

EDUCATION AND YOUNG PEOPLE OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the meeting held on Friday, 20 September 2024 commencing at 10.00 am and finishing at 1.10 pm

Present:

Voting Members: Councillor Nigel Simpson - in the Chair

Councillor Jenny Hannaby
Councillor Liz Brighthouse OBE
Councillor Ian Corkin
Councillor Trish Elphinstone
Councillor Andy Graham
Councillor Damian Haywood
Councillor Michael Waine

Other Members in Attendance: Councillor Kate Gregory, Cabinet member for SEND Improvement
Councillor John Howson, Cabinet Member for Children, Education, and Young People's Services

Officers: Stephen Chandler, Executive Director of People and Transformation (Deputy Chief Executive)
Lisa Lyons, Director of Children's Services
Kate Reynolds, Deputy Director of Education
Deborah Smit, Head of SEND
Joanna Hoskin, Senior Youth Worker
Dan Leveson, the BOB Integrated Care Board's Director of Place (Oxfordshire)
Jennifer Sergeant, Head of Service Leaving Care
Ian Sutherland, Independent Chair/Scrutineer of the Oxfordshire Children's Safeguarding Board
Richard Doney, Scrutiny Officer

The Council considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports, copies of which are attached to the signed Minutes.

30/24 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apologies were sent from Cllr Povolotsky, who was substituted by Cllr Haywood, and Cllr Smith. Cllr Corkin and Cllr Waine both apologised that they needed to leave before the end of the meeting.

31/24 DECLARATION OF INTERESTS

(Agenda No. 2)

There were none.

32/24 MINUTES

(Agenda No. 3)

The minutes of the 22 July 2024 meeting were **AGREED** as a true and accurate record.

33/24 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

C Chester attended to thank publicly three officers for their help the Deputy Director for Education, a Lead Officer in the Special Educational Needs and Disability (SEND) Service, and a SENDIASS Adviser. Mrs Chester also recommended including young people and parents in the panel decision-making process.

K Nellist raised concerns about insufficient youth representation on the Committee, slow implementation of youth co-optees, issues with SEND reform, and poor engagement by the SEND Improvement and Assurance board with the youth forum. Miss Nellist also noted errors in the SEND progress update and called for reforms in Education, Health and Care Plans (EHCP) SEND panels and system culture to address fundamental problems.

A Wilkinson highlighted the lack of specific, quantitative targets in the action plan, and noted that recent progress reports omitted these targets. He also noted that, compared to May 2024, the RAG scoring showed seven priority actions moving from green to amber and another from amber to red. Mr Wilkinson called for clear targets, transparency in the improvement process, the publication of minutes from the SEND Improvement Board meetings, highlighting the need for honest discussions and the involvement of campaigners as co-producers.

A Miles shared her experience as a home-schooling parent. After a former Head of SEND left the Council, communication waned, and policies had changed without consultation. Issues arose like unanswered emails, data entry errors, and inappropriate threats in template letters. Ms Miles stressed the need for co-production and proper support for new home educators to avoid legal and procedural errors.

C Brenner told the Committee Oxfordshire SEND Parent Action had reviewed the SEND report at item 5 by turning it into a collaborative document, discussing it thoroughly, and adding follow-up questions. She raised concerns about the absence of independent parent and youth voices. Dr Brenner suggested a gap between the report's claims of co production and the reality of policy development, calling for greater transparency and suggesting her group members be included in the scrutiny process.

Following the public addresses a promotional video, introducing the Committee to the Class of 2024, was shown at the request of the directorate.

34/24 SEND PRIORITY ACTION PLAN UPDATE

(Agenda No. 5)

Cllr John Howson, Cabinet Member for Children, Education, and Young People's Services, Cllr Kate Gregory, Cabinet member for SEND Improvement, and Lisa Lyons, Director of Children's Services, were invited to present an update report on the SEND Priority Action Plan. Kate Reynolds, Deputy Director of Education, Deborah Smit, Head of SEND, Joanna Hoskin, Senior Youth Worker, and Dan Leveson, the BOB Integrated Care Board's Director of Place (Oxfordshire), were also invited to answer the Committee's questions.

