



Meeting: Children & Families Select Committee

Date: Monday 15 July 2024 (commencing at 10:30am)

Membership:

County Councillors

Mike Introna (Chairman)
Francis Purdue-Horan (Vice-Chairman)

Anne Callaghan BEM
Robert Corden
John Cottee
Debbie Darby
Errol Henry (apologies)
Johno Lee

Mike Quigley MBE
Nigel Turner
Michelle Welsh (apologies)

Education Representatives

Nigel Frith

James McGeachie

Substitute Members

Cllr Creamer for Cllr Henry
Cllr Foale for Cllr Welsh

Other County Councillors in attendance

Councillor Sam Smith - Cabinet Member for Education and Special Educational Needs and Disabilities (SEND)
Councillor Tracey Taylor - Cabinet Member for Children and Families
Councillor Nigel Moxon - Deputy Cabinet Member for Education and Special Educational Needs and Disabilities (SEND)

Officers and colleagues in attendance:

Amanda Collinson - Service Director for Help, Protection and Care
Peter McConnochie - Service Director for Education, Learning and Inclusion
Colin Pettigrew - Executive Director for Children and Families
Martin Elliott - Senior Scrutiny Officer
Katherine Harclerode - Democratic Services Officer
Andrew Wells - Group Manager, Youth and Families

Others in attendance:

Rosa Waddingham - Chief Nurse, NHS Nottingham and Nottinghamshire Integrated Care Board

1. TO NOTE THE APPOINTMENT OF COUNCILLOR MIKE INTRONA AS CHAIRMAN AND COUNCILLOR FRANCIS PURDUE-HORAN AS VICE CHAIRMAN OF CHILDREN AND FAMILIES SELECT COMMITTEE AT FULL COUNCIL ON 16 MAY 2024

The appointments of Councillor Mike Introna as Chairman and Councillor Francis Purdue-Horan as Vice-Chairman of the Children and Families Select Committee for the 2024/25 municipal year were noted.

2. MEMBERSHIP OF THE CHILDREN AND FAMILIES SELECT COMMITTEE FOR THE 2024/25 MUNICIPAL YEAR

The membership of the Children and Families Select Committee for the 2024/25 municipal year was noted as: Councillors Anne Callaghan BEM, Robert Corden, John Cottee, Debbie Darby, Errol Henry JP, John Lee, Mike Quigley MBE, Nigel Turner, and Michelle Welsh

Education Representatives: Nigel Frith And James McGeachie.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting held on 15 April 2024, having been circulated previously, were confirmed as correct and signed by the Chairman.

4. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Welsh (other reasons) and Councillor Errol Henry (other reasons).

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. DEVELOPMENT AND IMPLEMENTATION OF THE YOUTH JUSTICE PLAN 2024-25

Consideration was given to a report presented by the Cabinet Member for Children and Young People who was joined by the Executive Director of Children and Families, Service Director for Education, Learning and Inclusion, Group Manager, Youth Justice and Early Help Services and the Chief Nurse, Nottingham and Nottinghamshire Integrated Care Board. The report provided an overview of the progress that had been made in implementing the Youth Justice Plan and also provided a summary of the identified priorities within the Plan. The following points were highlighted:

- Priorities had been considered alongside feedback to the Youth Justice Partnership Board.
- The Youth Justice Service was inspected in October 2023 and was rated 'good' by the HMIP, with seven recommendations requiring consideration regarding improved governance, data sharing mechanisms, Police secondment

arrangements, monitoring of out-of-court disposal decision-making, and post-court casework management oversight.

- Regarding improved Youth Justice Partnership Board governance, the Executive Director for Children and Families as the new Chair of the Board, had been overseeing measures to improve partner accountability and engagement.
- Regarding the need to establish improved data sharing mechanisms, a Youth Justice Joint Strategic Needs Assessment (JSNA) had been completed with further activity being planned to follow on from completion of the Youth JSNA. This activity, alongside greater involvement of partners in performance reporting of Key Performance Indicators would support improvement in this area.
- A review had been completed which had led to the implementation of a revised model which promised greater capacity and more effective deployment of Police staff.
- Improved monitoring of out-of-court disposal decision-making was underway with a thorough review of processes and monitoring in place through the Youth Justice Partnership Board.
- Improved quality of post-court casework and management oversight had been progressed since the inspection. There had been a robust programme of improvement activity with improvements being reported to the Board on a quarterly basis through quality assurance feedback.
- The priorities for 2024/2025 were:
 - Education to be an increasingly protective factor for children: working with schools and settings to make sure children get the right support at the right time. Improve the health outcomes for children working with the Youth Justice Service.
 - Work with partners to identify and meet the needs of children in the community reducing vulnerability.
 - Ensure that children who are subject to bail and remand processes receive a high quality of service.
 - To develop and implement a diversity strategy and framework to support staff in assessing and delivering interventions that reflect children's protected characteristics.
- Two further priority areas featured in the revised Youth Justice Plan for the year ahead related to the further embedding of commissioned healthcare services and the implementation of a diversity strategy and framework. These areas were already being progressed.

