

Overview & Scrutiny

Children and Young People Scrutiny Commission

All Members of the Children & Young People Scrutiny Commission are requested to attend the meeting of the Commission to be held as follows:

Monday 20 March 2023

7.00 pm

Council Chamber, Hackney Town Hall, Mare Street, London E8 1EA

The press and members of the public are welcome to join this meeting in person (please note the guidance below) or remotely via the following link:

<https://youtu.be/5U0r4e0w7wc>

A back up link is provided in case of technical difficulties.

<https://youtu.be/FL9U2L9icYk>

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Mark Carroll

Chief Executive, London Borough of Hackney

Members: Cllr Sophie Conway (Chair), Cllr Margaret Gordon (Vice-Chair), Cllr Alastair Binnie-Lubbock, Cllr Lee Laudat-Scott, Cllr Midnight Ross, Cllr Caroline Selman, Cllr Anya Sizer, Cllr Sheila Suso-Runge, Cllr Lynne Troughton and Cllr Claudia Turbet-Delof

Co-optees: Richard Brown, Andy English, Salmah Kansara, Jo Macleod and Steven Olalere, 5 members of Hackney Youth Parliament and or Hackney Care Council

Supplementary Agenda

ALL MEETINGS ARE OPEN TO THE PUBLIC

Now included for consideration.

7 Minutes of the Previous Meeting

(Pages 7 - 24)

Access and Information

Public Involvement and Recording

Public Attendance at the Town Hall for Meetings

Scrutiny meetings are held in public, rather than being public meetings. This means that whilst residents and press are welcome to attend, they can only ask questions at the discretion of the Chair. For further information relating to public access to information, please see Part 4 of the council's constitution, available at <https://hackney.gov.uk/council-business> or by contacting Governance Services (020 8356 3503)

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We recognise, however, that you may find it more convenient to observe the meeting via the live-stream facility, the link for which appears on the agenda front sheet.

We would ask that if you have either tested positive for Covid-19 or have any symptoms that you do not attend the meeting, but rather use the livestream facility. If this applies and you are attending the meeting to ask a question, make a deputation or present a petition then you may contact the Officer named at the beginning of the agenda and they will be able to make arrangements for the Chair of the meeting to ask the question, make the deputation or present the petition on your behalf.

The Council will continue to ensure that access to our meetings is in line with any Covid-19 restrictions that may be in force from time to time and also in line with public health advice. The latest general advice can be found here - <https://hackney.gov.uk/coronavirus-support>

Rights of Press and Public to Report on Meetings

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the

start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting.

Disruptive behaviour may include moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording Councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease, and all recording equipment must be removed from the meeting. The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

Advice to Members on Declaring Interests

Advice to Members on Declaring Interests

Hackney Council's Code of Conduct applies to all Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- Director of Legal, Democratic and Electoral Services
- the Legal Adviser to the Committee; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

You will have a disclosable pecuniary interest in a matter if it:

- i. relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- ii. relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- iii. affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

If you have a disclosable pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- ii. You must leave the meeting when the item in which you have an interest is being discussed. You cannot stay in the meeting whilst discussion of the item takes place, and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- iii. If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the meeting and participate in the

meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the meeting, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission, or licence matter under consideration, you must leave the meeting unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the meeting whilst discussion of the item takes place, and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the meeting. Once you have finished making your representation, you must leave the meeting whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non-pecuniary interest.

Further Information

Advice can be obtained from Dawn Carter-McDonald, Director of Legal, Democratic and Electoral Services via email dawn.carter-mcdonald@hackney.gov.uk

Getting to the Town Hall

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Accessibility

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall.

Induction loop facilities are available in the Assembly Halls and the Council Chamber. Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

Further Information about the Commission

If you would like any more information about the Scrutiny Commission, including the membership details, meeting dates and previous reviews, please visit the website or use this QR Code (accessible via phone or tablet 'app')

<http://www.hackney.gov.uk/individual-scrutiny-commissions-children-and-young-people.htm>



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Children & Young People Scrutiny Commission March 20th 2023 Item 7 - Minutes	Item No 7
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Outline



To review and agree the minutes of the meeting held on February 27th 2023, and note any actions or matters arising.

TO FOLLOW.

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London Borough of Hackney
Children and Young People Scrutiny Commission
Municipal Year 2018/19
Date of Meeting Monday 27 February 2023

Minutes of the proceedings of the
Children and Young People
Scrutiny Commission held at
Hackney Town Hall, Mare Street,
London E8 1EA

Chair	Councillor Sophie Conway
Councillors in Attendance	Cllr Margaret Gordon (Vice-Chair), Cllr Alastair Binnie-Lubbock, Cllr Sheila Suso-Runge, Cllr Lynne Troughton and Cllr Claudia Turbet-Delof
Apologies:	Cllr Lee Laudat-Scott, Cllr Midnight Ross and Cllr Caroline Selman
Co-optees:	Richard Brown, Andy English, Jo Macleod and Mia Arthur (Hackney Youth Parliament)
Virtual Attendance:	Cllr Anya Sizer Salmah Kansara (Co-opted Member) Sudenaz Top (Hackney Youth Parliament)
In Attendance	-Cllr Anntionette Bramble, Deputy Mayor and Cabinet Member for Education, Young People and Children's Social Care - Cllr Caroline Woodley, Cabinet Member for Families, Early Years, Parks & Play - Paul Senior, Director of Education & Inclusion - Diane Benjamin, Director of Children's Social Care - Nick Wilson, Head of High Needs & School Places - Joe Wilson, Head of SEND - Sarah Darcy, Strategic Lead for Children and Young - People NHS North East London - Steve Jahoda, Head of Disabled Children's Service - Naeem Ahmed, Director of Finance, Children and Families - Sajeed Patni, Head of Finance, Children and Families
Meet recording:	https://www.youtube.com/watch?v=4abOFvDz3i0
Officer Contact:	Martin Bradford (martin.bradford@hackney.gov.uk)  020 8356 3315  martin.bradford@hackney.gov.uk

