcome is that although traffic is complying with the speed limit, it still feels fast. This is likely to be a deterrent to pedestrians and cyclists and may even encourage residents to get in their cars more for short journeys like taking their children to school.

- 7.7 Going to the other side of the diagram, a speed limit is set with a road that is not self-enforcing – this may be at a higher speed, or simply one where the topography does not lend itself to maintain the speed limit – for example with a long, straight road in a 30 mph. This scenario sees motorists breaking the speed limit. The next stage in the process is that through traffic monitoring, residents or Councillors complaining the SCARF process is initiated. Assuming that the SCARF process goes ahead, an evidence-based solution will be suggested. This could be engineering measures, to calm traffic on roads where the limit is being most severely broken. It could be enforcement on roads where the limit is still being broken, or it could be community speed watch, or no action if most of the traffic is travelling within the speed limit. This determination and subsequent action may resolve the concerns, reducing the actual speeding as well as the perception of speeding. However, it may be that traffic still feels too fast for residents, even if most of the traffic is staying within the speed limit. This is likely to inhibit walking and cycling and road us for vulnerable users.
- 7.8 One concept that the task group discussed was the idea that speeding and travelling too fast could and should become socially unacceptable, in the way of drink driving or smoking. A societal shift in attitude to speed would potentially negate the need to respond with engineering measures or enforcement.



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## Safe Systems and Healthy Streets Approach

7.9 The need for a different approach has been heard throughout the task group's investigation. The Safe System approach is one that aligns road safety management with broader ethical, social, economic and environmental goals. By creating partnerships where government or transport agencies work closely with other groups. Given the complex multi-agency and multi-sectoral context of safe system methodology, it requires careful leadership by top management of organisations to bring together the unique contribution of each agency. Safe System has five pillars of action:

- Safe Roads
- Safe Speeds
- Safe Vehicles
- Safe Road Users
- Post Collision Response



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7.10 In 2017 TfL published their Strategy on the Healthy Streets Approach. This is a street planning strategy which tries to re-prioritise the pedestrian, vulnerable road users and public transport while reducing pollution and congestion, to make for an environment which promotes health and wellbeing.<sup>24</sup> The strategy uses 10 Healthy Street indicators as cornerstones of its guidance around streets. These are:

<sup>23</sup> PACTS; 'Developing Safe system road safety indicators for the UK [http://www.pacts.org.uk/wp-content/uploads/sites/2/PactsReport\\_-\\_Developing-Safe-System-Road-Safety-Indicators-for-the-UK\\_Oct18-FINAL.pdf](http://www.pacts.org.uk/wp-content/uploads/sites/2/PactsReport_-_Developing-Safe-System-Road-Safety-Indicators-for-the-UK_Oct18-FINAL.pdf)

<sup>24</sup> Transport for London, *Healthy Streets for London*, London, February 2017, p6-11

- 1) Pedestrians from all walks of life
- 2) People choose to walk, cycle and use public transport
- 3) Clean air
- 4) People feel safe
- 5) Not too noisy
- 6) Easy to cross
- 7) Places to stop and rest
- 8) Shade and shelter
- 9) People feel relaxed
- 10) Things to see and do

Of these, Pedestrians from all walks of life and people choose to walk, cycle and use public transport are shown as being the most important while the remaining eight help to support these two.<sup>25</sup>

- 7.11 The Healthy Streets approach gives a great deal of guidance on how these indicators may be implemented. One of the main recommended methods of achieving a Healthy Streets approach is a reduction in traffic speed;

***“If we could reduce the speed of vehicles, then the street would feel safer, more relaxed, less noisy and easier to cross. A street with slower moving traffic is likely to attract more people to walk, cycle and spend time in it. Reducing speeds may involve physical traffic calming but also requires changing the way the street feels and how it is used, to encourage people to drive with more care. This can all help encourage people to feel more comfortable playing, socialising, exercising and resting in the street environment.”<sup>26</sup>***

Speed reduction is one the many example methods of achieving the Healthy Streets Indicators suggested. It is of course most effective when paired with other goals such as traffic volume reduction, promoting community ownership and reducing street clutter.

- 7.12 In the absence of government targets for road safety the task group advocates a Performance Indicator approach which measures progress against key indicators of collision outcome severity. These are taken from the recommendations in ‘Developing safe system road safety indicators for the UK Parliamentary Advisory Council for Transport Safety, in association with Ageas’. These are in line with the Safe system approach:

1. Traffic complying with speed limits on national roads
2. Traffic complying with speed limits on local roads
3. Drivers who do not drive after consuming alcohol or drugs
4. Car occupants using a seat belt or child seat
5. Drivers not using an in-car phone
6. Passenger cars with highest safety rating
7. Major roads with appropriate safety ratings
8. Emergency medical services arriving at priority accident scenes within 18 minutes.

## Nudging Speed down

- 7.13 The task group head from the University of Exeter about the potential to apply Nudge Theory to reduce speeds travelled. Nudge theory alters people's behaviour in a predictable way without forbidding any options or significantly changing their economic incentives.<sup>27</sup> To count as a mere nudge, the intervention must be easy and cheap to avoid. Nudges are not mandates. For example, putting fruit at eye-level counts as a nudge, whereas banning junk food does not.

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<sup>25</sup> Transport for London, *Guide to Healthy Streets Indicators*, London, November 2017, p4

<sup>26</sup> Transport for London, *Guide to Healthy Streets Indicators*, London, November 2017, p26

<sup>27</sup> Thaler, R. and Sunstein, C. ‘Nudge: Improving Decisions About Health, Wealth and Happiness’ 2009

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- 7.14 Nudge theory can be used to encourage a more positive affective attitude towards following speed limits and a negative affective attitude to speeding. A 'nudge' is a cheap and easy cue in the environment that alters people's behaviour in a predictable way without forbidding any options or significantly changing their economic incentives.
- 7.15 Strategies to decrease speeding could therefore include:
- In depth training, although this must be done carefully, to ensure it does not simply increase confidence
  - Social and public campaigns to stigmatise speeding
  - Improved road design, where roads feel that they should be a maximum of the speed limit
  - Reminder campaigns which use behavioural science approaches
  - Specific local campaigning and Community Speed Watch to reinforce the visible presence
- 7.16 A crucial aspect of access relates to the extent to which neighbourhoods can be described as walkable. That is, the ease with which pedestrians can get out and about around outdoor spaces, services and facilities, which has significant implications for sociability, health and well-being. Walkable environments consider not only the physical design of routes, but also features and facilities that are inclusive of the widest possible range of needs; for example, places for people to rest along their journeys, including well designed seats and benches, accessible toilet facilities, signage and street design that is sensitive to a range of needs and that can help with orientation and wayfinding.
- 7.17 Examples of this being attempted in a rural setting can be seen through such legislation as Section 268 of the Transport Act 2000, "Quiet lanes and home zones" which was later clarified further by the Quiet Lanes and Home Zones (England) Regulations 2006.
- 7.18 The law gives local authorities the power to create Home Zones and Quiet Lanes. Quiet Lanes are a designation that can be given to small rural roads that are extensively used by walkers, cyclist and riders with the aim to increasing the awareness of drivers. Evidence surrounding the scheme shows mixed results. DCC considered implementing the legislation in 2006. In a 2006 DCC Transport Plan Environmental Assessment it was given a brief paragraph of rejection.<sup>28</sup> where it stated that "the concept of Quiet Lanes is supported by the Areas of Outstanding Natural Beauty and The Countryside Agency, and so they should be reconsidered by Devon County Council in the future".
- 7.19 The DCC document makes reference to a Department for Transport Traffic Advisory Leaflet 03/04 which in turn is summarising a study done on the effect of Quiet Lanes.<sup>29</sup> The leaflet in question shows that the results of how effective Quiet Lanes are is mixed. A reduction in speed compared to control roads was seen in only one of the three tested Quiet Lanes. However, they were a popular idea both before and after implementation, traffic flows were seen to decrease on Quiet Lanes and, perhaps most importantly, driver awareness increased.
- 7.20 A very similar policy to the Quiet Lanes was considered by Devon County Council as a part of the Rural Road Safety Demonstration project back in the late 2000s with a Green National Speed Limit Sign. This scheme was ultimately abandoned though due to surveys showing that the Green National Speed Limit Sign was not understood enough by the public in relation to the traditional national speed limit sign.<sup>30</sup>
- 7.21 However, a reduced speed approach has been taken across Dartmoor National Park in response to high numbers of animal deaths, see box below:

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<sup>28</sup> Devon County Council, *Strategic Environmental Assessment Statement: Devon Local Transport Plan 2006-2011*, [http://www.devon.gov.uk/sea\\_statement.pdf](http://www.devon.gov.uk/sea_statement.pdf) (accessed 18/01/2019)

<sup>29</sup> Department for Transport, *Traffic Advisory Leaflet 3/04*, June 2004, <http://www.ukroads.org/webfiles/TAL%203-04%20Quiet%20Lanes.pdf> (accessed 18/01/2019)

<sup>30</sup> Department for Transport, *Taking on the Rural Road Safety Challenge*, Report Annex 1, March 2011, p124 <https://webarchive.nationalarchives.gov.uk/20121103223512/http://www.dft.gov.uk/publications/taking-on-the-rural-road-safety-challenge/> (accessed 18/01/2019)

## Case Study: 40mph Dartmoor National Park Authority

- High numbers of livestock killed or injured on Dartmoor's roads – **448 between 2015 and 2017**; many of these have been killed by speeding motorists
- Animal carcasses are not only unsightly; injured livestock cause local farmers financial damage through veterinary bills. Dead livestock have even greater financial repercussions for farmers. Dartmoor is not only a tourist area but an agricultural environment. The National Park is also protected for its wildlife
- To reduce the number of livestock killed on Dartmoor's roads through speeding, the DNPA has undertaken a package of measures which include a combination of **legislation, education, and enforcement**. These measures are:
  - 1) **Legislation** - The introduction of blanket 40 mph speed limits to large parts of Dartmoor
  - 2) **Education** - The use of Vehicle Activated Signs (VAS) to remind drivers about the 40 mph speed limits. There are three VAS units, rotated around 6 sites throughout Dartmoor
  - 3) **Education** - The use of signage to raise awareness about animals crossing roads and the numbers of animals killed and injured by speeding motorists.
  - 4) **Enforcement** - Joint work with the Police and DVLA through the Dartmoor Rangers surrounding the enforcement of speed limits



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- 7.22 Home zones are a form of shared space scheme. They consist of residential streets in which the road space is shared between motor vehicles and other road users, but with the emphasis on those who walk and cycle and on children<sup>31</sup> (see Countrywide initiative) with funding from the Local Transport Plan (LTP) to introduce traffic calming measures and to make speed limits more self-enforcing. They allow local residents to become involved in shaping speed limits. An example is Burnthouse Lane, Exeter.
- 7.23 Another innovative potential solution to traffic speed is the use of optical illusions. In most instances, these take the form of two-dimensional road markings designed in such a way as to seem to be three-dimensional objects. Transport for London undertook a pilot of optical illusion speed cushions in 2014 in Newham and then followed this up in 2016 on Southwark Street with the same optical illusion speed cushions. These were, therefore, merely painted onto the road, but done in such a way as to appear to be normal speed cushions to approaching drivers. Although the Task Group cannot locate the raw results from this pilot scheme it was reported at the time that “nine months after the early tests were implemented, results suggested that speeds had come down by 3mph on average”.<sup>32</sup> Such pilot schemes of optical illusion street painting are ongoing, with the UK’s first 3D zebra crossing being created in early 2019 in St John’s Wood, London<sup>33</sup>
- 7.24 The task group has been unable to identify sufficient research and no peer reviewed data on an empirical study of interventions that gives a clear steer on which interventions work most effectively. It is likely that this is because the nuances of different roads are very difficult to effectively compare. It would be extremely helpful if Central Government were to share expert views and analysis on the efficacy of interventions. In the absence of such clear direction, the task group has sought to collate some measures that may be of use to local communities and in the production of such guidance at a local level. However, the inclusion in the report does not mean that these initiatives are recommended:

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<sup>31</sup> House of Commons Library, *Roads: Home Zones*, <http://researchbriefings.files.parliament.uk/documents/SN01137/SN01137.pdf>  
<https://www.cyclinguk.org/campaigning/views-and-briefings/home-zones> (accessed 05/03/2019)

<sup>32</sup> RAC, *Virtual speed bumps used to reduce traffic speeds*, 9<sup>th</sup> August 2017, <https://www.rac.co.uk/drive/news/motoring-news/painted-road-designs-look-to-reduce-traffic-speeds/> (accessed 05/03/2019)

<sup>33</sup> BBC, *'UK's first' 3D zebra crossing created in St John's Wood*, 28<sup>th</sup> February 2019, <https://www.bbc.co.uk/news/uk-england-london-47402269> (accessed 06/03/2019)

## An edited version of an article that appeared in the Guardian

### Don't do white lines

White lines have been around since 1921, when they were painted on a hazardous corner in Birmingham. But in recent years, they have been removed from roads in Norfolk, Wiltshire and London, where Transport for London tested whether removal makes drivers more cautious and slows traffic. TfL found that average speeds slowed by 3.3mph to below the 30mph limit on Seven Sisters Road outside Finsbury Park in north London, with speeds also falling on two roads in Croydon. "Road engineers and experts agree, however, that white-line removal is best in urban areas; it won't make highways designed solely for vehicles (such as motorways) safer – as the AA points out, new car-safety technology "reads" white lines to alert drivers if they are going off track.

