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To: The Chair and Members of the  
Children's Scrutiny Committee

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

(See below)

Your ref :  
Our ref :

Date : 10 January 2020  
Please ask for : Wendy Simpson 01392 384383

Email: [wendy.simpson@devon.gov.uk](mailto:wendy.simpson@devon.gov.uk)

## **CHILDREN'S SCRUTINY COMMITTEE**

Monday, 20th January, 2020

A meeting of the Children's Scrutiny Committee is to be held on the above date at 2.15 pm at  
Committee Suite - County Hall to consider the following matters.

P NORREY  
Chief Executive

## **A G E N D A**

### **PART I - OPEN COMMITTEE**

- 1 Apologies
- 2 Items Requiring Urgent Attention  
Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.
- 3 Public Participation  
Members of the public may make representations/presentations on any substantive matter listed in the published agenda for this meeting, as set out hereunder, relating to a specific matter or an examination of services or facilities provided or to be provided.

### **MATTERS FOR CONSIDERATION OR REVIEW**

- 4 Scrutiny Committee Work Programme  
In accordance with previous practice, Scrutiny Committees are requested to review the list of forthcoming business and determine which items are to be included in the Work Programme. The Scrutiny Work Programme can be found [here](#).

The Committee may also wish to review the content of the Cabinet Forward Plan to see if there are any specific items therein it might wish to explore further. The Cabinet Forward Plan can be found [here](#).

### **MATTERS FOR INFORMATION**

- 5 Children's Contracts - progress review (Pages 1 - 4)  
Report of the Head of Commissioning for Women and Children (CS/20/01), attached.
- 6 Eclipse Implementation (Pages 5 - 6)  
Report of the Head of Commissioning, Children's Services (CS/20/03), attached.
- 7 Special Guardianship Task Group recommendations - progress update (Pages 7 - 12)  
Report of the Head of Children's Social Care (CS/20/04), attached.
- 8 Education, Health & Care Plan Task Group recommendations - progress update (Pages 13 - 16)  
Report of the Head of Learning (CS/20/02), attached.
- 9 Children's Standing Overview Group (Pages 17 - 20)  
Report of the Children's Standing Overview Group, attached.
- 10 Information Previously Circulated  
Below is a list of information previously circulated for Members, since the last meeting, relating to topical developments which have been or are currently being considered by this Scrutiny Committee.
  - Update on PSVAR and school coaches
  - Adopter Sufficiency
  - Neglect Strategy and Toolkit

Briefing notes can be found at <https://new.devon.gov.uk/democracy/councillors-nav/information-for-members/briefings-for-members/children-and-schools/>

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

None

*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.*

**Membership**

Councillors R Hannaford (Chair), D Sellis (Vice-Chair), S Aves, F Biederman, J Brazil, C Channon, I Chubb, G Gribble, J Hawkins, L Hellyer, R Hosking, T Inch, A Saywell, M Squires, C Mabin, A Connett and P Sanders

**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.

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Anyone wishing to speak is requested to register in writing to the Clerk of the Committee (details above) by the deadline, outlined in the Council's [Public Participation Scheme](#), indicating which item they wish to speak on and giving a brief outline of the issues/ points they wish to make. The representation and the name of the person making the representation will be recorded in the minutes.

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Induction loop system available

## **Committee Terms of Reference**

1) To review the implementation of existing policies and to consider the scope for new policies for all aspects of the discharge of the Council's functions concerning the provision of personal services for children including social care, safeguarding and special needs services, schools and learning;

(2) To assess the effectiveness of decisions of the Cabinet in these areas of the Council's statutory activity;

(3) To relate scrutiny to the achievement of the Council's strategic priorities and objectives and of delivering best value in all its activities;

(4) To make reports and recommendations as appropriate arising from this area of overview and scrutiny.

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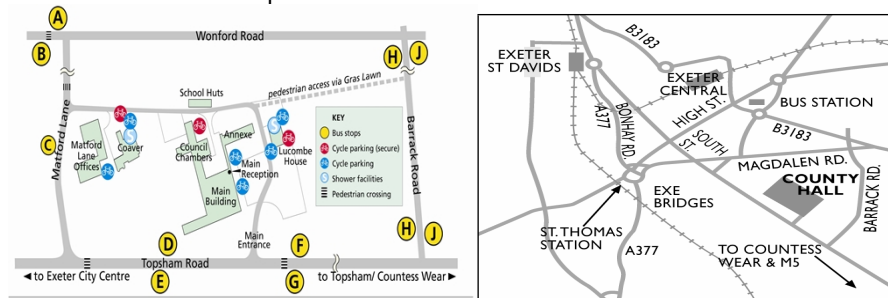
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**NB**   **Denotes bus stops**

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## **Progress Review of Children's Contracts**

