

**MINUTES** of the meeting of the **CHILDREN, FAMILIES, LIFELONG LEARNING AND CULTURE SELECT COMMITTEE** held at 10.00 am on 30 July 2024 at Council Chamber, Surrey County Council, 11 Cockshot Hill, Woodhatch, Reigate, RH2 8EF.

These minutes are subject to confirmation by the Committee at its meeting on Thursday, 12 September 2024.

**Elected Members:**

- \* Fiona Davidson (Chairman)
- \* Jonathan Essex
- \* Robert Hughes
- Rebecca Jennings-Evans
- \* Rachael Lake BEM
- \* Bernie Muir
- John O'Reilly
- \* Becky Rush
- \* Mark Sugden
- \* Ashley Tilling
- \* Liz Townsend
- \* Chris Townsend (Vice-Chairman)
- \* Jeremy Webster (Vice-Chairman)
- Fiona White

**Co-opted Members:**

Julie Oldroyd, Diocesan Representative for the Catholic Church  
Mr Alex Tear, Diocesan Representative for the Anglican Church,  
Diocese of Guildford

**Substitute Members:**

- \* Becky Rush
- \* present

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

Apologies for absence were received from Councillor John O'Reilly. Councillor Becky Rush was in attendance as a substitute.

**23/24 MINUTES OF THE PREVIOUS MEETINGS: 17 APRIL 2024 [Item 2]**

The Committee **AGREED** the minutes from the previous meeting were a true and accurate record of the meeting.

**24/24 DECLARATIONS OF INTEREST [Item 3]**

No declarations of interest were received.

**25/24 QUESTIONS AND PETITIONS [Item 4]**

One question was received from a member of the public. The question and response were published as a supplementary to the agenda.

In reply to a supplementary question from Amanda Lazenby on whether a commitment could be made to monitor appeals against issued Educational, Health, and Care Plans (EHCPs), assess the quality of those plans and publish the findings, the Cabinet Member said they monitored the monthly issuance of plans and number of appeals submitted. They also tracked the number of plans rated as Good or Outstanding and expressed a commitment to the suggestion.

## **26/24 CABINET RESPONSE TO SELECT COMMITTEE RECOMMENDATIONS [Item 5]**

### **Key points made in the discussion:**

1. Regarding the Children, Families and Lifelong Learning (CFLL) Additional Budget Allocation, the Chair said that the Committee hoped the report on the play and leisure short breaks research would address all the criteria outlined in the recommendations. It was essential to understand the impact of the new strategy compared to the current one, the specifics of how integrated play would be delivered, and how the transition would be managed. Additionally, if the needs were not being met, it was important to clarify how those needs would be fulfilled.
2. The Chair further said that all schemes should be funded to ensure they had equivalent capacity in 2024–2025 as they did in 2022–2023. They were satisfied that the Cabinet had agreed to the Service's proposed estimate of £370,000. However, it was later discovered that this estimate had significantly underestimated the restoration costs by 70% and the total cost of restoration was in fact approximately £630,000. The Cabinet was requested to reconsider and address this funding gap. A Member said that the reason for the 70% cost underestimation should be investigated and hoped that the Cabinet would support the request for the new amount.
3. Regarding the Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Capital Programmes and Specialist Sufficiency to 2031–2032, the Chair noted that the Cabinet's response did not provide the Committee with confidence that the needs of children and young people, both present and projected, would be addressed by local resources. Furthermore, they pointed out that the data used to compare needs and provisions used different categories, preventing the Committee from making reasonable comparisons. The Chair further said that the priority was ensuring appropriate school places in suitable locations rather than just the quantity and raised concerns about whether current specialist provisions could meet complex needs.
4. The Cabinet Member noted that the current programme was agreed upon and launched in 2019 and significant issues with inflation in the construction industry now made it unaffordable, leading to necessary cutbacks to adhere to the budget agreement. As a result, six projects were cancelled.