Councillor Sophie Conway in the Chair

1.1 Apologies for absence were received from the following members of the Commission:

- Cllr Lee Laudat Scott;
- Cllr Midnight Ross;
- Cllr Caroline Selman;
- Jacquie Burke, Group Director of Children and Education.

1.2 The following members connected virtually:

- Cllr Anya Sizer
- Salmah Kansara (Co-opted Member)
- Sudenaz Top (Hackney Youth Parliament).

2 Urgent Items / Order of Business

2.1 There were no urgent items and the agenda was as had been published.

3 Declarations of Interest

3.1 The following declarations were received by members of the Commission:

- Jo Macleod, was a school governor and a mother of child with SEND in the borough;
- Cllr Anya Sizer, was a mother of a child with SEND in the borough;
- Salmah Kansara, worked for a children centre in the borough.

4 SEND Partnership Action Plan (19.05)

4.1 The SEND Strategy for Hackney was agreed by Cabinet in October 2022. To support the delivery of key priorities within this strategy a SEND Partnership Action Plan has been developed by local Education, Health and Social Care services. Members were invited to scrutinise delivery plans and to question officers present.

4.2 The Chair invited respective leads from education, health and social care to set out key aspects of the plan for their services and the opportunities and challenges that they foresee.

- Education - The Director of Education indicated that the strategy and action plan was a partnership approach that would help those with additional needs get the support that they needed for their education and development. The Assistant Director for High Needs noted that the action plan not only responded to the strategy, but also the peer-review of SEND services which was conducted in 2022. The peer review noted that whilst there was lots of good activity across SEND services, these would benefit from greater coordination across the local partnership. It was noted that the 10 priority areas identified in the peer review are mirrored in the action plan (as work streams). It was also noted that this remained a draft plan until finalised and ratified by the local area SEND Partnership Board.
- Health - The Strategic Lead reiterated the support from health agencies for the action plan, noting that health was contributing to every work stream. Health partners noted that the inclusion of the voice of young people and parental engagement, together with a commitment to co-production, were important aspects of the action plan. Demand and capacity issues were having an impact on waiting times across the SEND system, and it was hoped that the action plan would develop a system wide response to this issue.
- Social Care - The Head of Disabled Children's Service indicated that the action plan would help to streamline the way that local services work together to support children with SEND. From a social care perspective, the establishment

of the Early Help Hub (where key statutory partners work together) has helped to support local joint working relationships.

Questions from the Commission

4.3 What are the governance arrangements for overseeing the action plan? How inclusive is the SEND Partnership Board and how does it relate to the SEND Transformation Team?

- The Board is not only made up of local commissioners but also of providers within the local SEND system. There is also representation from local parents via the Parent Governor Forum. Attendance at the meeting was around 20 people which provided a good assessment of the level of local engagement. A new Executive Board has been established to bring greater clarity to decision making and to improve oversight of the local SEND system to ensure that resources are being spent in line with local priorities and that executive leads are aware of strategic risks.
- In terms of transformation there were a number of boards which needed to have oversight of the SEND system which included City and Hackney Safeguarding Children Partnership, Hackney Schools Group Board and the Health and Wellbeing Board. The Council accountability structure was mapped into the governance arrangements, and there were plans to do this for health service provision. The parent carer steering groups and the voice of young people were embedded within the 10 work streams.

4.4 Can officers update the Commission on waiting times for SEND services and for those specialist health services which are required to support local assessments of children?

- The Strategic Lead for Health (SLH) noted that there was an Emotional Wellbeing and Health Partnership Board which works closely with the SEND Partnership Board. This Board is looking at pressures across the system such as waiting times for CAMHS and other services. It was acknowledged that there was not a robust waiting times dashboard across the system at present but a number of developments were in the system to bring improvements. As part of work stream 3, the wider partnership was committed to establishing a partnership-wide SEND dashboard which will provide additional transparency around waiting times. The SLH also indicated that there were no current concerns around waiting times for speech and language therapies (SLT) but there were long waiting times for autism assessments where there was a waiting time of 12-13 months for the under 5 and over 5 pathways. Whilst accepting that more needed to be done to reduce this, it was noted that Hackney was not an outlier and that many other services in other areas were recording similar waiting times. Critically, services were working together to identify what support can be put in place once needs had been identified rather than waiting for a formal diagnosis (pre-diagnostic support).

4.5 What support is available for children and families whose first language is not English?

- Omitted.

4.6 How are children and families supported to transition through services on their journey to adulthood?

- A monthly meeting is held with all local partners (education, health and social care) with the addition of CAMHS and CAMHS disability to review the needs of young people aged 16+. This collective system ensures that the needs of young people are identified and that there is a pathway of services which can support their journey to adulthood. The Adults Social Care Team also contributes to this process as they also support young people aged 18-25 years as well as some 16 and 17 year olds.