### **Report of the Head of Commissioning for Women and Children (CCG)**

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#### **1. Introduction**

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- 1.1 Members of Scrutiny Committee will remember the decision to award two contracts for children's services in December 2018 to Livewell South West for the Plymouth footprint and Children and Family Health Devon for the remainder of the STP footprint. These contract awards followed a robust procurement process that delivered on time to the specification required.
- 1.2 The purpose of this report is to provide an update on the:
- progress Children and Family Health Devon in the delivery of their new contract
  - assurance process through which the CCG holds provider to account for quality, health and well-being of services for children and performance and in turn provide assurance to partners

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#### **2. Background**

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- 2.1 Following a robust procurement process that held children and families at the centre, NHS Devon CCG awarded a contract for children's services in December 2018 to Children and Family Health Devon for services covering the Devon County Council and Torbay Council footprints. The contract was awarded on the following basis:
- Contracts were awarded on a 7 + 3-year basis
  - The contract contains elements of joint commissioning with Local Authorities in Devon namely Occupational Therapy and Child and Adolescent Mental Health Services
  - The contract for Children and Family Health Devon is a prime provider arrangement between Torbay and South Devon NHS Foundation Trust, Devon Partnership Trust, Royal Devon and Exeter NHS Foundation Trust and Northern Devon Healthcare Trust meaning that all contractually related matters are discussed with the prime (Torbay and South Devon NHS Foundation Trust) and the prime is then responsible for holding partner organisations within the contract to account
  - Staff in mental health services within this prime provider arrangement are employed by Devon Partnership Trust. The remainder of the staff are employed by Torbay and South Devon NHS Foundation Trust
  - Performance monitoring commenced on day one of the new contracts as per

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previous arrangements ie service line reporting of volumes, activity and performance against national standards. Performance monitoring will, in time, move to measuring outcomes against the Contracting for Outcomes Framework developed during the procurement process.

- 2.2 Services previously commissioned from Virgin Care Ltd were subject to a range of disaggregation with public health nursing services and respite and short breaks services being taken into Devon County Council for delivery by the Authority and services for children with continuing healthcare needs being transferred to Ocean Healthcare Ltd through a separate procurement process. This disaggregation resulted in a complex set of transfer arrangements for staff, data, equipment and operational business. Despite this, and most importantly, no children were adversely affected by these service changes which is as testament to both the processes followed and the leadership and compassion demonstrated throughout the mobilisation phase.

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## 3. Commissioner Assurance Processes

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- 3.1 The following arrangements, led by the CCG, are in place for both contracts:
- Regular **informal discussions** with provider regarding performance and quality.
  - **Monthly Contract Assurance Meetings** - this meeting reflects the purpose and scope of the Joint Technical Working Group meetings (JTWG) held with the acute providers. Its purpose is to seek assurance about the services being delivered and to monitor, discuss and take action in respect of all contractual requirements. These meetings are chaired by a Senior Commissioner
  - **Quarterly Contract and Quality Review Meetings** – this meeting is held to consider issues escalated from the monthly Contract Assurance Meetings, although if urgent escalation is required, this happens sooner. This meeting also provides an opportunity to consider the transformation arrangements that each provider has in place and to ensure that the service strategy and specifications are being delivered. These meetings are chaired by the Head of Commissioning for Women and Children
  - Where urgent escalation is required, a **deep dive** is jointly undertaken by commissioners and providers and examples of such arrangements are described later in this paper. These meetings are chaired by the Head of Commissioning for Women and Children
  - **Strategic Review Meetings** – these meetings are held twice a year and are focussed on organisational and strategic development. These meetings are chaired by the Interim Director of Commissioning for Western as the Associate Director with responsibility for the women and children's portfolio
  - Where appropriate, briefings, such as this are provided to the CCG's Quality Committee and then to its Governing Body.

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## 4. Provider Progress

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- 4.1 The award of a new contract to an entirely new provider partnership has been both innovative and significant for the NHS in Devon with the transfer of a large group of staff and a new set of partnership arrangements coming into operation.
- 4.2 Importantly, the challenges that this new provider would face were clearly identified



through the due diligence phase of the procurement process and were therefore, expected. The key elements of the work that has been done by the new partnership include:

- Staff and children effectively transitioned to new provider arrangements
- Business as usual continued for children and the remainder of the system
- Development of the internal governance structure which was co-designed with key staff across DPT/TSD
- Partnership arrangements between the organisations involved in this contract arrangement strengthen
- Engagement and voice of children, young people and families
- The day one reporting arrangements commenced and continue to improve

- 4.3 As expected, following the transfer of services there are areas where a joint commissioner and provider focus is needed to deliver the ambition and aspirations described in the procurement strategy for children's health and wellbeing services.
- 4.4 **Model of delivery:** CAFHD is undertaking a review of the first few months of providing children's health and wellbeing services. The first phase of a consultation as to the new model (described by commissioners in conjunction with a wide range of stakeholders) has recently completed. The Chief Executives of the partners to the contract are now considering feedback and next steps to operational delivery of services, transformation and the capacity needed to deliver this.
- 4.5 **Performance:** As per the arrangements described above, there have been a number of discussions and improvement plans have been produced for two services in particular, CAMHS and autism. Members of Scrutiny will be well sighted on the challenges within the autism system, particularly for children awaiting an assessment for diagnosis.
- 4.6 Through the Written Statement of Action improvement process, the CCG committed up to £750k over two years to ensure that these 1800 children are assessed and signposted to other support services and groups. Excellent partnership arrangements involving all of the Children and Family Health Devon service providers, Babcock LDP and Livewell South West are now in place and the first children have been seen.
- 4.7 With regards to CAMHS, there are concerns about the waiting times for children to be seen. A joint deep dive has been undertaken and improvement plans are in place which will see waiting times shorten for these services.