### Get in drivers' heads

The Transport Research Laboratory tested psychological traffic-calming, which aims to reduce speeds not through speed bumps but by using perceptual techniques to increase the perceived risk of a road. Looking at a range of psychological measures undertaken in the Wiltshire village of Latton, they found that "tree buildouts" and "red brick narrowing" were the most effective measures. Red brick paving on road edges made routes appear narrower; similarly, chicanes planted with trees made drivers go much more slowly. Researchers said such measures had a lasting impact – drivers didn't speed up again when they became wise to these perceptual tricks.

### Share!

Dutch traffic engineer Hans Monderman decided urban roads would become safer if traffic lights, signs, lane markings and even kerbs were removed, so pedestrians, cyclists and motorists had to share road space. Such schemes are still controversial, but are increasingly popular in Europe, Australia, South Africa, Japan and even some car-dominated American cities. In the UK, Exhibition Road in London is an example, as is a [£4m scheme](#) in the [Cheshire town of Poynton](#).

### Bay watch

Reducing the linearity of roads makes drivers' peripheral vision more acute, according to [Hamilton-Baillie](#). Removing yellow lines and creating parking bays disrupts a road's straight lines very effectively and has been undertaken in cities and towns including Glasgow, Bury St Edmunds and Halifax.

### Keep it bumpy

The TfL study on the impact of removing white lines found average speeds increased on a stretch of resurfaced urban road by 4.5mph. Drivers slow down on rutted, pothole-riddled roads. But, of course, as Paul Watters of the AA points out, poorly maintained roads are more hazardous for bikes and motorbikes.

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## 8 Enforcement

- 8.1 In many witness sessions, particularly with Town and Parish Councillors enforcement came up as an area for concern, with witnesses stating that there was not enough enforcement. Speeding remains a significant concern from the public. The task group has heard from the Police that there will always be a part of society that will not comply with the rules and that it is therefore essential to have a visible deterrent.

<sup>34</sup> Barkham, P. 'How to slow down traffic: ditch kerbs, keep potholes, plant trees' article in The Guardian Paper 3<sup>rd</sup> February 2016 <https://www.theguardian.com/world/shortcuts/2016/feb/03/slow-down-traffic-ditch-kerbs-keep-potholes-plant-trees>, (accessed 06/03/2019)

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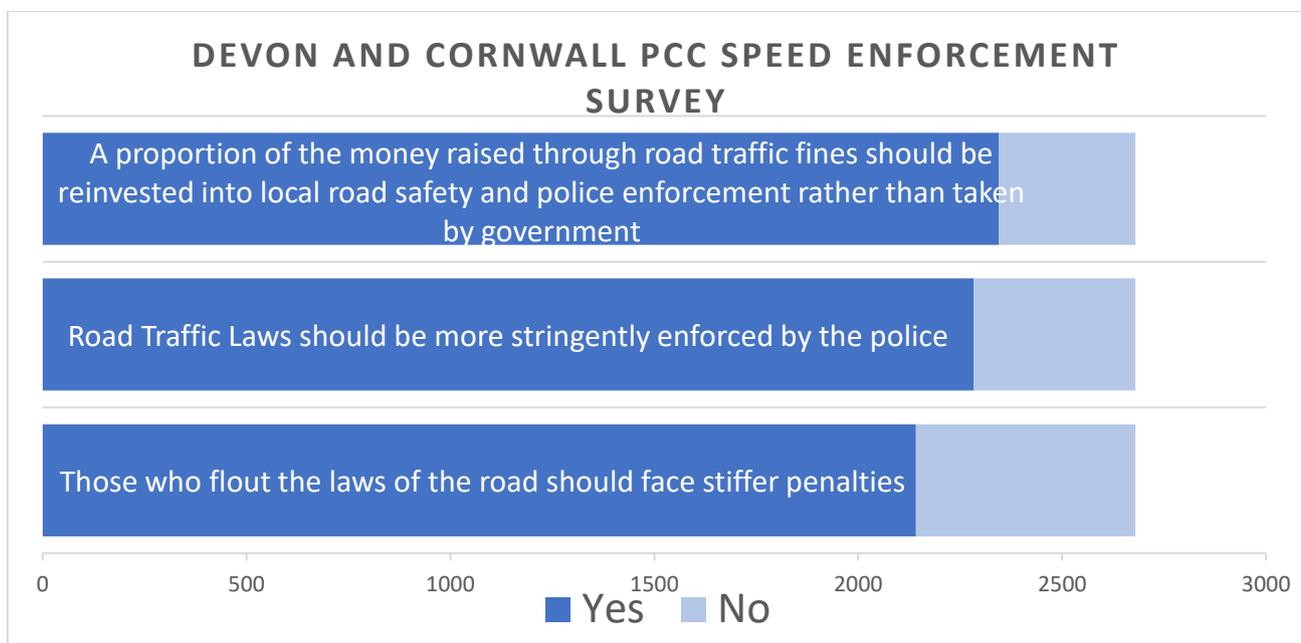
- 8.2 On motorways, 48% of cars exceeded the speed limit in 2017, with 12% exceeding the speed limit by more than 10mph. Single carriageway roads where the national speed limit applies (60 mph for cars) had the highest levels of speed limit compliance, with only 9% of cars exceeding the speed limit. On 30mph roads, 52% of cars exceeded the speed limit with 6% exceeding the speed limit by 10mph or more.<sup>35</sup>
- 8.3 The task group has heard that Police in Devon have developed a 'New roads Policing Strategy' which has been put in place by the Chief Constable. A visible presence of speed enforcement or at least speed surveillance is an important tool for both reducing casualties and giving reassurance to local communities. Indeed, for the minority of the population who have little regard for speed limits a sense of observation is an important deterrent. This is currently being helped by innovations such as the increase in dashcam intelligence.

## Speeding

There are three courses of action that can be taken dependent upon the extent of the speed infraction. These would come into effect if a motorist was breaking the limit by more than 10% of the speed limit + 2mph. This is set by the National Police Chief's Council.

- 1 Marginal speeding - sent on a speed awareness course. This is paid for by the motorist.
- 2 Receive a fixed penalty fine.
- 3 Referred directly to court. This would happen if there was a significant speeding infringement. E.g.

- 8.4 On 2<sup>nd</sup> January 2019 Devon and Cornwall Police and Crime Commissioner's Office released the results of a survey on Traffic Speed enforcement. A total of 2,680 people took part in the online survey run by the PCC, who is national lead for road safety for the Association of Police and Crime Commissioners. The results show overwhelming support for more stringent enforcement of road traffic laws (85% in favour), stiffer penalties for those caught speeding (80% in favour) and for a proportion of the money from fines to come locally for road safety initiatives and enforcement (88% in favour).



<sup>35</sup> Department for Transport, 'Vehicle speeds compliance statistics Great Britain 2017', September 2018, p1, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/743878/vehicle-speed-compliance-statistics-2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/743878/vehicle-speed-compliance-statistics-2017.pdf), (accessed 06/03/2019)

- 8.5 One line of questioning for the task group was around the enforcement, or not, of 20mph limits or zones. The task group were informed that 20mph limits need to be self-enforcing and would only be currently be recommended to be introduced where speeds were under 24mph for the 85<sup>th</sup> percentile. In a 20mph Zone, the engineering should decrease the speed already. Police policy is that the police can and do enforce 20mph speed limits.
- 8.6 The task group have not reviewed the 'New Roads Policing Strategy' but have been informed that it takes several approaches to try to address speeding. For example, neighbourhood teams working on visibility and education through to the No Excuse Teams. The No Excuse Teams target higher risk road users and was an initiative inspired by Dorset. This is summarised as proactive enforcement driven by community concern and data. The team focus on the higher risk motorists, which are approximately 10% who do not adhere to speed limits and may not have insurance and or an MOT.
- 8.7 The task group welcomes the seriousness in approach that the Police and the Police and Crime Commissioner are taking to speed reduction. The task group were informed about a national two-week proactive approach to motoring in January 2019. Across Devon there were 2,500 offenses recorded just during these two weeks. There are currently three officers in Exeter and three officers in Bodmin which can respond to community concerns. However, this is to cover 22,000km or road. There has recently been a needed increase in funding of £500,000 and there is now a dedicated superintendent level post for speeding.

## Community Speed watch

- 8.8 Community Speed Watch (CSW) is a national initiative where active members of local communities join with the support of the Police to monitor speeds of vehicles using speed detection devices. Volunteers measure cars speed on the roadside. Volunteers receive appropriate training and are supported by neighbourhood policing team (NPT) staff. The scheme aims to cater for the problem of real or perceived speed related offending, and through partnership with the community it is to be used in circumstances that are necessary, justifiable and proportionate in order to: Reduce death and injury on the roads, improve the quality of life for local communities, reduce the speed of vehicles to the speed limit and increase public awareness of inappropriate speed.
- 8.9 Vehicles exceeding the speed limit are referred to the Police with the aim of educating drivers to reduce their speeds. Motorists who are caught simply receive a warning letter from the police telling them that neighbourhood volunteers have recorded them speeding. The letter contains an educational message and an appeal to their conscience - but no other penalty, no points or fine. However, if they receive three of these letters, they may get a home visit from a police officer and their vehicle details could be put on a police database. In cases where education is blatantly ignored and evidence of repeat or excessive offences is collated (even across county borders), enforcement and prosecution can follow.
- 8.10 CSW is not restricted to villages and rural towns. Neighbourhood Policing Panels have a role to play in developing safer urban communities and the adoption of Speed Watch schemes could assist them to more easily achieve their goals.

“(Speed Watch)...is not about interfering with neighbours' behaviour; it is a proactive solution to improve the safety and quality of life for everyone in the community.”