- From a health perspective, there were a number of well-established pathways in the community to support young people's journey into adulthood (e.g. CAMHS). It was now important to map all the pathways of provision and to identify where there were gaps and how local services could work in partnership to address these.

4.7 How are different SEND programmes that support young people to transition to adulthood promoted to young people? Are there any plans to work with Hackney Youth Parliament?

- The Strategic Lead for Health acknowledged that services must rely on a range of ways in which to reach out and communicate to young people about the SEND support that was available. The Local Offer website listed all services available through SEND and the Parent Carer Forums were also used to promote awareness to the local community. There has been a great deal of work undertaken in developing pupil voice which was centred in local schools.
- The Head of SEND also emphasised the importance of work to develop pupil voice and had established a local pupil forum which was made up of about 30 young people (though further recruitment was anticipated). It was hoped that these young people could report back issues to their own schools and also help to set up student councils for SEND in their own school which would be a good way to promote awareness of local services. There have also been employment and preparation for adulthood fairs for local children in a number of schools and there are plans to make this borough wide. The Head of SEND agreed that it would be beneficial work with HYP to further promote the work

4.8 From the Commission's previous work on SEND, there was a broad consensus among partners that service planning was not sufficiently data driven, and that a more developed and critical understanding of local data was needed to better assess local needs and to inform commissioning, particularly for post 16 SEND options. Is the SEND team and wider partnership confident that local SEND data systems and processes can deliver the information needed to develop and improve SEND provision as set out in the Action Plan?

- The only national indicator was the 20 week time limit to process EHCP's for which the local performance was 60% against a national average of 54%. With 5.4% of local children applying for an EHCP it was a significant challenge to improve performance, understanding that the regional average is 4.4%. It was suggested that if the action plan comes back to the Commission, that this could include a local SEND performance scorecard. This will be important to ensure that there is progress against the action plan.

4.9 How do you ensure that children who do not have an EHCP or receive support from social care services (but are on SEND support) do not fall through the gaps in the preparation for adulthood?

- There is a statutory requirement for a year 9 assessment for children with an EHCP to assess preparations for adulthood. Whilst there is no such requirement for children on SEND support, the local SEND service does encourage schools to undertake the same assessment at this juncture. Further work was needed to ensure that this was routinely undertaken by all local schools.

4.10 What is being done to increase the voice of young people and parental engagement and involvement in SEND provision?

- A new Parent Carer Forum was currently being commissioned to ensure that local parents of children with SEND were engaged in all aspects of the action plan.
- There were also plans to recruit young people to the SEND Partnership Board to ensure that the voice of young people was being heard at the very highest level.
- The SEND service was committed to the principle of co-production and would ensure that both young people and their families are meaningfully involved in the decision making process and development of local services.

- From a health perspective, young people were involved in Youth Hubs which has been integral to the establishment of local neighbourhood areas.

4.11 There is little mention of Foetal Alcohol Spectrum Disorder in the strategy or action plan. Are there plans to address given the rising incidence of this both locally and nationally?

- Alongside other local stakeholders, parents have played an important role in shaping the SEND strategy and action plan to help take its current form. This process was ongoing to ensure that local plans respond to local needs, and will ensure that conditions such as FASD will be identified. All these needs have to be assessed in the context of clinical needs and priorities. FASD was not currently on the radar locally, but partners agreed to reassess this position if the current needs assessment reflected a need to do so.

4.12 Are there plans to further promote SEND services through local HCVS, community and youth groups?

- The Cabinet member flagged a number of school and community events to which would further promote local awareness of SEND Services which included, Autism Awareness Week, Year 6 Transition Event and a Big Summer SEND Forum. Details would be sent to HYP and other community partners.

4.13 Ensuring that local services respond to the needs of the Orthodox Jewish Community, which comprise around 20% of young people locally, will be an important part of local service transformation, but there is very little mention of the community in the Action Plan. What is the overarching strategy for engaging and involving the Orthodox Jewish Community to support the implementation of the Action Plan? Is there any specific data on the needs of this community?

- There were targeted conversations with the Orthodox Jewish Community to progress SEND services locally, it was noted that the DoE had a forthcoming meeting with Interlink and officers regularly met representatives from Side by Side, a local specialist provision for the community. Many children with SEND needs within the Orthodox Jewish Community are supported within schools within the independent sector, and the SEND team was liaising with 32 such schools to ensure that local needs were reflected in local plans and strategies. The SEND service was also liaising with other authorities who had similar populations to compare and contrast services and identify how support can be provided better.
- The AD for High Needs did emphasise however there was a need to develop the voice of the child from the Orthodox Jewish Community as this was currently under-represented. Whilst there was evidently positive work that was happening with young people from this community (facilitated by a local SENCO network into local independent schools) further work was needed to help improve consistency and coordination of this.
- The SEND team had recently had its annual inspection meeting with the regional Ofsted Director and provision for the Orthodox Jewish Community was a line of local service challenge. Whilst it was recognised that engagement was a challenge with the Orthodox Jewish Community, Ofsted reported that the authority went further than many others in this respect. The Schools Bill had been expected to support further engagement with further powers to identify unregistered settings but this had recently been dropped from the legislative programme. On the assurance of the regulator, however, the authority was confident that local systems were robust.

