

Divisions Affected – All

CABINET

18 JULY 2023

REPORT OF THE PEOPLE OVERVIEW & SCRUTINY COMMITTEE: SEND and Staffing Changes in Children's Services

Cllr Nigel Simpson
Chair of the People Overview & Scrutiny Committee
July 2023

RECOMMENDATION

1. The Cabinet is **RECOMMENDED** to —
 - a) Agree to respond to the recommendation contained in the body of this report, and
 - b) Agree that relevant officers will continue to update Scrutiny for 12 months on progress made against actions committed to in response to the recommendations, or until they are completed (if earlier).

REQUIREMENT TO RESPOND

2. In accordance with section 9FE of the Local Government Act 2000, the People Overview & Scrutiny Committee hereby requires that, within two months of the consideration of this report, the Cabinet publish a response to this report and its recommendations.

INTRODUCTION AND OVERVIEW

3. Five members of the People Overview & Scrutiny Committee submitted a written request in accordance with Part 6.2 8 a) of the Constitution for an extraordinary meeting of the Committee to be convened on the following subject:

*In view of the recent staffing changes at the senior levels in Children's service, affecting particularly the work of the Council in education services, together with the data for 2022 revealed by the DfE on 8th June 2023 (updated 12th June 2023) in relation to the timings of EHCP and tribunal hearings, we the **undersigned five members of the committee request a special meeting of the People Scrutiny***

***Committee** to discuss how the Committee should perform its scrutiny function in this area of the council's work in order to review whether the council now has sufficient resources and knowledge to provide the level of service expected by Oxfordshire's residents.*

4. The Committee met on 30 June 2023 and received a report by Anne Coyle, Interim Corporate Director of Children's Services on Education and Health Care Needs Assessment (EHCNA) Timeliness.
5. The Committee was grateful to Cllr Liz Brighouse, Deputy Leader of the Council and Cabinet Member for Children, Education Services, and Young People for presenting the report and to Anne Coyle, Interim Corporate Director of Children's Services, and to Stephen Chandler, Interim Executive Director: People, Transformation & Performance, for attending to answer the Committee's questions.

SUMMARY

6. Cllr Liz Brighouse introduced the report and reminded the Committee that the figures should be seen in the context of the significant funding problems facing local government more broadly. The overspend to meet Special Educational Needs and Disability (SEND) needs was a significant challenge. The Interim Executive Director: People, Transformation & Performance accepted that performance had not been acceptable and that significant improvement in communication and performance were necessary. That improvement had begun and would continue.
7. The Committee accepted that the wider funding context had an impact on the provision of SEND services in Oxfordshire. Nonetheless, the Committee noted that there had been significant problems in the timeliness of EHCNA completion that had been damaging to many families in the county. The Committee was pleased to hear a recognition of this and to hear that senior officers were committed to openness and transparency and to scrutiny.
8. The Committee heard that strong management action had been taken across Children's Services and that improvements had already been made and would continue to be made. The Committee shared the aspiration that swift, sustainable progress would be made and, during its meeting, approved the terms of reference for a task and finish group which would scrutinise in detail SEND provision and which would hear from a variety of stakeholders.
9. As in previous meetings, the Committee heard from parents and carers who raised the issue of communication with the Council being challenging. The Committee was pleased that offers of meetings were made to parents.

RECOMMENDATIONS

10. There have been significant problems that have affected the Council's performance in the area of SEND notably demonstrated in that it has been reported by the Department for Education's data on 8th June, which places Oxfordshire as the Local Authority second least likely to meet the 20 week EHCP deadline. This situation has previously been compounded by difficulties in communication with parents and carers, with the People Overview & Scrutiny Committee, and with individual members undertaking casework, though the Committee has noted a refreshing improvement recently. Given that the Council has taken decisive and significant steps to change this and to improve, the Committee's view is that an important aspect of this improvement is to repair relationships with those who have experienced the consequences of this underperformance. One crucial aspect of the Council's delivery and performance of SEND and EHCPs relates to those senior staff responsible for delivering it. The Committee was informed by Stephen Chandler, Interim Executive Director: People, Transformation & Performance at the meeting that significant management changes had been undertaken. It is the view of the Committee that this information should be placed in the public domain. Recognising that there may be issues of confidentiality, the Committee recommends that the Council communicates these changes to parents and carers via a press statement.

Recommendation 1: That the Council, insofar as it can within any potential restrictions relating to confidentiality, provides assurance to local parents and carers that the Council has taken significant steps to address its underperformance around SEND via a press statement detailing the recent changes within the management of Children's Services.

NEXT STEPS

11. The People Overview & Scrutiny Committee will review the published Cabinet response to this report and its recommendations at the meeting of the Committee after Cabinet's response in accordance with part 6.2, 13(f), of the Constitution of the Council.

12. The Committee will be exploring SEND Improvement in a task and finish group and will be considering the matter at subsequent Committee meetings during the coming year.

Contact Officer: Richard Doney, Scrutiny Officer
richard.doney@oxfordshire.gov.uk