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## 5 Conclusion

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- 5.1 Following a significant change in provider arrangements for the majority of the Devon footprint, good progress is being made, albeit slower than originally anticipated. Relationships between providers and commissioners are strong but appropriately robust in terms of challenge, performance and expected service improvement. The health, wellbeing and safety of children is known and continually monitored by the provider. Complaints remain low.
- 5.2 There are appropriate, robust assurance and performance monitoring/management arrangements in place led by the CCG, with well understood escalation processes when required.

**Sharon Matson**  
**Head of Commissioning for Women and Children**

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**Devon CCG**

## **Implementation of a Case Management System (Eclipse) for Children's Social Care.**

### **Report of the Head of Commissioning Children's Services**

#### **1. Introduction**

- 1.1. In 2017 the Council agreed to upgrade the current case management system for Children's Social Care. The supplier of Care First was launching a new system called Eclipse. The Council made the decision to enter into a development partnership with OLM to design and implement this new system. The alternatives to this option were fully assessed and rejected. OLM's Eclipse system offered the best functionality for front line Social Workers and the option to design in ways to support best practice.
- 1.2. A Project Team and Board oversaw this development partnership throughout 2018/2019 until go live with the new system in January 2019. Go live involved transferring all of the records in Care First to the new system. This is a very complex process and in all system transfers, errors become apparent that then need to be resolved.
- 1.3. The developmental partnership, as opposed to buying an already built and tested "off the shelf" system, afforded the ability to influence system design but also meant that continued work required to further adapt and develop the system post go-live.

#### **2. Implementation**

- 2.1. To support the joint working between the Council and OLM a Mobilisation Board was put in place in June 2019. This Board has managed the prioritisation of key development areas and issues that need to be resolved following data migration.
- 2.2. The Eclipse system has a fundamentally well-designed architecture and will be a very efficient and effective system. Staff are getting used to the system and the functionality it provides them. With any new system staff training is critical to success. Some staff attend training, make good use of the onsite support from champions and are quickly navigating the system with confidence. For others this is a longer process with the need for more tailored support over a longer period. The Council have put in place capacity to ensure staff continue to be supported and invested well in the initial training and support for staff when the new system was implemented. A joint team between Council staff and OLM continue to offer face to face and on-line guidance and support.
- 2.3. The partnership with OLM is critical but only one component of the programme of work needed to successfully implement Eclipse. The Mobilisation Board is also overseeing (as shown at Diagram One) the staff training and data cleansing aspects of the programme, which will in turn lead to high quality management information and reporting capability.
- 2.4. User confidence is key to ensuring data input to the system is of the highest quality. The Eclipse system has built in functionality to reduce user error. This and the training and additional systems put in place to identify errors are supporting progress.
- 2.5. High quality, reliable management information is critical to the delivery of Social Care services. The Eclipse system has within it screens that show social workers and team managers critical information such as the timeliness of plans and visits. Other

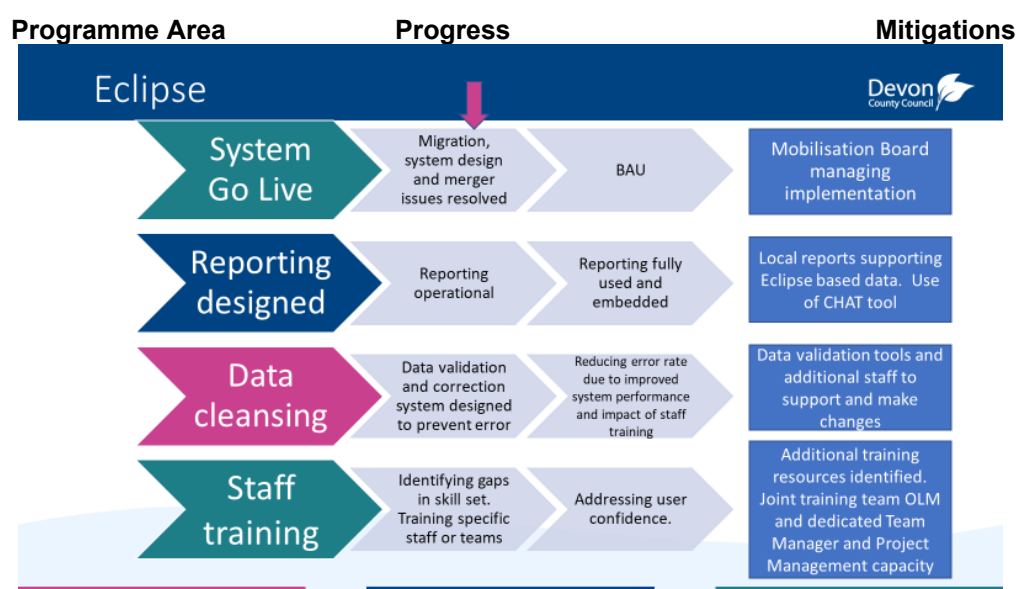
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reporting extracts data from Eclipse and presents it in a way that is easy to analyse. The Council is using a system called Power BI to do this. In time this will show the whole performance of Social Care in an easy to access format. The full development of this reporting has been delayed due to the need to resolve issues arising from the migration of the data from Care First. During this time staff have been using local reporting and Eclipse screens alongside the CHAT tool (a performance tool designed in partnership with Ofsted and used during an inspection) to monitor performance.