4.14 With central government allocations not reflecting the growing demand for SEND, local services (and budgets) will come under increasing pressure. Are partners satisfied that there are fair and transparent structures in place for apportioning costs / investments to meet the often complex needs of children with SEND?

- The DoE noted that there is a significant overspend in the SEND budget of the region of £5.5m this current financial year, which reflects nationwide concerns around the level of funding where there was an estimated £2.5billion funding gap. It was noted that 144 of the 151 local authorities were currently overspent in their SEND budget with some authorities having a cumulative overspend in the region of £250m. The SEND green paper currently progressing through parliament would also help to bring greater clarity and control to local SEND provision and how these were funded. Locally more had to be done to ensure that greater numbers of children were supported within the local maintained school settings to reduce pressures on local specialist schools and non-maintained sector schools (where annual costs for a single provision could cost up to £250k).
- The SHL for Health noted that the partnership was committed to ensuring that children with SEND were supported in settings as close to home as possible (and not external to the borough). Early identification of support needs was also critical in reducing reliance on EHCPs as this would ensure that children got the help they needed earlier. This early help will also therefore help to reduce costs. Investment in prevention and early help will reduce the need for more specialist interventions, which are of course more expensive to resource.

4.15 The School Estates Strategy aims to deliver an additional 300 places at maintained schools in Hackney for children with SEND. Given the current level of new EHCPs issued each year, are partners confident the School Estate Strategy - and Action Plan - deliver the additional internal capacity for maintained provision in Hackney?

- Every year a needs analysis is undertaken to identify if there is enough capacity in the SEND system to meet the needs of local children, and the current planned increase in places would respond to expected increased demand. There were two key factors which would impact the supply and demand for EHCPs; firstly lower school rolls was expected to reduce demand for EHCPs in the system and secondly, a more balanced approach to referral and assessment for EHCP was also likely to reduce the number of EHCPs approved. Phase 1a and 1b of the School Estates Strategy were progressing with developments at St Marks and Nightingale Schools approved and land for a potential annex for a local specialist school had been scoped. The service believed the number of new places was appropriate for expected demand, though this was reviewed on an annual basis.

4.16 How will the SEND team ensure that Additional Resource Provision (ARP) are developed where they are most needed? As the Action Plan is linked to the School Estates Strategy, is there not a concern that those schools experiencing falling school rolls, are more likely to take up this offer? How is the SEND team actively targeting those schools/ areas where APR provision may be beneficial?

- ARPs have traditionally evolved organically across Hackney, where schools themselves have nominated themselves for ARP services. The SEND team were now trying to create a more even and planned spread of ARPs across the borough to meet local needs, this will help to improve accessibility and reduce associated travel costs.

4.17 In relation to additional provision within the specialist maintained sector, what extra capacity will be delivered in what areas of SEND provision and over what timeframe? How will ARPs be developed in secondary schools and what are the challenges to this process?

- There is a statutory duty for the authority to provide sufficient provision and a range of settings are deployed to ensure the needs of local children are met. The data indicated that there will be challenges for secondary provision and the service was working with locally maintained settings to understand capacity and how this might be increased further. A plan was currently being developed to

help inform what education should look like in 2030 to further help track and plan for future needs of children and the implications for local services.

- Commissioning was reviewed annually to ensure sufficiency of supply and the service was always seeking ways to improve additional provision within maintained secondary settings. It was acknowledged that there needed to be a rebalance of SEND provision between primary and secondary schools, as the former had one of the highest rates of children with an EHCP in London and service demand would eventually transfer to the latter. The most recent priorities from that audit noted deficits in ASD and SEMH provision which was being addressed.

4.18 Understanding that there were waiting times of approximately 13 months for ASD reviews which was a very long time for young people and their families to wait. This was concerning because a significant number of these children struggle with school which can be an influence in school exclusions. Given that young people are waiting a long time, can help from other sources be diverted (i.e. REU) to support these children's pre-diagnosis or help to reduce waiting times?

- SHL for Health noted that services were very much alive to the challenge of waiting times for ASD as this had a significant impact on children and their families. Additional recurrent funding had been invested in the ASD diagnosis to increase capacity across all pathways. In terms of pre-diagnostic support, the broader partnership was aware of the potential impact that this was having, particularly around emotionally based school avoidance, and were working to address this. There were a number of ways in which young people were being supported whilst on a waiting list including the graduated response in school and the additional holistic support which can be drawn upon via the team around the child / school. Termly school based meetings were multi-disciplinary and were focused on providing early help support to children with SEND in education. It was noted that CAMHS now had an integrated single point of access from November 2022.
- In terms of children's social care, needs (rather than diagnosis) drove support and often a care package would be put in place irrespectively.

4.19 A full Ofsted inspection of the SEND Partnership is expected within the next 6 months or so. After the recent completion of the Local Area SEND service self-assessment (page 17), what do partners feel are the top priorities for action and improvement within this Action Plan ahead of the imminent Ofsted Inspection?

- A joint SEND area inspection by Ofsted and CQC was expected this year (2023). The SEND Partnership Board is very active in its preparation for this, including ongoing self-assessment. The service is currently collating 60 documents in readiness for the inspection by Ofsted. A new system of inspection will focus on 6 randomly selected children whose cases will be reviewed by Ofsted in relation to the effectiveness of all services involved in that young person's journey. This is a significant shift in format from previous inspection processes. The peer review and self-assessment process identified those priority areas for improvement which correlated with the work streams in the action plan. Through the self-assessment the service was pre-empting what the key lines of enquiry might be, these included the need for more jointly commissioned services, the rate of secondary expulsions/exclusions for those children with EHCPs and planning for parenthood.