The Committee **NOTED** the response.

### **Actions/requests for further information:**

1. Additional Needs & Disabilities Transformation Consultant: To answer why it was decided not to go ahead with new SEND provision at a school and what evidence was used to determine that this decision was the best way forward.
2. Assistant Director - Strategy & Operations: To answer how a maintenance backlog was allowed to build up, and what impact it had on additional school places planned.
3. Assistant Director - Inclusion & Additional Needs: To answer if the quality of EHCP assessments commissioned should be determined to be below standard, is there a mechanism for the Council to claim its money back.

### **27/24 ACTIONS AND RECOMMENDATIONS TRACKER AND FORWARD WORK PLAN [Item 6]**

The Chair proposed establishing a Task and Finish Group to assess the availability of suitable special educational needs and disabilities (SEND) school places, a suggestion welcomed by the Cabinet Member. While the Chair acknowledged they could not reverse the Cabinet's decision on the capital programme, they aimed to assure the public that the best possible solution had been found considering the complexities of the situation.

### **28/24 HOME TO SCHOOL TRAVEL ASSISTANCE (H2STA) UPDATE [Item 7]**

#### **Witnesses:**

Clare Curran, Cabinet Member for Children, Families and Lifelong Learning  
Patricia Denney, Director – Quality and Performance  
Suzanne Smith, Director of Commissioning – Transformation  
Gerry Hughes, Assistant Director – Business Support & H2STA  
Chris McShee, Travel and Assessment Team Manager - Stakeholder Liaison  
Matthew Winnett, Travel and Assessment Team Manager – Transport Delivery  
Matt Marsden, Strategic Finance Business Partner – Strategy & Innovation

#### **Key points of discussion:**

1. The Chair said that, while huge progress had been made and the team should be proud of the improvements, challenges remained in providing a clear roadmap for families from application for a school to delivery of transport, and in improving collaboration among responsible teams. The issue of collaboration has significant implications and needs to be prioritised for attention. Parents may unwittingly choose a school, or have a school identified for them, which entails a very long journey for their children. They noted that in the 2023–2024 fiscal year, £65 million had been spent, including a £7.4 million overspend and £45 million on taxis alone. Rising costs highlighted the need to place children in suitable schools, based on their needs and locality.

2. A Member asked about how the Council compared to neighbouring councils regarding transport assistance. In reply, the Travel and Assessment Team Manager - Stakeholder Liaison said that it was important to focus on different cohorts. They noted that understanding the information and that of different authorities was as necessary to understand how these factors varied across the counties. The Chair said that it would be useful to have a breakdown of the data in relation to the population size and that of each cohort, allowing the Committee to better understand the proportionality involved.
3. A Member asked why the decision to disallow the transport of children under five years old was enforced without clear communication to families prior to finalising placements, and what percentage of appeals from families with children under five had been successful. The Assistant Director – Business Support & H2STA said that the Council's policy stated children under five were ineligible for transport, though exceptions had become common over the past two years. Previous communications led to misunderstandings, as families were informed they might receive transport. Ultimately, 28 of 59 appeals were approved, while 31 were declined.
4. The Chair said that when implementing online services, there should be consideration of the specific circumstances of parents and carers in the event they cannot use online services. The Assistant Director replied that there were ongoing efforts to enhance the automation of forms and to educate colleagues about possible improvements to the service. Additionally, much work had been put into the development of easy-read guides for parents, which highlighted the importance of both parents' understanding and effective communication with the team.
5. A Member asked if the support service would participate in the customer transformation programme. The Assistant Director said the support service was very involved and participating.
6. A Member asked about the approach and policy concerning dual placements, the policy for alternative provision (AP) and education outside of school, and the exceptional circumstances applicable to those in post-16 education. In reply, the Transport Delivery Team Manager – Transport Delivery said that the policy stated that the Council assessed travel assistance eligibility based on the schools named in the EHCP. For educational locations other than schools, while the law did not impose a duty on the council to provide travel assistance, the Council would consider individual circumstances. The Travel and Assessment Team Manager - Stakeholder Liaison added that the Council had started transitioning from contracted transport to a travel allowance. The Service had developed guidance in collaboration with Family Voice Surrey to help families understand the requirements for qualifying for transport, with much work done over the past 18 months on the communications plan.
7. A Member asked whether Surrey County Council had conducted a cost analysis on offering more than 45p per mile to encourage parents to drive their children to school. In reply, the Assistant Director said that a cost analysis had been conducted, which led to the creation of a