<sup>36</sup> Office of the Police and Crime Commissioner, Devon and Cornwall, *Road safety*, 02/01/2019, <https://www.surveymonkey.com/stories/SM-K7XGYXW8/>, (accessed 08/05/2019)

<sup>37</sup> Community Speedwatch Online, *Community Speedwatch*, <https://www.communityracatch.org/>, no date, (accessed 04/06/2019)

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- 8.11 TfL shows very promising results from a study on CSW. "Of the 35,000 letters it has sent out to motorists in London in the past two years [...] only 2% of recipients have re-offended. [Furthermore] a study it conducted in Aylmer Road, in Barnet, north London, suggested that volunteers working for a year were able to bring down the average speed by 11mph, to 31mph - below the 40mph limit."<sup>38</sup>
- 8.12 One of the first forces to start working with volunteers was Cheshire Police in the mid-2000s. Brian Rogers, head of Roads Policing in Cheshire at the time has stated that "he's not convinced volunteers have a significant, lasting impact on reducing road accidents, but he thinks the scheme can empower communities, in keeping with an important British principle, policing by consent."<sup>39</sup>
- 8.13 One issue facing CSW groups is a lack of wider organisation. For example, if you offend in Newcastle then Doncaster, the current localised system isn't intelligent enough to escalate the stern letters. For this reason, an umbrella organisation, 'Community Speedwatch Online' has developed a computerised, super-database that it wants other groups to join. Currently it only includes Sussex and Kent.<sup>40</sup>
- 8.14 The task group has had some concerns about Speed Watch and is pleased to hear that the Devon and Cornwall Police and Crime Commissioner's Office plans to increase its focus on Community Speed Watch. Currently there are 33 schemes in operation across Devon. The PCC's Office is setting up and implementing an action plan to deal with some of the issues being faced by CSW in Devon. Backlogs have been identified to be processed and local team support is being given. New activities are being identified to move forward with, for example, a local police team "buddy", not all of whom are PSOs, some are officers, will be assigned to Community Speed Watch Teams. There is also a need to put more information regarding the Road Traffic and Community Speed Watch information online in a clearer way. The PCC's Office Plans to learn from other authorities and is seeking more proactive enforcement on speed. There is currently a Speed Watch Development Group being organised by the PCC's Office.

## Speed Limiting Technology

- 8.15 In March 2019 the EU provisionally agreed rules which will make speed limiting technology mandatory for all vehicles sold in Europe from 2022. The Department for Transport has said the system would also apply in the UK, despite Brexit.<sup>41</sup> Intelligent Speed Assistance (ISA) systems work by cars receiving information via GPS and a digital map, telling the vehicle what the speed limit is. The car also has a video camera capable of recognising road signs. The system can be overridden temporarily. For example, if a car is overtaking a lorry on a motorway and enters a lower speed-limit area, the driver can push down hard on the accelerator to complete the manoeuvre. A full on/off switch for the system is also envisaged, but this would lapse every time the vehicle is restarted.
- 8.16 Perhaps more importantly, under the new rules, cars will also be fitted with compulsory data recorders, or "black boxes". Upon a having an accident, the police and insurance company will be informed. Ford, Mercedes-Benz, Peugeot-Citroen, Renault and Volvo already have models available with some of the ISA technology fitted. However, there are questions about whether technology is advanced enough to be fully effective. Cars already have a forward-facing camera, but there is a question mark over whether the sign-recognition technology is up to scratch. Furthermore "black box" telematic technology is already in use in many cars as insurance companies use them to monitor driving behaviour in return for lower insurance costs. Research by the RAC "found that 62% of policyholders believe the device – and its Driver Score

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<sup>38</sup> BBC, *Community Volunteers with Speed Guns Strike Back at Motorists*, <https://www.bbc.co.uk/news/stories-43841859>, 08/05/2018 (accessed 07/05/2019)

<sup>39</sup> BBC, *Community Volunteers with Speed Guns Strike Back at Motorists*, <https://www.bbc.co.uk/news/stories-43841859>, 08/05/2018 (accessed 07/05/2019)

<sup>40</sup> Community Speedwatch Online, Community Speedwatch, <https://www.communityspeedwatch.org/>, no date, (accessed 04/06/2019)

<sup>41</sup> BBC, *Road safety: UK set to adopt vehicle speed limiters*, <https://www.bbc.co.uk/news/business-47715415>, 27/03/2019, (accessed 02/05/2019)

feature – makes them safer on the roads, compared to just 12% who think it makes no difference to their driving.”<sup>42</sup>

- 8.17 The move was welcomed by the European Transport Safety Council, an independent body which advises Brussels on transport safety matters. There are critics, however, with the AA stating that, “The right speed is often below the speed limit - for example, outside a school with children about - but with ISA, there may be a temptation to go at the top speed allowed”<sup>43</sup>
- 8.18 It is worth mentioning that there are other technologies currently being used to reduce speed. Speed cameras are one of the most common methods of speed enforcement in the UK. Average speed cameras have become more common over recent years. Rather than measuring a cars speed at a specific spot, as a traditional speed camera does, average speed cameras measure a cars average speed over a longer distance. This has been shown by an extensive study by the RAC to be “effective in reducing collisions, especially those of a high severity.”<sup>44</sup> Furthermore, according to a survey also done by RAC shows that “eight in 10 drivers think average speed cameras are better at slowing traffic than traditional fixed ones”<sup>45</sup>.

## 9. Conclusion

This task group was initiated to respond to at a policy level to concerns around fast traffic in Devon; the Members had a sense that the approaches taken to respond to community concerns around speed were inconsistent and most importantly that the community did not feel listened to. Over the months that this review has taken place, the Task Group has understood the different approaches that other Councils and agencies are undertaking. It has also deepened the understanding of the policy approach taken to create liveable safe environments.

Taking inspiration from Transport for London, the Task Group has the ambition to reconceptualise the County’s approach to considering roads as part of the fabric of communities. This means looking at how road use and travel in general contributes to a community’s wellbeing or could do in the future. Good design from the creation of a residential area is helpful, but there are innovations as well as behaviours that can support communities to reclaim their roads. The Task Group’s recommendations are positioned to prompt positive approaches for the whole community. In particular the Safe Systems Approach as well as Healthy Streets are initiatives that the task group would very much like to see implemented.

The Task Group recognises that a combined approach towards managing vehicle speeds; one that involves speed limit policy, enforcement, engineering and influencing behaviour change, is most appropriate in managing vehicle speeds throughout Devon. In response to residents and local Councillors the task group places on record it’s desire for a consistent approach to speed which in time should encompass all communities, giving parity across the County.

Whilst traffic speed enforcement will endure as an issue, the Task Group has been pleased to hear the positive action the Police and Crime Commissioner has planned to support Communities and looks forwards to seeing this development come to fruition. The task group is particularly interested in opportunities to involve the people of Devon and their democratically elected representatives in new policies and approaches that Devon and Cornwall Police may take.

The task group places on record it’s firm support for lower speeds, in particular in residential areas that could realistically be 20mph. Whilst recognising further work needs to be done on the best way to implement a change, the task group are committed to seeing the process to make residential roads 20mph become easier for residents. Noting the many examples of other Authorities implementing default 20mph limits, the task group has called for a

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<sup>42</sup> RAC, *Six in 10 drivers say ‘black boxes’ make them safer*, <https://www.rac.co.uk/drive/news/motoring-news/six-in-10-drivers-say-black-boxes-make-them-safer/>, 03/09/2018, (accessed 30/05/2019)

<sup>43</sup> BBC, *Road safety: UK set to adopt vehicle speed limiters*, <https://www.bbc.co.uk/news/business-47715415>, 27/03/2019, (accessed 02/05/2019)

<sup>44</sup> Owen, Ursachi and Allsop, *The Effectiveness of Average Speed Cameras in Great Britain*, London, The RAC Foundation, 2016, p24

<sup>45</sup> RAC, *Average speed cameras ‘better at slowing cars down’*, 29/06/2018, <https://www.rac.co.uk/drive/news/motoring-news/average-speed-cameras-better-at-slowing-cars-down/>, (accessed, 29/05/2019)

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pilot in one part of Devon with a view to improving understanding about the benefits and ease of introducing default 20mph in other parts of Devon.

Finally, the Task Group looks to the future and to innovations in car design, technology as vehicles are engineered with a mindful approach to their impact in every sense from maintaining legal speeds to reducing the emissions produced.

## 10.Sources of Evidence

### Witnesses

The Task Group heard testimony from a number of witnesses and would like to express sincere thanks to the following people for their contribution and the information shared.

| NAME                      | ROLE                                   | ORGANISATION                                    |
|---------------------------|----------------------------------------|-------------------------------------------------|
| Andrew Watson             | Head of Access, Recreation and Estates | Dartmoor National Park Authority                |
| Christopher Rook,         | Traffic Management Team Manager        | DCC                                             |
| Cllr Anthony Howell-Jones | Councillor                             | Poltimore Parish Council                        |
| Cllr Brian Lamb           | Councillor                             | Bere Ferrers Parish Council                     |
| Cllr Campbell McAllister  | Councillor                             | Bow Parish Council                              |
| Cllr David Munden         | Councillor                             | Abbotskerswell Parish Council                   |
| Cllr Derek Boustred       | Councillor                             | Stoke Canon Parish Council                      |
| Cllr Kevin Farrelly       | Councillor                             | Abbotskerswell Parish Council                   |
| Cllr Ray Bloxham          | Councillor                             | Cranbrook Town Council and Devon County Council |
| Cllr Ray Steer-Kemp,      | Councillor                             | Bishops Clyst Parish Council                    |
| Cllr Ray Watts            | Councillor                             | Colyton Parish Council                          |
| Cllr Tessa King           | Councillor                             | Dartington Parish Council                       |
| Cllr John Clatworthy      | Councillor                             | DCC                                             |
| Dr Cris Burgess,          | Senior Lecturer in Psychology,         | University of Exeter                            |
| Helen Wigginton           | Sustainable Transport Leader           | Bristol City Council                            |
| Jeremy Phillips           | Road Casualty Reduction Manager        | DCC                                             |
| John Amosford             | Advanced Public Health Practitioner    | DCC                                             |

| NAME               | ROLE                                                             | ORGANISATION                                                    |
|--------------------|------------------------------------------------------------------|-----------------------------------------------------------------|
| Jon Far            | Project Manager                                                  | Peninsula Road Safety Partnership                               |
| Kevin Gillick      | Doing What Matters Team                                          | Devon County Council                                            |
| Lisa Vango         | Manager for Strategy and Planning                                | Office of the Police and Crime Commissioner, Devon and Cornwall |
| Mathew Scriven     | Traffic Management Group Manager                                 | DCC                                                             |
| Meg Booth          | Chief Officer for Highways, Infrastructure Development and Waste | DCC                                                             |
| Mike Jones         | Traffic Engineer                                                 | DCC                                                             |
| Mr Chris Brightman | Topsham Resident                                                 |                                                                 |
| Rob Richards       | Traffic Management Group Manager                                 | DCC                                                             |
| Rod King MBE       | Founder and Campaign Director                                    | '20's Plenty for Us'                                            |
| Si Jenkinson       | Police Inspector                                                 | Alliance Roads Policing Team, Devon and Cornwall Police         |
| Simon Chant        | Public Health Specialist (Intelligence)                          | DCC                                                             |
| Tony Parker        | Head of Communication                                            | Devon County Council                                            |

The task group also thanks Bristol City Council for providing written representation to the task group.

## Survey Participants: Town & Parish Councils who took part

\*some councils submitted more than one response – number given in brackets

|                                  |                                           |
|----------------------------------|-------------------------------------------|
| Anonymous (1)                    | Chittlehamholt, Warkleigh and Satterleigh |
| Abbotskerswell                   | Chulmleigh                                |
| Awliscombe Parish Council        | Clyst Hydon                               |
| Bere Ferrers Parish Council      | Colaton Raleigh Parish Council            |
| Bishops Clyst Parish Council (2) | Colyton Parish Council                    |
| Bovey Tracey                     | Cranbrook Town Council                    |
| Bow Parish Council               | Cruwys Morchard Parish Council            |
| Bramford Speke                   | Denbury and Torbryan                      |
| Buckland Brewer                  | Diptford Parish (2)                       |
| Buckland in the Moor             | Ermington Parish Council                  |

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Exmouth Town Council

Farringdon (2)

Farway

Feniton Parish Council (2)

Fremington

Georgeham

Halwill Parish

Ideford

Ipplepen (2)

Loddiswell Parish Council

Malborough Parish Council

Modbury (2)

Monkton Parish Council

Morchard Bishop Parish Council

Morebath

Musbury

Newton & Noss Parish Council

Newton Abbot Town Council

Newton St. Petrock

North Tawton (3)

Parkham

Poltimore Parish Council (3)

Rattery

Rockbeare

Salcombe

Sampford Courtenay Parish Council

Slapton Parish Council (2)

St Giles on the Heath with Northcott Hamlet Parish Council

Staverton Parish Council

Stoke Canon

Stoodleigh Parish Council

Strokenham

Templeton

Tiverton

Ugborough Parish Council

West Hill Parish Council

Wolborough Residents' Association

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Councillors Jackie Hook (Chair), Alistair Dewhurst, Polly Colthorpe, Jackie Hodgson and Martin Shaw

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## Appendix 1: Glossary of Terms

**Community 'Speed Watch'** - There are 3 types – school, community and neighbourhood. Speed Watch involves members of the local community who record vehicle speeds and pass data onto the police.