In the discussion that followed, members raised the following points and questions:

- Interest was expressed in receiving the full inspection report as a background document for additional context.
- It was noted the areas of improvement that had been identified should correspond to the key priorities.
- Members sought further clarity around whose responsibility it was to ensure that scrutiny was in place and to provide evidence of partners holding each other to account. Further clarification was also requested as to who was responsible for ensuring that improvements were made.
- Additional details were sought around the timescales for completion of the diversity strategy and framework.
- Clarification was requested regarding the two areas for improvement that were not fully within the Council's responsibility to improve.
- Assurances were requested that the priorities relating to improved access would lead to delivery of additional provision and timescales were requested as to when those waiting for provision would receive it.
- More information was requested regarding the changes being made to ensure children were having their health needs assessed consistently.

In relation to the points raised by the Committee, the Cabinet Member for Children and Families and officers provided the following responses:

- Members had seen the full inspection report when this had been made available following the inspection.
- The importance of linking priorities to the areas of improvement was acknowledged as being part of the work of the Partnership Board to build confidence in how this was approached as a leadership team.
- The 'golden thread' of diversity within educational needs and mental health needs was being tracked through the Youth Justice Board. Multiple workstreams came through this Board and were scrutinised by the Board that was Chaired by the Executive Director for Children and Families.
- The scrutiny activity that had been carried out by members prior to the Cabinet decision was noted as having been valuable.
- Consideration had been given to the circumstances of some partners within the partnership that were currently struggling with waiting lists, quality, and reputation; therefore, the Executive Director for Children and Families had agreed to chair the Youth Justice Partnership.

- Whilst there had been an inadequate area of activity highlighted from the inspection as well as and some areas that required improvement, there were also two outstanding areas of activity, with the overall rating of the service being rated as 'Good'. The assessment within Court Disposals was a sub-judgement that did not say that the Service is inadequate. Rather, the report usefully highlighted the weaker areas within the Service. The partnership performance overall was what was needing improvement. This was not in the Council's gift alone to improve.
- There were clear areas of improvement tracked by the Board and a KPI framework to hold partners to account. Improvements in KPIs capturing and reporting using data dashboards to improve knowledge and oversight was also a key area of work. Alongside work on the diversity framework there was also a workstream around police secondment arrangements for the youth intervention section of the police working with the Youth Justice Team.
- There was more to do in terms of improvement, but there was confidence that this was being well addressed as described in the action plan. A report would be submitted to Cabinet with an action plan strengthened by members' comments through scrutiny. A further update to scrutiny was offered to provide assurance of the completion of the work.
- Ultimately, the Council's leadership was responsible to address the partnership challenges and it was the responsibility of the Executive Director of Children and Family Services to ensure that the required improvements were achieved.

The Chairman noted the clear actions being taken and thanked the Cabinet Member for Children and Families, the Executive Director of Children and Family Services, the Service Director for Education, Learning and Inclusion and the Group Manager, Youth Justice, and Early Help Services for attending the meeting and answering members' questions.

RESOLVED 2024/014

- 1) That the progress of implementing the 2024/25 Youth Justice Plan and its identified priorities be noted.
- 2) That a progress report on the delivery of the Youth Justice Plan be considered for inclusion in the Children and Families Select Committee's 2024/25 Work Programme.

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

Consideration was given to a report presented by the Cabinet Member for Education and Special Educational Needs and Disabilities (SEND) who was joined by the Executive Director for Children and Families Services and the Chief Nurse, Nottingham and Nottinghamshire Integrated Care Board that provided an update on

the progress 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.