4.20 The success of this Action Plan will, to a large degree, depend on the effectiveness of local partnership working among statutory partners and other stakeholders. Noting that there were no representatives present from Adult Social Care, what assurance can officers from Education, Health and Social Care provide that the proposed governance structures adequately support and promote further partnership working across the sector?

- This was acknowledged to be an area where further work was needed, but in part it depended on definition. In many ways local services were working together effectively as service commissioners were holding a singular joint contract which was held by one part of the SEND system on behalf of the whole. The whole approach locally was driven by strong commitment to joint commissioning and although there were services which were not held by a singular contract, these were reviewed together across the partnership. There is a plan across the partnership to move toward a single integrated commissioned service and progress has already been made in respect of OT, SLT and ASD. The parent carer forum was being re-commissioned as a jointly commissioned service across partner agencies. Wellbeing and Mental Health in Schools (WAMHS) was also a good example of good jointly commissioned programmes. It was also noted that Public Health colleagues were re-commissioning a number of their services to reframe these as 0-25 years to acknowledge local SEND need.

4.21 The Cabinet member indicated that a recent summit of all services connected with SEND was very helpful in identifying which services were working well, and which were not and where action needed to be prioritised. The Cabinet member welcomed the input of scrutiny into this process, noting that any additional recommendations would be welcome.

4.22 It was agreed that the Action Plan should also come back to the Commission next municipal year when it had been finalised and ratified by the partnership. The Commission would be keen to see the development of a performance dashboard to support the implementation of the Action Plan to assist in future review and monitoring. The Chair also agreed that the Commission would review key issues arising from previous scrutiny of SEND provision and forward these on to the Cabinet member and senior officers.

Agreed: SEND Area Action Plan to be included within the 2023/24 work programme.

Agreed: That SEND partnership should develop a performance dashboard to support service monitoring.

Agreed: That the Commission would review previous scrutiny of SEND services to identify priority areas for improvement and support preparations for the expected Ofsted inspection.

4.23 The Chair thanked officers for attending and responding to questions from members of the Commission.

5 Hackney Education - Budget Monitoring (19.55)

5.1 Budget monitoring is an important part of the overview and scrutiny function, and the Children and Young People Scrutiny Commission reviews the budgets of key council directorates annually to ensure that spending is aligned to budgets and the agreed policy priorities of the Council. The budget monitoring report provided detailed in-year budgets for Hackney Education, together with management actions taken to address overspends and the service's progress in achieving agreed budget savings for 2022/23.

Hackney Education (HE) and Corporate Finance (CF)

5.2 (HE) Key points to note from the report was that the overspend in SEND services in the region of £5.4m was contributing to overall deficit across Hackney Education (HE). There were also some significant areas of underspends in the service in the Dedicated Schools Grant.

5.3 (CF) noted that there were overspends in SEND, children's centre and operations budgets, with underspends, the overall forecast position for HE is a £4.8m overspend. The cumulative overspend for SEND was predicted to be £18.7m by the end of this financial year.

Questions from the Commission

5.4 Officers in the past have suggested that under-occupancy is a key driver of overspends within children's centres, yet the budget table in Appendix 1 of the report shows that those centres with highest occupancy have the highest forecast overspend? Can officers explain further? Could officers clarify the future spend for Hillside Children Centre? There is an overspend of £148k at Ann Tayler Children Centre which equates to 30% of the total overspend in the Children Centre budget. What factors are driving the overspend in this specific children's centre?

- It was noted that the report was taken at month 8, with 4 months remaining in the current financial year which may in part explain the discrepancy between the year to date and year end positions. There are three key factors which are driving financial variations across children's centres:
 - Income derived from childcare fees;
 - Energy costs associated with individual centres;
 - Agency costs to cover vacancies as they arise.
- In the case of Ann Tayler CC, the overspends were largely as a result of the use of energy costs and agency staff usage.

5.5 What is the current status of the two children's centres (Hillside and Fernbank) which were earmarked for closure within the consultation? Are all services continuing to be provided from both sites? Are staff being recruited to positions that become vacant? Are sites continuing to operate at the same capacity and accepting children?

- Fernbank is a school run children centre so does not figure in the budget specifically (but under school commissioned services). Most vacancies across children's centres are being covered by fixed term or interim placements with agencies whilst the children centre programme remains in review. (This issue is picked up in greater detail in section 6- Cabinet Q & A).

5.6 The pandemic changed the way that families use childcare, but does the current system of fees and charging (which were agreed pre-pandemic) reflect the new usage patterns of the children centre? Do these need to be updated to reflect a) more part-time usage, b) less usage outside of free childcare hours, c) balance in the week - i.e. more parents work from home Mondays and Fridays and demand may be less over these days?

- More flexible use of childcare was being experienced at local children's centres with parents focusing usage around their free entitlement. In this context, the levels of full-time usage were down. In terms of the fees and charges being updated to reflect the new childcare environment, this would sit within the remit of the children centre review.