## 3. Conclusions

- 3.1. In any complex system transition issues arise that need to be worked through with an open and partnership approach with the supplier and with a supportive relationship with the users of the system.
- 3.2. It had been hoped that we would have been in a business as usual position by September 2019. This proved overly optimistic. However, with good progress having been made in resolving complex issues during the autumn of 2019, we now expect business as usual by March 2020. There will be a review of the implementation of Eclipse in the Summer 2020 and lessons learnt are being shared across the Council.

**Diagram One: Eclipse Mobilisation Board Programme progress**



Fiona Fleming  
Head of Commissioning

**Electoral Divisions:** All

Cabinet Member for Children Services and Schools: Councillor James McInnes

Chief Officer for Childrens Services: Jo Olsson

LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

*Contact for Enquiries:* Fiona Fleming Head of Commissioning Childrens Services

BACKGROUND PAPER	DATE	FILE REFERENCE
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Nil

## Report on the progress on the implementation of the Children's Scrutiny Committee Special Guardianship Task Group

### Report of the Head of Children's Social Care (Deputy Chief Officer)

#### 1 Background

- 1.1 This report outlines the progress in implementing the recommendations agreed by the Children's Scrutiny Committee in June 2019.
- 1.2 The report produced by the Special Guardianship Task Group was presented to the Children's Scrutiny Committee on 10 June 2019 and can be found here:  
<https://democracy.devon.gov.uk/documents/s26953/Special%20Guardianship%20Task%20Group>
- 1.3 Recommendations made by the Task Group are attached ([Appendix A](#)).

#### 2 Progress to date and future plans.

- 2.1 Set out below is the progress achieved since the publication of the report and work undertaken by the Special Guardianship Order task and finish group and officers to continue to support these children and families in Devon.

Rec.	Progress	Planned
1.1	We have developed a "viability checklist" to be used by child care teams to support their work in identifying carers who could become Special Guardians	The Family Rights Group has produced good practice that has been endorsed by the Judiciary and the ADCS. It is planned that this is adopted and used by social workers to undertake initial viability assessments following training and roll-out.
1.1	We are instituting a practice change where all Special Guardianship Assessments have a "set up meeting" and regular reviews to ensure that all parties are aware of progress and any issues that have arisen	
1.1	Team Managers from the Kinship Service have attended locality team meetings to support closer working relationships	
1.2	We provide information about <a href="#">Grandparents Plus</a> as part of our application and information pack	A refresh and development of a dedicated Special Guardianship website to ensure that information about the "Devon offer" is freely available and that details of other support organisations is available. This will be completed by 31 March 2020.
2.1	The child's social worker prepares a background report and an assessment of	We are developing and will implement a process whereby the child's social worker

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	the child's needs as part of the Court Process and is normally available to the Special Guardian	completes a summary of the background and needs assessment as well as a "later life" letter to assist the Special Guardian with understanding the background so to support the child with their identity.
2.2	It is expected that a support plan is prepared as part of the assessment process and is shared with the prospective Special Guardian before it is filed with the Court.	A review of the support plan contents and layout in partnership with current Special Guardians to ensure that the plans are fit for purpose and provide clear and unambiguous information for Special Guardians
3.	The finance review has been completed and a draft revised finance policy has been prepared. It is now subject to a process of financial planning and consideration of potential funding streams.	
4.1	A prospective carer course has been developed based on the generic foster care training and adapted to the needs of this group of carers. This has been piloted with carers in assessment and those who have recently been assessed. The training will now be provided on a regular basis	We will increase the frequency and availability of courses and also deliver those courses on a geographical basis to reduce travel for prospective carers.
4.2	We involve other agencies in support groups so that Special Guardians can receive advice on a range of issues, including trauma, attachment and education.	
4.2	There is agreement that, subject to capacity, Special Guardians can attend the training offered to mainstream foster carers. Information about available courses is routinely shared.	
4.2	The support workers have delivered targeted training on Trauma and Parenting	We will increase the frequency and availability of courses and also deliver those courses on a geographical basis to reduce travel for prospective carers.
4.3	We have been able to increase the capacity for permanent social workers so as to reduce the need for independent social workers to undertake assessments	We will continue to monitor the requests for assessments and will use this information to inform future workforce planning.
4.3	We have been able to increase the support team by 1.5 FTE family practitioners and an apprentice position that has been advertised to care experienced young adults	Recruitment to these positions will be undertaken in the new year so that the posts are filled at the beginning of the financial year.  Once suitably trained these workers will look to develop further support groups.
4.5	We are currently offering "ad-hoc" reviews where the needs of the carer or child indicate that one is needed	Once the additional workers are appointed and suitably trained, we will increase our review offer.