personal travel budget scheme structured in three tiers, with the first tier reimbursing 45p per mile.

8. A Member asked what other provisions had been looked at. In reply, the Assistant Director said that they considered several other kinds of provisions, and had worked with Freedom to Travel, Surrey County Council's community transport providers, school bus fleets, and individual providers to improve the viability and feasibility of picking up local children.
9. A Member asked to be reassured that the payment processing would be streamlined. In reply, the Assistant Director said the Finance Team had adjusted its processes to resolve past issues. They were exploring automating parts of the payment process to improve customer service and considering allowing families to claim mileage. They also mentioned clawback, as payments were made in arrears due to some children being absent from school while receiving an independent travel allowance. If a child was not expected to attend school, Surrey County Council did not clawback those days. This policy was based on the number of days the child was expected to be in school, and in-service days would be deducted.
10. A Member asked that the difference between and 'independent travel allowance' and 'personal travel budget' be explained. In reply, the Assistant Director said that the term 'independent travel allowance' was out of date and had contributed to confusion and they would transition away from 'independent travel allowance', with all expenses being referred to as a 'personal travel budget'.
11. The Chair asked how and why other councils neighbouring Surrey County manage to pay considerably more. The Chair also asked for some research into this and to ensure SCC was willing to pay what it costs to incentivise. In reply, they said that further analysis was needed to understand what other councils were doing in this area.
12. A Member asked about the proportion of safeguarding incidents that were responded to within 24 hours and whether there had been a reduction in complaints since a section on service standards was added to the parent guide. In reply, the Assistant Director said all safeguarding concerns would be addressed within 24 hours, although investigations might take longer. They also reported that no complaints had been received in June. The Chair asked if they had any success in improving those timescales. The Travel and Assessment Team Manager - Stakeholder Liaison said that more data would be needed.
13. A Member asked about the short- and medium-term implications of the £10.3 million budget overspend for 2023–2024 and the current £7.4 million overspend for 2024–2025, which included an additional risk of £2.5 million. The Travel and Assessment Team Manager - Stakeholder Liaison said that the service had several savings targets for the year as part of its medium-term financial plan and was on track to achieve efficiencies of £2.6 million. Regarding expenditures, there had been a noticeable increase. Additionally, they explained that a process known as hidden bidding was being utilised within their dynamic purchasing system (DPS) to help reduce costs. A Member

said that they were concerned about a nearly £10 million overspend for the current year, noting that a similar overspend had occurred the previous year. This raised questions about the accuracy of the budgeting forecasts. The Cabinet Member said that one consequence of last year's budget overspending was a substantial increase in the Home-to-School Transport budget, which had been approved in February 2023 as part of the overall budget for the directorate and indicated that the Council made efforts to appropriately increase this year's Home-to-School Transport allocation. The Strategic Finance Business Partner - Strategy & Innovation said much work had been completed on the forecasting model to support the school transport team.