**Free flow speed** - Free flow speeds are observed in locations where external factors which might restrict driver behaviour (e.g. junctions, hills, sharp bends and speed enforcement cameras) are not present.

**Home zones** - a form of shared space scheme. They consist of residential streets in which the road space is shared between motor vehicles and other road users, but with the emphasis on those who walk and cycle and on children.

**Killed or Seriously Injured (KSI)** – Refers to the number of reported people killed or seriously injured in traffic collisions. Used as a measurement of road safety.

**Shared space road schemes** – By removing traffic signs, pedestrian crossings and even kerbs, shared space road schemes aim to make drivers drive more carefully.

**Speed cushions** – A speed cushion is a short, raised, rounded speed calming measure, that is normally positioned in the centre of a road lane. Speed cushions are designed to be slightly wider than cars, so that drivers must slow down and drive over the centre of the cushion to reduce discomfort.

**The Speed Compliance Action Review Forum (SCARF)** – made up of the Police Road Casualty Reduction and Traffic Management Officer (RCRO), a Devon County Council Road Safety Officer and members of the County's Traffic Team. The SCARF team will monitor the site where a reported speed incident occurred and will decide on what actions are necessary. These actions range from education and enforcement through to engineering.

**Vehicle Activated Signs (VAS)** – These signs activate if an approaching vehicle is detected to be exceeding a pre-set speed threshold. The speed limit and/or a warning message will illuminate on the sign to remind the driver to slow down.

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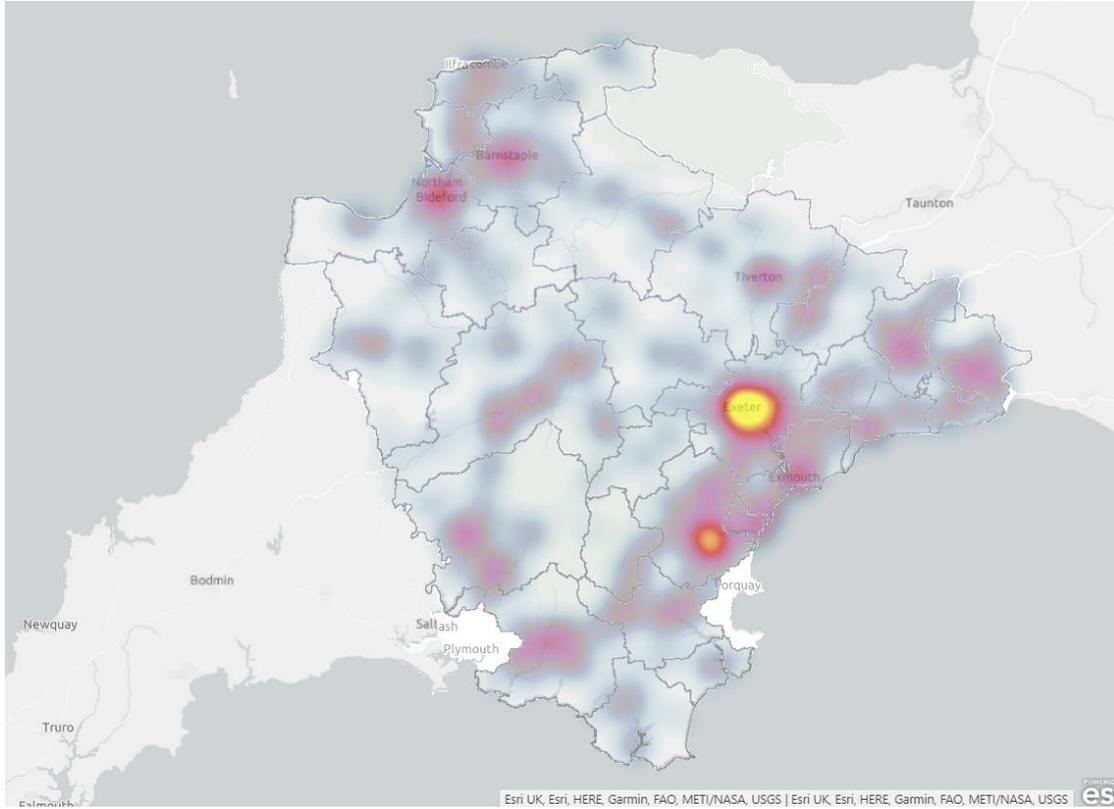
## Appendix 2: Torbay Matrix for consideration of 20mph

| Scoring Matrix for Consideration of Residential 20mph Schemes             |    |   |   |   |  | Notes |
|---------------------------------------------------------------------------|----|---|---|---|--|-------|
| <b>Scheme: Roads and Narrative</b>                                        |    |   |   |   |  |       |
| <b>Date:</b>                                                              |    |   |   |   |  |       |
|                                                                           | -1 | 0 | 1 | 2 |  |       |
| <b>The Proposed Scheme:-</b>                                              |    |   |   |   |  |       |
| <b>Is the area already traffic calmed?</b>                                |    |   |   |   |  |       |
| Yes (+1)                                                                  |    |   |   |   |  |       |
| No (0)                                                                    |    |   |   |   |  |       |
| <b>Is the area predominantly residential?</b>                             |    |   |   |   |  |       |
| Yes (+1)                                                                  |    |   |   |   |  |       |
| No (0)                                                                    |    |   |   |   |  |       |
| <b>Is the area on a route to schools?</b>                                 |    |   |   |   |  |       |
| Yes (+1)                                                                  |    |   |   |   |  |       |
| No (0)                                                                    |    |   |   |   |  |       |
| <b>Is the area on a route to a park / playground?</b>                     |    |   |   |   |  |       |
| Yes (+1)                                                                  |    |   |   |   |  |       |
| No (0)                                                                    |    |   |   |   |  |       |
| <b>Vehicle speeds</b>                                                     |    |   |   |   |  |       |
| >25mph (-1)                                                               |    |   |   |   |  |       |
| 20 - 25mph (0)                                                            |    |   |   |   |  |       |
| <20mph (+1)                                                               |    |   |   |   |  |       |
| <b>Is there an existing 20mph school scheme in the area?</b>              |    |   |   |   |  |       |
| No (-1)                                                                   |    |   |   |   |  |       |
| Variable (0)                                                              |    |   |   |   |  |       |
| 20mph limit (+1)                                                          |    |   |   |   |  |       |
| <b>Injury Collision Record</b>                                            |    |   |   |   |  |       |
| No injury collisions in 5 years (-1)                                      |    |   |   |   |  |       |
| 1 - 3 injury collisions recorded over 5 years (+1)                        |    |   |   |   |  |       |
| 4 injury collisions or more over 5 years (+2)                             |    |   |   |   |  |       |
| <b>Road lay-out restricted highway width (e.g. historic areas)</b>        |    |   |   |   |  |       |
| Yes (+1)                                                                  |    |   |   |   |  |       |
| No (0)                                                                    |    |   |   |   |  |       |
| <b>Pedestrian facilities</b>                                              |    |   |   |   |  |       |
| Footway width >2.5m and controlled crossing facilities (-1)               |    |   |   |   |  |       |
| Footway width <2.5m and good crossing facilities (0)                      |    |   |   |   |  |       |
| Footway width <1.0m or just on one side (+1)                              |    |   |   |   |  |       |
| <b>Environmental</b>                                                      |    |   |   |   |  |       |
| <b>Cycling and pedestrian levels which encourage healthy life styles</b>  |    |   |   |   |  |       |
| Yes (+1)                                                                  |    |   |   |   |  |       |
| No (0)                                                                    |    |   |   |   |  |       |
| <b>Deprived areas - based on 2015 Lower Super Output Areas (LSOA's)</b>   |    |   |   |   |  |       |
| Top 30% LSOA in England (1)                                               |    |   |   |   |  |       |
| Top 30 - 60% in England (0)                                               |    |   |   |   |  |       |
| Top 60 - 100% in England (-1)                                             |    |   |   |   |  |       |
| <b>Public Opinion</b>                                                     |    |   |   |   |  |       |
| <b>Evidence of Support from affected stake holders?</b>                   |    |   |   |   |  |       |
| Yes (+1)                                                                  |    |   |   |   |  |       |
| No (-1)                                                                   |    |   |   |   |  |       |
| <b>Supported by ward members?</b>                                         |    |   |   |   |  |       |
| Yes (+1)                                                                  |    |   |   |   |  |       |
| No (-1)                                                                   |    |   |   |   |  |       |
| <b>Sustainable Transport</b>                                              |    |   |   |   |  |       |
| <b>Sustainable transport options, walking , cycling, public transport</b> |    |   |   |   |  |       |
| Yes (+1)                                                                  |    |   |   |   |  |       |
| No (0)                                                                    |    |   |   |   |  |       |

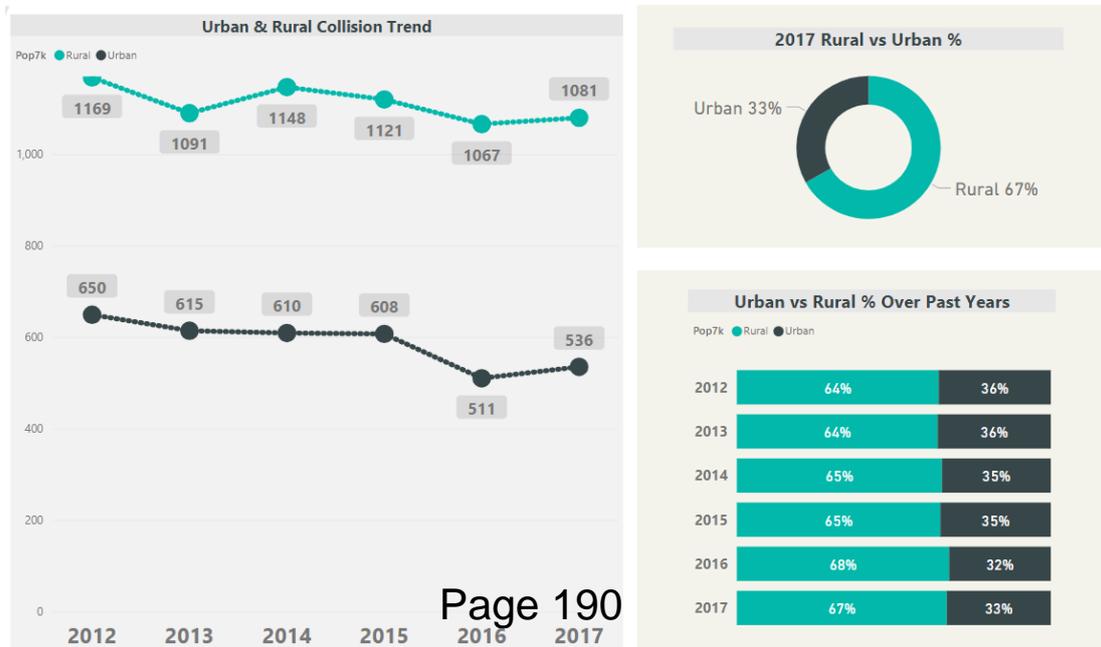
# Agenda Item 13

|                                                                |  |  |  |  |  |  |
|----------------------------------------------------------------|--|--|--|--|--|--|
|                                                                |  |  |  |  |  |  |
| <b>Supported by the Police</b>                                 |  |  |  |  |  |  |
| Yes (+1)                                                       |  |  |  |  |  |  |
| No (0)                                                         |  |  |  |  |  |  |
|                                                                |  |  |  |  |  |  |
| <b>Value for Money</b>                                         |  |  |  |  |  |  |
| 20mph zone can be implemented with signage/markings only (+1)  |  |  |  |  |  |  |
| 20mph limits can be implemented with signage/markings only (0) |  |  |  |  |  |  |
| 20 mph zone or limit requires additional engineering work (-1) |  |  |  |  |  |  |
|                                                                |  |  |  |  |  |  |
| <b>Total Score</b>                                             |  |  |  |  |  |  |