		We will monitor the requests for reviews and the out of this will be used to inform workforce developments
5.1	This is currently being considered within the broader framework of commissioning services.	
5.2	We currently provide advice on contact issues via our duty line. We also consider general issues about contact in support groups to help Special Guardians learn from each other	The new posts and capacity within the service will enable us to improve this support offer, and may enable the development of bespoke training for Special Guardians on contact.
6	We have concluded the work required to underpin the “recruitment” and “management” of Special Guardian Peer Guides, including training on confidentiality and their responsibilities in relation to safeguarding	Recruitment and training of Peer Guides who can then be supported to implement the wider recommendations
7.1	Waiting lists for access to CAMHS remain long and we are working with Commissioners and CAMHS services to try to remedy this.	Work with Commissioners on how the needs of Special Guardianship carers and the children in their care can be addressed within current services
7.2	Currently “ASF” funding is only available to children who have been in care.	Work is planned to consider the needs of children who are currently outside the criteria for ASF. At a national level, interest groups such as Grandparents Plus are lobbying for a more inclusive offer.
7.4	Currently we are only able to offer out young person’s group (RIO) in one location (Exeter)	With an enlarged workforce we would look to offer groups in other locations. We will consult with our colleagues in the participation service as to how we can best “tap in” to their offer
7.5	The Kinship Service has now joined with the Fostering Service and the Permanence and Transitions Teams, this will provide opportunities for Qualifying young people to be offered PA’s and Pathway Plans as part of the Devon Offer to care leavers	The respective managers will meet on a regular basis to share information about this group of young people so that they can be tracked and offered services
8.1	The Cabinet Member for Children’s Services has raised the issues highlighted by the Task Group through his capacity as Chair of the F40 group.	
8.2	It has been confirmed that Special Guardians who are in rented accommodation and who have enlarged families having taken addition child(ren) have been given “Band B” status and can bid for suitable social housing units.	
9	During 2019 we have undertaken presentations and seminars with	A refreshed website would provide information for both SG’s and professionals

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	<ul style="list-style-type: none"><li>• The Judiciary, Guardians, and Children's solicitors</li><li>• Designated teachers</li><li>• Educational Psychologists</li></ul> <p>As well as routine input into Locality Team Meetings.</p>	We will plan activities to raise the profile of SG's in Devon to coincide with National Kinship Care Week (3 <sup>rd</sup> > 9 <sup>th</sup> October 2020)
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## 3 Conclusion

- 3.1 There continues to be a lot of attention paid to Special Guardians at both a local and national level and an increasing awareness of the importance that Special Guardians play in providing suitable permanent for children who cannot live with birth parents and of the issues that face them in providing this care.
- 3.2 Since the report was published, we have been able to make some good progress and also lay some firm foundations for service and practice development that means we will be able to continue to forward with the implementation of many of the recommendations of the Special Guardianship task group.

**Darryl Freeman**  
Head of Service (Deputy Chief Officer)  
Children's Services

Electoral Divisions: All

Cabinet Member for Children's Services and Schools: Councillor James McInnes

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

None

Contact for Enquiries: Darryl Freeman, Head of Children's Social Care (Deputy Chief Officer)

email: [Darryl.freeman@devon.gov.uk](mailto:Darryl.freeman@devon.gov.uk) Tel: 01392 383000



## Appendix A – Task Group Recommendations

	<b>Ambition</b>	<b>Specific Recommendations</b>
1.	Impartial and consistent advice and support for prospective special guardians before and during the assessment process	1.1 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 1.2 Improved signposting to independent and impartial advice through charities such as Grandparents Plus
2.	All special guardians to have access to history of the child they care for, and to their support plan	2.1 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) 2.2 All special guardians to be provided with a copy of the child's support plan as soon as the plan is finalised
3.	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>
4.	A comprehensive package of ongoing support which enables special guardians to provide the best care and support possible for children	4.1 Bespoke introductory training, which mirrors the initial training undertaken by foster carers and adoptive parents to be made available to all special guardians 4.2 Ongoing access to a programme of training including therapeutic parenting, for all special guardians 4.3 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 4.4 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 4.5 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
5.	Special guardians and parents to have access to the support and advice they need to adjust to changed family arrangements	5.1 Where appropriate, parents to have access to counselling to support them to manage the loss of their child 5.2 Special guardians to be supported to manage contact issues with parents through training and support groups 5.3 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
6.	Special guardianship families to be supported to access alternative respite options which provide positive	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> </ul>

