

PEOPLE OVERVIEW AND SCRUTINY PANEL

Thursday 1 February 2024

Present: Councillors Devon Davies (Vice-Chair, in the Chair), Mandy Brar, Suzanne Cross, Carole Da Costa, Jack Douglas, Genevieve Gosling, George Shaw and John Story

Also in attendance: Councillor Amy Tisi

Also in attendance virtually: Councillor Maureen Hunt

Officers: Mark Beeley, Lin Ferguson, Clive Haines, Alasdair Whitelaw and Katie Worley

Apologies for Absence

An apology for absence was received from Councillor Taylor and Tony Wilson.

Declarations of Interest

There were no declarations of interest received.

Minutes

AGREED UNANIMOUSLY: That the minutes of the meeting held on 12th October 2023 were approved as a true and accurate record.

Deep dive on SEND/Elective Home Education

Clive Haines, Deputy Director of Education, thanked the Panel for doing a 'deep dive' scrutiny review of SEND and elective home education. The review would help to highlight the work taking place in the service to support children with SEND. Children with SEND were six times more likely to receive a permanent exclusion from school, seven times less likely to enter employment and three times more likely to end up in prison. An information pack had been circulated to the Panel in advance of the meeting. Katie Worley, Associate Director for SEND, and Alasdair Whitelaw, Pupil Inclusion and Support Manager, presented the information pack to the Panel. The presentation included some of the areas outlined in the scoping document which the Panel had produced:

- Did the SEND local offer match the needs and difficulties faced by SEND children in the borough?
- Were the council reaching out to all residents to ensure that they knew of the support available?
- Were the parents, as well as children, being supported appropriately?

The Chair read out some comments from a resident who was a home educator. They asked if anonymous families could contribute to the review and questioned that no sources of information had been included in the agenda.

Mark Beeley, Principal Democratic Services Officer – Overview and Scrutiny, suggested that following the discussion at the meeting, the Panel might have some comments and recommendations. This would form the basis of a report to be considered by Cabinet and the resident could be involved anonymously at this stage. The information pack had been circulated separately to the agenda which was why the resident might not have seen this at the time the question was submitted.

Councillor Cross asked how many children in RBWM had SEND and how many staff there were in the SEND team at the council.

Clive Haines said that there were currently just under 1,200 children with Education Health and Care Plans (EHCPs) and there were a total of 15 staff in the service at the council.

Alasdair Whitelaw added that there were four Social, Emotional and Mental Health (SEMH) mentors, five education welfare officers, an inclusion and access manager, and an elective home education coordinator.

Lin Ferguson, Executive Director of Children's Services and Education, said that Katie Worley started as the new Associate Director for SEND in October 2023 and this gave the vitally important area of work a strengthened strategic and operational focus.

Councillor Cross asked if there was any data collected on the geographical spread of children who had SEND. She asked if there was any primary need for this cohort of children.

Clive Haines explained that there were three primary needs; autism (ASD), social, emotional and mental health (SEMH), and speech, language and cognitive learning. This data had been useful as evidence in the successful bid for the SEMH special school which was due to open in the borough.

Alasdair Whitelaw said that there had been a national rise in SEMH cases which had been an impact from the pandemic and cost of living crisis. The SEMH Service did not work directly with those children who had an EHCP and the team would work with the family to understand the communication behind the behaviour, if the cause was trauma based or if there was another SEND need.

Katie Worley confirmed that EHCPs were not tracked by geographical location. The council knew which schools had children with EHCPs but did not routinely track where they lived. If this information was of interest, it could be requested after the meeting.

Clive Haines added that there was a monthly report which broke down the number of EHCPs by ethnicity. Information on geography could be explored as part of this report from the data team.

Councillor C Da Costa believed that what she received in emails from residents was not reflective of what had been presented to the Panel. There was concern about the length of time it took to receive an assessment, especially with autism and ADHD. Councillor Da Costa noted that for some residents, it had taken up to five years to receive an assessment.

Katie Worley explained that the assessment was done through the Child and Adolescent Mental Health Service (CAMHS) and not the council but was unsure of the current wait time, but this could be substantial. Services were based upon need so that children could access the support needed even in the absence of a diagnosis. Katie Worley understood the frustration of families.

Clive Haines said that waiting times were also considered on the monthly dashboard report and these were challenged with other partner agencies.

Councillor C Da Costa asked what Councillors could do to help families in the community who needed to wait for a diagnosis.