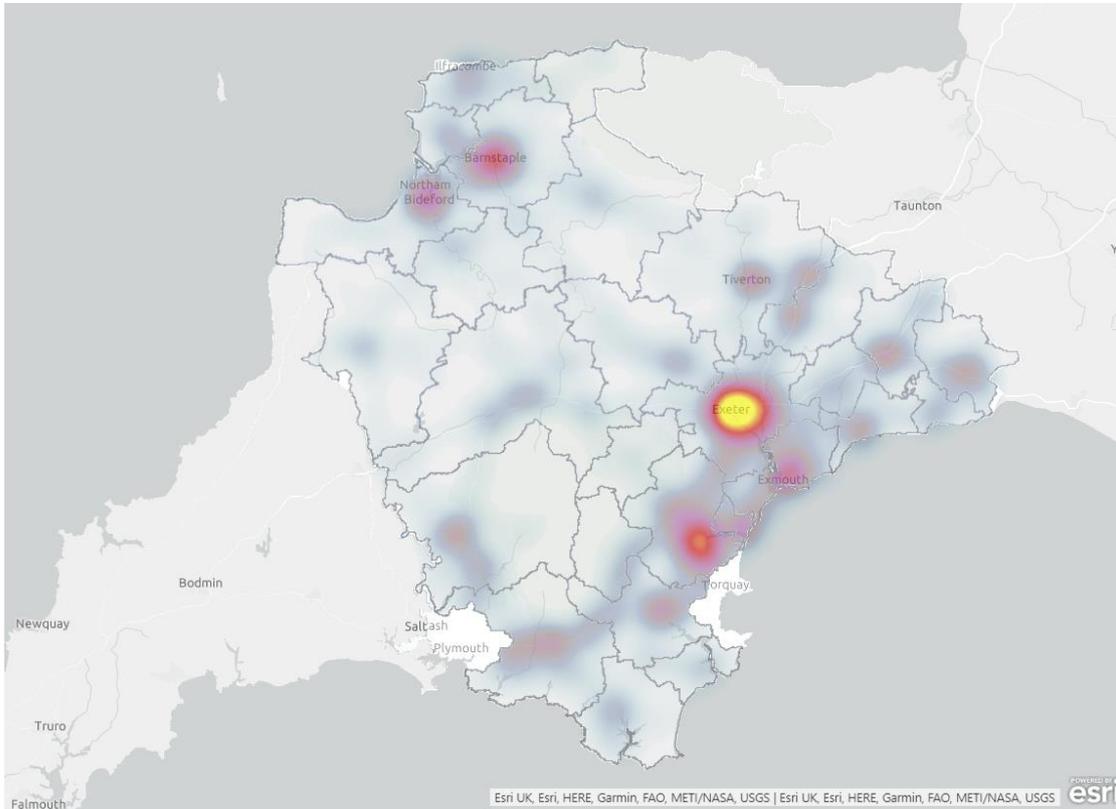
### Devon CC Reported Road Collisions Heatmap 2013-17



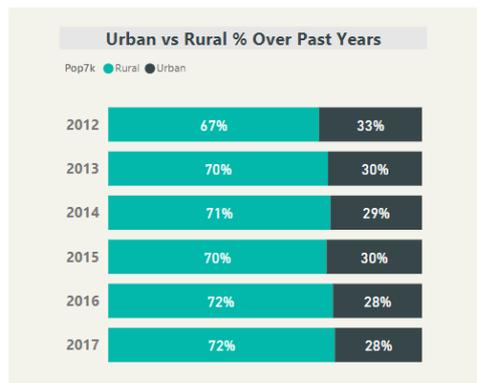
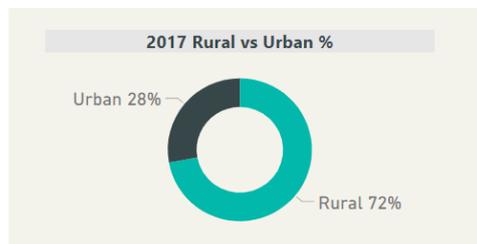
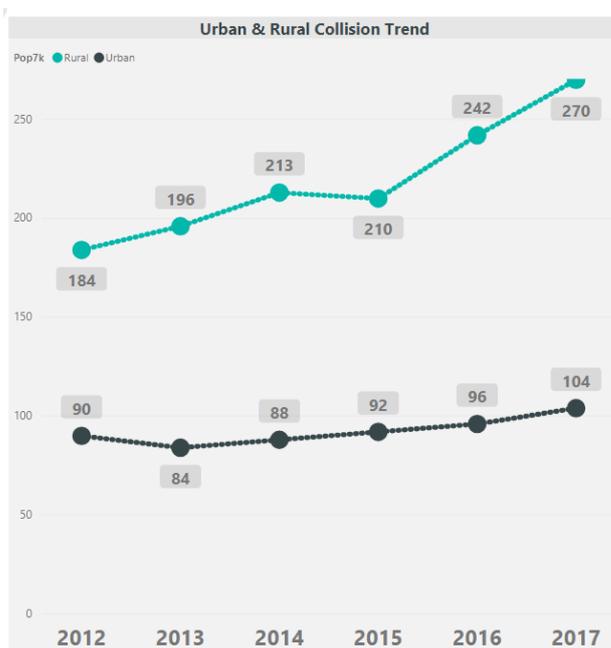
### Devon CC Reported Road Collisions Urban & Rural Comparison



# Devon CC Reported Road KSI (Killed or Seriously Injured) Collisions Heatmap 2013-17



# Devon CC Reported Road KSI Collisions Urban & Rural Comparison





## STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION

14 June 2019

Present: -

Group A: Christian and Other Religion and Belief Communities (with the exception of the Church of England)

*W Becher, K Denby, R Halsey, M Hext, B Lane and J Taylorson*

Group B: The Church of England

*S Gill, C Hulbert, B Twigg, J Roberts (Chair) and T Wilson*

Group C: Teachers' Associations

*L Clay, R Flanagan, J Goody, P Hammett, W Harrison, S Shute and P Randall*

Group D: The County Council

*C Channon, P Colthorpe and M Squires*

Co-opted Members

*S Spence*

Apologies: -

*H Hastie, M Miller, R Nathwani, R Ingrouille, E Mihas, R Khreisheh, P Rouvas, E Brennan, I Chubb and G Hook*

### 76 **Minutes**

The Minutes of the meeting held on 5 February 2019 were signed as a correct record.

### 77 **Items Requiring Urgent Attention**

No items were raised as a matter of urgency

### 78 **Devon SACRE Membership**

Mr Pawson reported on a vacancy within the Co-opted Group and introduced Rebecca Northcott who teaches at St Helen's CoE Primary School, Abbotsham, Bideford, North Devon. Ms Northcott outlined her considerable experience as a RE Teacher and the curriculum development she was leading at the School and across Alumnis Multiple-Academy Trust.

Mr Northcott' left the meeting to allow consideration of her nomination as a co-opted Member.

It was **MOVED** by Jude Taylorson, **SECONDED** by Councillor Squires and unanimously

**RESOLVED** that Rebecca Northcott be appointed as a Co-opted member of the Devon Standing Advisory Council for Religious Education.

Ms Nortcott re-joined the meeting and accepted the appointment as a Co-opted Member.

### 79 **Teacher Training through the Worldviews**

Members dispersed into break-out groups to discuss various handouts from Ruth Flanagan relating to: a working definition of worldviews, shared practice from the PGCE Primary

Course (Exeter University) for identifying worldviews and the examining process of formulation and evolution of worldviews, and practical demonstration of these techniques through engaging in a sample of activities.

The Council reconvened and received a presentation from Ruth Flanagan on the PGCE Training for primary school teachers noting that only 4 hours formal teaching was allocated on the Course. Worldviews tools were available for RE and humanities teaching and provided a good framework for classroom teaching and discussion.

(N.B Presentation attached to the Minutes)

Further reference material available at:

The 'Radi-aid' video clip

<https://www.youtube.com/watch?v=oJLqyuxm96k>

The West Wing clip on maps of the world with Cartographers for Social Justice:

<https://www.youtube.com/watch?v=eLqC3FNNOaI>

Extracted from the series West Wing, President Bartlet delivered a KO on an anti-gay practitioner highlighting the ridiculous practice of selecting quotes from the Bible to shore up irrational prejudices.

<https://www.youtube.com/watch?v=DSXJzybEeJM>

## 80 **Apologia**

The Council received a paper by NASACRE on the duty to determine a RE Curriculum via an Agreed Syllabus Conference (Minute 81 below refers) formed by SACREs and its future role.

## 81 **New Agreed Syllabus Launch Sessions**

Ed Pawson reported on the success of the launch sessions held on 3rd, 4th and 5<sup>th</sup> June in Barnstaple, Exeter and Buckfast Abbey for the new Agreed Syllabus for Devon and Torbay (Plymouth and Cornwall were producing their own material). The launch events were attended by over 250 teachers. The new material would provide valuable support especially for non-specialist teachers and met a real need for consistent and inclusive teaching. The new material had been provided at no cost to all schools in Devon. Additional schemes of work for lesson by lesson planning could be purchased from RE Today. The first teaching using the new curriculum would commence in September 2019.

Members discussed aspects of the content of the Syllabus.

Members thanked the support of the Devon County Council's in agreeing to underwrite the launch events which were likely to reach a financial breakeven position and Babcock LDP and in particular Sally Watts for her considerable work in organising the launch events.

## 82 **SACRE Development Plan**

The Council received the proposed Development Plan for 2019/20 covering Key Tasks, Target Groups, the Lead Officers and allocated days and timescales. The Development Plan focused on providing training for faith and belief visitors to schools, offering ongoing development of the Agreed Syllabus and review of collective worship, to be carried out in conjunction with Torbay and Plymouth SACREs.

Jude Taylorson remarked on the difficulties in undertaking LTLR visits to Schools and it was suggested that technological arrangements (e.g. skyping) could be a way forward.

## 83 Learn Teach Lead RE (LTLRE)

Tatiana Wilson gave an update on Learn Teach Lead RE (LTLRE):

- supporting the roll out of the new RE Agreed Syllabus through the October conference, hub meetings and the LTLRE website;
- hoping to secure an additional one-off grant to support the conference;
- establishing a new hub in mid-Devon due to demand from teachers; and
- still reliant on financial support from SACREs (including Devon SACRE) and Dioceses to sponsor hubs in order for it to function.

Update on RE in Church of England Schools:

- Exeter Diocesan Board of Education agreed to underwrite the Devon Agreed Syllabus and had supported the launch days
- All 133 CofE VA, VC and Academies were being urged to follow the new RE Agreed Syllabus;
- There was a new *Statement of Entitlement for RE* in CofE schools which enabled schools to teach a greater proportion of RE that focused on faiths and beliefs other than Christian;
- Since September 2018 there was a new SIAMS inspection evaluation schedule for CofE schools. Schools were inspected on the quality of their RE provision every 5 years. So far in the 16 schools inspected to date RE had been found to be good or better in all.

Members agreed on the invaluable support LTLRE provided for RE Teachers and thanked the support of the Diocese in complementing the financial support given by this SACRE.

The Chair thanked Tatiana for the update.