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	experiences for children and special guardians	<ul style="list-style-type: none"> <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>
7.	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>	<p>7.1 'Fast-track' access to CAMHS assessment for all children with an SGO</p> <p>7.2 Subject to securing appropriate funding, the SGO support team to provide therapeutic support to SGO children who are not previously looked after</p> <p>7.3 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>7.4 The achievement of young people living with special guardians to be recognised through an annual celebration event</p> <p>7.5 To explore options to improve support for SGO young people during their transition to independence, including access to Personal Advisors and Pathway Planning</p>
8.	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>8.1 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>8.2 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 underoccupancy penalty or 'two-child' rule in respect of child tax credits</p>
9.	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

## **Update on the recommendations from the Children's Scrutiny Committee Education, Health and Care Plan Task Group**

### **Report of the Head of Education and Learning**

The 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). In their [report](#) the task group was pleased to acknowledge that some of their recommendations were already recognised within the SEND partnership Implementation Plan and in addition targeted actions were included within the Written Statement of Action (WSOA) that will be monitored by Ofsted and CQC.

Updates on the actions included within the Written statement of action have been presented on a quarterly basis to scrutiny and also provided on the Local Authority Website.

### Task Group Recommendations

**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.**

#### **Update:**

Since the task and finish group investigation work started in July staffing levels have increased by a further 6 staff (on top of the additional 9 staff appointed in April 2018.). This has allowed work to be split so one part of the team are able to focus on new requests whilst another team can now focus on ensuring reviews for those with an existing plan take place in timely way. This change was undertaken in consultation with the SEN team and has made a significant difference and whilst the calendar year average is 32%, in November 63% of plans were issued on time. We anticipate that the annual average will improve significantly for Jan 2020 and continue in an upward trajectory.

A new online case management system is also being introduced to help make it easier for all professionals and parents to access information relating to the progress and content of EHCP plans without the need to contact the SEN team directly. The timing of this release has been based on feedback to and from the SEN team.

However, the number of pupils with a plan continues to grow at an increased rate which in turn means the team continue to work under pressure. The year on year increases are shown in the table below.

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	Jan 2015	Jan 2016	Jan 2017	Jan 2018	Jan 2019	Jan 2020
Pupils with Statement/EHCP maintained by Devon LA*1	3,572	3,510	3,718	4,093	5,162	6544

Whole service meetings over the past year have focused on providing clear and consistent messages to all DCC staff. Bi-annual briefings to update and reinforce messages have also taken place with schools and regularly at SENDCO forums.

In order to ensure staff feel they can share their concerns, drop in sessions with senior managers have been arranged and CPD opportunities have been a focus of a training day. To protect the health and wellbeing of staff the unacceptable behaviour policy has been rigorously enforced with senior managers taking the lead as needed.

Re-organising the SEN team has allowed the further development of the SEN manager roles to ensure regular supervision is in place and a clear focus on the increasingly complex and difficult cases the SEN team are managing. Weekly case supervision is in place.

## **2. Improve the quality of Plans to ensure provision and support meets the needs of the child and young person.**

### **Update**

The operational delivery group, which is a workstream of the SEND improvement board, has reviewed the guidance and advice to professionals regarding the quality of content and advice provided in the plans. An EHCP exemplar has also been agreed between professionals, parents and independent advisors as an example of effective practice. It should however be noted that every plan will be different to ensure it effectively reflects the needs of the individual child.

Quality assurance checks now take place on a regular basis. These checks not only focus on the overall plan but have sometimes focused on one particular theme; post 16, the views of young people, how parental views are reflected in the plan. The parent feedback forms have been redesigned with a clear lead from parents. They now ensure that information reflects practice at four different stages of parental experience; pre-assessment, during assessment, at EHCP issue and post plan implementation.

Review processes are being considered to address timely response to reviews and appropriate prioritisation of any placement changes. The review process will include checking and confirmation from schools about implementation of plans. Spot checking and auditing will be used to have in depth quality assurance of implementation provision. High costs specialist placements have additional QA visits from the SEN team.

## **3. Achieve good outcomes for children and young people with an EHCP in all Devon schools.**

### **Update**

As outlined in the report we have continued to lobby Government to ensure fairer funding for Devon pupils both within the funding allocated to schools and for high

needs block funding. This has included visits and briefings to the then Secretary of State, Damien Hinds, and continued work with the National [F40 group](#), which Councillor McInnes continues to Chair.

The requirement for additional funding has been partially recognised by the government and Devon schools will receive approximately £20 million more in their budgets for 2020/21. However, this still leaves Devon as one of the lowest funded local authorities.

