

MINUTES of the meeting of the **CHILDREN, FAMILIES, LIFELONG LEARNING AND CULTURE SELECT COMMITTEE** held at 10.00 am on 2 October 2023 at Woodhatch Place, 11 Cockshot Hill, Reigate, RH2 8EF.

These minutes are subject to confirmation by the Committee at its meeting on Wednesday, 6 December 2023.

Elected Members:

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

Co-opted Members:

Mr Simon Parr, Diocesan Representative for the Catholic Church
Mr Alex Tear, Diocesan Representative for the Anglican Church,
Diocese of Guildford

35/23 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from Mr. Alex Tear, Fiona White, Bernie Muir.

36/23 MINUTES OF THE PREVIOUS MEETINGS: 20 JULY 2023 [Item 2]

The minutes were agreed as a true record of the meeting.

37/23 DECLARATIONS OF INTEREST [Item 3]

None received.

38/23 QUESTIONS AND PETITIONS [Item 4]

1. There was one public question, two Member's questions and no petitions.
2. Amy Rieley asked a supplementary question on private Educational Psychologists (EP) assessments. The Assistant Director for Inclusion and Additional Needs answered that the acceptance of private EPs

had been updated on the Council's website on 22 September 2023 and all staff were informed on 25 September 2023.

3. The Chair queried when the website was updated with the latest information on extended acceptance of private EPs. The Assistant Director for Inclusion and Additional needs noted that the website was updated on the 25 July. It was further updated on the 13 of September which made information on imbursement clearer to parents.
4. The Chair noted that the update in July 2023 was not clear to parents and stressed the importance of communicating to parents effectively.
5. A Member noted that the information on reimbursements was difficult to find following the previous public Select Committee meeting in July 2023. The Member said that not everyone could afford to pay for the private assessments and could be disadvantaged as a result.
6. A Member asked a question on high suspension rates, a school absence multi agency network and improving school absences for girls with autism spectrum disorder (ASD). The Director for Education and Lifelong Learning to respond to the question as an action.

Actions/requests for further information:

1. Director for Education and Lifelong Learning will provide a written response to Catherine Powell's question on the school absence multi-agency network and school absences for girls with ASD.
2. Director for Education and Lifelong Learning to send the High Sheriff's report to the Committee.

39/23 ACTIONS AND RECOMMENDATIONS TRACKER AND FORWARD WORK PLAN [Item 5]

1. The Chair noted that the Actions and Recommendations tracker and forward work plan would be reviewed ahead of the December meeting.

40/23 EDUCATION, HEALTH AND CARE PLAN TIMELINESS RECOVERY PLAN [Item 6]

Witnesses:

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

Rachael Wardell, Executive Director – Children, Families and Learning

Liz Mills, Director – Education and Lifelong Learning

Tracey Sanders, Assistant Director – Inclusion & Additional Needs SW

Harriet Derrett-Smith, Associate Director – Children's Commissioning

Leanne Henderson, Family Voice Surrey Participation Manager – remote

Key points made in the discussion:

1. The Family Voice Surrey Participation Manager noted that the effects of improvements would take time to realise but expressed support for the increase in Educational Psychologists (EP) at the Council. She welcomed the extension of the acceptance of private EP assessments.
2. A Member noted that the forecast on timeliness showed large increases in 2024 and asked about the service's commitment and potential obstacles. The Cabinet Member for Children and Families said that the recovery plan was based on detailed planning and was confident in this plan being achievable. The Cabinet Member noted that potential risks could be a significant increase of requests for new plans or significant reductions in the number of staff. The Cabinet Member stressed that responses from partners such as schools were also vital to the plan's success. The Member requested that if any negative impacts occurred, the Chair of the Committee be informed immediately. The Cabinet Member emphasised that the plan was being monitored closely and was ready to respond to a changing landscape.
3. A Member asked if the projected model of EP assessment timeliness was accurate. The Executive Director for Children, Families and Learning noted that the projected model was accurate, improvement would appear to surge, and visibility of performance would be good.
4. A Member asked about support for early intervention and asked for a breakdown of the budget allocation for providing support to schools, health partners and transport and how much needed to be carried into the next year. The Cabinet Member for Children and Families noted that health partners and schools did not receive funding from the Council for extra support. The Assistant Director for Inclusion & Additional Needs SW noted that of the £15 million funding, 40% was earmarked for Special Educational Needs and Disabilities (SEND) case officers, 30% for EP contracts and enhanced early intervention support in 2023. For 2024-2025, 30% was for SEND case officers and 2025-2026, 45% was for EP contracts and 25% for early intervention. This would be monitored and was subject to change.
5. A Member asked what changes parents could expect over the next few months due to the plan. The Director for Education and Lifelong Learning answered that specialist teachers for inclusive practice would target work for children currently on the waiting list. They were supported through enhanced funding that schools could access for support for SEND plans. Schools receiving specialist teachers had been targeted based on the level of need. The Director confirmed that this was in place currently.
6. The Chair asked if the plan addressed the backlog of children needing EPs. The Director for Education and Lifelong Learning answered that the team targeted children with higher levels of needs and requests. The Chair queried if every child who had experienced an EHCP delay