## 84 National Developments in RE

Ed Pawson presented a paper by NASACRE on reflections on the implications of the new Ofsted Framework and Handbook for inspection on Religious Education, published 14th May 2019 along with the inspection handbook.

The new Ofsted inspection framework being introduced in September 2019 would mark a significant change to the way subjects like RE were inspected:

- improve the way schools are held to account for RE
- two-day long school inspections
- greater emphasis on the curriculum
- broad and balanced
- academies and state-maintained schools (similar breadth and ambition)
- a small number of subjects will be chosen as a focus
- could include religious education.
- accountability for the provision of RE
- all pupils in maintained schools are required to study the basic curriculum, which includes RE
- teachers need to have expert knowledge of the subjects
- continued focus on pupils' spiritual, moral, social, cultural and personal development.

The Ofsted framework presented the following challenges for Schools:

- Intent: why you are teaching what you are teaching?
- Implementation: how is your curriculum organised to make this happen?

- Impact: what difference does this make to the lives of children?
- We live in a diverse society. Our attitudes to beliefs and religion have change dramatically over the last 50 years. Are we preparing young people for the society in which they are growing up?
- Asking schools: what is the rationale for the way you teach RE? Where does it sit in your curriculum?

Members commended the approach which would increase accountability by schools and was timely in terms of the new Agreed Syllabus and remarked on the potential for improved social cohesiveness and wider community benefits. However, there remained limited time for Career Professional Development and training and additional resources were required, despite the excellent work of the LTLRE programme.

## 85 **Interfaith Partnership Work**

The Chair reported on the previous success of the Interfaith events on end of life and assisted dying matters and arrangements for a similar event in North Devon planned for November 2019 for year 9 and 10 students.

Training for speakers was ongoing and included involvement by the Mosque where courses were being run. It was unfortunate that their representation on this SACRE remained vacant. The Members thanked Jude Taylorson for her work and lead within the Interfaith Partnership in organising the events.

## 86 **Holocaust Memorial Day**

Ed Pawson reported on the plans and events for the Holocaust Memorial Day (HMD) 2020 which would mark the 75th anniversary of the liberation of Auschwitz-Birkenau. In commemoration of this landmark anniversary, Holocaust Memorial Day Trust (HMDT) was launching an exciting new project for organisations, community groups and schools around the country to take part in entitled **Memorial Flames**.

The Members thanked Ed for his work and hope for the further involvement of primary school children

:

:

## 87 **Hate Crime and RE**

Keith Denby reported on his work on the Devon and Cornwall Police Panel on Hate Crime. This covered

- statistical analyses of incidents and identified trends and links to the school day and work with the HMIC and Ofsted to increase awareness and reporting of incidents; and
- the contribution RE could make in improving understanding and embracing difference.

Members also referred to the Stonewall champions across a MAT in regard to the LGBT community and the courageous advocacy work undertaken.

## 88 **South West SACRE Conference: Monday 4 March 2019**

Ed Pawson reported on the South West SACRE conference held on Monday 4<sup>th</sup> March 2019 at Dillington House, Somerset which had explored the impact of the RE Commission report on SACREs: Do SACREs support the recommendation that they transition into Local Advisory Networks for Religion and Worldviews.

Members who had attended reported on the informative presentations and questions posed by RE Today about the challenges for SACREs in addressing non-compliance by Schools.

The presentations made would be circulated to Members.

## **89 Future SACRE Meetings**

Tuesday, 19 November 2019, Thursday, 13 February 2020 and Thursday 25 June 2020.

Tatiana Wilson asked that at that the next meeting considered RE Quality Marks for Schools (to align with the new Agreed Syllabus) similar to a scheme adopted by the Bristol SACRE.

The Meeting started at 10.00 am and finished at 12.35 pm



## DEVON EDUCATION FORUM

19 June 2019

### Present:-

#### Schools Members

##### Primary School Head teachers

Mr M Boxall

Mr A Dobson

Mr J Stone

Mr P Walker

Exeter Children's Federation

Marwood Primary

Denbury Primary

First Federation Trust (*Academy Member*)

##### Primary School Governors

Mrs A Blewett

Mr M Dobbins

Mr A Hines

Ms M Wallis

Kings Nympton Primary

Exmouth Marpool Primary

Rydon Primary Trust (*Academy Substitute Member*)

Whimble School (**Chair**)

##### Secondary School Head teachers

Ms A Mitchell

Mrs J Phelan

The Ted Wragg Multi Academy Trust (*Academy Member*)

Cullompton CC

##### Secondary School Governors

Ms J Elson

Ms F Wood

Exmouth CC (*Academy Member*)

Tiverton Federation (*Substitute Member*)

##### Nursery School

Mrs S Baker

Westexe

##### Alternative Provision

Mr R Gasson

WAVE Multi Academy Trust (*Academy Member*)

##### Non-Schools Members

Mr R Gurney

Ms S Lockwood

Mrs L Wright

Mr B Blythe

Teachers Consultative Committee

Exeter Diocesan Board of Education (*Substitute Member*)

Early Years Private, Voluntary & Independent

16-19 (PETROC)

##### Observer

Councillor J McInnes

Cabinet Member – Children's Services and Skills

##### Apologies

Mrs F Butler

Mr R Haring

Ms M Marder

Mrs J Larcombe

Mr T Newman

Mr J Searson

Mrs T Sturtivant

Mr A Walmsley

Marland School

Ivybridge CC (*Academy Member*)

The Ted Wragg Multi Academy Trust (*Academy Member*)

Uffculme Academy Trust (*Academy Member*)

Chulmleigh Academy Trust (*Academy Member*)

Exeter Diocesan Board of Education

Tiverton High

First Federation (*Academy Member*)

# Agenda Item 16b

DEVON EDUCATION FORUM  
19/06/19

## 114 Minutes

### DECISION:

That the minutes of the meeting held on 20 March 2109 be signed as a correct record, subject to:-

-Attendance of Mr Blythe being amended to 16-19 Petroc College; and

-minute 111, 2<sup>nd</sup> paragraph, 1 September 20198 being amended to 2019.

## 115 Matters Arising from the Last Meeting and Report back on Issues Raised with Cabinet

### DISCUSSION:

The Cabinet Member - Children, Schools & Skills reported further on f40 group's Fairer Funding campaign developments, ongoing meetings and presentations to MPs and the DfE which had been received with interest.

Representations were particularly timely at present and there was also an opportunity for all interested parties to respond to the current consultation on the sustainability of SEN provision.

F40 was working with a wide range of education interests including teacher unions to coordinate data and speak in partnership.

The Cabinet Member would welcome headteacher representation at his meeting with the Rt Hon Damian Hinds MP, Secretary of State for Education in July 2019. He encouraged Devon school leaders to continue to involve their local MPs in fair funding matters affecting their local schools, for which videos, data and case studies had been prepared by the County Council and Phase Associations.

The Associations welcomed f40's continued detailed campaigning for fairer school funding and recognised the work of the Cabinet Member in his role as Chair of f40.

**ACTION:** Phase Associations (to continue to encourage school leaders' dialogue with local MPs)

## 116 Head of Education & Learning Update

### DISCUSSION:

The Head of Education & Learning reported on:-

(a) Performance Data - F40 lowest funded LAs compared to all LAs

This indicated a clear link for disadvantaged pupils in f40 LAs having lower outcomes across a number of data sets. Ways of improving outcomes were being explored and it was hoped that this data could help to secure additional funding for lower funded Local Authorities so they could better support this group.

Additionally cohort variation data 2016-2018 included SEN pupils, of which there were less pupils in maintained schools in 2018 compared to 2016.

The Devon Schools Alliance was working on various projects to assist disadvantaged pupils. In the Torridge area Devon County Council and Dartmoor Multi Academy Trust were delivering the proven Plymouth Teaching school Oracy programme. A vocabulary project was also being planned for roll out across the county.

(b) Adult Joint Funded SEN contribution arising from minute 107 (20 March 2019)

The Committee noted that Adult Care had agreed to pay its contribution and this had been paid directly to the provider, from whom it would be either directly refunded to the LA or clawed back.

(c) Babcock LDP Contract (ending 2022)

The Head of Education & Learning would hold initial informal early stage discussions with SFG representatives to help inform timelines and consultation with schools for consideration of future LDP provision after the current contract.

(d) School Business Managers

A request had been received from this group for them to have a more prominent role in the work of the Forum to share expertise, in view of the Forum's formula consultation with schools and the National Funding Formula.

Members discussed election and accountability issues and that it was important that any new representative could represent all schools appropriately (primary and secondary, maintained and academy). Some reservation was expressed as to whether 1 representative could represent all).

It was suggested that a one-off trial attendance at the Schools Finance Group September 2019 meeting should be explored, to assist with the funding consultation meetings with schools to be held during the autumn term. Business managers could be invited to put forward 1 representative to represent all schools in an advisory (non-voting) capacity.

*(note: Schools Forum regulations permitted a "bursar or other person responsible for the financial management of schools" as an elected Schools or Academies member, although in Devon this had not been the case).*

**DECISION:**

that school business managers be invited to put forward 1 representative to represent all schools (non-voting) at the Schools Finance Group September 2019 meeting.

**ACTION:**

Head of Education & Learning

(a) Performance data to be circulated to DEF members (Dawn Stabb/Fiona Rutley)

(b) bursar representation at SFG (Dawn Stabb/Heidi Watson Jones)

117

**Finance Update**

**DISCUSSION:**

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/19/06).

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 5 June 2019.

The Chief Officer for Children's Services gave an overview of Children's Services wider investment picture, including for example where Devon had retained youth services and

# Agenda Item 16b

DEVON EDUCATION FORUM  
19/06/19

children's centres investment where some LAs had not. However significantly more challenges were expected during 2020/21 financial year and preparations for managed efficiency savings across the whole of Children's Services were underway, before the Council's November 2019 Cabinet meeting. A holistic look at better reintegration would assist investment targeting.

The report (DEF/19/06) covered:-

DSG and Schools Funding Outturn 2018/19  
Allocation of Carry Forward from 2018/19 (previously approved in principle)  
Growth Fund  
Mutual Fund

Members also noted that balanced budgets were being achieved by schools by taking appropriate management action (paragraph 1.2);

It was also requested that a short brief be sent to schools on High Needs Block invest to save (paragraph 1.2).

It was proposed that due to increased costs in 2019/20 for subscriptions, £17,000 of the 2018/19 underspend (carry forward) would be used to meet this year's increases (paragraph 1.3).

