

Meeting: Children and Families Select Committee

Date: Monday 16 October 2023 (commencing at 10:30am)

Membership:**County Councillors**

Sam Smith (Chairman)

Francis Purdue-Horan (Vice Chairman)

Callum Bailey

Anne Callaghan BEM

Robert Corden

Debbie Darby

Errol Henry JP (**Apologies**)

Johno Lee

Mike Quigley MBE

Nigel Turner

Michelle Welsh

Education Representatives

Nigel Frith (**Apologies**)

James McGeachie

Substitute Members

Jim Creamer for Errol Henry JP

Other County Councillors in attendance:

Tracey Taylor - Cabinet Member for Children and Families

Sinead Anderson - Deputy Cabinet Member for Children and Families

Officers and colleagues in attendance:

Martin Elliott - Senior Scrutiny Officer

Orlaith Green - Group Manager, Psychology and Inclusion Services

Sam Harris - Service Manager, Partnerships and Planning

Laurence Jones - Service Director, Commissioning and Resources

Peter McConnochie - Service Director for Education, Learning and Inclusion

Kate Morris - Democratic Services Officer

Lucy Peel - Service Director for Transformation and Improvement

Colin Pettigrew - Corporate Director for Children and Families

Others in attendance

Georgina Palmer - Nottinghamshire Parents and Carers Forum

Nicola Ryan - Deputy Chief Nurse, Nottingham and Nottinghamshire ICB

1. APOLOGIES FOR ABSENCE

Councillor Errol Henry JP - other reasons

2. DECLARATIONS OF INTERESTS

Councillor Debbie Darby declared an interest in agenda item 7, Proposed reviews regarding elective home education and secondary school pupil place planning, in that she home educated her child.

Councillor Mike Quigley declared an interest in agenda item 5, Partnership progress in improving the experiences and outcomes for children and young people with Special Educational Needs and Disabilities, in that he was the Chair of the Verse Academies Trust, which included 2 special schools.

Councillor Sam Smith declared an interest in agenda item 5, Partnership progress in improving the experiences and outcomes for children and young people with Special Educational Needs and Disabilities, in that he was a school governor at SEND Link

Councillor Nigel Turner declared an interest in agenda item 5, Partnership progress in improving the experiences and outcomes for children and young people with Special Educational Needs and Disabilities, in that he was a school governor.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting held on 19 June 2023, having been circulated to all Members, were taken as read and were confirmed and signed by the Chairman.

4. NOTTINGHAMSHIRE SAFEGUARDING CHILDREN PARTNERSHIP ANNUAL REPORT 2022/23

Colin Pettigrew, Corporate Director for Children and Families, introduced the Nottinghamshire Safeguarding Children Partnership (NSCP) Annual report that set out what the NSCP had achieved over 2022/23. It was noted that the report was written from a partnership perspective and described the partnership work of Nottinghamshire Police, the County Council, and the Integrated Care Board. The report that was presented covered the period from 1 April 2022 to 31 March 2023 events outside that period were not considered within this report.

The Committee raised the following points in discussion:

- Members asked what type of incident triggered a Serious Incident Notification and why one had not been raised when speech and language therapy specialists had withdrawn from the Harlow Academy.
- Members requested further information or briefings around the work that was carried out across the partnership to target groups identified as more vulnerable to criminal and sexual exploitation.

- Members noted that within the section of the report that discussed safer sleeping there was no mention of Health visitors or the role they played in the work around safer sleeping strategies. Members felt that explicit mention of the Health Visitor role, and the role of the Healthy Families team in this area of Safeguarding was critical due to the contact that they had with children and families.
- Members asked how processes could be improved when multiple complaints about the same service was received to ensure that the information was collated, and that issues could be dealt with collectively rather than in isolation.
- Members asked what support was being offered to the students and their parents following the closure of Harlow Academy.
- Members sought assurance that the Safeguarding Partnership was focused on the impact of childhood poverty and the increasing number of families struggling financially due to the current economic climate.
- Members asked how the partnership would work to achieve its aim of lowering numbers of protection plans whilst maintaining effective safeguarding.

