

Report of the Children's Scrutiny Committee Standing Overview Group of Tuesday 19th July 2022

1. Introduction

The Standing Overview Group of the Children's Scrutiny Committee or Children's Standing Overview Group (CSOG) meets as an informal information sharing and member development session where issues are presented to the councillors to raise awareness and increase knowledge. The Children's Standing Overview Group considers key updates and pertinent issues from across different services, with the aim of developing Members' knowledge, and bringing to the forefront any areas which may benefit from further scrutiny.

This report outlines the topic(s) covered at the meeting, highlights the key points raised during discussion and details any agreed actions. These are reported back to the next formal Committee meeting.

2. Recommendation

The Children's Scrutiny Committee considers this report as an accurate record of the meeting and agrees the outlined actions raised during the discussion including any addition of the highlighted issues of concern to the future work programme.

3. Attendance

Children's Scrutiny Committee Members: Councillors Rob Hannaford (Chair), Philip Sanders (Vice Chair), Su Aves, Janet Bradford, Julian Brazil, Phil Bullivant, Christine Channon, George Gribble, Jonathan Hawkins, Frank Letch, and Mrs Christina Mabin.

Cabinet Member for Children's Services and Schools: Councillor Andrew Leadbetter.

Cabinet Member for Integrated Adult Social Care and Health: Councillor James McInnes.

Members attending under SO25: Councillors Alistair Dewhirst, Marcus Hartnell and Carol Whitton.

Children's Services Officers: Melissa Caslake (Director of Children and Young People's Futures), Lisa Bursill (Head of Children's Social Care) and Jackie Ross (Interim Deputy and SEN Strategic Director).

Special Advisor: Kevin Crompton.

Scrutiny Officer: Charlie Fisher.

4. Summary of Discussion and Actions

4.1 SEND Ofsted/CQC Revisit

Melissa Caslake (Director of Children and Young People's Futures) and Jackie Ross (Interim Deputy and SEN Strategic Director) appraised Members of the recent joint area SEND revisit, conducted by Ofsted and the Care Quality Commission (CQC). The revisit was to decide whether significant progress had been made in the addressing the areas of significant weakness detailed in the [previous inspection report](#) (5th February 2019) and included in Devon's written statement of action (WSOA).

The four areas of weakness were:

1. The fact that strategic plans and the local area's SEND arrangements are not embedded or widely understood by stakeholders, including schools, settings, staff and parents.
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 (EHC) plans and the variable quality of these plans. Plans do not consistently capture a child and young person's needs and aspirations. EHC plans are not able to be used as 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.
4. Weaknesses in the identification, assessment, diagnosis and support of those children and young people with autism spectrum disorder (ASD).

In [the report](#), published on the 11th July 2022, inspectors concluded that "the area has not made sufficient progress in addressing any of the significant weaknesses".

The Interim Deputy and SEN Strategic Director re-iterated that the local area had made no progress and that some of the basics in the service were not being done correctly. The Parent Carer Forum survey of parents and carers in the Autumn of 2021 had picked up the lack of progress made.

The Deputy Director appraised Members of her role and background, having joined the Council in January 2022. Since arriving to Devon, some of the actions taken by the SEN Strategic Director have been:

- Created a backlog team and deal with some of the 1,600 delayed annual reviews. Around 100 cases had been closed in the past month, but more resources would be needed to catch up fully.
- Set up a multi-disciplinary assessment panel to consider which services are best appropriate for children and young people referred for an EHC assessment to the service. This has reduced the number of EHC Plans being issued by the service.
- Working with schools to establish a High Needs Funding Committee to involve schools in thresholds, placements, plans and the outcomes we are making to children and young people with SEND.
- Brought more Educational Psychologists into the service to work virtually.
- Working with Integrated Adult Social Care on young people over 16 and supporting their transitions to adult social care.
- The Deputy Director leading the 0-25 team on the ground and delivering advice in terms of writing a good EHC Plan, how to write a good annual review, how to manage cases and how to communicate well with families.

In addition, work had begun on an improvement plan with measurable performance indicators but needed to ensure partners from health were involved in the plan.