5.7 The table at section 5 of the report outlining cost reduction proposals for SEND, is the same table as was presented to the Commission last year (i.e. with no savings targets). Therefore no cost savings were achieved in 2021/22 and none are expected for 2022/23. Can officers set out when plans will be developed to achieve cost savings and the anticipated value of these savings? Similarly, when is the SEND transport review anticipated and when do officers expect to have estimates of cost savings?

- The council is registered with the Better Value Programme which was a national programme to assist local SEND services to help reduce costs. This was very much in its infancy and it was unable to attach cost savings to this at present.

The main driver behind the costs in this service were higher and more widespread needs resulting in higher spending for SEND services.

- CF officers attended a national meeting of finance and SEND officers to help identify ways in which cost saving can be achieved across local SEND provision. This had been informative in understanding how other local authorities were addressing cost pressures in SEND services

5.8 There are significant areas of underspend detailed in the report totalling around £1.5m Can officers provide the Commission with further details about the underspend is forecast in 'delegated funding to mainstream'. How has this underspend arisen and how can that money be used? If it comes from the DSG then it should be spent on schools, not cover the overspend of other areas of HE spending.

- The underspend in the delegated funding represents the 0.5% top slice of the DSG for high needs and is used to offset the overspend in the high needs budget.

5.9 The cumulative SEND deficit will be in excess of £18m at the end of this financial year (2022/23), which continues to represent a serious financial risk for both Hackney Education and wider Council budget. Can officers update the Commission on the most recent meetings with DfE officials in seeking assurance of government commitments to cover the cumulative overspend? What local contingencies are being developed if this sum is not underwritten by central government?

- It was expected that the Better Value programme would start to realise local savings for SEND services. In addition, the school estates strategy will aim to reduce the number of children which are educated in specialised schools outside of the borough which is more expensive. Furthermore, greater focus on early help will help to address the needs of local children earlier which will help to reduce future needs, including SEND needs. It was noted that officers were connected to national SENDE funding groups at which DfE officials also attend. There has been a request that if the DfE cannot fund the cumulative deficit, that it funds local authorities in excess of its annual deficit so that it can begin to turn around service deficits. The Council was also looking to create reserves to offset some of this risks of this cumulative overspend.

5.10 The report predicts a £5.4m overspend for SEND this year, can officers outline to the Commission the main areas of overspend within the SEND Budget?

- Increased needs are fuelling increased demands which the local authority is statutorily required to fund (EHCP). 5.3% of local children have an EHCP which is amongst the highest rates in London. This filters into higher demand and higher costs for all aspects of provision including SEND transport, non-maintained commissioning. Local authorities cannot simply decline to assess or authorise EHCPs and a number were accruing significant deficits (e.g. Kent had a cumulative overspend of approximately £200m). The national funding gap is estimated to be £2.5 billion, which in the most part have been driven by failure to fund services in lines with the SEND reforms of 2014.

5.11 In July 2021, Hackney Education reported that a Pseudo Dynamic Purchasing System (DPS) and the Children's Cross Regional Arrangements Group (CCRAG) would improve commissioning of Non Maintained provision and reduce costs. What improvements have these new commissioning systems brought in terms of financial control and quality assurance?

- There had been improvements in SEND commissioning of non-maintained services. In this sector there were some very expensive provision, and officers needed to challenge rate setting in this sector and, where appropriate, introduce rate caps. There can be long waiting lists for more specialist provisions and use of the non-maintained sector can ensure that children are receiving appropriate

SEND support in the interim. The strengthening of the local offer (quantum of services) was central to reducing costs in this sector.

5.12 A vacancy rate saving of £800k is set for Hackney Education. Can officers give an up to date figure on progress in reaching this target - how much has been achieved thus far? If savings targets are not reached - how will this impact on the overall budget?

- There is a 3.5% target for vacancy factors savings in Hackney Education (HE) noting that 2% is budgeted centrally and 1.5% met across all other budgets. If this is not possible to meet cost savings within the staffing budget, budget holders are requested to meet this in non-staffing budgets. At period 10, budget holders in HE indicated that they could meet this savings requirement from both these areas.

5.13 Hackney Education has a significant income derived from Traded Services - those services marketed to schools in Hackney and elsewhere for a fee (e.g. School Improvement Partners). How has this income stream held up in the past year (it's not evident within the report)?

- It was noted that there is a traded service income of around £4m for which a £80k variance was forecast. This would appear to suggest that traded services income was holding up well in the current financial environment.

5.14 The Chair thanked officers for attending and responding to questions from members of the Commission.

6 Cabinet Q & A (20.30)

6.1 Each year, the Cabinet members with responsibility for children services are invited to attend the Commission to respond to questions on services within their respective portfolio. The Commission welcomed Cllr Caroline Woodley, the Cabinet member for Families, Parks and Leisure, who responded to questions on three policy areas in her portfolio which relate to children and families. The focus of these three policy areas and their responses are given below.

6.2 Can the Cabinet member update the Commission on future plans for Children's Centres?

- Setting out prospective key decisions (by Cabinet) and timescales for future proposals;

- How proposals for the development of Family Hubs (including additional funding) relate to future re-configuration of children's centres?

Cabinet member response

- The local Affordable Childcare Commission has been established and an independent chair has been appointed and would be confirmed at the official launch of the Commission in March. The Commission would run between 6-9 months and run in parallel with other consultation events (e.g. establishment of Family Hubs).