14. A Member asked if the backlog of EHCPs had been considered for projections related to Home-to-School Transport budgeting. In reply, the Strategic Finance Business Partner said that they had worked closely with the SEND team regarding their forward trajectories regarding all EHCPs.
15. A Member asked how the cost increases from the previous year and the current year compared with those of other councils, whether data on unit costs was available, and how much of the budget increases for both years could be attributed to the current shortfall in special needs and alternative provision. In reply, the Cabinet Minister said that the forecast from the SEND AP Capital programme aimed to increase specialist school places in the county to just under 6,000. However, the Committee should consider that Surrey County Council currently had over 15,000 children and young people with EHCPs, and not all would need a specialist school. The Council wanted children in Surrey to be educated close to home and within their own communities, hoping many could be educated in mainstream environments. Although the Council had an ambitious programme to build and maintain specialist accommodations, it recognised it would not fully meet the demand for specialist schools. Even with the addition of four new free schools, there would still be children and young people whose needs the Council could not meet.
16. A Member said that Table 1 of the report outlined the costs of not addressing the shortfall. The report also described the changes in the scope of the SEND Capital Programme. It was thought that the Council would understand the costs both before and after the change in scope, as the same data was utilised and that it would be beneficial to understand the projected costs after the change was implemented, to assess any financial benefits for the Council and children, and to compare these factors with neighbouring councils. The Strategic Finance Business Partner said that, in terms of the comparison with neighbouring councils, one comparison could be made with Kent County Council and Surrey County Council, which considering updated figures, are comparable at £9,200 per child.
17. The Chair asked if the report had accounted for the decisions made because of the SEND Capital Programme or if it had been prepared prior to those decisions. In reply, the Strategic Finance Business Partner said forecasting included an allowance for improvement in the number of children transported due to increased efficiency within

Surrey, though the details of how this would work had not been explored. The Chair said that the issue was understanding the strength of that assumption.

18. The Chair asked if the projected costs for Home-to-School Transport had considered all the data related to the SEND Capital Programme. In reply, the Strategic Finance Business Partner said it had not been considered in terms of the financial forecast. They said that work was being started to examine SEND trajectories by provision type. They hoped this would provide a better understanding to update their financial projections. The Director of Commissioning for Transformation said that part of the work started by the Forecasting Methodology Task and Finish Group involved studying various scenarios and methodologies to make certain the development of the best forecasting models. They noted that this subject could be included among the other topics being considered by the Forecasting Methodology Task and Finish Group.
19. A Member asked what is meant by the reference to 'continued new routes' in paragraph 32 of the report. In reply, the Cabinet Member said that one example illustrating the meaning was the establishment of two new routes that had an annual cost of approximately £40–50,000 per child but would not amount to the collective savings in the amount of £40–50,000 for one route. In reply, the Travel and Assessment Team Manager - Stakeholder Liaison said that the route was determined by the destination, noting that the Council had a statutory duty to provide travel assistance to eligible children. They clarified that if children needed to be transported to a farther location but were eligible for transport, the Council had to arrange taxi services, which would also be classified as a solo route.
20. A Member asked about the type of data that would be analysed concerning paragraph 32 of the report, which said 'work continues to analyse the data to get to a clear understanding of this position.' In reply, the Travel and Assessment Team Manager - Stakeholder Liaison said that an assumption had been made based on the type of placement data. They further asked about the allocation of places and if this considers factors of availability, distance, cost, and other such factors. In reply, the Chair said that it was very clear the first obligation of the local authority is to meet the needs of the child as stated in the EHCP. The Chair added there were many different issues to consider regarding the topic of the question. They believed it would be beneficial for the Service to return to the Committee later to address concerns about priority and obligation and whether these factors were considered in the process. The Chair, concluding, said that they would take that question and consider it for the next topic.
21. A Member asked about the expected impact of the new Labour Government's decision to impose VAT on independent school fees on Home-to-School Transport, and whether this change would lead to an increase in transfers to state schools. In reply, the Travel and Assessment Team Manager - Stakeholder Liaison said that the Service had not made any analysis regarding this decision.