A meeting between Senior Leaders from the Council, the NHS and the DfE was held on Tuesday 19th July to discuss the next steps and possible intervention steps from the department. The Director of Children and Young People's Futures highlighted that the DfE wanted to impress upon the local area (including the Council, NHS and local partners) around the importance of the need for change, considering the long-standing poor Ofsted performance and that the DfE wanted reassurance that the whole council takes responsibility for the service.

Members were assured that the Officers understood what was happening on the ground with staff and were personally involved in leading staff on the ground, showing good practice and beginning to reform the culture. In addition, Members were assured to learn that the Parent Carer Forum were consulted on recruitment of staff and taking a prominent role in the co-production of plans with the service.

Member and Officer discussion points:

- The meeting between the DfE and NHS on possible intervention on Tuesday 19th November – The Director of Children and Young People's Futures commented that it was likely the Council would be issued with an Improvement Notice and offered a Sector Led Improvement Partnership (SLIP) with 40 days of support from another local authority. The Council has a SLIP with Leeds City Council for Children's Social Care.
- Governance arrangements of SEND – The Director stated that it was likely a SEND Improvement Board would be set up and the Chairing arrangements would need to be considered, although it represented a good opportunity to have Senior Leaders across the local area together.
- Leadership and the interim recruitments to the Head of Education and Learning post – Members were advised that Matthew Shanks and Rachel Shaw had been appointed as Head of Education (Strategy) and Head of Education (Delivery) respectively. Matthew's role will focus on the responding to the Schools White Paper, while Rachel's role will focus on directly managing the current teams with Education and Learning. Both interim appointments are experienced school leaders and expected to be for a period of 12 months. During that time, senior leaders can look at the future shape of the Education and Learning team.
- Members asked about the new backlog team and how the backlog team could ensure quality of EHC Plans, considering both the Deputy Director and Ofsted's comments on poor quality EHC Plans - The Deputy Director advised that training on what a good EHC Plan was happening and ensuring quality reports from report writers. A simpler EHC Plan template had been agreed with the Parent Carer Forum which removed some of the unnecessary elements and gone back to basics from the SEND code of practice. Further improvements and training could be made once the Babcock LDP staff came into direct supervision of the Deputy Director.
- Members raised the culture of the service and how quickly some of these issues could be resolved – The Deputy Director has been empowered by the Director and Cabinet Member to work closely with the staff on the ground to ensure things are done correctly and trust can be re-built in the system. Officers stated that work to recruit to positions below the Deputy Director is ongoing to have the right people in the right places. People who have been recruited to posts are people who work in different ways and will embed a different culture in the teams. Some of our cultural issues was because cases are so high (up to 500 per officer), it was difficult for case offices to pick up the phone to speak to families or schools because they did not have the time to do so.
- Members and Officers discussed the need to embed training and learning and asking what difference it made – The "So What" questions about what impact we are making which applies to both the service and Members.
- The Head of Children's Social Care highlighted that the Senior Leadership team within Children's Services are working together as one service to ensure a system wide effort. The service wants to be as open, transparent as possible and be honest about how the situation is.
- Consistency across the County in terms of services – While some variation was ok in local areas, it is a County wide service that needs to be consistent. This is monitored

through quality assurance. Inconsistency and inequity has been partly a Council fault but is also a feature of the SEND system nationally and this has been picked up in the SEND Green Paper.

The Cabinet Member for Children's Services and Schools concluded that the previous approach has clearly not been working and there was a need to try something different. He highlighted that Ofsted were complimentary about the Leadership Team and that the DfE stated it was a pivotal moment in our improvement journey. In addition, he stated that good practice was out there but has been obscured by examples of poor practice.

The Chair highlighted that that SEND Improvement would be a likely recurring agenda item for the Committee and welcomed a continuing open dialogue with the Director, Deputy Director and Cabinet Member.

Actions:

- Ensure that SEND is a continuing item on the Children's Scrutiny's work programme to ensure that Members are kept appraised.

The meeting began at 3.00pm and ended at 4:18 pm

Councillor Rob Hannaford
Chair, Children's Scrutiny Committee

Electoral Divisions: All

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Local Government Act 1972: List of Background Papers

Background Paper	Date	File Reference
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