

Minutes of the Safeguarding and Education Overview and Scrutiny Committee Meeting held on 8 October 2024

Present: Bob Spencer (Chair)

Attendance	
Steve Bell	Julia Jessel
Gill Burnett-Faulkner (Vice-Chair (Overview))	Johnny McMahon
Rachel Dingle (Co-Optee)	Rev. Preb. M. Metcalf
Janet Eagland	Gillian Pardesi
Ann Edgeller	Paul Snape (Vice-Chair (Scrutiny))

Also in attendance: Jonathan Price

Apologies: Kath Perry, MBE and Conor Wileman

Part One

18. Declarations of Interest

Mrs Edgeller declared an interest in minute no. 20 as a partner governor on the MPFT.

19. Minutes of the meeting held on 12 September 2024

Referring to scrutiny of the recommissioning options for children's community support (including domiciliary care), Mrs Eagland wished to formerly record her apologies for mentioning three officers whom she had understood to have been connected to an issue raised with her by a local resident. This had been an error.

Resolved: That the minutes of the meeting held on 12 September 2024 be confirmed and signed by the Chairman.

20. Local Area SEND Inspections

[Bernie Brown, Director for Children and Families, and Tim Moss, Assistant Director for Education, Strategy and Improvement, in attendance for this item.]

The Cabinet Member for Education and SEND reminded the Committee that SEND was a significance priority for the County Council. An inspection of SEND in Staffordshire was expected soon, which would inspect the local framework for SEND, considering the local area partnership working, not just the work of the County Council. The inspection framework changed in

January 2023 and since then 40 inspections had been undertaken, with 75% of these finding inconsistent or significant concerns about the experiences of children with SEND. The Cabinet Member felt that this was a clear indication that nationally the current SEND system was not working for children and young people.

Members received a presentation outlining the purpose and scope of local area SEND inspections. Ofsted and the Care Quality Commission (CQC) carried out joint inspections to provide an independent, external evaluation of the effectiveness of the local area partnership's arrangements for children and young people with SEND. The partnership referred to those responsible for the strategic planning, commissioning, management, delivery and evaluation of arrangements for children and young people with SEND. This would focus mainly on how effectively the local authority (LA) and the Integrated Care Board (ICB) jointly planned, evaluated and developed services. The inspection would consider arrangements for: 0-25 children and young people with Education and Health Care Plans (EHCPs) and SEND support in schools; include those children and young people who live in Staffordshire but attend an education setting outside of the County's geographical boundaries; and joint commissioning and oversight of Alternative Provision (AP) for all children and young people receiving AP, not just those with SEND.

Members heard of the importance placed on feedback from parents, carers and young people as part of the inspection. They received details of the different types of inspection and of the three week full inspection process. Full inspections would result in one of three possible outcomes.

Members also heard that the challenges faced within Staffordshire were mirrored nationally. The 2014 legislation was challenging and underfunded and had led to a significant influx in demand which created huge challenges for schools, health and the Council.

Staffordshire was due a full inspection and Members heard that it was currently most likely to receive a grading of 2 "inconsistent experiences and outcomes for children and young people with SEND". It was incredibly difficult for a county council to receive above this grade because of the scale of the geographical differences across the County and the interface with different health partners, meaning that children and families did experience differences in their services. Work was ongoing to improve these inconsistencies, but challenges remained.

Members heard details of the inspection criteria. They also received details of outcomes from inspections undertaken under the new framework, noting that no county council had gained an assessment above a grade 2. Members considered what learning could be gained from previous inspections to support Staffordshire's preparations.

The Committee were pleased to note the newly introduced SEND Effectiveness Board, which had been developed to bring together key strategic partners to identify where there may be blockages in the system between education, health and social care, and considering how these could be addressed. This enabled the Board, as a strategic leadership team, to direct funding and resources to where they were most needed and to work differently where necessary.

Members received details of Staffordshire's previous area SEND inspection in 2018, which had highlighted eight areas of significant weakness in local area practice. Following the inspection revisit in 2022 six areas had been found to have made sufficient progress in addressing concerns. Two areas had been found not to have made sufficient progress. Work had been ongoing to address these.