- Family Hubs, was a national programme which was being rolled out to 75 local authorities to provide extended support for children and families. Hackney was one of the 75 authorities chosen and would receive approximately £4m of funding over 3 years to support this development. The focus was on start for life (first 1,000 days) and parental support including parenting, perinatal mental health and establishment of parent carer forums. It does not however fund childcare. Although there is no additional funding for 0-19 provision, it will allow services to align with local youth hubs. There has been extensive consultation with stakeholders to help make Children and Family Hubs part of a more supportive system for local young people and their families. The first tranche of funding had been received and officers were looking to establish services.

- Cabinet approval will be sought to transfer 6 multi-agency children centres into multiagency hubs. The current hub and spoke model over 6 cluster areas would migrate over 8 neighbourhood areas to become coterminous with primary care services. There

are plans to consult the CYP Scrutiny Commission on these plans. There are also plans to transform 2 children centres into ARP for children with complex needs (1 in north and 1 in south). Cabinet approval would be sought in autumn of 2023 which would require a consultation on plans to take place in May/June 2023.

- HE would also be looking to cease services at one children centre in response to continuing overspends in this budget. HE was consulting local schools who provided children's centres to assess to get a strategic assessment and whether they wished to vary or discontinue from current services agreements.

- In summary the Children Centre review will take recommendations from the Affordable Childcare Commission and Family Hubs process to inform future options for the service, including possible outsourcing to community and voluntary sector services.

Questions from the Commission

6.2.1 Will there be any mental health provision or emotional support for children and families in the Family Hubs?

- There will be a broad range of family support from strategic children's centres which will become family hubs, including social and emotional support and DV advice and support. These centres will continue to be multi-disciplinary providing links to other local services across health, social care and education.

6.2.2 Will Family Hubs also be accessible to families with no recourse to public funds?

- The Cabinet member was not aware of the position of those families with no recourse to public funds. Whilst the Holiday Action Fund provided some support to those families with no recourse to public funds, it would be challenging to support them through Family Hubs model. The Cabinet member noted that in part it would depend on the needs of individual families, if this was something which was identified in an open access service (i.e. Stay and Play) and which could be resolved there and then by workers in the children centre, then this would probably not be an issue. The Cabinet member indicated that they would look further into this issue.

- The Director of Education noted that as this was a DfE funded programme, the authority would need to adhere to set target groups and exclusions.

6.2.3 The Cabinet member noted that a number of schools were considering withdrawing provision and cease the operation of their children's centre. How many schools were considering withdrawal and what were the associated risks of this? If some schools are withdrawing, will HE need to reassess the overall model of provision to ensure equity of access and that the remaining network of centres is accessible to local families?

- Local primary schools were experiencing falling school rolls which was having a significant impact on their finances. For some children's centres provided by schools there was a real challenge in ensuring that these were financially sustainable. HE would need to reflect on these school decisions and how this would impact on children centre provision in the maintained sector. The authority has one of the largest networks of children's centres and was rightly proud of the services that they provide, but decisions taken by schools would require strategic assessment of overall provision. The early years strategy which was approved by Cabinet in 2022, will help to mitigate the impact of any loss of services.

6.2.4 What is the current status of the two children's centres (Hillside and Fernbank) which were earmarked for closure within the consultation? Are all services continuing to be provided from both sites? Are staff being recruited to positions that become vacant? Are sites continuing to operate at the same capacity and accepting children?

- All services at these centres are ongoing. Whilst there were generally childcare vacancies at the beginning of the year, these generally filled up as the year progressed. The mitigations will be that two children's centres will be transformed into early help for children with SEND, but it was acknowledged that a centre would need to close. HE

would review the children centre business case with individual schools and bring in additional expert support if necessary. This may mean that such children centres might become independent of the local authority in the future. The reality of the position is that whilst demand was increasing for services areas like SEND, the financial position remained challenging.

6.3 Can the Cabinet member outline support available to parents of children with SEND, in relation to:

- **Role of the Parent Carer Forum and plans to restart this?**
- **Operation of SENDiags, the nature of support offered and accessibility of this service;**
- **How parents of children with SEND are made aware of their rights in relation to HER legislation;**
- **Advice, information and support provided to parents in the choice of educational placements for their children;**
- **What advocacy or independent representation is available to parents e.g. where there is dispute or challenge in relation to assessments / or decisions of their child with SEND.**

Cabinet member response

- It was acknowledged that the current arrangement was not working as effectively as it should and that the SEND Parent Carer Forum (PCF) was being re-commissioned. It was important that the PCF was effective to support the growing demands and expectations in relation to SEND service development and transformation. The national SEND PCF had worked with Hackney Independent Forum for Parents (HiP) and agreed that a reset was necessary and a new host organisation be put in place. The new host would soon be announced but HE would continue to work with HiP, As One and other family support groups. The aim of the reset will be to ensure that the new host and HE work together with local parent carer forums and that these are properly supported in relation to funding and governance. There would also be a re-evaluation of communications support.
- In relation to SENDiags, a recent staffing restructure revealed that there was a significant lack of capacity in the service (particularly caseworkers and Educational Psychologists). This is a small but important service which provides critical mediation support for families and schools as well as what local services are available and what to do when things go wrong for families. SENDiags also play an important link between Parent Carer Forums and Young People Forums.

6.3.1 (Hackney Youth Parliament) Those families whose first language is not English face additional problems in accessing SEND advice and information. How will the Cabinet member ensure that such services remain accessible to all local families?

