

**MINUTES** of the meeting of the **CHILDREN, FAMILIES, LIFELONG LEARNING AND CULTURE SELECT COMMITTEE** held at 10.00 am on 14 November 2024 at Woodhatch Place, 11 Cockshot Hill, Reigate, RH2 8EF.

These minutes are subject to confirmation by the Committee at its meeting on Tuesday, 3 December 2024.

**Elected Members:**

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

**Co-opted Members:**

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

- \* *present*

**43/24 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]**

Apologies for absence were received from Councillor Bernie Muir, Councillor Fiona White, Mrs Julie Oldroyd and Mr Alex Tear.

Councillor Will Forster was in attendance as a substitute.

**44/24 MINUTES OF THE PREVIOUS MEETING: 12 SEPTEMBER 2024 [Item 2]**

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

The Chair informed that following a general discussion on youth services in the April meeting and comments made about the efficacy of building use, she had been contacted by a provider, Surrey Clubs for Young People. They felt the discussion had, by implication, suggested that their service delivery was compromised, and their reputation had been impugned, and they wished it to be put on record that they considered this to be inaccurate.

**45/24 DECLARATIONS OF INTEREST [Item 3]**

None received.

**46/24 QUESTIONS AND PETITIONS [Item 4]**

There were two questions received from members of the public and two received from Members of the Committee, in writing, prior to the Committee meeting. The questions and answers were provided in the first supplementary agenda circulated prior to the meeting.

#### **a. PUBLIC QUESTIONS**

Both individuals who submitted questions had supplemental questions.

1. The first supplementary question came from Sarah Moran, who asked what changes were made to the EHCP panel meetings and decision-making, given that pre-action letters indicated significant weaknesses. A written reply would be provided.
2. A second supplementary question, from Amanda Lazenby, questioned if EHCPs issued were fit for purpose, and whether quality had been compromised by the recovery plan, given the rise in appeals since last year and the success rate of these appeals. The Assistant Director – Inclusion & Additional Needs clarified the difference between quality concerns – such as missing information or misunderstandings, addressed through direct complaints and potential revisions – and tribunal cases which in contrast involved decisions relating to assessments or provisions that parents dispute. Quality issues were resolved via complaints, while tribunals addressed disputes over decisions.

#### **b. MEMBER QUESTIONS**

Both Members who submitted questions had supplementary questions.

1. Cllr Essex asked for a more detailed written response to his Member question, addressing each of the six areas he had originally submitted. A written response would be provided by the Assistant Director of Inclusion and Additional Needs.
2. Cllr Townsend asked about discrepancies in the quality grading of EHCPs, specifically why fewer were rated as good or outstanding, and about the assessment tool used for EHCPs. It was clarified that earlier reports excluded plans if any section was not rated "good" or "outstanding," while current reports evaluate individual sections, which has shown improvement. It was explained that Envision is used to evaluate EHCPs based on specific criteria, with 56% of sections rated good or outstanding, and 82% rated satisfactory or higher. Envision is used by over 60 local authorities, allowing for benchmarking. There is no national quality measure beyond whether they meet statutory requirements.
3. The Member asked about the increase in refusals to assess from 2022-2023 to 2023-2024 and the link between refusals and cases going to mediation. The Assistant Director of Inclusion and Additional Needs explained there was a surge in requests, and a lack of understanding of new guidance led to many not meeting legal thresholds, with difficulties in gathering information from parents and schools. The SEND County Service Planning and Performance Leader

described the mediation process, noting that some cases are resolved before tribunal.

#### **47/24 RECOMMENDATIONS TRACKER AND FORWARD WORK PROGRAMME [Item 5]**

The Committee **NOTED** the actions and recommendations tracker and forward work programme.