was getting the support they needed. The Director answered affirmative.

7. The Cabinet Member for Children and Families noted that the Safety Valve Agreement with the Department of Education (DfE) was ongoing and as the number of children with Education Health & Care Plans (EHCPs) increased, this put stress on the system. This was being monitored closely by the DfE quarterly. Home to school travel assistance increases could also increase expenditure.
8. A Member asked what the median number of projected EHCP's was and the work needed to address it. The Director for Education and Lifelong Learning noted that a growth was factored in, and plan requests had dropped in the past year. The Funding allocated to the plan would allow for tackling the backlog and would be monitored over a three-year period.
9. The Executive Director for Children, Families and Learning noted some external factors that were outside the remit of the Committee such as school resources and expectations from central government on meeting children and family's needs and there was more change forecasted in future years. The Chair noted that the plan had a provision for decreasing EHCP requests by 20% and expressed interest in seeing this being achieved in Surrey. The Executive Director noted that focus and intention of the service was on early intervention. The Chair stated that schools were finding funding challenging.
10. A Member noted that parents would find 78% EHCP timeliness delivery in a years time low, and that schools needed specialist teachers to meet children's needs as identified in the plans. The Member asked how the Committee could be sure that health partners such as MindWorks, the emotional wellbeing and mental health support service for children, had the capacity to achieve the Council's plans? Further to this, how could the Council attract more EPs to work in Surrey. The Associate Director for Children's Commissioning noted that there were two NHS Integrated Care Boards that support children's mental health and wellbeing who had recently received additional funding to address the statutory elements of children's needs. Modelling would help make delivery clearer. Building in business support for MindWorks partners to be able to track a child's EHCP timeliness journey would improve delivery and meet the needs of children.
11. The Chair asked the Associate Director to clarify if children's communities' health Service budget would be diverted to other services. The Associate Director noted that for 2024-2025 onwards, more funding would be available for additional health needs and improving delivery of services such as EP timeliness by the Council, NHS Integrated Care Boards and NHS Surrey Heartlands. The Chair asked for the amount of additional funding allocated to EHCP process to be shared when available.

12. The Assistant Director for Inclusion & Additional Needs SW noted the shortage of EPs nationwide and the recruitment and retention plan employed by Surrey to combat the shortage such as pay increases and publicising roles better. A Member asked if temporary EPs were more expensive for the Council, The Associate Director answered yes.
13. A Member asked if similar recruitment strategies for EPs such as higher pay and better publicising of roles were in place for occupational therapists and teaching assistants. The Associate Director for Children's Commissioning answered that many strategies to recruit more EPs were being considered as well as retention strategies to not lose EPs to neighbouring counties.
14. A Member asked how many complaints had been received about delays to EHCP timeliness and their level of severity. What the Council's relationship with the Local Government and Social Care Ombudsman was like and how many people were being missed in the level 1 and level 2 stage response time. The Assistant Director for Inclusion and Additional Needs SW answered that 71 reached stage 2 and 5 reached the Ombudsman. For 2023-2024 there was an increase 82 at stage 1 and 156 at level 2. This was in the context of over 3000 requests and were still a small percentage of requests. Between 18-21% of complaints to call centres over the last quarter were due to timeliness. As part of the recovery work, 10 case officers would be directly addressing case work. Dedicated time at call centres would ensure that families could call and get answers in the same call. Complaints would be recorded, and improvements made week on week.
15. A Member asked how change was being embedded in the end-to-end review of the EHCP process. The Assistant Director answered that the changes were stakeholder and staff led and consultations with staff were occurring on a weekly basis and through a monthly bulletin. Performance reviews to ensure that staff were on target were also being implemented.
16. A Member asked if the private EP assessment acceptance extension would be reviewed again. The Director for Education and Lifelong Learning answered that it would be reviewed again in time to communicate changes to families effectively.