**RESOLVED**, the Children, Families, Lifelong Learning and Culture Select Committee recommends:

1. The Surrey School Travel and Assessment Team (SSTAT) prioritises communications to parents and carers when changes to policy and practice are finalised and ensures that these communications are widely shared in advance of the change being implemented.
2. In order to further improve communication:
  - a. The SEND and Admissions team take the transport implications of a placement into account, and pro-actively discuss it with families prior to a placement being discussed, agreed and named in a plan, including for those Children and Young People outside of statutory school age;
  - b. The updated parent guide to travel assistance—developed in collaboration with Family Voice Surrey—is given to parents when an EHCP application is made and is included in the Key Stage Transfer paperwork;
  - c. SSTAT makes it clear to families, before the next academic year’s applications, what extenuating circumstances will be considered for Children and Young People under-5 and post-16;
  - d. As Family Voice suggests, SSTAT provides regular engagement sessions/surgeries that parents and carers can book onto throughout the summer.
3. The forecasting of demand and the budget for Home to School Transport takes account of the forecast demand for SEND school placements.
4. SSTAT undertake a cost benefit analysis to identify whether a higher standard Independent Travel Allowance would incentivise uptake, what the implications for parents and carers would be, and what Surrey can learn from other local authorities who have implemented this strategy.
5. In order to come up with potentially innovative solutions, SSTAT looks further at what other local authorities are doing to manage home to school transport costs.

**Actions/requests for further information:**

Travel & Assessment Team Manager - Stakeholder Liaison: To share benchmarking data to understand how the overall figure of 7% qualifying for H2STA compares to neighbouring councils and include per capita rates.

**29/24 CORPORATE PARENTING BOARD ANNUAL REPORT 2023/24 & PERFORMANCE REPORT IN RELATION TO LOOKED AFTER CHILDREN FOR 2022/23 [Item 8]**

**Witnesses:**



Clare Curran, Cabinet Member for Children, Families and Lifelong Learning  
Tina Benjamin, Director – Corporate Parenting

**Key points of discussion:**

1. The Chair said that, after reviewing all the data, there seemed to be steady progress, which was encouraging; however, there were some areas of concern. The Cabinet Member said that they were aware the data included in the report was historic and that the Corporate Parenting Board reviewed more current information. They noted an effort to examine the board's impact, and the progress made in individual areas, which served as the driving theme of the Corporate Parenting Board.
2. A Member asked about the significance of the decrease in developmental checks for looked-after children under five years old and for those who had been continuously looked after for 12 months or more, what were the original number of checks, the extent of the decrease, and the reasons behind it. The Director – Corporate Parenting said any decrease was likely related to the availability of NHS appointments or the ability of foster carers to transport children to those appointments. Asked whose responsibility it was for initial health assessments, the Director said an NHS response depended on where the child was placed.
3. The Chair said that, while reviewing the new contract for children's Community Health Care, one significant risk identified by the team was the availability of developmental paediatricians. It was believed that this issue needed further attention.
4. A Member asked about those looked after children who had a strength and difficulties questionnaire completed and the reason for the significant decrease from 95% in 2022 to 67% in 2023. The Director said that there had been problems with the IT system and submissions from parents and believed the issue had been resolved. They had focused considerable attention on it that year, and the completion rate of the questionnaire had improved.
5. A Member asked if the pathway plan training surgeries should be regarded as essential training. The Director said not all social workers had a looked after child and after one year the record of training becomes outdated and skills forgotten. A Member suggested that since the training was essential only for social workers with a pathway plan, it should be emphasised that it was exclusively for those individuals.
6. A Member asked why Surrey County Council's foster carer sufficiency programme was stuck at its current level, the Director said that while the number of foster carers had decreased by 1%, the decline among statistical neighbours was even greater. Contributing factors for this decline included the rising cost of living and changes in family living arrangements. Additionally, the emotional and caregiving complexities associated with foster care had impacted the overall number of carers.

The Committee **NOTED** the report.