The following points were highlighted:

- Two priority areas for action had been progressed positively as part of this Plan. Leaders, NHS Nottingham and Nottinghamshire Integrated Care Board and education, health and care providers would cooperate to urgently identify, assess, and provide for the needs of children and young people with SEND. This included assessment of needs, timely issuing of Education, Health, and Care (EHC) plans and holistic oversight of these plans through annual reviews.
- Leaders, including commissioners and providers, would also identify and address any delays and gaps in access to some health services, particularly speech and language therapy, neurodevelopmental pathways and equipment services, and ensuring that they used available performance data to identify where gaps exist and whether actions taken to address these are effective.
- Progress against each of the six key outcomes was described and had been reviewed by the DFE and NHS England through a deep dive exercise in March 2024. The Partnership was now responding to the feedback received.
- Improvements that had been made included a continued increase in the proportion of new Education Health and Care Plans that were issued within statutory timescales. An 87% increase in timeliness of assessments had been achieved despite a 100% increase in requests. These improvements were achieved through increases in investment resource, capacity, and efficiency and through stronger partnership working to enhance outcomes for children and young people and families, for example through links with local Family Hubs.
- Although there were several areas of further work to undertake, the Partnership would continue to explore new ways to build stronger relationships with families. An action plan had been developed in response to areas for development which were being embedded within the SEND Improvement Programme. Strategic reviews of progress continued on a six-monthly basis prior to the joint CQC/Ofsted Monitoring Visit in Autumn 2024.

In the discussion that followed, members raised the following points and questions:

- Additional assurances were requested that there were adequate resources to achieve the improvements that had been highlighted by the inspection.
- Members requested further information regarding waiting times for assessments for EHCPs. Members agreed that families who had not received their assessment on time may not be satisfied with the service that they were receiving.
- Members noted that when parents and carers were dissatisfied with the service that they received then they shared their feedback, however positive feedback was rarely given when good service had been provided. It was also noted that

the Service communicated by letter when there was a delay to explain the reasons for the delay. Members noted that Whereas there had been many complaints about EHCPs in the past, there appeared to be a reduction in the number of complaints received regarding EHCPs in the last six months which was positive.

- Members requested further information around anticipated levels of demand for services and EHCPs in the future. Members also sought further information on the outcomes of the stocktake that had been carried out in June 2024.
- Concerns were expressed regarding the experience of families who did not get the support that they felt could be delivered if their child had an EHCP in place.

In relation to the points raised by the Committee, the Cabinet Member for Education and Special Educational Needs and Disabilities (SEND) and officers provided the following responses:

- Requests for EHCPs had increased substantially with there being more demand for assessments. Improvements however could be seen from this time last year in the number of plans assessed. It was considered noteworthy that although there were more requests now, the Service was still responding to 92 percent within two weeks, as opposed to 42% during the previous year.
- For those children who did not have an EHCP in place it could be difficult to assess their satisfaction with the Service. However it was important to ensure that those who went through the process were satisfied with the level of service that they received. In late autumn 2024, a full inspection was scheduled to take place. Part of the assessment would be looking what parents and carers had said about their experience of the Service.
- Most of the people who accessed the service and who had provided feedback felt that services were delivered in a timely way.
- Communication was felt to be key in the work of the SEND Improvement Board. To address delays in communication, the Council had employed several support officers to ensure that families had the support they needed as they went through the process. These communications were complex; therefore steps had been taken to improve communication so that families did not become dissatisfied.
- There was increased partner representation on the Board and closer monitoring of the dataset, with all parts of the Partnership sharing their issues. The SEND improvement Board had been designed to deliver effective challenge to partnership performance.
- The areas of activity that were the highest priority for improvement of the Service had been set out in the CQC inspection.
- There would continue to be increased demand for services into future years. This was the direction of travel nationally and also in Nottinghamshire. It was therefore important to continue to focus utilising available resources as

effectively as possible to have the maximum impact on improving outcomes for children and young people with SEND. Having come from a very low baseline, this progress needed to be maintained, which could only be done with investment from the Council and its partners.

- The first stocktake that had been completed had shown that positive progress in delivering the required improvements had been made. The June stocktake had also demonstrated evidence of progress regarding governance and reporting around EHCPs. The partnership's commitment to co-production and work toward a self-evaluation framework had also been highlighted as good areas of progress.
- Assurances were provided that there was a strong graduated response in place in Nottinghamshire so that families could still access funding, resources and a SEND action plan coordinated by the SENDCO without an EHCP being in place. In some places nationally, there was no funding available or support without an EHCP, but in Nottinghamshire this was not the case.
- The Nottingham and Nottinghamshire SEND Joint Commissioning Strategy 2024-2027 would be circulated to Members for their information.