## DECISION:

(a) that the DSG Draft Outturn position (subject to Statement of Accounts sign off) as set out in Section 1 of report (DEF/19/06) be noted, subject to:-

(i) the Forum records its thanks that the County Council has met the £2.8m overspend DSG 2018/19 as part of the Outturn position;

(ii) £17,000 being used against the £173,000 Subscriptions and Trade Unions underspend (paragraph 1.3 of the report), to give a revised figure of £156,000 (due to increased costs in 2019/20 subscriptions);

**(Vote: Schools, Academies and PVI members)**

(b) that the allocation of the carry forwards from 2018/19 as set out in Section 2.1 and Table 5 of report (DEF/19/06) be noted or approved:-

### 2.1, Table 5: Carry Forward from 2018/19

| Budget Line                                              | Amount<br>£'000 | Notes                                                                          | Resolved  |
|----------------------------------------------------------|-----------------|--------------------------------------------------------------------------------|-----------|
| Mainstream School balances                               | 13,872          | Automatically carried forward in Individual School budgets                     | 2.2 noted |
| <b>Total School balances</b>                             | <b>13,872</b>   |                                                                                |           |
| Maternity                                                | 662             | Balance to fund ongoing maternity cover                                        | 2.3 noted |
| Schools and DSG Contingency                              | 1,660           | Balance to fund contingency agreements in 2019/20 onwards                      | 2.3 noted |
| Phase Associations                                       | 8               | DASH balance to carry forward to 2019/20                                       | 2.3 noted |
| Trade Unions and Subscriptions                           | 156*            | Costs lower than expected, Invest to save project for High Needs agreed by DEF | 2.3 noted |
| Growth Fund                                              | (93)            | Deficit Balance – agreed to be carried forward by DEF                          | 2.3 noted |
| <b>Total De-delegated and Central Provisions budgets</b> | <b>2,410</b>    |                                                                                |           |

|                                      |               |                                                                                                           |              |
|--------------------------------------|---------------|-----------------------------------------------------------------------------------------------------------|--------------|
| Special School Balances              | 2,255         | Automatically carried forward as Individual School budgets                                                | 2.4 noted    |
| Hospital Education                   | 78            | Automatically carried forward as Individual School budgets                                                | 2.4 noted    |
| Mainstream SEN                       | 35            | Digitalisation of EHCP records – purchase of new system delayed to 2019/20 £31k and £4k Post 16 Element 2 | 2.5 noted    |
| Other Special Schools                | (2,473)       | Deficit Balance – agreed to be carried forward by DEF                                                     | 2.6 noted    |
| <b>Total High Needs</b>              | <b>(105)</b>  |                                                                                                           |              |
| Early Years Other Early Years Grants | 206           | PVI Pupil Premium and Teachers Pay Grant arrangements in 2019/20                                          | 2.7 approved |
| Early Years                          | 85            | Disability Access Fund                                                                                    | 2.8 approved |
| <b>Total Early Years</b>             | <b>291</b>    |                                                                                                           |              |
| <b>Total Carry forward requested</b> | <b>16,468</b> |                                                                                                           |              |

*\*Trade Unions and Subscriptions revised figure £156K (see minute (a) above)*  
**(Vote: Schools, Academies and PVI members)**

(c) that the Growth Fund criteria changes as set out in section 3 and Appendix A of report (DEF/19/06) be approved, to be implemented from April 2019 with a revision made to exceptional growth funding if the ESFA deem necessary, ie paragraph 16 of Appendix A;  
**(Vote: Schools, Academies and PVI members)**

(d) that the year-end Mutual Fund position as set out in Section 4 of report (DEF/19/06) be noted.

**ACTION:**

County Treasurer (Adrian Fox) – brief to schools

**118 Dedicated Schools Grant Monitoring Month 1**

**DISCUSSION:**

The Forum considered the report of the Chief Officer for Children’s Services and County Treasurer (DEF/19/07).

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 5 June 2019.

Month 1 was forecasting DSG overspend of £7.6m. The High Needs Block was under significant pressure despite ongoing a management actions, with a current overspend of £11.1m.

Discussion included:-

-the development of Alternative Provision following the main AP contract being taken over by WAVE in November 2018 and how the Cornish model worked. Currently in Devon there was no capacity to grow as a high quality outreach/early intervention service;

-difficulties with reintegrating AP pupils back into mainstream education exacerbating the lack of AP places.

-how FE colleges may assist to help free up places.

# Agenda Item 16b

DEVON EDUCATION FORUM  
19/06/19

## **DECISION:**

(a) that the month 1 DSG monitoring position be noted.

(b) that the significant HNB pressure be further highlighted to government, demonstrating the impact of lack of government funding and government policy to manage increasing HNB pupils.

## **ACTION:**

County Treasurer (Adrian Fox) – (b)

Head of Education & Learning (Julia Foster) – contact 16-19 representative re FE involvement.

## **119 FIPS (Financial Intervention Panel, Schools) Annual Report**

### **DISCUSSION:**

The Forum received the report of the Chief Officer for Children's Services and County Treasurer (DEF/19/06), which included-

-FIPS' role as an officer group, scrutinising budgets and recovery plans of schools at financial risk, considering various school governing body requests, as well as signposting for planning for long term financial viability;

-Analysis of the 40 submissions and outcomes in 2018/19, which was a 90% increase on 2017/18, with primary schools increasing 3 fold, mainly for redundancy and also licensed deficit requests.

FIPS continued to be pro-active at an early stage during uncertain and challenging funding times.

## **120 DEF Proportionality 2019**

### **DISCUSSION:**

The arrangements following consultation with members, based on 2019 pupil census data predicted to 2019/20 academic year were noted, ie:

No change, excepting the 8 DEF primary phase seats allocation would move towards 5 maintained:3 academy (instead of the current 6 maintained: 2 academy).

**ACTION:** County Solicitor (Fiona Rutley)

## **121 Standing (and other) Groups**

The Forum received the following minutes of its standing groups:-

(a) Schools' Finance Group (SFG)

Minutes of the meeting held on 5 June 2019 (considered under Finance Update minute 117 above)

(b) School Organisation, Capital and Admissions (SOCA)

Minutes of the meeting held on 11 June 2019.

## 122 Dates of Future Meetings

Meetings to be held at County Hall, Exeter, at 10am (unless otherwise specified):-

Wed 20 November 2019

Wed 22 January 2020

Wed 18 March 2020.

<https://democracy.devon.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

The Meeting started at 10.00 am and finished at 11.50 am

The Schools Forum web is [www.devon.gov.uk/schoolsforum](http://www.devon.gov.uk/schoolsforum)



## DEVON AUTHORITIES STRATEGIC WASTE COMMITTEE

19 JUNE 2019

Present:

Councillors D Harvey (Chair), A Davis, G Jung, A Dewhirst, C Mott and C Leather

Apologies:

Councillors N Pearson, M Morey and L Taylor

\* 35

**Minutes**

**RESOLVED** that the Minutes of the meeting held on 17 October 2018 be signed as a correct copy.

\* 36

**Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* 37

**Election of Chair and Vice-Chair**

**RESOLVED** that Councillor Harvey and Councillor Davis be elected Chair and Vice-Chair respectively for the ensuing year.

\* 38

**Announcements**

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

\* 39

**Introduction to Devon Authorities Strategic Waste Committee**

The Committee received the Report of the Head of Highways, Capital Development and Waste (HIW/19/47) which outlined, for the benefit of new Members, the work and history of the Committee and its operating rules and terms of reference.

The Report highlighted, in particular:-

- that joint working had helped move Devon's recycling rate from 2% to 54% and in 2010/11 Devon was the top recycling county in the country;
- residual waste disposal in Devon had reduced from 292,295 tonnes in 2000/01 to 163,587 tonnes in 2017/18 (down 56%);
- similarly, Torbay's recycling rate had increased to 42.6%, with a reduction in residual waste from 49,570 tonnes in 2003/04 to 34,340 in 2017/18;
- key progress made under the Committee had been the adoption of the 'aligned' waste collection scheme - a weekly collection of food waste, a weekly collection of a range of recycling materials, a fortnightly residual waste collection and charged for garden waste collection;
- the main objective of the Committee for the coming year would be the development of a new Resource and Waste Management Strategy for Devon.

The Report also set out the major projects that the Councils were working together on in part or in full, which included joint procurement of e.g. vehicles, bins and in-cab technology; joint materials contracts; Waste Prevention and Reuse Strategy for Devon County Council; Clean

# Agenda Item 16c

2

DEVON AUTHORITIES STRATEGIC WASTE COMMITTEE  
19/06/19

Devon – Litter and Fly tipping Partnership proposal; and the Waste and recycling advisors' contract.

**RESOLVED** that an update on the progress of the Clean Devon project be reported to a future Committee meeting.

\* **40**      **Local Authority Collected Waste - the national and local picture**

The Committee received a presentation from the County Waste Manager which gave an overview of the Government's Resource and Waste Strategy and Waste Management in Devon.

The presentation included information on waste statistics for Devon and Torbay, demand management measures, re-use, recycling, composting and residual waste management. It also highlighted key aspects of the Government Resources and Waste Strategy published in December 2018 and the four subsequent consultations.

The Committee noted the presentation and requested that copies be circulated to Members.

[N.B. a copy of the presentation is attached to these Minutes]

\* **41**      **Industry view on how the Government's new policy tools need to work collaboratively to deliver successful outcomes**

The Committee received a presentation by Mr S Hayward-Higham, Technical Development Director of SUEZ Recycling and Recovery Ltd, which gave an overview of the Government's Resource and Waste Strategy and tools, including:

- Policy
- Synchronised systems
- Collaborative action/detailing
- EPR Systems and DRS Systems
- Targets
- Recycling
- Collection costs and funding

[N.B. a copy of the presentation is attached to these Minutes]

\* **42**      **Budget Outturn 2018/19 and Budget Position for 2019/20**

The Committee received the Report of the Chief Officer for Highways, Infrastructure and Waste (HIW/19/48) summarising the 2018/19 budget outturn and the 2019/20 budget position. Key areas of spend in 2018/19 included Reuse Credits, Don't Let Devon go to Waste, and the Waste and Recycling Advisors Contract.

At its meeting on 17 October 2018 the Committee had approved a budget of £182,800 for 2019/20 and approval was now sought for the 2019/20 budget to be increased by £13,259 and for this sum to be allocated from the remaining 2018/19 underspend.

It was **MOVED** by Councillor Leather, **SECONDED** by Councillor Dewhirst and

**RESOLVED** that the 2018/19 budget outturn be noted and that the revised 2019/20 budget be endorsed.

\* **43**      **Contracts Position Statement**

The Committee received the Report of the Head of Highways, Capital Development and Waste (HIW/19/47), summarising the joint contracts procured by the Council on behalf of

Devon District Authorities, including the Glass, Paper and Textiles contracts, and the Waste and Recycling Advisors' contract.

It was noted that the joint contracts continued to offer economies of scale and economic benefits to all local authorities using them.

Members however voiced concern at the distance of travel involved to other parts of the UK for the disposal of glass and paper. Officers reported that this was due to the lack of facilities in the South West, where the nearest facility was Avonmouth.

**RESOLVED** that the Chair of the Devon Authorities Strategic Waste Committee write to Devon MPs and the Government concerning the long-distance travel involved to the nearest reprocessing plants across the UK due to lack of reprocessing facilities in the South West, and the impact this was having on climate change.

\* **44**      **Forward Plan**

The Committee considered the draft Work Plan for future Committee meetings as follows:

|               |                                                                                                     |
|---------------|-----------------------------------------------------------------------------------------------------|
| October 2019  | Reuse Credits Scheme<br>Budget setting 2020/21<br>Waste Data/Performance Review 2018/19             |
| February 2020 | Government Consultations Part II<br>Progress report Devon Resource & Waste Strategy<br>Clean Devon  |
| June 2020     | Draft Devon Resource & Waste Strategy for approval<br>Waste and Recycling Advisors' contract update |

The Chief Officer for Development, Infrastructure Development and Waste explained that the previous Strategy was last reviewed in 2013 and it was now considered appropriate to develop a new Strategy. Any Member interested in joining a Strategy Working Group should contact the County Waste Manager directly.

Any other additions to the Work Plan would be welcome.

\* **45**      **Future Meetings**

The next Committee dates were 17 October 2019 and 19 February 2020.

Future dates for the Committee could be found here:  
<https://democracy.devon.gov.uk/ieListMeetings.aspx?CId=294&Year=0>

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

The Meeting started at 2.25 pm and finished at 3.50 pm



| <b>SCHEDULE OF CABINET MEMBER DECISIONS TAKEN SINCE PREVIOUS MEETING</b> |                                                                                                                                           |                       |
|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| <b>Cabinet Remit/Officer</b>                                             | <b>Matter for Decision</b>                                                                                                                | <b>Effective Date</b> |
| Policy, Corporate & Asset Management                                     | Approval to purchase land in Crediton                                                                                                     | 5 July 2019           |
| Resources Management                                                     | Approval to variation of Capital Programme / Allocations 2018/19 FIN 559                                                                  | 2 July 2019           |
| Community, Public Health Transportation & Environment                    | Approval to enlarge Ellen Tinkham School from 180 to 220 registered places with effect from September 2019                                | 26 June 2019          |
| Infrastructure, Development and Waste                                    | Approval to the proposed closure of three resource bases at Newtown, East-the-Water and Tavistock Primary Schools,                        | 26 June 2019          |
| Children's Services & Schools                                            | Approval of Consultation response to the Environment Agency Draft National Flood and Coastal Erosion Risk Management Strategy for England | 2 July 2019           |

The Registers of Decisions will be available for inspection at meetings of the Cabinet or, at any other time, in the Democratic Services & Scrutiny Secretariat, during normal office hours. Contact details shown above.