Stephen Chandler, Executive Director of People and Transformation (Deputy Chief Executive), was also present for this agenda item.

The Head of SEND led the presentation, focusing on strengthening leadership and fostering cultural change. She highlighted efforts to build relationships with families and professionals, such as regular meetings with the Oxfordshire Parent Carer Forum to improve communication. Challenges were discussed, including financial constraints and the high demand for special school places. The presentation also emphasised early intervention and co-production with families and professionals. The Head of SEND outlined the governance structure, including the SEND Improvement and Assurance Board and various theme groups dedicated to specific areas of SEND provision.

Following the presentation there was a brief adjournment to resolve technical problems in the meeting room.

Cllr Corkin left the meeting following the presentation.

The Senior Youth Worker set out that the SEND Youth Forum, which had been launched in June 2024, aimed to engage young so that they could influence services and policies that affect them. It allowed young people to voice opinions, share experiences, and participate in decision-making. Plans for the forum included making a short video to promote the forum and increasing participation in strategic discussions.

Members of the Committee raised a number questions and comments on the SEND Priority Action Plan and the associated presentation, including the following:

- Members raised concern about timely responses to enquiries, made by parents, guardians or professionals seeking to understand the rights and services available for children with special educational needs, on the directorate's part, whether received from service users or from members.

Officer ensured Members that the Council was committed to enhancing communication efficiency and tracking, ensuring that there were timely and high-quality responses to enquiries. Complaints was dealt with separately to enquiries. The Committee was advised that there had been a significant improvement in response time to enquiries, comparing July 2023 to July 2024, showing a

decrease from an average of 31 working days to nine working days. This indicated a more efficient and timely communication process with stakeholders.

All enquiries, including those from councillors and parents, were expected to be acknowledged and assurances were made that outgoing communications were quality assured before being issued, indicating a robust tracking and quality control system for communications.

- Members explored how young people's views were engaged with and whether the widest range of voices, from a variety of settings, was sought.

Officers stressed the need to capture young people's voices both inside and outside traditional school settings. Engaging with youth directly and through forums was essential to understand their views and needs.

The SEND Youth Forum was a business-as-usual mechanism for hearing young voices and played an important role in ongoing engagement and decision-making. Members were reminded that there was no spokesperson or representative of the forum; it was a collection of equals with different opinions on most matters and it allowed for broad, collective youth engagement.

The Committee emphasised its keenness to co-opt young people to the places permitted by the Committee's terms of reference as soon as possible.

- There was a discussion about how the High Needs funding arrangements.

The Director of Children Services emphasised that there had been increased demand across a range of specialist services, including demand for Education, Health and Care Plans (EHCPs). Efforts to understand the reasons for this increase were ongoing. The research included using Delivering Better Value outcomes and analysing demand based on demographic and population changes.

The conversation highlighted the importance of focusing on early intervention and prevention to manage demand more efficiently. This strategy was considered vital for tackling the underlying reasons behind the rise in EHC Needs Assessments and high needs block figures.

- Concerns were noted regarding the response rate to complaints and queries, and whether the report accurately reflected service performance compared to similar authorities.

Although the data was incomplete, it showed improvements over the past year. Comparing this data to other authorities was not possible at the time, but efforts were underway to enhance the tracking of complaints and queries. This improved tracking would be included in a monthly progress report.

- Concerns were raised about the perceived lack of transparency regarding the SEND Improvement Board's work, particularly in terms of the availability of minutes and detailed updates beyond the provided blog posts.

It was explained that the SEND Improvement Board meetings were operational rather than strategic and focused on the business of work and accountability to the Department for Education (DfE). The meetings were about establishing work plans and evaluating progress against the improvement plan, which might not always translate into detailed public minutes.

Despite the operational focus, there was an acknowledgment of the need to find ways to be more transparent and to communicate the board's work more effectively to the public. Discussions were ongoing about how best to achieve this.

- It was noted that the rate of appeals to the First Tier Tribunal (SEND) had been a concern, and members questioned why Oxfordshire might be experiencing a higher rate of tribunal cases compared to other areas. The Committee explored whether the service should be more selective in the appeals it challenges, to speed up progress through the backlog.