*Will Forster joined the meeting at 10.37 am.*

#### **48/24 CABINET RESPONSE TO SELECT COMMITTEE RECOMMENDATIONS [Item 6]**

##### **Witnesses**

- Clare Curran, Cabinet Member for Children, Families and Lifelong Learning
- Rachael Wardell, Executive Director for Children, Families and Lifelong Learning
- Julia Katherine, Director for Education and Lifelong Learning
- Tracey Sanders, Assistant Director for Inclusion and Additional Needs – SEN Recovery and Educational Psychology
- Liz Bone, Send County Service Planning & Performance Leader - SEN Recovery

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

1. The Chair informed the Committee that an academic who specialises in SEND had been in touch to say the task group's findings were entirely in line with the experiences of the case officers with whom she has conducted research, and thanked the group for ensuring the case officer voice was heard.
2. Asked when the business case for increasing staff to 135 permanent establishment FTEs would be presented to Cabinet, the Cabinet Member for Children, Families and Lifelong Learning (CFLL) said the upcoming budget would be very tight and the scope to increase the staffing budget may be compromised. She mentioned the need to wait for the local government settlement in December to finalise plans, but a need for more staff would be addressed once processes were simplified and made more effective. If posts were built into the permanent establishment, this would be considered as part of the ordinary budget round rather than a separate business case. The Cabinet Member noted the £15 million secured for the recovery plan, of which half remained, which would enable the additional temporary staff to continue to be funded until March 2026 if needed. The Assistant Director of Inclusion and Additional Needs added that agency staff in the recovery team were a stable team provided externally and managed by a single manager, unlike other agency staff in the quadrants with higher turnover. The Executive Director confirmed future staffing needs, once recovery plan funding comes to an end, would be built into ordinary budget rounds. Need may be reduced by implementing the end-to-end review work. Asked for clarification on whether funding would be sought in the current budget round, the Cabinet Member responded that services for children with additional needs was her greatest directorate priority, however funding from the government's high needs block – the primary source of funding – was limited.

3. A Member asked how realistic the list of tasks outlined by the end-to-end review was, and when the public would start to see change. The Assistant Director said a number of changes had already been implemented since the review began in 2023, which had improved timeliness and quality. She recognised there continued to be concerns about decisions and provision received. She explained that some of the plans for further progress relied on changing the current structure of four separate quadrant teams. A unified leadership structure, expected to be in place in March 2025, was needed to drive forward change consistently.
4. A Member questioned whether Artificial Intelligence (AI) could cope with the complexity of each unique case and whether the team was engaging with colleagues in other local authorities to learn about their use of AI. The SEND County Service Planning and Performance Leader confirmed the team's collaboration with experts and the 19 South East local authorities and emphasised there were no plans to use AI as a decision-making tool. It would be used for the summarisation of reports in order to reduce case officers' administrative work, and no data would leave the Surrey County Council domain.
5. A Member asked how case officers would be trained in understanding the lived experiences of parents and carers. The SEND County Service Planning and Performance Leader replied they would look to develop video resources and that a task group with Family Voice Surrey and ATLAS, Surrey's participation group, was gathering input from families and young people. Officers had engaged in training in having challenging conversations with families in a supportive and solutions-focused way. The recruitment process would make clear their most significant priority of relational working. The Director for Education and Lifelong Learning added that their practice would continue to be informed by annual parent surveys.
6. A Member asked whether training would be mandated if offered but not accepted, and if certain training would be required for both existing and new staff during induction. The SEND County Service Planning and Performance Leader explained that the choice of wording reflected the organisation's approach that aimed to match training with each staff member's existing skills and avoid repeating courses they had already completed. She assured that appropriate training would be ensured in the first month, be that through the induction process or through checking for prior training.
7. Several Members reflected on the tone of the Cabinet's response to the Select Committee's recommendations. It was suggested that to not endorse recommendations despite accepting the principles behind them, could be perceived as dismissive and risked undermining collaboration. The Cabinet Member acknowledged the response could have been more positive. The Executive Director noted that substantial ongoing improvement work, done in parallel with the task group research, had not been fully acknowledged in the recommendations. Members responded they were not aware of the detail of end-to-end review work and the group had reflected what parents and case officers told them. The discussion ended with a commitment to promote a more collaborative approach going forward. The Committee agreed to progress check both endorsed recommendations and those already planned or underway, at the

beginning of the next municipal year, noting that many items were expected to be complete by March 2025.