Actions/requests for further information:

1. The Assistant Director Inclusion and Additional Needs SW to provide a written response on the budget breakdown of the EHCP recovery plan.
2. The Associate Director for Children's Integrated Commissioning to provide a written response outlining (a) the scale of Health Service investment in the EHCP process and (b) data on the recruitment and retention of Occupational Therapists.

3. The Assistant Director for Inclusion and Additional Needs SW to provide in writing the number of phone calls to the Council about overdue EHCPs and assessments.

Resolved:

1. Data on how the EHCP timeliness recovery plan is performing against the targets stated in the report to the Select Committee on 2 October (EHCP Recovery Plan Figure 2, page 46) forms part of the performance overview item at each Select Committee meeting. By the first meeting of 2024, this should include the percentage of EHCP requests returned from MindWorks on time.
2. In order to identify the quality and timeliness of communication on the subject of EHCPs, Internal Audit undertake a dip sample audit of responses to parents and schools over a period of one month.
3. In order to ensure that parents always know how to make contact with a new SEND case officer, line managers ensure leavers have a handover meeting with their successor (or their manager if none in place) and remind leavers to set up an out of office reply that includes their date of leaving and the identity and contact details of their (interim) successor and the contact details of their manager. Staff should also be encouraged to set up out of office messages when they are absent or on holiday, containing details of who parents and schools can contact in their absence.

41/23 COMMISSIONING WITHIN CHILDREN, FAMILIES AND LIFELONG LEARNING [Item 7]

Witnesses:

Sinead Mooney, Cabinet Member for Children and Families

Rachael Wardell, Executive Director – Children, Families and Learning

Lucy Clements, Interim Director of Integrated Childrens Commissioning

Matt Ansell, Director for Family Resilience and Safeguarding

Eamonn Gilbert, Assistant Director – Commissioning

Sue Turton, Service Manager Early Help Partnerships

Key points made in the discussion:

1. The Chair noted that Children's Services accounted for a quarter of the Council's £1.1 billion revenue budget. The Chair asked of the £250 million spent by Children's Services, what percentage was spent on third party contractors. The Interim Director of Integrated Children's Commissioning offered to provide a written response.
2. The Interim Director of Integrated Childrens Commissioning gave a summary of the paper and stressed the importance of understanding the needs of the population. This understanding informed the service model and commissioning model. The Interim Director noted that

financial constraints and increasing complex needs post Covid had been challenging for the service. The report also focused on family centres and family resilience 1-1 family support models that worked together with local services. The Interim Director shared positive verbal feedback from inspectors from the SEND inspection in September 2023.

3. A Member asked following the award of a contract, was it sensible that past performance was not considered when commissioning The Interim Director explained that the procurement process must be fair to all bidders. As part of the quality questions, providers could input their positive past performance to demonstrate their knowledge.
4. A Member asked the Interim Director what the realities and challenges of delivering commissioning services were. The Interim Director noted that commissioning collaborated with operational teams who had a good grasp of operating models and challenges. She discussed the community research and outreach on early help, co-designed community sessions, partnership forums, market engagement events which shared the proposed commissioning model - all ways the commissioning team continued to meet the needs of Surrey residents.
5. A Member asked how challenges with commissioning were being addressed. The Assistant Director of Commissioning noted that now was the opportunity for innovation. Mainstream schools' new funding systems had been introduced to allow schools the flexibility to deliver based on individual student's needs. The Assistant Director emphasised that the private market was used and there must be a balance between what the service wanted and needed and what providers wanted and needed.
6. A Member noted that many charities providing Short Breaks would not agree that children's needs were being met. The Interim Director agreed that Commissioning must meet the needs of residents and noted the Member's frustration. The Chair noted that she has received similar feedback from charities as well and hoped that collaboration could be improved going forward.
7. A Member asked how barriers faced by smaller partners like local charities were tackled so that they were not disadvantaged. The Assistant Director of Commissioning answered that there was an effort to not create artificial thresholds, but the quality of providers was the biggest consideration. The voluntary sector usually had a good local footprint, but the Council must ensure that there was a fair bidding process.
8. The Cabinet Member for Children and Families suggested that the Committee look at the outcomes of the report and note the improvements. Outcome data reporting was being improved on. The Cabinet Member noted that young people in children's services would eventually transfer to Adult Social Care and a close partnership with

that Directorate was vital so that social service needs were being met across a person's life.

