

MINUTES of the meeting of the **CHILDREN, FAMILIES, LIFELONG LEARNING & CULTURE SELECT COMMITTEE** held at 10.00 am on 6 July 2022 at Woodhatch Place, 11 Cockshot Hill, Reigate, RH2 8EF.

These minutes are subject to confirmation by the Committee at its meeting on Tuesday, 4 October 2022.

Elected Members:

- Ayesha Azad
- * Liz Bowes (Chairman)
- * Fiona Davidson
- * Jonathan Essex
- * Rebecca Jennings-Evans
- Rachael Lake
- Michaela Martin
- Lesley Steeds
- * Mark Sugden
- * Liz Townsend
- * Chris Townsend (Vice-Chairman)
- * Jeremy Webster (Vice-Chairman)
- * Fiona White

Co-opted Members:

Mr Simon Parr, Diocesan Representative for the Catholic Church
Mrs Tanya Quddus, Parent Governor Representative
Mr Alex Tear, Diocesan Representative for the Anglican Church,
Diocese of Guildford

24/22 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from Ayesha Azad, Lesley Steeds, Michaela Martin, Rachael Lake, and Simon Parr.

David Harmer substituted for Lesley Steeds and Saj Hussain substituted for Rachael Lake.

Rachael Lake attended the meeting remotely.

25/22 MINUTES OF THE PREVIOUS MEETINGS: 1 JUNE 2022 [Item 2]

The minutes were agreed.

26/22 DECLARATIONS OF INTEREST [Item 3]

None received.

27/22 QUESTIONS AND PETITIONS [Item 4]

Witnesses:

Denise Turner-Stewart, Cabinet Member for Education and Learning

Liz Mills, Director – Education and Lifelong Learning

1. Five questions were received from Fiona Davidson.
2. The Member asked a supplementary question on the timeliness of Educational Health and Care Plans (EHCPs); why had there been a significant decline in the number of EHCPs delivered from January and February 2022 onwards. The Director explained that this was due to a number of factors, such as an increase in demand, and changes in staffing and turnover. There was also a national shortage of educational psychologists, with a 40% vacancy rate in the team. A different approach to attracting staff had been adopted, in terms of pay and rewards. The Education Service had been targeting trainee educational psychologists, as well as working with associates and retirees to encourage them to return to work.
3. The Member queried the target of a 70% completion ratio, noting that in the south west quadrant, the current ratio was 17%. Had 70% ever been achieved and was this a realistic target. The Director explained that the Service had been achieving above 70% completion ratio at many points and were achieving that at points during the pandemic. The completion ratio was 65% on average for the cumulative total. The Director had confidence in the target and explained that it was a stretch target but was considered a milestone to the aim of achieving 100%. The Cabinet Member emphasised that the quality of assessments was just as important as the timeliness of them.
4. A Member queried what the cumulative target was for the year. The Director explained that there was no forward planning around the cumulative target, as the focus was on in-month timeliness.

28/22 SCHOOL PLACE SUFFICIENCY [Item 5]

Witnesses:

Denise Turner-Stewart, Cabinet Member for Education and Learning

Liz Mills, Director – Education and Lifelong Learning

Key points raised in the discussion:

1. The Cabinet Member introduced the report, noting that sufficiency was good in mainstream schools and that the Service was working hard to increase the number of special educational needs and disabilities (SEND) places to enable children to be able to attend their local school. There was a trend of falling birth rates, producing vacancies in primary schools which was unevenly spread across Surrey. Over 50% of schools were already academies and the Schools Bill would strengthen the Council's role with admissions.
2. A Member questioned whether the Council was pushing schools to become academies and join multi-academy trusts (MATs), which resulted in the Council having less control over such schools. The Director explained that both the White Paper and the Schools Bill stated that all schools would need to become academies by 2030, although primary legislation was not being altered to mandate this. The Council had always supported choice for schools and becoming an academy was one choice. Academisation was not viewed as a solution to the sustainability of schools on its own. However, broader support and shared leadership arrangements could be provided through a multi-academy trust. The Member enquired as to whether the Council wanted to set up academies themselves and establish an academy trust. The White Paper would allow for local authority multi-academy trusts, although, there was no expression of interest by the Council at this stage. MATs tended to be established in areas with a low prevalence of existing trusts and there were criteria set by the Department of Education (DfE). If the Council established a multi-academy trust, it would need be clear about the benefits it would provide and its purpose distinct from other trusts.
3. A Member asked about how demand versus capacity was managed in the secondary sector where the schools were predominantly academies. The Director responded that the Education Service took a collaborative approach with schools to their organisation, to ensure that there was a balance of schools that enabled everyone to thrive. It was agreed with schools when to increase or decrease capacity.
4. In response to a question on ensuring that places were filled, and requisite staff were recruited, the Director explained that in relation to the Council's special schools, one of the criteria