In relation to the points raised by the Committee, the Cabinet Member and Officers provided the following responses:

- The criteria for a Serious Incident Notification included the death of a child or where a child was seriously harmed. Following the inspection by Ofsted it had not been possible to identify a named child that had been seriously harmed to start a review. The NSCP Strategic Leadership Group and wider partners had considered the criteria for a Rapid Review around Harlow Academy, however the multi-agency group had felt that the circumstances did not fit the criteria for such a review. Since then, the Independent Scrutineer had referred these gaps in the national policy and procedure back to both the National Panel and to Ofsted as gaps in procedures existed around actions around institutions, compared to those available around individuals. The Partnership had also notified the Panel that it intended to act as if a Rapid Review was in place, and as such an independent review had been commissioned.
- Prior to the change in the Council's governance arrangements in May 2021 regular reports were taken to the Children and Young People's Committee that detailed work and data around child exploitation. Following the change, a similar report had been taken annually to the Cabinet Member for Children and Families and then published. Members were assured that there was significant work underway around tackling child exploitation and in targeting activity towards groups that had been identified as being the most vulnerable to exploitation. Following each Corporate Parenting Panel a private meeting took place looking in detail at in depth data around Looked After Children and any ongoing police investigations, as such it was not suitable to discuss this work in public. Work had been taking place with a variety of partners and in partnership with Nottingham City Safeguarding partners to ensure a joined-up

approach. More recently the Criminal and Sexual exploitation teams had been joined within partner agencies which was producing even more detailed data. More detailed private briefings for members could be arranged to discuss sensitive data if members felt that it would offer the required assurance.

- Although there was no specific reference to Health Visitors and their role in safer sleeping, all health service professionals that came into contact with children and families from birth to two years played an important role in delivering the messaging around safer sleeping. Following a Local Child Safeguarding practice review learning had highlighted that the safer sleeping messaging should be made by all health professionals who worked with families to increase the opportunities to reach families with positive messaging.
- Work had been completed to draw together internal processes so that concerns, complaints, and requests for investigation of an organisation that would historically have come to different parts of the council, were brought together. Local improvements were being implemented, but the independent review around Harlow Academy had identified gaps and issues with the national guidance. These issues had been highlighted by the Independent Scrutineer to both the Department of Education and to Ofsted. The report on the independent commissioned review had been completed and published in June 2023 and would be circulated to members.
- The full report into Harlow Academy had been shared with the parents and carers of the pupils. Since the school had closed the Evolve Trust had also been closed with all of its schools being taken over by other academy trusts. The Harlow Academy had been taken over by the Nexus Multi Academy Trust and had been renamed Fountaindale Academy. It was noted that there had been significant improvements at the school since Nexus had taken over the operation of the school.
- The partnership continued to focus on protecting children, and unfortunately Child Protection Plans were more likely to be put in place in families living in deprived areas. Work focusing on families and children in these areas was ongoing.
- To reduce the number of Child Protection Plans, work was being done with at risk families and children earlier in order to prevent the need for a protection plan. It was noted that prevention and early intervention was the best way to reduce the need for Child Protection Plans and to improve outcomes for children and families.

The Chairman thanked the Cabinet Member and Officers for attending the meeting to present the report and answer Members' questions.

RESOLVED (2023/007):

- 1) That the report be noted.

- 2) That the following issues raised by the Children and Families Select Committee in its consideration of the report be progressed:
 - a. that the latest report on the on the work being carried out across Nottinghamshire in relation to child exploitation be circulated to the members of the Children and Families Select Committee.
 - b. That the review of safeguarding practice in response to events at Harlow Academy be circulated to the members of the Children and Families Select Committee.
- 3) That the Nottinghamshire Safeguarding Children Partnership's 2023/24 Annual Report be received at the October 2024 meeting of the Children and Families Select Committee

5. PARTNERSHIP PROGRESS IN IMPROVING THE EXPERIENCES AND OUTCOMES FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

Colin Pettigrew, Corporate Director Children and Families introduced report that detailed the progress being made by the Nottinghamshire local area Special Educational Needs and Disabilities (SEND) Partnership in implementing improvements to the experiences and outcomes of children and young people with SEND. Nicola Ryan, Deputy Chief Nurse, Nottingham and Nottinghamshire ICB was also in attendance.