9. The Chair noted frustration at the lack of progress on outcomes for children and young people with mental health difficulties at the previous Adults and Health Select Committee joint meeting but noted the improvement at the recent MindWorks meetings.
10. The Chair noted that since 2018 there had been a policy to reduce the financial envelope of contracts in the Children's Service by 10% and asked why this policy was continuing despite the current increased demand and high inflation. The Cabinet Member for Children and Families noted that that policy was being considered more broadly.
11. The Executive Director for Children, Families and Learning noted that she had not felt constrained by this policy. The Director noted that although a reduction policy was not ideal in a climate of high inflation and costs, efficiencies and mitigations would have to offset to make up for the extra spend if the policy were dropped. The Executive Director said that when setting the budget for 2024-25, the policy could be reconsidered, but emphasised the need for offsetting costs.
12. The Service Manager Early Help Partnerships gave a summary of family centres and family resilience recommissioning. The Plan was to bring together the family centre provision and early help provision and create a more efficient system through a lead provider based on a district/borough level who have vital local knowledge. Shared outcomes would be monitored closely through quarterly performance discussions. The Service Manager emphasised the importance of joining up partnerships in local areas and that the Council would be retaining the same level of family centres as the previous 5 years and hoped that the new model would bring together larger existing national providers and smaller local providers.
13. A Member asked a further question regarding the 10% reduction to the budget envelope. Would the recommissioned family centre and family resilience plan have the 10% cut or would that provision be removed. They also asked for those using the services right now, under the new disposition what were the consequences of the commission, and would it be an improvement for users? The Executive Director for Children, Families and Learning answered that currently there had been a 10% decrease and the budget options were closed. Finding alternative areas to reduce spending was explored but this was the better option.
14. The Service Manager Early Help Partnerships stated that families should not see a substantial change in the way they got support from family centres as feedback had been positive so far. Users could gain access to additional resources which could come from national funding initiatives. In areas where there was more demand and pressure, timeliness could also be improved. The Interim Director of Integrated Children's Commissioning added that the provision to the tender

document meant that a provider could come back with a business case after one year if they require uplift. Providers should focus their budget on family centres and remainders of the budget were allocated on evidence-based family resilience services.

15. A Member noted that the family centres and family resilience models focused on prevention which could save expenditure in the long term and asked why investment was lower not higher year on year. The Chair noted that prevention was considered at the forefront of Children's Services and that other local authorities rated as excellent invested a lot in early intervention and early help. The Executive Director for Children, Families and Learning said that a cost-benefit analysis of early prevention was difficult to demonstrate, also challenged by the fact that not every authority used the same cost centres/cost codes so direct comparisons were difficult to draw.
16. A Member asked if funding would not be able to be directed to Early Help as it was not a statutory requirement for the Council. The Executive Director for Children, Families and Learning noted that funding for statutory duties such as placements or home to school travel assistance could not be redirected and that when there was a limited budget, statutory duties must be the priority.
17. The Chair asked for more information on how level 2 and 3 were provided in the new contract. The Executive Director for Children, Families and Learning noted that Family centre contracts included level 2 and 3 work. Level 3 was one-on-one with families whereas level 2 was done on a group basis so dependent on borough and districts.
18. A Member noted that demand for Family Centres was exceeding capacity and asked if there were options to increase the number of family centres and if level 2 referrals would still be made to family centres. The Service Manager Early Help Partnerships noted that as part of the new commission Early Help and Family Centres had been put together, Family centres had always provided early intervention and early help for Surrey residents. Within service specifications the Council would like people to bring their own buildings into the models such as utilising other spaces to provide more centres to increase outreach. The Service Manager noted that level 2 would differ within boroughs and districts. The Member asked for clarification on how fluid delivery could be within each family centre. The Service Manager answered that family centres offered targeted family intervention tailored to each family.
19. A Member asked if the number of Family Centres would be reduced and if level 2 referrals would still be made to centres. The Director for Family Resilience and Safeguarding answered that the number of Family Centres would remain the same and that the service was moving away from discussing families on a tier system and instead looking at improving relationships between families and practitioners.

As a service being flexible around family needs was vital. The Director expressed hope to have one system going forward so that case workers were the same for each family to reduce families having to repeat their stories to caseworkers, unfamiliar with their case.