employed was the capacity of the school to deliver an increase of places. It was not simply about having the physical space for an increase. In terms of recruitment, there had been a difficulty in recruiting teaching assistants and the Service had been working with schools to enable them to resource them appropriately. The Director noted that there had been an overreliance on teaching assistants over time. There were not difficulties in filling school places and there was a centralised team in the Gateway to Resources team who coordinated the places. The aim was to create equal access for children countywide, which was still being worked on as some units and centres had witnessed an increase in some areas of need and a decrease in other areas.

5. A Member asked about the distribution of Ukrainian and Afghan asylum seeking children across Surrey and the associated impacts. The Service Manager explained that Afghan refugee children were placed in hotels in three areas and all of the children there had been placed in local schools. There were 37 children based in Leatherhead, 18 children based in Camberley and, 18 children based in Stanwell. The normal application process was followed. Regarding Ukrainian refugee children, 790 had arrived, of those 619 were of statutory school age. They had arrived via the Homes for Ukraine route. There were other Ukrainian children arriving from the family route. There had been 608 applications for school places this academic year. Ukrainian children were mainly concentrated in towns including Elmbridge, Surrey Heath, Woking, Mole Valley, and Waverley. There had been some pressure on places for year seven in these areas, with Farnham and Ash experiencing the most pressure for places. The Service was looking at how to resolve this for September and was monitoring it closely. The Member shared concerns around the ability to place younger children in schools that were local to them.
6. A Member queried the extent to which local development plans were taken into account when considering future school population numbers. The Service Manager assured the Committee that the Service had regular dialogue with local planning authorities. They were looking at the emerging need and would look for contributions from developers to create additional places. Although there were currently falling rolls for primary schools, in 10 to 15 years the position could change even if this period was beyond the normal forecasting period.
7. In response to a question on the impact the Schools Bill could have on Surrey, the Director explained that an all-Member

briefing was being planned for early autumn on this. The Bill and White Paper provided opportunities, such as clarifying the role of local authorities as a champion of all children and increasing the Council's role around permissions regarding elective home education. The Member also questioned whether the programme would deliver the same level of sufficiency for both SEND places and mainstream places. The Director responded that the programme included stretch targets for all children over the quality of teaching. The SEND programme modelled future demand and would be refreshed every year to account for any changes to bring a level of sufficiency for SEND places. There could be policy changes from the Green Paper to create an inclusive system in mainstream schools. The Cabinet Member added that there was flexibility built into the programme, as they were able to accelerate and shift attention to a range of different projects where needed. The Member requested a briefing to cover both the positive and negative impacts that the Bill could bring.

8. A Member asked about the impact of federalisation on rural schools and how this work linked to the Council's Local Transport Plan. The Director responded that the plans were made at ward level, and they worked with colleagues corporately to align their work with the wider ambitions of the Council, including transport planning. The Service had been observing difficulties in some schools regarding their sustainability. This was occurring across the country. They needed to observe the realities and work through possible options. The Service Manager added that the DfE had a presumption over the closure of rural schools, whereby the impact on the local community was looked at closely prior to a closure. Children could face an educational disadvantage if there were not enough staff to offer the full curriculum, due to the small numbers of school children. The Cabinet Member emphasised that the Council valued rural and smaller schools.
9. In response to a question on considering longer term demographic patterns, the Service Manager explained that there were predictions available through the Office for National Statistics (ONS) around future birth rates. The Service looked at a ten-year period, however, the Service Manager was keen to look beyond that as local plans often went beyond a ten-year period. The ONS data was predicting the downturn of live births continuing.
10. A Member queried whether there was a gap in provision for refugees aged 17-18 years old and were unable to speak

English. The Director explained that the Service was determined to ensure that this cohort did not fall through a gap in provision. The Service was updating their information, advice, and guidance for college aged Ukrainian refugees. Courses on English as a second language (ESL) were available in three locations and they wanted to make this offer more widely available. It was important to meet the needs of adults in this cohort as well. The Cabinet Member added that the Service was ensuring that career guidance and online tools were accessible.