Alasdair Whitelaw commented that the potential for legal action was a last resort, school submitted a request to the council for a fixed penalty notice to be issued. This route would not be pursued for children who were avoiding school but were still waiting for a diagnosis. Alasdair Whitelaw confirmed that he was happy to support a conversation with concerned parents who were waiting for a diagnosis.

Katie Worley had links to a number of organisations with resources to support families who were on the wait list which could be shared with Councillors.

ACTION – Katie Worley to share the link with the Panel to resources which would help support families who were on the waiting list for an EHCP diagnosis.

Lin Ferguson reiterated the point that families did not need to wait for a diagnosis to access support.

Councillor Brar considered if there were children who slipped through the net and the council were therefore not aware of.

Clive Haines said that SEND was about making sure that all children had a good lived experience and the team made sure the best support was provided for each child.

Councillor Gosling commented on the inclusion summit, specifically how the summit was advertised and whether it could be held more regularly than once a year.

Clive Haines confirmed that the summit was advertised through parents, staff and partner organisations. The summit was an opportunity to feedback from other forums and engagement events.

Lin Ferguson said that parent carer engagement events had been a success. Historically, these conversations did not take place and these events provided a good forum for the team to be challenged and work together with parents and carers.

Councillor Story considered children who had been permanently excluded and asked how the decision was taken, who made the decision and what happened after a child had been excluded.

Clive Haines said that the power to permanently exclude a child remained with the Headteacher of the school. There had been around 16 permanent exclusions so far this academic year and this was a low figure compared to nationally. There was a high success rate for bringing permanently excluded children back into schools.

Alasdair Whitelaw added that there were conversations between the team and the Headteacher before a permanent exclusion decision was reached. Guidance from the Department for Education needed to be followed. Governors of the school could either uphold or reject a permanent exclusion, or the parents could appeal the decision. Following a permanent exclusion, the team would take on the responsibility for the education of the child through Haybrook College, before being carefully managed back into mainstream education.

Councillor Douglas noted the national increase in EHCPs due to the pandemic, he considered whether this was reaching a peak or whether the number would continue to increase.

Alasdair Whitelaw clarified that there had been an increase in the number of SEMH children rather than the number of EHCP applications. The diagnosis process had been improved and there was better awareness amongst parents and in schools.

Katie Worley felt that it was important support was put in place at the beginning of a child's journey in education, which could mean that some children did not need to go through the EHCP process.

Councillor Cross asked what the council was doing in cases where treatment and therapy could help to bring some children out of a SEND pathway and back into mainstream education.

Clive Haines explained that the school undertook an annual review of each EHCP to ensure that the plan was still relevant and fit for purpose. There was currently one officer in the team responsible for reviewing EHCPs. Once a child entered a SEND school they were rarely admitted back to a main stream school.

Alasdair Whitelaw said that cases were also reviewed at a fair access panel following a permanent exclusion and if possible, the child was admitted back into mainstream education.

Katie Worley said that the team carefully considered the best school for each child and the additional support which could be given during this time. The 'bungalow' had recently been set up which provided a space for children who were medically vulnerable to attend lessons in a space which also allowed them to socialise. This would form an important step in the transition back into school.

Councillor Brar commented that EHCP assessments needed to be completed within twenty weeks. She asked how this compared with other local authorities.

Katie Worley said that other local authorities often took longer to process applications. The national average was currently around 58% being processed within this timeframe and RBWM was well above this. Families were encouraged to access support services as soon as possible. The SEND coordinators worked hard to keep to the twenty week target and there was a well resourced team of educational psychologists. Area SENCOs also visited schools to work with school SENCOs which helped the process too.

Councillor Tisi, Cabinet Member for Children's Services, Education and Windsor, highlighted a website called LG Inform which had data dashboards on key performance indicators. The twenty week target for processing EHCPs was one of these indicators and for 2022 the average was 58% while RBWM was at 88.4%. Comparing this to other authorities, Bracknell Forest was at 46.3%, Wokingham was at 59%, Hampshire was at 45%, Slough was at 11.6% and Oxford was at 4%.

Councillor C Da Costa noted that the breakdown of children with EHCPs was reflective of the general population of the borough. This was positive as it meant that no groups were adversely affected.

Mark Jervis, Co-optee, asked what was being done to strengthen the quality of SEND provision in schools. He considered what feedback had been gained from parent and carers forums, and whether there was any provision in place for those who left school and became young adults.