In line with the Openness of Local Government Bodies Regulations 2014, details of Decisions taken by Officers under any express authorisation of the Cabinet or other Committee or under any general authorisation within the Council's Scheme of Delegation set out in Part 3 of the Council's Constitution may be viewed at <https://new.devon.gov.uk/democracy/officer-decisions/>



# DEVON COUNTY COUNCIL

## COUNCIL/CABINET FORWARD PLAN

In line with the public's general rights of access to information and the promotion of transparency in the way which decisions are taken by or on behalf of the Council, Devon County Council produces a Forward Plan of any Key Decisions to be taken by the Cabinet and any Framework Decisions to be made by the County Council. The Plan normally covers a period of a minimum of four months from the date of publication and is updated every month.

The County Council has defined key decisions as those which by reason of their strategic, political or financial significance or which will have a significant effect on communities in more than one division are to be made by the Cabinet or a Committee of the Cabinet. Framework Decisions are those decisions, which, in line with Article 4 of the Council's Constitution must be made by the County Council.

The Cabinet will, at every meeting, review its forthcoming business and determine which items are to be defined as key decisions and the date of the meeting at which every such decision is to be made, indicating what documents will be considered and where, in line with legislation, any item may exceptionally be considered in the absence of the press and public. The revised Plan will be published immediately after each meeting. *Where possible the County Council will attempt to keep to the dates shown in the Plan. It is possible that on occasion may need to be rescheduled.* Please ensure therefore that you refer to the most up to date Plan.

An up to date version of the Plan will available for inspection at the Democratic Services & Scrutiny Secretariat in the Office of the County Solicitor at County Hall, Topsham Road, Exeter (Telephone: 01392 382264) between the hours of 9.30am and 4.30am on Mondays to Thursdays and 9.30am and 3.30pm on Fridays, free of charge, or on the County Council's web site, 'Information Devon', (<http://www.devon.gov.uk/dcc/committee/>) at any time.

Copies of Agenda and Reports of the Cabinet or other Committees of the County Council referred to in this Plan area also on the Council's Website at (<http://www.devon.gov.uk/dcc/committee/mingifs.html>)

## FORWARD PLAN

All items listed in this Forward Plan will be discussed in public at the relevant meeting, unless otherwise indicated for the reasons shown

Any person who wishes to make representations to the Council/Cabinet about (a) any of the matters proposed for consideration in respect of which a decision is to be made or (b) whether or not they are to be discussed in public or private, as outlined below, may do so in writing, before the designated Date for Decision shown, to The Democratic Services & Scrutiny Secretariat, County Hall, Exeter, EX2 4QD or by email to: [members.services@devon.gov.uk](mailto:members.services@devon.gov.uk)

### PART A - KEY DECISIONS

(To Be made by the Cabinet)

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| Date of Decision | Matter for Decision                                                                                                                                                 | Consultees                            | Means of Consultation**                          | Documents to be considered in making decision                                                                                                                                                                    | County Council Electoral Division(s) affected by matter |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
|                  | <i>Regular / Annual Matters for Consideration</i>                                                                                                                   |                                       |                                                  |                                                                                                                                                                                                                  |                                                         |
| December 2019    | Target Budget for forthcoming year                                                                                                                                  |                                       |                                                  | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                 | All Divisions                                           |
| 14 February 2020 | Admission Arrangements and Education Travel Review: Approval to admission arrangements for subsequent academic year                                                 |                                       |                                                  | Report of the Head of Education and Learning outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                   | All Divisions                                           |
| 11 March 2020    | Flood Risk Management Action Plan – Update on the current year’s programme and approval of schemes and proposed investment in 2020/21                               | All other Risk Management Authorities | Liaison through Devon Operational Drainage Group | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                 | All Divisions                                           |
| 8 April 2020     | County Road Highway Maintenance Capital Budget<br>Update on current years programmes and approval of schemes and proposed programmes for forthcoming financial year | N/A                                   | N/A                                              | Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |

|            |           |                                                                                                                                                                                                          |                                                                              |                                                                                          |                                                                                                                                                                                                                  |               |
|------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 8<br>2020  | April     | County Road Highway Maintenance Revenue Budget and On Street Parking Account Allocation of highway maintenance funding allocated by the Council in the budget for the current/forthcoming financial year | N/A                                                                          | N/A                                                                                      | Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 8<br>2020  | April     | Transport Capital Programme 2019/20: For approval                                                                                                                                                        | Public, HoSW LEP\LTB, District Councils, Stakeholders and Delivery Partners. | LTP 2011-2026 consultation, meetings, planning applications and local plan consultation. | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                 | All Divisions |
| 20<br>2020 | May       | Approval to Revenue & Capital Outturn, for the preceding financial year                                                                                                                                  | N/A                                                                          | N/A                                                                                      | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                 | All Divisions |
|            |           | <i>Specific Matters for Consideration</i>                                                                                                                                                                |                                                                              |                                                                                          |                                                                                                                                                                                                                  |               |
| 8<br>2019  | July      | SEND Resource Bid                                                                                                                                                                                        |                                                                              |                                                                                          | Report of the Head of Education and Learning outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                   | All Divisions |
| 8<br>2019  | July      | Children and Young People Plan Approval to Children & Young People's Plan for 2018 onwards                                                                                                               |                                                                              |                                                                                          | Report of the Chief Officer for Childrens Services outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                             | All Divisions |
| 11<br>2019 | September | Budget Monitoring - Month 4                                                                                                                                                                              |                                                                              |                                                                                          | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                 | All Divisions |

|                   |                                                                                     |                                                                |                                                                                                                                               |                                                                                                                                                                                                                                                                    |                                                     |
|-------------------|-------------------------------------------------------------------------------------|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| 11 September 2019 | Park and Change facility, nr Exeter Science Park: Scheme and cost estimate approval | Public consultation including statutory consultees; landowners | Consultation via Reserved Matters planning application, which was submitted to and approved by East Devon District Council on 16 October 2018 | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                                   | Broadclyst                                          |
| 11 September 2019 | A382 Corridor Improvement Scheme Phase 1: Award of Contract Approval                | Public, LEP, Teignbridge District Council, landowners          | Local Plan, LEP Business Case Bid, Public Consultation (incl. exhibition, websites, leaflet, press release, have your say)                    | Report of the Head of Planning, Transportation and Environment, Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | Bovey Rural; Newton Abbot North; Newton Abbot South |
| 11 September 2019 | Exeter Transport Strategy 2020-2030: For approval                                   | Public Consultation                                            | Online Public Consultation – including Strategy Document, Leaflet, Evidence Base and Online Questionnaire Meetings with key stakeholders      | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                                   | All in Exeter                                       |

|                                               |                                                                                                                                                 |                                                                                                                                                                             |                                                                                                                            |                                                                                                                                                                                                                  |               |
|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Between 11 September 2019 and 10 October 2019 | Housing Infrastructure Fund Scheme: Proposed link road, cycleway and bridge, A379 roundabout opposite the Sainsbury's to Secmaton Lane, Dawlish | Statutory and Public                                                                                                                                                        | Undertaken as part of the Local Plan and Planning Application, a new planning application will be submitted for the bridge | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                 | Dawlish       |
| 9 October 2019                                | Streetworks Permitting Scheme – Full Plan Proposal for approval                                                                                 | All companies that undertake works on the highway including DCC contractors, Utility companies, parish, town and district councils, transport operators, emergency services | Have your say page / formal TRO advertisement                                                                              | Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 9 October 2019                                | Accommodation Strategy                                                                                                                          |                                                                                                                                                                             |                                                                                                                            | Report of the Head of Adult Commissioning and Health outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                           | All Divisions |
| 13 November 2019                              | Budget Monitoring - Month 6                                                                                                                     |                                                                                                                                                                             |                                                                                                                            | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                 | All Divisions |
| 8 January 2020                                | Budget Monitoring - Month 8                                                                                                                     |                                                                                                                                                                             |                                                                                                                            | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                 | All Divisions |
| 11 March 2020                                 | Budget Monitoring - Month 10                                                                                                                    |                                                                                                                                                                             |                                                                                                                            | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                 | All Divisions |

| <b>PART B - FRAMEWORK DECISIONS</b><br>(Requiring approval of the County Council) |                                                                                                                          |                                         |                                                                         |                                                                                                                                                                                                  |                                                                |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <b>Date of Decision</b>                                                           | <b>Matter for Decision</b>                                                                                               | <b>Consultees</b>                       | <b>Means of Consultation**</b>                                          | <b>Documents to be considered in making decision</b>                                                                                                                                             | <b>County Council Electoral Division(s) affected by matter</b> |
| 11 September 2019<br><br>3 October 2019                                           | Climate Change: Devon County Council's Updated Energy and Carbon Strategy                                                | Internal Stakeholders                   | Various Meetings                                                        | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                                  |
| February 2020                                                                     | Revenue Budget, Medium Term Financial Strategy 2020/2021 - 2023/2024 and the Capital Programme for 2020/2021 - 2024/2025 |                                         | Scrutiny Committees<br>Budget Consultation Meetings<br>Leader Roadshows | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                 | All Divisions                                                  |
| 22 January 2020<br><br>25 February 2020                                           | Pay Policy Statement<br>To approve the pay policy statement for the forthcoming year.                                    | Appointments and Remuneration Committee |                                                                         | Report of the County Solicitor, outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                | All Divisions                                                  |

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## PART C - OTHER MATTERS

(i.e. Neither Key Nor Framework Decisions)

| Date of Decision                                                           | Matter for Decision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Consultees                                                                                                       | Means of Consultation** | Documents to be considered in making decision                                                                                                                                                                         | County Council Electoral Division(s) affected by matter |
|----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| <i>Regular / Annual Matters for Consideration</i>                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                  |                         |                                                                                                                                                                                                                       |                                                         |
| Between 10 July 2019 and 31 December 2020                                  | Standing Items, as necessary (Minutes, References from Committees, Notices of Motion and Registers of Delegated or Urgent Decisions)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | As necessary                                                                                                     |                         | Report of the TBC outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                                   | All Divisions                                           |
| Between 10 July 2019 and 1 May 2021<br>Between 10 July 2019 and 1 May 2021 | Standing items on the future management, occupation, use and improvement of individual holdings and the estate, monitoring the delivery of the Budget & the Estate Useable Capital Receipts Reserve in line with the approved policy and budget framework<br><i>[NB: Items relating to the letting or occupancy of individual holdings may contain information about, or which is likely to reveal the identity of, an applicant for a holding and about the financial and business affairs of the Council and any prospective or existing tenant that may need to be discussed in the absence of the press and public]</i> | To be considered at the Farms Estates Committee, including any advice of the Council's Agents NPS South West Ltd |                         | Report of the County Treasurer, Head of Digital Transformation and Business Support outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |
| 10 July 2019                                                               | Treasury Management Stewardship Outturn Report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Corporate Infrastructure and Regulatory Services Scrutiny Committee                                              | n/a                     | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                      | All Divisions                                           |

|                                           |                                                                                                                                                                                                                                                              |               |     |                                                                                                                                                                                |               |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 11<br>September<br>2019                   | Annual Childcare Sufficiency Report:<br>Endorsement of Annual report<br>Outlining how the Council is meeting its statutory duty to secure sufficient early years and childcare places and identifying challenges and actions for the coming year in relation | TBC           | TBC | Report of the Head of Education and Learning outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 11<br>December<br>2019                    | Treasury Management Mid Year Report                                                                                                                                                                                                                          | CIRS Scrutiny |     | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.               | All Divisions |
| <i>Specific Matters for Consideration</i> |                                                                                                                                                                                                                                                              |               |     |                                                                                                                                                                                |               |