11. A Member asked whether the Council was successfully negotiating with mainstream schools to increase the number of SEND places, in order to meet the requirements of the Safety Valve agreement. The Director explained that academies had responded well to the request and there had not been any barriers thus far. The Service would be working exclusively with academy trusts in the future if the legislation on academies gets agreed. The Cabinet Member shared that there was a voluntary gesture from academies to take a neutral approach and they had been involved in the Inclusion Roundtable.
12. A Member asked about the Council's work around recruitment of future teachers. The Director responded that there had been a concern for some time about schools being able to ensure sufficiency of their workforce exacerbated by the pandemic and changes of the market. The Service was trying to remove some of the barriers to teach in England, such as converting qualifications from elsewhere in the world.
13. A Member queried the level of focus on future teachers in the report, emphasising the importance of teaching assistants. The Director reassured the Committee that they recognised the value of teaching assistants, however it was about also recognising the wider range of professionals, as a teaching assistant may not always be the most appropriate professional to meet a child's needs. The Service was looking at funding schools to provide them with greater flexibility in terms of staffing. The recruitment issues were not felt equally across all types of teaching. For example, in secondary schools, there was a lack of maths, physics, and modern foreign languages teachers. The workforce challenges were not viewed as a high risk to the programme and there were appropriate support mechanisms in place to mitigate such issues, as well as close monitoring.
14. The Member also questioned whether there was an active programme to review rural schools. The Director explained that there were no plans to close rural schools. The Service needed

to acknowledge the risks for those schools, as if not, there would be a decline of standards. There had been three occasions in the last five years of reconfiguration of provision, done in partnership with the local community. The Service was proactive about sustainability of schools and held a conference last September to share the issues with these schools. Often this then manifested itself in the form of a one-to-one conversation with the school about their plan for the future. The Cabinet Member added that close monitoring of the workforce took place with the People, Performance, and Development Committee, such as recently improving the package for educational psychologists.

15. A Member queried whether there was an update regarding the capital bid to the DfE to deliver Phase four of the SEND Programme. The Director clarified that they had been awarded £8.5 million, which was less than was requested. The DfE had since opened a further free school programme, which the Service hoped to secure more funding through.
16. A Member asked whether the September 2024 timeframe was still realistic for the realisation of the capital programme and whether the 42 projects would be delivered between 2023 and 2025. The Cabinet Member was confident that the ambition to deliver by 2024 was sound and it was currently on track. There was frequent monitoring of the projects and flexibility was built into the programme for when opportunities arose. There could be pressures in the coming years, which was why the groundwork had been put in now.

Chris Townsend left the meeting at 11:27am.

17. In response to a question on the potential impact of increases in construction costs and delays of the programme, the Director explained that Land & Property officers were managing this on their behalf and had been working hard to mitigate any issues related to supply and inflation. For example, by planning ahead, having contracts in place, and securing provision and materials in advance. The Council was committed to delivering the programme. Where the need arises, they would take it to Cabinet Decision Making. The Cabinet Member added that there was flexibility in place to allow funding to be increased to make up for any inflation needs. The process was coming to the next Cabinet meeting.

RESOLVED:

The Select Committee:

1. Notes the changing education landscape including issues arising from a changing demographic and a new Schools Bill.
2. Supports the proactive approach taken to identify schools that may need a supported conversation to identify and pursue options that are right for the children in their community and in the wider area.
3. Supports the programme of investment agreed in order to achieve a sufficiency of places for children in Surrey.
4. Notes the importance of continued partnership working and the essential collaboration with providers and partners required to deliver improved outcomes for children.

29/22 CORPORATE PARENTING ANNUAL REPORT REGARDING LOOKED AFTER CHILDREN [Item 6]

Witnesses:

Clare Curran, Cabinet Member for Children and Families

Tina Benjamin, Director – Corporate Parenting

Key points raised in the discussion:

1. A Member asked whether kinship carers were paid at the same rate as general types of carers. The Director explained that the payments were complicated. The payment for the child would be the same, however, the skills payment for the carer was dependent on their experience and therefore it varied.
2. A Member questioned what the target date was for the benchmarking study regarding payments for carers compared to surrounding counties. The Director stated the study would be ready by 18 July 2022. The Corporate Parenting Service had agreed a 3% increase to the child payment to account for the rising cost of living, which would be backdated from 1 April 2022. They wanted any change to be future proofed and any further changes would just be based on inflation. The review was taking longer as the published information of other counties was not always accurate and they wanted to consult with carers. The Member noted that Surrey was an expensive place to live, and

the Council was behind surrounding counties even with the child payment. The Director explained that the Council was competitive with the payment for younger children, but less so for older children.