- A Parent Liaison post had been created within SEND and the ambition of this work was to create a more consistent approach and support system for local families. As lead for inclusion within schools, the Parent Liaison role will help to ensure that communication and support for children with SEND is universally available across all schools. In terms of language, HE does try to signpost parents and families whose first language is not English, to sources of information which is accessible to them. It was acknowledged that this was not the same as having a dedicated worker who may be able to communicate with parents in their first language. One area of development was the establishment of a network of parent champions who would be able to provide peer support, advice and information in a range of community languages. SENDiags also hired interpreters where these were needed, though a more systematic assessment was needed to identify gaps in provision and how these may be resourced.

6.3.2 How will the new Parent Carer Forum operate, how will it support co-production and when will it commence to operate? In terms of the new host

organisation, how has the current host (HiP) been engaged and consulted? What resources are available?

- The Cabinet member formally thanked HiP for all the support it had provided and continued to provide to parents of children with SEND. HiP advice and support was critical during the pandemic in ensuring that those families in need were adequately supported. It was acknowledged that change was difficult.

The Director of Education noted that HiP will remain members of the Partnership Board so will be able to contribute on an ongoing basis. HE continues to work with a wide range of SEND parent organisations to support local strategy for development of SEND services. There would be resource for the new host organisation if a DfE grant was forthcoming and there were contributions from local health partners.

6.4 Can the Cabinet member update the Commission on service demand and current waiting times for Speech & Language Therapy (SLT) and Educational Psychology to support children with SEND? To outline the plan and or priorities among the strategic partnership (health, education, social care) to help reduce waiting times to maintain service accessibility.

Cabinet member response

- In relation to SLT, the majority of those children waiting longer than 6 weeks to be seen are aged under 5 years of age. To mitigate these waiting times, staff work flexibility across settings to respond to areas of high demand and offer weekend appointments for assessments. Whilst HE does retain a high number of Educational Psychologists there is a national issue around recruitment and retention. There has been a real difficulty in recruiting experienced staff, and trainees were therefore being recruited for on-site training. Holding and supporting children and families whilst they were waiting to receive therapy was becoming increasingly important, and a number of parent workshops and on-line sessions were being held to provide this pre-diagnostic/ therapy support.

Questions from the Commission

6.4.1 (Hackney Youth Parliament) How will the Cabinet member work to reduce waiting lists for Educational Psychology as this can be a deterrent for young people to seek help?

- It was hoped that additional capacity put in since September 2022 would help to reduce the backlog by May 2023.
- The Director of Education noted that compliance with statutory time limits for EHCPs (on which access to Educational Psychology was dependent) had increased from 20% in 2022 to over 60% currently. This was as a direct result of this additional investment.

6.5 The Chair thanked the Cabinet member for attending and responding to questions from members of the Commission.

7 Children & Families Annual Report 2021/22 (21.20)

7.1 The Children's Social Care Annual Report is a standing item on the Commission's work programme. The report could not be taken as scheduled within the work programme, therefore the report is published at page 61 of the report pack for members to note. This report details children's social care activity for the period 2021/22.

7.2 Members were requested to submit questions that they may have about the report in writing to the scrutiny officer, who will then collate these and present them to Children and Families Service for a response. These responses will then be published at a future meeting of the Commission.

8 Work Programme 2022/23

8.1 The updated work programme for the remainder of 2022/23 was reviewed by members, the main changes and updates were noted as below::

- Child Q scrutiny meeting planned for March 28th would be postponed to 25th April 2023.
- Support for Young Parents (20th March 2023) - focus groups were taking place with young parents on the evening of 6th and 8th March 2023. If members want to be involved - there was space for 1 or 2 to participate. The Chief Executive of the Family Rights Group will also be attending on 20th March (next meeting) alongside other Public Health, Children and Families and Health services.
- Accessibility of CAMHS (17th April 2022) - the focus group with 6 providers from the CAMHS Alliance is taking place on 22nd MArch at 6.30pm. All members were invited to attend which will be an opportunity to learn more about local provision and question services on CAMHS accessibility ahead of the meeting in April. The Vice Chair and Chair would also visit a small number of CAMHS services on March 10th 2023. Given the size and sensitivity of visits it was not possible to include other members, but those attending would formally give feedback to the whole Commission.
- Housing Support for Care Leavers - Cabinet response had been delayed and was now expected at the end of March.
- Childhood Food Poverty - Cabinet member response was expected at the end March.

9 Minutes of the Previous Meeting

9.1 Members noted and agreed on the minutes of the meeting held on 16th January 2023.

9.2 Actions arising from the minutes:

- Outcome from School Exclusions (questions unable to be asked at the meeting on 16/1/23 and which received a written response at page 171 of the report pack).

There were no further comments or notes from the responses.

- Unregistered Settings - Letter to Secretary of State for Education - for members for review
- Unregistered Settings - Letter to Group Director for Children and Education and local leadership - for members for review
- City & Hackney Safeguarding Partnership - data on attendees of adultification bias training was as below:

Between July 2021 and January 2023, the CHSCP has funded 24 training sessions. A total of 371 practitioners have attended from the following sectors:

Education - 62

Health - 107

Local Authority - 80

Police - 74 (68 from the MPS)

VCS - 42

other - 6

10 Any Other Business

10.1 There was no other business and the meeting closed at 9.45pm.

Duration of the meeting: Times Not Specified