The selection of cases to challenge at tribunals was discussed as a complex issue, with the need for a strategic approach to decide which cases were challenged based on specific criteria. The financial aspect of tribunals was touched upon, indicating concerns about the cost associated with tribunal cases. However, specific figures regarding the level of spending on tribunals were not immediately available.

The rise in tribunal cases was attributed to systemic issues within the SEND system, and more complex and numerous needs among children. A significant increase in EHCP requests had also driven this trend, along with the growing need for special educational support.

The significant backlog in tribunal cases was addressed alongside broader challenges in the SEND system, emphasising early intervention and support to potentially lower the number of cases reaching tribunals.

- The quality and efficiency of the speech and language therapy service was also questioned, with concerns over growing delays within the service.

The BOB Integrated Care Board's Director of Place (Oxfordshire) recognised problems within the speech and language therapy service, highlighting a national shortage of therapists. Combined with rising demand for these services, worries about demand vastly exceeding supply prompted the need for a comprehensive service review.

- While the performance of enhanced pathways was praised, there were concerns about the sustainability of the practice and whether funding could be better used on other programmes.

The necessity for sustainable models for Enhanced Pathways for children with complex SEND needs was recognised. The focus was on creating these stable pathways to support mainstream placements for these children.

Partner collaboration, especially with schools, was seen as critical for the success of Enhanced Pathways. Engaging with school leaders to identify schools with new Year Seven pupils with EHCPs, and supporting these schools, was highlighted as essential.

It was stressed that schools and the Council should collectively understand budget timelines and decisions. This understanding was crucial for timely decisions impacting the sustainability and implementation of Enhanced Pathways.

The Committee resolved to **AGREE** to the following actions:

- The Head of SEND would provide the data around the tribunals. This data would include the number of tribunals and refusals, the cost per year of tribunals.

35/24 YOUTH JUSTICE ANNUAL PLAN

(Agenda No. 6)

Cllr John Howson, Cabinet Member for Children, Education, and Young People's Services, Lisa Lyons, Director of Children's Services, and Jennifer Sergeant, Head of Service Leaving Care, were invited to present the Youth Justice Annual Plan.

The Cabinet Member introduced the agenda item, highlighting the four strategic priorities: reducing the number of first-time entrants into the youth justice system, tackling the exploitation of children in Oxfordshire, addressing serious youth violence, and enhancing outcomes for children. Additionally, the Cabinet Member praised the notably low reoffending rates among children who had entered the system.

Cllr Graham left part way through the following discussion.

After the brief introduction to the Youth Justice Annual Plan, Members posed several questions and provided comments such as the following:

- There were inquiries regarding the actions being taken to resolve the issue of the delayed budget decision, and what measures were in place to address it.

The delay in the budget had been a persistent problem for several years, well recognised by those managing it. This issue hampered the service's ability to plan effectively. There was always the risk of receiving less funding than anticipated, necessitating decisions to cut back on services. An assurance was given that officers would continue to advocate at the national level with partners and the Youth Justice Board to secure timely budget allocations.

- The plan highlighted the importance of collaborating with partners, including local authorities, police, health services, probation, schools, community groups, and district councils to tackle youth justice issues holistically. District councils were updated on the Youth Justice Plan's report and priorities through the Safer Oxfordshire Partnership Group, ensuring they contributed to reducing crime and supporting young people.

- There was interest in what the statistics in the report, especially rural versus urban offending rates, said about the environments and settings where offences occurred.

The Head of Service Leaving Care outlined that youth crime was not just driven by environment or location. Factors like SEND needs, speech and language gaps, poverty, and children's characteristics also play key roles. Tackling it demanded a collaborative approach, focusing on each child and considering various influences beyond their surroundings.

- Members inquired about how mental health services affect youth justice and what measures are being taken to address mental health issues within this system.

The partnership benefited from direct CAMHS access, enabling swift mental health assessments for young people in the justice system as well as the Phoenix Team, the multi-disciplinary team at Oxford Health who worked with children and young people at risk of exploitation as well as under a court order. This ensured trauma-informed and developmentally sound interventions. This robust mental health support has been a major strength of the partnership's approach to youth justice.