8. A Member asked about interim measures for monitoring response times to parents' communications before a new IT system would be ready in April 2025. The SEND County Service Planning and Performance Leader said calls to and from L-SPA were being tracked and the level of complaints on communication monitored. The Member reported out-of-office notifications, when case officers were unavailable or had left, was still an issue for some residents. The Assistant Director of Inclusion and Additional Needs shared that a mystery shopper type exercise was underway to improve compliance. A survey in one quadrant found that between 70-80% of out-of-office responses were correctly worded.
9. Asked why Surrey had more parents resorting to tribunals than other local authorities in England, the Director for Education and Lifelong Learning explained Surrey County Council ranked eighth nationally in proportion to its volume of EHCPs. She highlighted efforts to resolve disputes early through informal mediation, with a trial achieving a 57% success rate in resolving disagreements, and expressed confidence that expanding this approach would further reduce appeals to the tribunal. Due to national delays, current tribunals were lodged a year ago or more, and the criteria for requests to assess for an EHCP had since been made clearer. It was pointed out that more than 20% of Surrey pupils attend an independent school compared with 7% nationally, and the Council was under pressure to use this sector. The SEND Capital Programme aims to increase maintained specialist school provision within the county. The Cabinet Member noted that the introduction of VAT on independent school fees risked leading to a higher rate of tribunals.
10. Asked what the learnings were from common issues at tribunal over the past year, the Director for Education and Lifelong Learning highlighted the importance of increasing specialist placements within the county, mentioning the ongoing SEN Capital Programme that aimed to double capacity by completion. They were also strengthening the Council's early intervention offer to support schools and boost parental confidence in ordinarily available provision.

**Actions:**

- Service Manager - SEND Practice: To follow up on the 2024/25 year-to-date figures and the numbers of parents/carers who have used the mediation and dispute resolution service rather than just percentages.

**49/24 PREPARING FOR ADULTHOOD [Item 7]**

**Witnesses**

- Clare Curran, Cabinet Member for Children, Families and Lifelong Learning
- Rachael Wardell, Executive Director for Children, Families and Lifelong Learning
- Suzanne Smith, Director for CFL Commissioning for Transformation
- Matt Ansell, Director for Safeguarding and Family Resilience
- Julia Katherine, Director for Education and Lifelong Learning
- Jenny Brickell, Assistant Director for Children with Disabilities

- Tracey Sanders, Assistant Director for Inclusion and Additional Needs – SEN Recovery and Educational Psychology
- Siobhan Walsh, Assistant Director for Looked After Children and Care Leavers
- Jodi Emery, Service Manager for Commissioning - SEND Schools & Preparing for Adulthood

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

1. A Member asked what specific actions the service would take to address the concerns raised in an internal audit report on transitions to AWHP. The Assistant Director for Children with Disabilities said the audit highlighted strengths in early engagement pilot programmes but identified issues with late referrals to adult social care, typically starting at age 17.5 due to limited team capacity. The main goal was to enable earlier transitions by building a workforce skilled in both children's and adults' legislation for consistent and effective support.
2. A Member asked whether the issue with service provision had been within children's services, adult services, or both, and where the primary responsibility for addressing these challenges had lain. The Assistant Director said that children's services were responsible for social care planning for ages 0 to 18. Efforts had been underway to create a pathway that facilitated smoother transitions to adult services. Leadership in both children's and adult services had been aligned with the need for this improvement.
3. A Member asked what was preventing the service from beginning transition planning at age 14, as recommended by national good practice. They also inquired about the current percentage of referrals to the transition team initiated by age 14 and what steps were being taken to increase early referrals. The Assistant Director said children's services started preparing young people for adulthood at age 16, focusing on needs like mental capacity and independence. Referrals to adult services usually begin at 16, as children's services work on fostering independence. Formal transitions to adult services occur later, due to limited engagement at age 14, but planning and needs review continued to ensure readiness for adulthood.
4. The Chair asked why the positive outcomes from the Working Younger project had not materialised as expected. The Assistant Director responded that the pilot had faced significant workforce issues at the time, which had since improved. Although lessons from the project had been embedded, adult services had lacked the capacity to fully engage with younger children with disabilities.
5. A Member asked what had been done to integrate the case management systems of children's and adult services for effective data sharing and access to relevant information, as it is known that workers in both services had read-only access to each other's databases. The Assistant Director said that the next step is integrating referrals into adult social care and exploring potential joint databases, though this is complex and costly.
6. The Chair asked why there was a steep drop in the NEET and activity not known figures for 16-18-year-olds between September 2023 and March 2024. The drop occurred as the data at the start of the academic year was

based on initial estimates, which were later confirmed. As young people confirmed their education or employment status, the figures decreased.