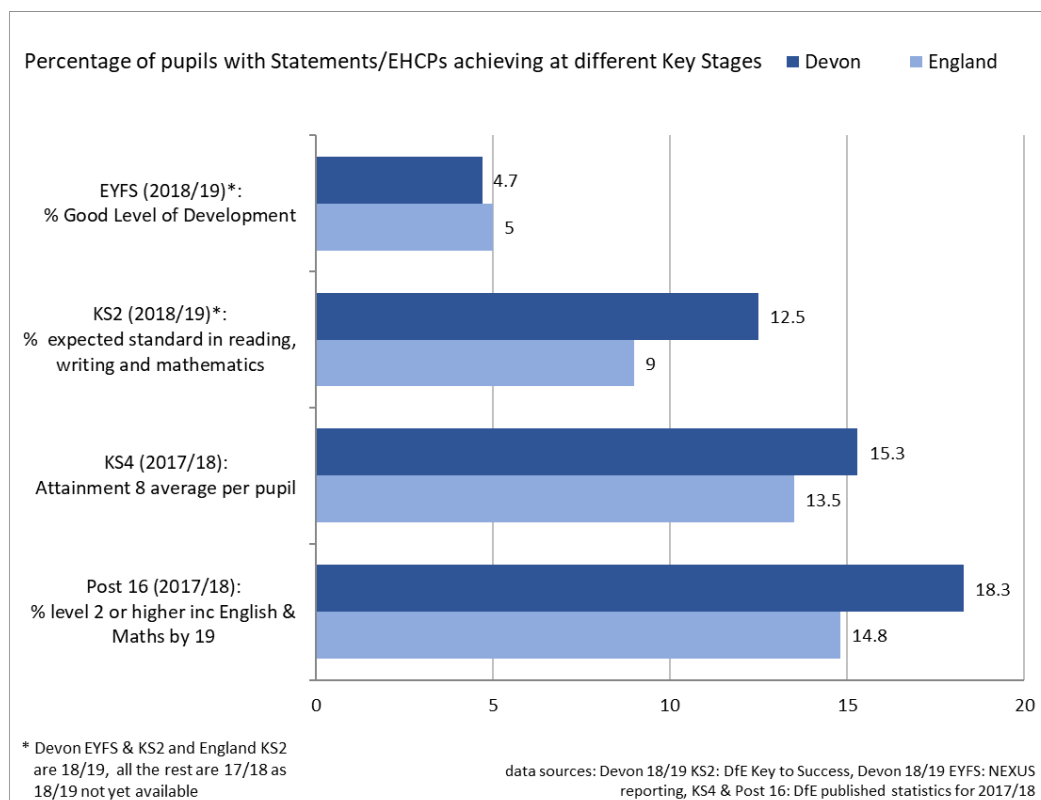
The High Needs block will also receive additional funding of £6.8 million but this falls far short of the funding gap we are currently predicting (£23.8 million by April 2020).

We have continued to promote that Local Authority maintained Special Schools should be able to open new specialist provision, 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; currently, however, there is no sign that the existing Free school requirement will change.

We have however increased the number of places available in our maintained special schools to 1,148 (2019/20) and rising to 1,266 in (2020/21). Subject to budget ratification DCC capital group have agreed to £15 million to further extend this provision and secure an additional 200 school places. This will be combined with a free school application for up to a further 100 places, giving a total of 300 places; This additional state funded provision could decrease our costs of future placements by nearly £6 million per year.

Children with EHCPs in Devon continue to achieve better than seen Nationally. The table below provides the latest available outcomes for each key stage. More detailed information has been provided in the annual report.

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Recommendations included in Sections 4 of 5 of the Task group report are covered under reporting to Scrutiny on the Written Statement of Action, as described in the introduction to this paper. Links to the latest online updates can be found [here](#).

**Dawn Stabb**  
**Head of Education and Learning**

**Electoral Divisions:** All

Cabinet Member for Children Services and Schools: Councillor James McInnes

Chief Officer for Childrens Services: Jo Olsson

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LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

Contact for Enquiries: Dawn Stabb, Head of Education and Learning

BACKGROUND PAPER	DATE	FILE REFERENCE
Nil		

## Report of the Children's Scrutiny Committee Standing Overview Group

### 1. Introduction

The Children's Scrutiny Committee Standing Overview Group meets five times a year to consider key updates and pertinent issues from across Children's Services, with the aim of developing Members knowledge and understanding, and bringing to the forefront any areas which may benefit from further scrutiny.

This report outlines the topics covered at the meeting of 9<sup>th</sup> December 2019, highlights the key points raised during discussion and lists the agreed actions. Papers considered at this meeting are available to view at the links provided in the table below.