Clive Haines responded that provision was quality assured. A programme was in place to train teachers to teach from the bottom to the top, with over 50% of schools in the borough now signed up. Area SENCOs provided quality training to schools and allowed for upskilling of staff. Clive Haines said that the PFA coordinators had initially been picking up young people at 16 but this had been moved back to 14 so that continuous further education work could be an easier transition. Work would be starting with organisations and businesses to allow young people opportunities to access apprenticeships and training.

Alasdair Whitelaw added that area SENCO network meetings allowed best practise to be shared.

Katie Worley felt that feedback had been positive around human interaction, with the team able to meet with and discuss concerns with parents and carers directly.

Lin Ferguson added that many families were anxious about the transition from childhood to adulthood. There was a project board in place which would be looking to make recommendations for improvement on the transition process and build stronger links between adult services and children's services.

Councillor Gosling considered if the team visited schools and spoke to parents, to manage the expectations of parents.

Clive Haines believed that the team had strong relationships with schools across the borough and all services were visible in schools.

Katie Worley said that part of the quality assurance process involved parents and carers, who were invited in to take part in the audit.

Councillor Gosling asked about the number of children who were not attending school and whether the pandemic had impacted this figure.

Alasdair Whitelaw said that RBWM had 100% coverage for all schools on attendance data for children avoiding school and this was submitted by schools to the Department for Education and shared with the local authority.

The Chair asked if the emotionally related school avoidance toolkit could be sold or given to other local authorities.

He was informed that the sharing of resources was common, Bracknell Forest had created the toolkit and this had been shared with and adapted by RBWM.

Clive Haines highlighted a stat which showed how well SEND children were doing in RBWM. On the progress of SEND children with an EHCP in reading, writing and maths, RBWM was 17th nationally out of over 150 local authorities. In KS4, the cohort were 18th on the same league table.

Alasdair Whitelaw presented the elective home education part of the scrutiny deep dive. In the past year, there were an estimated 11,000 more children who had become home educated across England. The support and options available to parents who chose to educate their child at home were highlighted to the Panel.

Clive Haines said that once a family chose to home educate, the child would remain on the school roll for 20 days. This was not a statutory requirement but allowed the council to carry out safeguarding checks and parents a cooling off period.

Councillor Douglas asked if a child was on roll at a school but did not attend, would the school still get the funding for that school place from the government. He considered if there was any form of remote learning institution which was home education in practise but qualified for government funding.

Clive Haines explained that the funding only stopped following the 20 days, when the child was removed from the school roll. It was a moral decision and the council checked on those children who were home educated, rather than teaching them.

Councillor Cross questioned if there was any data on why parents chose to home educate their children.

Alasdair Whitelaw commented that there were moral reasons, SEND reasons and parental reasons. He could provide the detailed data to the Panel after the meeting.

ACTION – Alasdair Whitelaw to provide information on the reasons why parents chose to home educate.

Councillor Douglas asked if there was any knowledge of the number of children who were home educated but the council did not know about.

Alasdair Whitelaw confirmed that this was not known, children who had been home educated from birth were a concern as they had not been tracked by the council.

Appointment of co-optees to Overview and Scrutiny

Mark Beeley, Principal Democratic Services Officer – Overview and Scrutiny, said that the People Overview and Scrutiny Panel were able to appoint a number of co-optees on to the Panel. These representatives were outlined in the RBWM Constitution and consisted of two parent governors, a Regional Schools Commissioner representative, a Roman Catholic diocese representative and a Church of England representative. As two nominations had been received for the primary parent governor position, one would become the representative and one would be the substitute. The Regional Schools Commissioner were unable to appoint a representative, it was therefore suggested that Mark Jervis, who was a current co-optee, was reappointed to the Panel.

AGREED UNANIMOUSLY: That the People Overview and Scrutiny Panels noted the report and recommended to Full Council that:

- i) **The appointment of the following representatives were made to the People Overview and Scrutiny Panel until May 2027:**
 - a. **Tony Wilson as the Church of England diocese representative.**
 - b. **Catherine Hobbs as the Roman Catholic diocese representative.**
 - c. **Poornima Karunacadacharan and David Hicks (sub) as the primary parent governor representatives.**
 - d. **Noel Wood as the secondary parent governor representative.**
 - e. **Mark Jervis as an additional co-optee on the Panel.**

Work Programme

Mark Beeley highlighted the items which were due to be considered at the next Panel meeting in April.

The Chair suggested that the homeless problem in Windsor should be considered, particularly in Victora Street car park.

The meeting, which began at 7.00 pm, finished at 9.10 pm

Chair.....

Date.....