In summary:

- An independently led SEND Improvement Board has been established following the inspection outcome with responsibility to the Council and the Integrated Care Board (ICB). It was chaired by Dame Christine Lenehan, an internationally recognised expert in the field.
- Progress against required improvements was subject to monitoring by The Department of Education and NHS England who had indicated that they were broadly satisfied with the progress that had been made so far.
- Two areas of priority actions had been identified for improvement that were the timeliness of the delivery of Education Health and Care (EHC) Plans and access to therapies predominantly, but not entirely provided by the NHS Service. A further area of improvement that had been highlighted was around governance.
- The ICB had started a review of all commissioned services looking at how services could be delivered differently to reduce the long waiting times that were currently seen. Work was also underway with Nottinghamshire Health Care Services who provided both community services and mental health services for young people. There were challenges in both services around

delivery and access time and improvements were being implemented to facilitate improvements.

The Committee raised the following points in discussion:

- Members highlighted that issues with the timeliness of the delivery of EHC Plans were frequently the subject of complaints made to the Local Government and Social Care Ombudsman that were then referred to the Governance and Ethics Committee. They queried when the issue of historic complaints would be resolved and the backlog of outstanding EHC Plans would be removed. Members asked and whether consideration should be given to increasing budgets for the teams responsible in order to enable increased resources to enable timelier delivery of EHC Plans.
- Members asked for further information around the plans to increase the number of Educational Psychologists and their capacity to deliver essential proactive and early intervention work as well as working on EHC Plans.
- Members felt that the rise in EHC Plan requests was, in part due to reduced early intervention services. Many children with SEND were in part time education or excluded from education and this was causing the increase in demand and the large backlog in work. Members asked what work was being carried out to review services that helped families from reaching crisis point and to ensure that children received the support they needed.
- Members noted that on average an EHC plan was currently taking 26 weeks to complete. Members asked whether some assessments were taking longer than others and what the reasons were for extended assessment times.
- Members asked whether the data that had been provided around EHC Plans could be broken down into more detail to show the needs of children who had an EHC Plan and to show the length of time that families had waited to receive specialist services.
- Members noted with approval the effort and work that was being carried out to move the improvement programme forward.
- Members asked for more details about how the Council was communicating with schools.
- Members asked how many Special schools the Council was responsible for compared to special schools being run by Academy trusts.

In relation to the points raised by the Committee, the Cabinet Member and Officers provided the following responses:

- There was a national shortage of Education Psychologists, and councils' country wide were struggling with the timely delivery of EHC Plans. It was noted that the Cabinet Member for Children and Families had recently made a decision to increase the capacity of the team and to develop future resource.

Progress on timeliness had been made, however it was recognised that this was no comfort to the families who were still waiting longer than 20 weeks for a plan to be formulated. The Council had also been working hard to better communicate with families who were experiencing delays in their EHC Plan application being considered. It was noted that budgets for SEND services had never been higher across the sector, but levels of complaints and dissatisfaction was also at an all-time high.

- Increasing capacity within the Educational Psychology service would allow the Educational Psychologists to spend more time on the proactive and supportive work that increased the number of children whose needs were able to be met without the need for an EHC plan. The capacity within the service was being developed with the use of a “grow your own” programme that developed a number of trainees over a three-year period with the intention of retaining them after they had fully qualified. Work was being also being carried out to make Nottinghamshire an appealing option for Education Psychologists in order to improve recruitment and retention.
- Georgina Palmer, Chair of the Nottinghamshire Parents and Carers forum was working with the Council to further understand the issues around part-time schooling and look at new and different ways to work to reduce the numbers accessing part-time schooling.
- A new post within the EHC process was also being trialled to provide a dedicated first point of contact for parents and carers. This post would provide support and guidance to families around the EHC Plan process as well as looking to establish whether any additional interventions could be put in place to reduce the need for the creation of an EHC plan. Additional staffing had been put in place to respond to complaints more quickly, and staff had recently written to all parents and carers of children with outstanding plans to inform them of progress. It was noted that there a focus on communication within the service was key to helping to improve performance further.
- Following a recent deep dive into the progress on the improvement journey the Department of Education were clear to point out that progress had been made. The number of applications being processed within 20 weeks had risen from 0% to 35% and no children were waiting beyond 36 weeks for the completion of their assessment.
- The Chairman highlighted that an extended dataset had been seen during the scrutiny review of the EHC plan process and advised that this information could be circulated to members of the committee. and a copy of that could be circulated.
- Similarly to the situation with Education Psychologists, Speech and Language therapists were hard to recruit nationally. Work was under way to look at methods of providing services differently to ensure ease of access and to reduce waiting times. A data analyst had been employed to work alongside Council colleagues to try and improve the consistency of data to create a standard data set to work with.