The Chairman thanked the Cabinet Member for Education and Special Educational Needs and Disabilities, the Executive Director for Children and Families and the Chief Nurse for attending the meeting and answering members' questions.

RESOLVED 2024/15

- 1) That the report be noted.
- 2) That a further progress report on Partnership progress in improving the experiences and outcomes for children and young people with special educational needs and disabilities be received at the October 2024 meeting of the Children and Families Select Committee.
- 3) That the following issues raised by the Committee in its consideration of the report be progressed:
 - a) That future reports should, where possible, present information in whole numbers, rather than in percentages.
 - b) That once available, that the Nottingham and Nottinghamshire SEND Joint Commissioning Strategy 2024-2027 be circulated to the members of the Children and Families Select Committee.
 - c) That the Executive Director - Children and Families, discusses further with the Chair of the Children and Families Select Committee the possibility of inviting the Chair of the Nottinghamshire SEND Partnership Improvement Board to a future meeting.

8. SPECIAL EDUCATIONAL NEEDS AND DISABILITY PROVISION AND SUFFICIENCY

Consideration was given to a report presented by the Cabinet Member for Education and Special Educational Needs and Disabilities who was joined by the Executive Director for Children and Families; the Service Director for Education, Learning and Inclusion; and the Group Manager for Youth and Families. The report identified pressures in the SEND System across England and Nottinghamshire, including a growing number of children and young people with SEND and the impact of Government legislation on how support is provided and accessed. The following points were highlighted:

- The effects of pressures on SEND Education provision and sufficiency were significant across England and in Nottinghamshire.
- The Council had developed fair, proportionate, and transparent arrangements for additional SEND funding over many years predating the introduction of EHC Plans. These arrangements allowed the professionals working the closest to the child or young person to be involved in any decision-making regarding support or changes to provision. In 2024- 2025, a total of £22.190m would be devolved to schools from the High-Level Needs, Additional Family Needs and Family Network Fund budgets. This is an increase from £21.026m in 2023-2024. These budgets were in addition to the national expectation that schools would provide the first £6,000 spend on any targeted provision for a child or young person with SEND.
- In addition to other factors that the Service considered as part of formulating forecasts around future pupil needs, the School Capacity (SCAP) survey was a statutory data collection exercise that assisted the Council in providing pupil projections to estimate the likely future demand for school places. The County Council's response to the headline requirements resulting from the SCAP survey was set out in the Nottinghamshire SEND Place Planning Strategy 2021-2026. As part of this response, additional specialist placements had been delivered and there were several current projects were underway. Two further projects were planned.
- The Council had been successful in its bid to build another 166-place school funded by DFE. The Council was writing to the new Government to seek their confirmation of their commitment to this build. Upon successful completion of all projects, the number of places created would exceed the number of places identified in the Strategy. Developer contributions to SEND Provision through Section 106 agreements and other associated financial implications was also acknowledged.
- There were also ambitions for alternative provision as part of a Framework for new Independent Non-maintained Specialist Schools.
- Currently many children and young people continued to wait too long for EHCP assessments and appropriate specialist provision to meet their needs.

In the discussion that followed, members raised the following points and questions:

- Further information was sought regarding the numbers of children and young people from outside of Nottinghamshire who accessed services in the county and asked whether there was additional funding available to ensure that this did not negatively impact on the number of places available for Nottinghamshire children.
- More information was requested regarding the completion dates on the delivery of the projects that were underway to deliver additional special school places across Nottinghamshire.
- Members asked whether there had been a noticeable change in the number of requests for EHCP assessments compared to before the Covid-19 pandemic.
- Members noted that Council had made good progress in ensuring that there would be sufficient provision of SEND places in the future but agreed that greater SEND provision would still be needed to ensure that there was sufficient specialist educational provision for young people in Nottinghamshire in the future.

In relation to the points raised by the Committee, the Cabinet Member for Education and SEND and officers provided the following responses:

- The Council focussed on how many children that there would be in Nottinghamshire and how many places would therefore be needed in future years. This was a process set by the Department for Education. The Service remained mindful of how many children were placed out of County.
- Funding for specialist education provision was separate to the from the EHCP process to help reduce some of the bureaucracy which was in place due to a historic lower proportion of children with EHCPs. The recalculation of funding was based on a number of factors, including where children with higher levels of needs were moving between provision.
- Information was provided on how children from outside of the County impacted on the funding and delivery of specialist school places.
- 92 additional specialist school places had been delivered by working with partners. More work was ongoing to create another 260 places. The Service worked very hard alongside colleagues in the property department to ensure regular updates were received.
- There had been a change of policy by the Government around how support was provided to parents and carers. The volume of children with lower level SEND issues had increased over recent years. This need would always aimed to be met by the graduated approach that had been used in Nottinghamshire

for many years that aimed to support children in mainstream schools and that provided additional support whether or not an EHCP was in place or not.

- It was noted that the Covid-19 pandemic had had a lasting impact on school attendance. Across the country one in five children had not returned to normal levels of school attendance and were regularly absent from school. A peak in non-attendance between years 6 and 7 had been seen and higher anxiety levels among these children had been observed.
- The Cabinet Member, the schools could not be built quick enough to meet the need, but funding had been increased by over one million this year to do even more work to address the need.

The Chairman thanked the Cabinet Member for Education and Special Educational Needs and Disabilities (SEND); the Executive Director for Children and Families; the Service Director for Education, Learning and Inclusion; and the Group Manager for Youth and Families for attending the meeting and answering members' questions.

RESOLVED 2024/16

- 1) That the report be noted.
- 2) That the following issues raised by the Committee in its consideration of the report be progressed:
 - a) That once available, the upcoming Local Government Association/County Council Network report on SEND be circulated to the members of the Children and Families Select Committee.

9. CHILDREN AND FAMILIES' DEPARTMENTAL PERFORMANCE, RISKS AND FINANCIAL POSITION – QUARTER 4 2023-4

Consideration was given to a summary report in respect of Children and Families Department's performance against the Ambitions set out in the Annual Delivery Plan. The report also summarised key departmental risks and the Department's financial position for the current financial year. The report was presented by the Cabinet Member for Children and Families. The presentation highlighted the following points:

In the discussion that followed, Members raised the following points and questions:

- The gap between disadvantaged children was narrowing, and this was seen as a positive and welcome improvement.
- Additional assurances were requested regarding children's attainment rates on exams.
- Concerns were expressed regarding the high number of SEND children who were excluded from schools. The rate of exclusion was five times what it was

the previous year. Members sought to understand more about plans to improve inclusion.

- Child protection case review statistics were below the national average, and more information was requested around actions taken to address this.

In relation to the points raised by the Committee, the Cabinet Member for Children and Families and officers provided the following responses:

- Due to the impact of the Covid-19 pandemic, exams had not been taken with grades assessed by teacher assessments. With the return to exam assessment now having resumed, exams grades nationally had lowered and returned to pre-pandemic levels.
- There had been an increase in suspensions and exclusions. The decision to exclude or suspend a child or young person was made by the Head Teacher of the school. The Service maintained the position that there should be the lowest levels of exclusions possible. Officers worked with schools on a number of local authority exclusions cases to address these challenges.
- The Service Director for Help Protection and Care assured members that steps had been taken regarding child protection case reviews to ensure these were being carried out with all relevant professionals were in attendance, even if this meant missing time delivery targets slightly as this approach would support the better delivery of outcomes for children and families.

RESOLVED 2024/17

- 1) That the report be noted.
- 2) That a further report on the Children and Families Department's performance, risks and financial position be received at the October 2024 meeting of the Children and Families Select Committee.
- 3) That the following issues raised by the Committee in its consideration of the report be progressed:
 - a) That a breakdown of the information on the "Percentage of pupils in primary, secondary and special schools permanently excluded" be circulated to the members of the Children and Families Select Committee.

10. WORK PROGRAMME

Consideration was given to a summary programme of scrutiny work for the municipal year 2023-2024. This was the last meeting included in this work programme. There would be a meeting for committee members held the following day at 1.30pm to develop the work programme for the coming year.

RESOLVED 2024/18

- 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.
- 3) That the following items be considered for inclusion in the Children and Families Select Committee's Work Programme:
 - The potential impact on demand for school places around changes to VAT on private school fees.

The meeting closed at 12.36 pm.

CHAIRMAN