*Jonathan Essex left the meeting at 1.03pm.*

*Becky Rush left the meeting at 1.05pm.*

### **30/24 PERFORMANCE OVERVIEW [Item 9]**

#### **Witnesses:**

Clare Curran, Cabinet Member for Children, Families and Lifelong Learning

Patricia Denney, Director – Quality & Performance

Tracey Sanders, Assistant Director – Inclusion & Additional Needs

#### **Key points of discussion:**

1. The Chair remarked that after a period of improving performance, there was a decline—or at least progress has stopped—in some areas of performance.
2. The Chair noted the number of working days from the first appointment in the MindWorks neurodiversity pathway had reached 248 days and continued to rise. This indicated that the extended closure of the assessment pathway, intended to improve first appointment performance, had not been effective, leaving this pathway a matter of concern. This topic had been raised at the Joint Adult and Children's Select Committee meeting in May, and they had not been reassured MindWorks was equipped to handle the demand.
3. The Chair further said that Surrey County Council had returned to the 2022 performance level for EHCP timeliness, achieving 61% within 20 weeks. However, an audit conducted as part of the EHCP Recovery Plan indicated that only 22% of the EHCPs were rated as good or outstanding, and that 45% of annual reviews had been completed. This suggested that while the focus was on reducing numbers as part of the Recovery Plan, the quality of the EHCPs had suffered. The Chair further remarked that an incomplete or inaccurate EHCP is nearly as bad as not having one, and a late annual review can have a similar detrimental impact on a child or young person.
4. The Assistant Director – Inclusion & Additional Needs acknowledged that it was difficult managing the backlog of overdue EHCP needs assessments while ensuring quality and that recent EHCPs did not tell the child's story as fully as before. There were also concerns about how health and social care provisions were recorded. To produce high-quality plans, collaboration with partner colleagues providing advice in the EHCP process was necessary. They further said that the voice of the child was not adequately represented and noted that it reflected the speed at which the plans had been issued. A workshop was planned to help SEND colleagues better promote the voice of the child. Nevertheless, they remarked that the components describing educational needs, provision, and outcomes were strong overall. They further said that concerns about a plan's quality could prompt an early annual review for revisions. Concluding, they said that the team had improved the completion rate of annual reviews from 25% to 59% by the end of July 2023. They aimed to reach 75% by December 2024

and had prioritized vulnerable children's reviews, with 78% as of today and a target of 100% by Christmas 2024. The Chair responded that despite some reassurance in critical areas, it was hoped these issues would prompt the implementation of a quality control process or improved management of the reports.

5. The Chair said social work retention and recruitment stability was a concern, noting the permanent establishment of social workers was at 55%, while the target ranged between 80% and 85%, while Ofsted believes a stable permanent social work workforce is an essential feature of the journey to good. The Director – Quality & Performance said that everything was being done to promote the roles by working closely with the Recruitment, Retention, and Culture Board (RRC) and by showcasing the benefits and opportunities at Surrey County Council. One of the challenges faced was the cost of living, as well as the availability of rental and housing stock in the county, and individual career choices. In terms of retention, it was hoped that current social workers would promote the benefits and opportunities for employment at the Council. A Member noted that several ideas had been presented at the RRC. He asked what happened with funds set aside for supporting social workers doing the desk work. The Director said that two fiscal years prior, additional funds had been allocated for business support, accompanied by significant recruitment efforts. However, there were limitations to what these support initiatives could accomplish. In terms of the apprenticeship levy for social work, it was being fully utilised.
6. A Member asked about a commitment to reduce overseas recruitment and to provide social workers with a housing package. In reply, the Director – Quality & Performance that there was a desire to explore the housing market issue; however, there was no willingness from private landlords or housing associations to accommodate it.

The Committee **NOTED** the report.

**31/24 DATE OF THE NEXT MEETING [Item 10]**

The Committee **NOTED** its next public meeting would be held on Thursday, 12 September 2024.

Meeting ended at: 1.14 pm

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**Chairman**