7. Asked what had been done to fill the gaps in services for 16 to 25-year-olds, and how these gaps had been identified, the Service Manager for Commissioning - SEND Schools & Preparing for Adulthood said a Dynamic Purchasing System (DPS) for alternative provisions had been introduced to add more providers, and 16 services had been awarded in the first round. Market engagement events had been planned to find gaps, especially in post-16 services. The Director for CFL Commissioning for Transformation said that work had also been done to develop the market for care packages for young people with dual registration needs, though this had taken time and had required cooperation between adults' and children's commissioning.
8. A Member asked what the barriers were to transition to a 16 to 25 model, how they could be overcome, and what the timeline for this transition was. The Assistant Director for Children with Disabilities replied that the main barriers were finalising the costings, the structure, and the service location, as these aspects were still being worked out. While there had been agreement between children's and adult services on the need for a 16 to 25 model, the detailed proposal, including management implications and resources, was expected to be presented in January and February 2025 for final decisions.
9. A Member asked what was being done to involve parents and carers in the transition process and remove barriers to securing a safe, long-term environment for their children. The Assistant Director for Children with Disabilities said children's social care worked closely with parents of children with complex disabilities during the transition process. For those outside this group, efforts were made to improve communication, work together across services, and create clearer pathways to support all families in securing a safe, long-term environment for their children.
10. In reply to an enquiry about the concerns raised by Family Voice Surrey, the Assistant Director said that the shift to adult services, where there had been more focus on the young person's independence, is difficult for parent carers. The transition and differences in legislation, along with less oversight in adult services, contributes to concerns.
11. A Member expressed concern about inconsistent experiences of annual reviews, especially in mainstream schools, and asked for the reason. The Assistant Director of Inclusion and Additional Needs said the inconsistency had been primarily due to the attendance of case officers at the reviews. Although case officers had not always attended, actions based on the reviews had still been taken consistently. She also explained that the post-14 team had handled cases from year 9 onwards. She further clarified that while there had been a switch in case officers from pre-14 to post-14, the post-14 team specialised in understanding children's pathways and ensuring continuity in support.
12. A Member said there was a need to address gaps in the support and provision for young people with SEND, particularly around education, transport, and housing, recognising that these issues were complex and deserved separate and focused attention. The Chair suggested the Committee analyse the provision of education and training for post-16 individuals with SEND in detail at a future date.

## **Resolved:**

The Children, Families, Lifelong Learning and Culture Select Committee recommends:

1. The Preparing for Adulthood (PfA) booklet co-produced with Family Voice Surrey (FVS) is actively communicated to families of children in Year 9, with immediate effect.
2. The regular Preparing for Adulthood events held in previous years, allowing families to speak to relevant members of the team and learn more about options and next steps, are reintroduced as soon as possible to benefit families and ensure a real focus on PfA.
3. Within one month, the Cabinet Member responds to Family Voice Surrey and the Select Committee on each of the six key issues with adulthood preparation identified by FVS\*.

*\*excluding sufficiency of post-16 education provision which will be subject to separate scrutiny*

## **Actions**

- Assistant Director for Children with Disabilities: To share with Committee the CFL Service's response to the June 2024 Orbis internal audit report on Transition of Children into AWHP.

## **50/24 CHILDREN'S HOMES - OFSTED REPORTS PUBLISHED SINCE THE LAST MEETING OF THE SELECT COMMITTEE [Item 8]**

### **Witnesses**

- Clare Curran, Cabinet Member for Children, Families and Lifelong Learning
- Rachael Wardell, Executive Director for Children, Families and Lifelong Learning

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

1. The Chair thanked the staff and managers for their efforts, highlighting the positive reports that emphasised the focus on the child, strong working relationships, and effective leadership.

## **51/24 PERFORMANCE OVERVIEW [Item 9]**

### **Witnesses**

- Clare Curran, Cabinet Member for Children, Families and Lifelong Learning
- Rachael Wardell, Executive Director for Children, Families and Lifelong Learning
- Tom Stevenson, Assistant Director for Quality Practice

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



1. The Chair noted the sufficiency of looked after children placements over 20 miles from Surrey had remained stagnant over the last three-and-a-half years. Additionally, waiting times for ND pathway appointments had increased to 288 days.

**52/24 DATE OF THE NEXT MEETING [Item 10]**

The Committee **NOTED** its next meeting would be held on 3 December 2024.

Meeting ended at: 1.36 pm

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**Chairman**

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