3. A Member asked how many homeless 16- and 17-year-olds there were in Surrey each month on average. The Director replied that there were six on average.
4. In response to a question on the low rates of adoption in Surrey, the Director explained that low rates were a national trend, however, Surrey's rates were lower than regional neighbours. It was important to have the right individual care plan for a child and to keep children connected to their families. Adoption rates needed to be looked at in correspondence with special guardianship order outcomes (SGO outcomes). Adoption Southeast performed well at family finding for children and there were not high numbers of placement orders. The Service had improved permanency planning. However, the rates of adoption did depend on the outcomes of court hearings.
5. A Member asked about the other types of placements and the sufficiency of Surrey foster carers. The Director explained that the sufficiency strategy was a three-year plan, and it was ambitious. Ofsted considered it a robust plan and it would continue to be reviewed annually. There was a refreshed Recruitment and Retention Board which included foster carers, and they were supportive of the measures being taken. However, there was a national shortage of foster carers and post-pandemic, a number of foster carers had retired. The Cabinet Member shared that the Fostering Service had undergone a peer review by Essex County Council who made some recommendations about how the Service could be changed. Although money was still important to foster carers they were unlikely to leave for financial reasons.
6. In response to a question on payment allowances for kinship carers taking on children remedially, the Director explained that if kinship carers came through care proceedings, there was an automatic right to be financially assessed. If the arrangements were made informally, between families, often the Council would be unaware of the arrangement. The Council could financially support any family in the community to keep children out of the care system, including if the family approached the Council, due to Section 17(6) of the Children's Act 1989. The Council also had a contract to support SGO carers and this would be opened up to any kinship carer.

7. A Member asked about partnership working for mental health and wellbeing services for looked after children and care leavers. The Director explained that there was a dedicated service for this cohort and Ofsted reported that the Service supported children and young people's wellbeing well. Regarding the issue around the provision of essential information for carers, this was due to both a practice and technical issue. The practice issue was clear, and the technical issue would be resolved by 15 August 2022.
8. The Member also asked about the views of children and young people about the services and engaging with social workers. The Director explained that on an individual level, every child had a review at a minimum of every six months about their care plan, and they were more regular when they first entered the system. There was a 94% completion rate for those reviews. In terms of a wider understanding of the cohort, there was a well-established User Voice and Participation team which included different groups such as, care council for juniors and for seniors. These groups had themed meetings and surveys which corresponded with the themes of the Corporate Parenting Board (CPB) meetings. There was also an annual survey of all looked after children and young people (the Big Survey). Last year, the Service also commissioned the Bright Spots survey which provided nationally comparable data which would be brought to the CPB. The most frequent complaints were around changes in placements and social workers. The relationships between children and young people with social workers varied, often they were easily to build with younger children.
9. A Member raised the issue of a lack of continuity in social workers for children in care. The Director responded that the turnover in looked after care team was much lower than for the family safeguarding team. When children were living at home and it was no longer safe, they stayed in the family safeguarding team during the period of court proceedings. Vacancy rates had decreased for social workers. Regarding placement breakdowns, the Service was working hard to support placements and getting the correct match in the first instance.
10. A Member asked whether there were foster carers in Surrey who looked after children from other counties. The Director explained that there were 1,050 looked after children, 30% of those were UASC. Despite not having a home based in Surrey, they were considered to be children in the care of the Council. Independent

fostering agencies had foster carers based in Surrey that could take in children from anywhere.

RESOLVED:

1. The Select Committee notes the Corporate Parenting Board Annual Report and Performance Report in relation to Looked After Children.
2. The Select Committee are to receive a report next year which will include:
 - a) any relevant national policy developments that impact Corporate Parenting;
 - b) the key performance data for year ending March 2022 for Looked After Children as compared with statistical neighbours and nationally.