- The discussion stressed the need to keep most children in school for their safety and to lower criminal activity risks. Schools were almost always a safe environment, and efforts were being made to reintegrate children and maintain their attendance.

The partnership was also focused on reducing youth risk outside the home by addressing exploitation and serious youth violence, influencing offending rates.

The link between school exclusions and offending rates was emphasised, which highlighted the need for schools to collaborate with police and other partners to prevent exclusions and support educational reintegration.

Cllr Waine left at the conclusion of item 6.

36/24 ANNUAL OXFORDSHIRE CHILDREN'S SAFEGUARDING BOARD REPORT

(Agenda No. 7)

Cllr John Howson, Cabinet Member for Children, Education, and Young People's Services, Lisa Lyons, Director of Children's Services, and Ian Sutherland, Independent Chair/Scrutineer of the Oxfordshire Children's Safeguarding Board (OSCB), were invited to present the Annual Children's Safeguarding Board report.

The Independent Chair presented the OSCB's work over the past year and emphasised the involvement of statutory partners and a broad network. Key safeguarding issues included neglect, exploitation, and keeping children in school. The presentation highlighted early help initiatives, targeted interventions, and safeguarding reviews focusing on trauma and family engagement. Over 11,000 practitioners had been trained.

Following the presentation, the discussion involved several points, such as:

- The focus was on ensuring children's safety through a joint effort. The safeguarding partnership included various agencies beyond statutory partners, stressing community involvement. The aim was to show how safeguarding efforts directly enhance children's lives.
- It was discussed that Oxfordshire had a robust system for monitoring children missing from education, praised by ILACS and validated through audits. This system ensured children's safety.

Plans were being made to create an Education and Inclusion Partnership as a fourth statutory partner in safeguarding, enhancing collaboration in education. Efforts focussed on tracking and supporting children not in school, including those in part-time or alternative provision. Post-COVID, the emphasis was on managing persistent absenteeism by understanding and addressing its causes.

These initiatives were part of a broader strategy to ensure the safety and well-being of children in Oxfordshire, highlighting early intervention.

37/24 LOCAL AUTHORITY RESPONSIBILITIES - PRIVATE RESIDENTIAL HOMES

(Agenda No. 8)

Lisa Lyons, the Director of Children's Services, was invited to provide a brief oral overview of the Local Authority's responsibilities with regard to planning issues in district councils for private residential homes.

The Director of Children's Services clarified that the Council had a limited role in private children's residential homes, with planning permission and registration handled by local planning authorities and Ofsted. Oxfordshire County Council cannot approve or block these homes. The Council remained committed to its residential strategy and valued Ofsted's standards for home registration.

The process of placing children was explained to the Committee, with an emphasis that placing authorities must inform receiving authorities if a child in need was placed either within or outside Oxfordshire.

38/24 SPARE SEATS SPRINT GROUP

(Agenda No. 9)

The Scrutiny Officer provided a report setting out proposed arrangements for member involvement in considering the Spare Seats scheme.

The Committee resolved to **AGREE** the proposed arrangements and to **DELEGATE** to the Scrutiny Officer, in consultation with the Chair and Deputy Chair, the arrangement of the meetings proposed.

39/24 COMMITTEE ACTION AND RECOMMENDATION TRACKER

(Agenda No. 10)

The Committee resolved to **NOTE** the action and recommendation tracker.

40/24 COMMITTEE FORWARD WORK PLAN

(Agenda No. 11)

The Committee resolved to **NOTE** the work plan. Questions were raised as to whether it would be appropriate for the children’s section of the budget to come to the Committee. Members were reminded that, where “Where matters fall within the remit of more than one Scrutiny Committee or Review Panel the Chairs of the relevant Scrutiny Committees shall determine which of them will assume responsibility for any particular issue.”

41/24 RESPONSES TO SCRUTINY RECOMMENDATIONS

(Agenda No. 12)

There were none.

..... in the Chair

Date of signing