### 2. Attendance

Councillors Rob Hannaford (Chair), Su Aves, George Gribble, Richard Hosking, Debo Sellis and Margaret Squires

Officers: Dawn Stabb (Head of Education & Learning), Darry Freeman (Head of Children's Social Care), Fiona Fleming (Head of Commissioning), Julie Wilcockson (Public Health Nursing), Emily Youngman (Consultant in Public Health) and James Tisshaw (Operations Manager, Early Help), Vicky Church (Scrutiny Officer) and Charlie Hall (Scrutiny Intern)

### 3. Notes and Actions

Item	Key points raised	Agreed Actions
3.1 Overview of Devon's serious cases	<ul style="list-style-type: none"><li>Local partnerships are required to undertake a review of all cases of child deaths or serious injury where neglect or abuse are suspected to be factors in the death/injury;</li><li>Partnerships may also review cases that fall outside this criteria;</li><li>The <a href="#">Working Together to Safeguard Children 2018 (Chapter Four)</a> changed the way that serious cases are reviewed;</li><li>Historically, Serious Case Reviews were resource intensive, took a long time to complete and the evidence of their impact on practice improvement is uncertain;</li><li>Rapid Reviews are completed within 15 days; a Local Child Safeguarding Practice Review (LCSPR) may also be undertaken in some circumstances;</li><li>Focus of reviews is on learning;</li><li>Devon Children &amp; Families Partnership is responsible for reviewing serious cases in line with these new requirements;</li></ul>	Neglect Strategy and Toolkit to be shared with Members of the Children's Scrutiny Committee

	<ul style="list-style-type: none"> <li>• A Neglect Strategy and Toolkit has been developed, based on a shared understanding of what neglect is across partners and a common understanding/pathway for referrals; the toolkit provides a graded care profile tool which allows families and social workers to focus on what needs to change to improve the child's lived experience;</li> <li>• Reviews have shown the value of having a lead professional, particularly in cases of neglect;</li> <li>• The importance of practitioners considering the full record for a child when working with children and families was also raised;</li> <li>• Local authorities continue to face challenges to intervene in cases of elective home education due to having such limited powers.</li> </ul>	
3.2 <a href="#">Early Help Update</a>	<ul style="list-style-type: none"> <li>• Right for Children is a multi-agency platform which enables practitioners from a range of agencies to input and share information about the families they are working with (with consent);</li> <li>• Numbers of children who are accessing Early Help are going up; data is showing that we are working successfully with families; this is reflected in a reduction in Children in Need cases;</li> <li>• A high percentage of early help referrals come from schools and we see significant peaks in referrals in July (before summer holidays); Early Help teams are working with schools to support them to access Early Help throughout the school year;</li> <li>• Early Help teams in each locality have developed profiles/priorities for their area, informed by local knowledge and local data.</li> </ul>	Local Early Help strategies to be shared with Members of the Children's Scrutiny Committee
3.3 Public Health Nursing Performance	<ul style="list-style-type: none"> <li>• There continue to be some challenges around data extraction from the clinical systems, following the transition to Devon County Council from the previous provider;</li> <li>• Overall staffing levels in public health nursing have been reduced through natural wastage due to the reduction in the Public Health grant; in addition there have been a number Health Visitor and School Nurse vacancies due to a national deficit of people trained in these roles.</li> </ul>	
3.4 <a href="#">Education &amp; Learning Performance</a>	<ul style="list-style-type: none"> <li>• The take up of Early Years funding for two and three year olds in Devon is currently exceeding the national average.</li> </ul>	
3.5 <a href="#">Children's Social Care Performance</a>	<ul style="list-style-type: none"> <li>• Demand in Children's Social Care remains a key challenge;</li> <li>• Re-referral rates to Children's Social Care have decreased which reflects a focus on how and when cases are closed, transfers to Early Help and improved practice in the MASH;</li> </ul>	Members to be provided with a briefing notes on suitable/unsuitable accommodation for care leavers and on Lifelong Links



	<ul style="list-style-type: none"> <li>• Timeliness of single assessments has improved;</li> <li>• Caseloads are being maintained at manageable levels;</li> <li>• Stability of the social care workforce is currently good, even for agency staff; there is an ongoing conversation with agency staff about terms and conditions for permanent social work staff;</li> <li>• We have significantly increased the number of care leavers we are in touch with; there are also more care leavers in suitable accommodation (as defined by the Department for Education);</li> <li>• Unaccompanied asylum-seeking young people receive the same offer as any other care leavers at 18 (i.e. keeping in touch, Personal Advisor etc).</li> </ul>	
3.6 <a href="#">Virtual School Annual report</a>	<ul style="list-style-type: none"> <li>• The Reducing Exclusions in Devon Schools (REDS) Programme aims to reduce exclusions for Children in Care and has been very successful through the trial period;</li> <li>• The percentage of Children in Care attending university has been low historically in Devon but numbers have increased this year with six young people (20% of Year 13 cohort) starting university; this equates to twice the national average.</li> </ul>	
3.7 <a href="#">Annual Exclusions report</a>	<ul style="list-style-type: none"> <li>• Work of Devon Inclusion project; exclusions in Devon are reducing, which is in contrast with national picture;</li> <li>• Significant programme to help children who aren't able to attend school due to medical needs (often anxiety) to get them back in to school;</li> <li>• We have seen a slight upward trend in fixed term exclusions; this is expected where there is a reduction in permanent exclusions;</li> <li>• Ofsted now have a greater focus on exclusions, as well as support for pupils with SEND, however we need to be alert to schools removing pupils from role in other ways, including through Elective Home Education.</li> </ul>	