The Committee received details of preparation towards the inspection. This included fortnightly meetings between the Assistant Director and the Health SEND Group, looking at identifying and responding to risks across the partnership. A LA internal SEND inspection readiness group had been established. This met monthly to ensure that the detail inspectors would request within 48 hours of the inspection being announced would be available. It also included details of key staff who would be part of the inspection process and how their work would be covered to enable their release during the inspection. The group were also developing a communications plan to share inspection detail with partners, stakeholders and colleagues. A partnership quality assurance steering group had also been developed. This met monthly to consider the partnership approach to quality assurance and considered a process for the tracked cases that would be requested as part of the inspection process.

Officers shared with Members the current challenges for SEND. These were predominantly around volume and capacity, with concerns around the continued increase in the number of EHCPs. The inspection itself would create challenges around staffing capacity, with the extra work involved with the inspection process and the release of staff from their "day job" to enable them to prioritise preparation of annex A data that would be requested by the inspectors. A further challenge was around ensuring the quality of data across a range of partner organisations.

Members considered the tension that could sometimes be present between appropriately meeting a child's needs as different from meeting a parent or carers preferences. The challenge in trying to distribute finite resources whilst meeting the needs of SEND children and young people was also raised.

Members were pleased to note the expertise and commitment of the team working within this area, both centrally and across the districts, working to support parents and carers to navigate the system and understand how their child's needs would be met.

The Committee discussed the potential difficulties in scrutinising this area of work with respect to the partner organisations involved and their joint responsibility reflecting on the inspection judgment. After considering a range of possibilities a joint piece of work with the Health and Care Overview and Scrutiny Committee was suggested. Their involvement would help support scrutiny of the ICB's role as well as that of the LA. It was suggested that a working group could focus on the inspection area around transition to adulthood. The possibility of asking the ICB's Executive Board for their assurance over data could be a part of this joint work, with the possibility of a joint letter with the Cabinet Member supporting this.

Considering areas of concern most frequently raised by parents and carers Members understood that communication was key. The importance of prompt responses was emphasised. Whilst a resolution to issues raised may not always be immediately possible, responding promptly and with compassion was key.

The Committee considered the role of the Parent and Carers Forum in helping effective development. They heard of the graduated support for moderate learners within mainstream settings, with this escalated to an EHCP as necessary and subsequent discussions with schools to support how needs would be met.

The Committee also discussed the support for staff during the inspection process, with the importance of good leadership being highlighted. A non-hierarchical culture was being developed which was accessible and supportive, giving advice and guidance to support staff throughout all their work, not merely through the inspection process.

Members considered whether there were differences of approach between school types, particularly between academy and maintained schools. This did not make a difference to a school's approach to SEND, there being examples of inclusive best practice in both types of school. Challenges remained for schools around financing and resourcing support, and in recruitment and retention of staff. Often schools working within a larger academy trust framework found these issues were more easily overcome with the economies of scale the larger group of schools gave.

The wider concerns around school funding were raised, alongside the work of the F40 campaign to support fairer funding across schools.

Resolved: That: a) the Committee welcome the work to prepare for the anticipated SEND inspection;
b) the Chairman discuss with the Cabinet Member for Education and SEND and with the Chairman of the Health and Care Overview and Scrutiny Committee, the possibility of a joint letter to the ICB's Executive Board asking for their assurance over the quality of data that will influence the inspection; and
c) the Chairman discuss with the Chairman of the Health and Care Overview and Scrutiny Committee the possibility of a joint working group to consider the transition to adulthood elements of the SEND inspection.

21. Work Programme

The Committee noted that they had received a request to withdraw the Family Support pre-decision scrutiny item off the November agenda.

The Chairman will hold discussions with the Chairman of the Health and Care Overview and Scrutiny Committee to consider possible joint scrutiny of SEND transition to adulthood and consider a joint letter to the ICB Executive Board seeking their assurance over their inspection data.

Rev Prebendary Metcalf informed the Committee that the SACRE Annual report was in production and would share this with them in the New Year.

Resolved: That the work programme and proposed additional areas of work be noted.

Chair