30/22 CHILDREN'S SERVICES (ILACS) INSPECTION FINDINGS [Item 7]

Witnesses:

Clare Curran, Cabinet Member for Children and Families

Matt Ansell, Director – Safeguarding and Family Resilience

Key points raised in the discussion:

1. A Member asked for the witnesses' assessment of why the progress from an inadequate judgement had been slow and asked whether the Service was aiming to reach outstanding as agreed by a motion at Council. The Cabinet Member responded that it was important to be realistic and look at the judgement in the context of the whole Council. There was a long history of inadequacy, and it took the appointment of the current Chief Executive and the previous Director of Children's Services to provide a clear and detailed plan for a turnaround. The journey was consistent with other local authorities. The monitoring visits demonstrated the improvement over time and the impact of the pandemic could not be underestimated. The staff were committed to achieving an outstanding Ofsted judgement.
2. A Member asked whether there would be any key performance indicators (KPIs) to enable the Committee to track progress and queried the lack of due dates and interim targets in the plan. The Cabinet Member explained that there was a substantial amount

of performance data information, and it was for the Committee to decide how much they wished to receive.

3. A Member queried the ratio of permanent to agency staff and asked why problems persisted with recording and evaluating information. The Director shared that there was an increase in the amount of permanent, qualified social workers in Surrey but 30% of the current case holder social workers were agency staff and there were around 130-140 vacancies. Nationally, there was a shortage of social workers, the Council had doubled its cohort of newly qualified social workers and were hoping to build on this in the following year. The Member asked about the work to improve the performance of supervising managers. The Director explained that all front-line staff and managers had the opportunity to be trained in motivational interviewing. There were also workshops looking at how leaders supported and embedded principles on working with families and supporting staff.
4. In response to a question on the differing terms used by internal and external communications in relation to Ofsted judgements, the Director explained that internally Children's Services was using the term 'excellence' which was equivalent to Ofsted's use of 'outstanding'. The Member noted that at Council it was agreed for the Council to use the same wording for internal and external communications. The Cabinet Member clarified that the ambition was to become an outstanding authority and emphasised the importance of partnership working to achieve this.
5. The Member also asked about the lack of transformational changes included in the improvement plan. The Director clarified that the Service did not need to change the direction of travel, rather it was about embedding practices instead. The Impower organisation had been commissioned to carry out a piece of work to look at how to bring out the changes required. The report had been published and the Service were considering the recommendations and aligning them with timescales and KPIs. The Director added that there were extensive performance dashboards which were regularly scrutinised, and the Service could look at how to make this presentable for Members.

RESOLVED:

1. The Select Committee to receive a further update on the progress made delivering the children's services 'Achieving Excellence' programme in Autumn 2022.

31/22 CHILDREN'S HOMES OFSTED REPORTS PUBLISHED SINCE THE LAST MEETING [Item 8]

Witness:

Tina Benjamin, Director – Corporate Parenting

Key points raised in the discussion:

1. A Member asked about the recommendation regarding the 'independent scrutiny' referenced in the report. The Director explained that they would need to check this and provide an answer following the meeting.
2. A Member queried the strength of practice in children's homes, as the Ofsted judgment decreased from outstanding to good. The Director explained that it was due to the nature of the regulations of children's homes. For example, if the proportion of permanent staff was not high enough, the home would not be judged as outstanding. There were no concerns regarding practice. The home was committed to return to an outstanding judgement.
3. A Member asked who decided the registered person of a children's home. The Director explained that Ofsted decided. There was a fitness to practice interview with Ofsted, following an interview with the Council.

Actions/requests for further information:

1. The Director for Corporate Parenting to explain the recommendation to the registered manager to 'seek independent scrutiny of the home.'

RESOLVED:

The Select Committee noted the report.

32/22 ACTIONS AND RECOMMENDATIONS TRACKER AND FORWARD WORK PLAN [Item 9]

Witness:

Ross Pike, Scrutiny Business Manager

Key points raised in the discussion:

1. The Scrutiny Business Manager noted that there were too many items scheduled for the public meeting in October for it be effective. It was agreed that the October meeting would include the item on the achieving excellence programme and the item on the SEND transformation programme. The Chairman and Vice-Chairmen would agree whether to defer some of the items.

33/22 DATE OF THE NEXT MEETING [Item 10]

The Select Committee noted that its next meeting would be held on Tuesday, 4 October 2022.

Meeting ended at: 1.29 pm

Chairman