- There were twelve special schools operating within Nottinghamshire. Five were maintained schools and the rest were run by academy trusts.

The Chairman thanked the Cabinet Member and Officers for attending the meeting to present the report and answer Members' questions.

RESOLVED (2023/008):

- 1) That the report be noted.
- 2) That a further progress report on the implementation of the Special Educational Needs and Disabilities and Alternative Provision be received at the December 2023 meeting of the Children and Families Select Committee.
- 3) That the following issues raised by the Committee in its consideration of the report on Partnership progress in improving the experiences and outcomes for children and young people with special educational needs and disabilities be progressed:
 - a) that further information on the types of needs of children and young people with SEND and/or an EHCP across Nottinghamshire be circulated to the members of the Children and Families Select Committee.
 - b) that information detailing the number of EHCP applications made and the number of EHCPs in place across each of districts and boroughs of Nottinghamshire be circulated to the members of the Children and Families Select Committee.
 - c) that the summary documents that detail the activity carried out at previous Nottinghamshire SEND partnership improvement board meetings be circulated to the members of the Children and Families Select Committee.
 - d) that the members of the Children and Families Select Committee receive the summary document that is created detailing the activity of future Nottinghamshire SEND partnership improvement board meetings as soon as they are available.

6. OUTCOMES OF THE REVIEW OF EDUCATION, HEALTH AND CARE PLANS

The Chairman introduced a report that detailed the outcomes of the scrutiny review of Education Health and Care plans. The Chairman thanked Councillors Purdue-Horan, Corden, Foale, Roger Jackson, Lee and Welsh along with James McGeachie for participating in the review. The Chairman went on to thank Peter McConnochie, Service Director for Education, Learning and Inclusion, and the Service Leadership team for their support provided during the review process and offered special thanks to Georgina Palmer, Chair of the Nottinghamshire Parent Carer Forum, for her participation in the review process,

RESOLVED (2023/009):

That the recommendations of the scrutiny task and finish review of Education, Health and Care Plans be endorsed and referred to Cabinet for consideration.

7. PROPOSED REVIEWS REGARDING ELECTIVE HOME EDUCATION AND SECONDARY SCHOOL PUPIL PLACE PLANNING

The Chairman introduced a report that out the proposed scopes for two reviews, one regarding Elective Home Education and one regarding school pupil place planning. The Chairman highlighted that should members not be able to attend them that they could nominate a group member to attend in their place and welcomed volunteers from the committee with relevant personal experience.

RESOLVED (2023/010):

That the proposed scopes for task and finish reviews regarding Elective Home Education and Secondary School Pupil Place Planning are approved.

8. RESPONSE TO A RECOMMENDATION FROM THE CHILDREN AND FAMILIES SELECT COMMITTEE

The response of the Cabinet Member to the recommendations arising from the recommendation of the committee on how local elected members could be most effectively communicated with and involved with the activity that takes place with academy trusts regarding the pupil place planning was set out in the report.

RESOLVED (2023/011):

That the response of the Cabinet Member be noted.

9. WORK PROGRAMME

The Senior Scrutiny Officer presented the Committee's current work programme.

RESOLVED (2023/012):

- 1) That the Children and Families Select Committee's work programme be noted.
- 2) That Committee members make any further suggestions for items for inclusion on the work programme for consideration by the Chairman and Vice-Chairman, in consultation with the relevant Cabinet Member(s) and senior officers, and subject to the required approval by the Chairman of the Overview Committee.

There being no further business, the Chairman closed the meeting at 12:08pm.

Chairman: