

Cabinet-Supplementary Agenda

**Date & time**

Tuesday, 15
December 2020 at
2.00 pm

Place

Remote Meeting
MS Teams

Contact

Vicky Hibbert or Huma
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Chief Executive

Joanna Killian



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Cabinet Members: Mrs Natalie Bramhall, Mr Mel Few, Mr Matt Furniss, Dr Zully Grant-Duff, Mrs Julie Iles OBE, Mr Colin Kemp, Mrs Mary Lewis, Mrs Sinead Mooney, Mr Tim Oliver and Ms Denise Turner-Stewart

Deputy Cabinet Members: Miss Alison Griffiths, Mr Edward Hawkins, Miss Marisa Heath, Mr Mark Nuti and Mrs Becky Rush

4 PROCEDURAL MATTERS

a Members' Questions

(Pages 1
- 4)

One Member question has been received. A response from Cabinet is attached.

b Public Questions

(Pages 5
- 6)

One public question has been received. A response from Cabinet is attached.

5 REPORTS FROM SELECT COMMITTEES , TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL

(Pages 7
- 10)

Cabinet to consider the following:

- A. Report of the Epsom and Ewell Local Committee (Cabinet response attached).

Joanna Killian
Chief Executive
Monday, 14 December 2020

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CABINET – 15 DECEMBER 2020**PROCEDURAL MATTERS****Members Questions****Question (1) Chris Botten (Caterham Hill):**

Surrey County Council has recently had to accept the findings of the Local Government and Social Care Ombudsman report that showed it was at fault regarding a recent SEND transport complaint, which resulted in an apology and reimbursement of costs to the family of the young person concerned.

The nature of any complaints made to the Council are a good measure of the residents' experience of a service and should be considered particularly significant in a period of wholesale service transformation. Equally, how the Council engages with the complaint process itself, including its timely and appropriate responses to the problems raised and its readiness to take action to put things right where necessary, all illustrate how seriously it takes the issue of feedback from its service users.

In the light of these comments will Cabinet Members:

1. Ensure the timely publication of the Children's Services Annual Complaints Report for the period 01/4/19 – 31/03/20 which is (to date) still not publicly available;
2. Explain what steps have been taken to address the concerns raised by the LGO in its annual letter to the Council in July this year, which included:
 - a. Delayed responses to several investigations; 19 out of 43 enquiries were responded to too late. ("While staff shortages, restructuring and the need to contact various third parties were reasons provided on some cases, others had no justifiable reason for delay.")
 - b. The need for a single point of contact to coordinate with the LGO office and signpost matters to the appropriate services across the Council. ("Delays by the Council add to the frustration experienced by complainants and can cause further avoidable distress and uncertainty. I ask the Council to reflect on this and take steps to improve its response times").

Reply:**Background**

The Council has three complaints procedures; one for Adult Social Care, one for Children's Services and one for all other council services. The procedures for dealing with complaints about Children's and Adult's social work services are statutory. The corporate complaints procedure (covering all other Council services) is based on best practice. We have three Customer Relations Teams within the Council responsible for managing these procedures in their respective areas; one within Adult Social Care; one within Children's and Education and one centrally based within Customer Services. This central team also helps to coordinate our overall approach to managing customer complaints, as well as our contact with the Local Government & Social Care Ombudsman.

1. Information about children's social work and education complaints forms an integral part of the Council-wide annual complaints report. The report covering the year 2019/20 has been published and was considered by Audit & Governance Committee on 1 October 2020.

In addition, the Children's Customer Relations Team produces its own annual report. This report was completed as usual; however there has been a delay in publishing it on the Council's website. This has in part been due to the unprecedented challenges faced by staff this year as part of the response to the COVID pandemic, as well as compliance issues with the new EU Accessibility Directive, which came into force in September 2020. This Directive sets out new legal standards for public service websites and means we are not able to upload the report in the way we have done previously. The report needs to be re-formatted to ensure it is fully accessible and compliant with the new legal requirements when it is uploaded to the website. It can take a significant amount of time to bring detailed documents of this nature up to the required standard. While this work is being completed, a message has been placed on the website indicating copies of the report can be requested directly from the Children's Customer Relations Team by emailing be.heard@surreycc.gov.uk

A Council-wide engagement and training piece on digital accessibility and the new legal requirements is currently underway, to ensure staff responsible for digital content are clear on what constitutes a simple enough design which is as accessible and inclusive as possible.

Following a recommendation from Audit & Governance Committee this year, next year we will be producing a succinct, widely accessible summary of the Council-wide annual complaints report, which will include information on complaints about Children's Services and Education.

2a. In addition to setting out the complaints received by his office and their outcomes, a key part of the Local Government & Social Care Ombudsman (LGSCO)'s annual review letter is to identify how we can improve our practice. As with every year, we carefully considered the comments made and took specific actions:

- an individual review of each of the 19 cases where the response was late, to understand in detail the exact reason why and take any necessary remedial action
- improved and streamlined the centralised reminder system for LGSCO enquiry and remedy deadlines
- actively engaged with service areas to reinforce the priority status of LGSCO enquiries and the importance of providing timely information in response to these enquiries to ensure deadlines are met

These actions were in addition to progressing wider improvement work, which has included:

- implementation of a new centralised electronic complaints management system, providing greater oversight of cases
- realignment of complaint handling resource to meet demand in high-profile service areas
- notification to the relevant Cabinet Member of any Ombudsman investigations in order to provide better elected member oversight
- including analysis of the Ombudsman's annual letter within the Council's annual complaints report, and conducting a benchmarking exercise with similar local authorities to identify learning opportunities to improve complaints handling

- ongoing complaint handling training & briefings for staff to improve quality and timeliness of responses

2b. I can confirm that the Council already has single point of contact arrangements in place for the LGSCO. We have a named 'link officer' to help manage overall contact with the Ombudsman's office and to ensure enquiries are quickly and correctly routed to the service area responsible for collating the response. Following receipt of the annual letter, we contacted the lead Assistant Ombudsman for our area to reconfirm these arrangements and to ask that these are followed by LGSCO investigators.

While most contact is routed through the designated link officer, it is important to note that there will be occasions where an individual officer may need to respond to the Ombudsman directly due to their specialist knowledge of a case.

I agree that the nature of any complaints made to the Council are a good measure of the residents' experience of a service and that how we as an organisation engage with the complaints process shows how seriously we take customer feedback.

It is worth highlighting that of 1307 complaints received by the Council in 2019/20, in 3.7% (49) of the cases the Ombudsman undertook detailed investigation. The significant majority were dealt with locally through the Council's own complaints process, in line with our aim to resolve complaints early and as close to the point of service as possible.

The Ombudsman's data for last year also showed that Surrey County Council had significantly increased the percentage of complaints where a satisfactory remedy had already been offered before the complaint reached the Ombudsman - 18% compared to 4% the previous year. This was double the average for comparable authorities.

This is encouraging as it reflects the significant work done over the past year to focus on identifying appropriate remedies/resolutions for complaints, so we can put things right for our residents at an early stage wherever possible.

It was also positive to note that in his press statement on the public report about the SEND Transport complaint, the Ombudsman welcomed the proactive way the Council had responded to remedying the complaint for the family and our willingness to review how our services can be improved in future.

Dr Zully Grant-Duff
Cabinet Member for Corporate Support
15 December 2020

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CABINET – 15 DECEMBER 2020

PROCEDURAL MATTERS

Public Questions

Question (1): Mr Andrew Matthews

The Government has recently announced new rules for Special Educational Needs and Disability (SEND) funding, restricting how Local Authorities fund SEND. How is Surrey County Council going to continue to meet its obligations under the Children and Families Act 2014, to secure special educational provision and health care provision, in accordance with the wide variety of individual Education and Health Care Plans, and how will this impact schools caring for SEND children?

Reply:

For the financial year 2020/21 the DfE introduced financial restrictions on local authorities to prevent them adding additional monies to schools' budgets and this included SEND, but there is nothing new in the financial regulations for 2021/22. The DfE expects mainstream schools to fund the first £6000 of additional support per pupil if they have special educational needs from their school budgets. When a child has an EHCP the local authority may allocate additional funding to support other elements of a pupil's needs that are set out in their EHCP.

Schools in Surrey are funded to meet the needs of all children through a funding formula set by national government. All schools are consulted on these funding arrangements every September so that they can plan their budgets for the following academic year. There are protections built into these arrangements to ensure every pupil receives a guaranteed minimum, which was increased substantially by government through £7bn additional investment in school funding by 2022-23. The funding arrangements in Surrey also protect small schools from sudden or significant changes in their funding levels which would be difficult to manage.

Supporting our more vulnerable residents – including children with special educational needs – is our number one priority; we are always working hard to ensure we can improve the lives and life chances of these young people.

Over and above national funding, Surrey County Council is making significant additional investment in our schools.

Cabinet has committed £69million of capital investment to deliver an additional 1,100 special school places for children with special educational needs (SEN). The Council is committing a further £32million of its budget this year, above the national funding, on provision such as speech and language therapy for children with SEN. And the £100million Your Fund Surrey will build community capacity which will benefit local schools and pupils.

We must scrutinise the impact of the services we deliver and fund – as residents would rightfully expect – and we firmly believe that the way some of our funding is currently allocated to support children with SEN in our schools is not effective. It simply does not have the positive impact it should have on the lives of these young people.

We are therefore proposing changes that that provide the right level of support and help young people to gain independence where possible and transition to adulthood successfully. And to

do so in a way that is sustainable, giving schools the ability to use funding and resources collectively and more flexibly.

The Surrey SEND System Strategy 2019-22 outlines our ambitions as a partnership to improve outcomes for children and young people with SEND aged 0-25 in Surrey. We recognise the importance of supporting our children's journey to independence by increasing inclusion at all stages of their lives and ensuring access to the right information and support at the earliest possible stage. Our focus as a partnership in 2021 is making sure we have the capacity, skills and provision in place to help children thrive in their local communities.

Mrs Julie Iles
Cabinet Member for All-Age Learning
15 December 2020

EPSOM & EWELL LOCAL COMMITTEE**Item under consideration: Highways Update****Date Considered: 7 December 2020****Key points raised during the discussion:**

- The Local Highways Manager's report outlined that the anticipated Highways budgets available to the Epsom & Ewell Local Committee next Financial Year 2021-22 will be in line with the council's Medium-Term Financial Strategy, as follows:
 - Committee revenue: £0
 - Member revenue: £37,500 (£7,500 per Division)
 - Capital: £155,600
 - **Total: £193,100**
- This is a reduction on the budget available in 2020/21 of £254,500. Members were disappointed at the lower level of proposed funding.
- Epsom & Ewell although a small Borough in terms of road length has one of the most heavily used road networks in the County and now has the lowest level of local funding to address issues with these roads.

The Committee agreed to:

Express its concern that the Local Committee Highway allocation is facing a proposed cut from £254,500 in 2020/2021 to £193,100 in 2021/2022. The funding is already inadequate, and the lowest in Surrey, and a budget cut of £61,400 equates to nearly 25%. In addition, the current formula for allocating local funding does not reflect road usage, which penalises Epsom and Ewell with its high road usage compared to much of Surrey. The Local Committee therefore calls upon the Cabinet Member for Transport,

- To review this proposed cut and restore the funding to at least the allocation figure for 2020/2021
- To amend the formulae for allocating Local Highway funding so that it reflects road usage and not the length of road or geographical area.

Cllr Tina Mountain

Chairman of the Epsom & Ewell Local Committee

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CABINET- 15 December 2020**CABINET RESPONSE TO THE REPORT OF THE EPSOM & EWELL LOCAL COMMITTEE****Recommendations:**

The Epsom and Ewell Local Committee express its concern that the Local Committee Highway allocation is facing a proposed cut from £254,500 in 2020/2021 to £193,100 in 2021/2022. The funding is already inadequate, and the lowest in Surrey, and a budget cut of £61,400 equates to nearly 25%. In addition, the current formula for allocating local funding does not reflect road usage, which penalises Epsom and Ewell with its high road usage compared to much of Surrey. The Local Committee therefore calls upon the Cabinet Member for Transport,

- To review this proposed cut and restore the funding to at least the allocation figure for 2020/2021
- To amend the formulae for allocating Local Highway funding so that it reflects road usage and not the length of road or geographical area.

Cllr Tina Mountain
Chairman of the Epsom & Ewell Local Committee

Cabinet Response:

The figures provided to the Epsom & Ewell Local Committee were based on the draft budget in the Medium-Term Financial Strategy. I am pleased to confirm that the capital allocation for the Local and Joint Committees has been increased to £3m. This means that the level of highway funding under the direct control of Epsom and Ewell Local Committee Members will be at the same level as in 2020/21.

Capital	£217,000	
Revenue	£37,500	(£7,500 per Member)
Total	£254,500	

Plus any on-street parking surpluses / developer contributions

Careful consideration is given to how the capital allocation is distributed between the eleven Local / Joint Committees. It is no longer allocated according to road length but is split on the basis of how many County Councillors there are on the Committee. Each County Council division has broadly the same number of constituents, with a wide variety of pressing highway concerns. But to avoid penalising the smaller Boroughs such as Epsom & Ewell, each Committee is awarded £100,000, with the remaining budget (£1,900,000) shared in line with the number of Members. If we were to allocate only in line with the number of Members, Epsom & Ewell's share of capital would reduce by £32,000 to £185,000.

It should be recognised that the County Council's highway capital investment programme is based on sound asset management principles. This means that those roads in most need of maintenance works will be prioritised, regardless of where there are situated in the County.

Reply from Mr Matt Furniss
Cabinet Member for Transport
15 December 2020

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