20. A Member asked a question on the streamlining of contracts. The Interim Director of Integrated Children's Commissioning answered that there were very robust contract procurement processes. Risks that came up could be mitigated and resolved in partnership with the contractors. The Service ensured that the process was equitable across Surrey and there was no deterioration in quality. The Member asked how to discern if the lead provider would identify risks. The Assistant Director of Commissioning answered that the lead provider was responsible for evidencing and justifying the performance of the whole contract.
21. A Member asked if there were additional costs under the new plan apart from the lead providers. The Interim Director of Integrated Children's Commissioning answered that there were no additional costs apart from the lead provider. The service would be meeting with all providers and sub-contractors to ensure that changes to the model had not led to negative outcomes during each quarterly meeting.
22. A Member asked if the witnesses could advise the Committee on how many registrations of provider interest in projects had ultimately resulted in new contracts. The Interim Director noted that this information could not be shared currently but would do so as soon as it became available.
23. A Member asked a question on how the Council would manage the lead providers under the new Commissioning plan. The Interim Director answered that the Council directly managed 21 contracts, and this would drop to 11 once the lead providers were in place although the lines of responsibility would remain clear. The Service Manager Early Help Partnerships noted that market engagement had been done with providers around Surrey and that colleagues in Districts and Boroughs felt that a lead provider system would work well for Surrey. There were 21 family centre buildings that had been and would be used by providers. This has been in consultation and the service fully expected this to work in Surrey. Districts and Boroughs had been invited to all the engagement events.

Actions/requests for further information:

1. The Interim Director of Integrated Children's Commissioning to provide a written response to what percentage of the £250 million revenue budget of Children's Services is spent on third-party contractors.
2. The Chair to discuss with the Adults and Health Select Committee Chairman on how they will collaborate on the scrutiny of children's mental health.

3. Cabinet Member for Children and Families and Executive Director for Children, Families and Learning to discuss the policy to reduce spending by 10% year on year and share outcome of the discussion with the Committee.
4. Cabinet Member for Children and Families will get briefing note sent to Committee on the £1.2m investment in the Intensive Family Support Service.
5. Director for Family Resilience and Safeguarding will, in 2024, describe to the Committee what the Council's offer to families of varying degrees of need will look like.
6. Director for CFL Commissioning to provide a written response (a) providing clarity with regard to contracting arrangements, if lead prime contractors can provide any kind of management overhead fee and (b) the amount of level 2 and level 3 support to be provided under the new contracts compared with currently.
7. At a point that Procurement regulations allow, Director for CFL Commissioning to share registration of interests of lead providers with the Committee.

Resolved:

SCC commissions a large number of both the statutory and non-statutory services provided to families and children. The Committee recognises that this is a complex activity and acknowledges progress in introducing more flexible contracts with break clauses, developments such as the co-production of requirements with service users, and early engagement with providers. The recent recommissioning of Family Centres and Family Resilience services demonstrates this progress and is commended. In support of this progress the Committee recommends the following.

1. Children's Service professionals/practitioners in each area are actively involved in the development of the commissioning requirements and specifications – alongside Commissioning professionals – from the outset of the process.
2. Robust consideration is given to reversing the policy of applying a blanket 10% reduction to the financial envelope for each service when it is recommissioned.
3. A mechanism for ensuring that providers can apply for uplifts to cover inflationary pressures is built into the lifetime of all contracts.
4. Where required, the additional funding to enable points 1 and 2 is found from outside the Children's Services' budget envelope.

42/23 CHILDREN'S HOMES - OFSTED REPORTS PUBLISHED SINCE THE LAST MEETING OF THE SELECT COMMITTEE [Item 8]

Key points made in the discussion:

1. The Chair conveyed the thanks of the committee to Corporate Parenting and all staff for their part in the positive Ofsted inspection.

43/23 PERFORMANCE OVERVIEW [Item 9]

Key points made in the discussion:

1. A Member expressed concern at delays in 45 day targets for assessments, Childrens Protection Conference and children with Protection Plans not being seen promptly. The Chair echoed this view and expressed concern over the deteriorating trend in sufficiency.

Actions/requests for further information:

Executive Director – Children, Families and Learning to provide response on why 45-day targets for assessment, Child Protection conferences and children on Children Protection plans were not being met

44/23 DATE OF THE NEXT MEETING [Item 10]

The next meeting will be held on Wednesday 6 December 2023.

Meeting ended at 13:35

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