

PEOPLE SCRUTINY COMMITTEE

MINUTES of a meeting of the People Scrutiny Committee held at Council Chamber, County Hall, Lewes on 17 July 2023.

PRESENT	Councillors Johanna Howell (Chair), Trevor Cristin, John Hayling, Sam Adeniji, Charles Clark, Chris Dowling, Kathryn Field, Nuala Geary, Wendy Maples, Stephen Shing, John Ungar (Vice Chair) and Trevor Webb
LEAD MEMBERS	Councillor Bob Standley
ALSO PRESENT	Councillor Bob Bowdler (by MS Teams) Alex Callaghan, Being Digital Delivery Manager (by MS Teams) Elizabeth Funge, Assistant Director Education Alison Jeffery, Director of Children's Services Jacqueline London-Willis, Head of Business Development and Insight (by MS Teams) Sarah Russell, Assistant Director for Planning, Performance & Engagement Mark Stainton, Director of Adult Social Care & Health Rachel Sweeney, Senior Policy and Scrutiny Adviser

1. MINUTES OF THE PREVIOUS MEETING

1.1 The Committee RESOLVED to agree the minutes of the meeting held on 16 March 2023 as a correct record.

2. APOLOGIES FOR ABSENCE

2.1 Apologies for absence were received from Councillor Penny di Cara (Councillor Beaver substituting) and Maria Cowler.

3. DISCLOSURES OF INTERESTS

3.1 Cllr Webb, Field, and Maples declared interests as a District and Borough Councillors, and Councillor Webb declared an additional interest as Vice Chair of the Audit Committee at Hastings Borough Council, in relation to the discussion on temporary accommodation.

4. URGENT ITEMS

4.1 There were no urgent items.

5. VERBAL UPDATE ON THE IMPLEMENTATION OF SCHOOLS WHITE PAPER REFORMS

5.1 An update was given by the Assistant Director of Education who informed the Committee that the Schools White Paper Bill had been withdrawn from parliament and provided an update on the elements that, despite this, the DfE was still progressing including legislation on a register for children not in school, and attendance duties.

5.2 The Assistant Director informed the Committee that the Department were preparing for new statutory duties on attendance including through a reorganisation of the team, working with colleagues in Early Help and social care and the creation of a new attendance support team to work directly with schools. A new Level 2 Early Help Key Worker post would be working with severely absent children (children attending less than 50% of school and who were not involved with other services) and providing a whole family approach to support the most vulnerable children.

5.3 The Committee heard that academisation was still an ambition for government and the Department were working with the DfE, schools and the diocese to look at the options for trust development to create a strong network of schools across the county, as well as reviewing sustainability for smaller schools. The Department was continuing to work with primary and secondary boards and reported some increased movement with primary schools joining existing trusts. The DfE had provided some Trust Capacity Fund (TCF) funding to support new schools and existing trusts to set up / grow trusts and the Department anticipated there would be continued interest in academisation which they would support, particularly partnerships which delivered greater inclusion and outcomes for children.

5.4 Going forward the Department would continue to share information with schools and governors on the financial and governance implications of joining a trust and to make sure the local authority's views were clear that any proposals around academisation should be in the best interests of children. They would continue to showcase where successful partnerships were working well and how.

5.5 The Committee welcomed the update and discussed the following:

- **Academisation** – The Committee asked for more information on the federation of schools that were interested in becoming MATs. In response, the Committee heard that

there were several primary federations in East Sussex and that to work well, federations needed to be of right size (at least 3 or 4 schools) to get the benefit of working together. In response to the Committee's question on the Council's views on academisation, the Director of Children's services responded that MATs could be a strong vehicle for supporting the life chances of children, providing they were committed to inclusion and had a strong value set. The Director clarified that the Council was neither able to force nor prevent schools from becoming academies, and that this was decided through regional DfE teams, however it was noted that the views of the Department were sought by the regional DfE teams.

- **Meeting need with limited resources** – The Committee asked how the Council could meet increasing need with fewer resources and a deficit within the Department. The Assistant Director explained that this was a challenge, with schools seeing increasing complexity of need and pressures on families. The Department had worked with schools to understand how they could support schools to support families and get the best out of the resources they have. Partnership working, including federations and MATs was highlighted as an area that could achieve positive outcomes by sharing resources and through joint work on the curriculum. The Lead Member for Education and ISEND reiterated the challenge for the Department, as a demand led service, and noted that as part of the RPPR process this would be looked at.
- **Attendance** – The Committee enquired as to why attendance figures had not returned to pre covid levels and how this issue could be prioritised within the Department. The Assistant Director explained that the reasons for low levels of attendance were wide and complex but that the Department was talking to schools to gain a greater understanding and had heard that the pandemic was still having an impact, including on speech and language development of children in early education. They had also seen an increase in children's mental health needs. The Assistant Director stated the responsibility of school attendance needed to cut across schools, the Council and families but that where there were trends, more targeted work was needed, and this was supported by the Department and other professionals to offer consistent support. The Director reflected that lockdowns during Covid had undermined the "social contract" between schools and families across the UK. The Committee discussed other issues around attendance including the role of social media, the need for children to be motivated to attend school and the importance of the opportunity for children to catch up on lost learning if they have been absent. The Assistant Director noted that schools had a responsibility to support pupils to catch up on work and that it was often the most vulnerable children who were most affected, including children with SEND, on Free School Meals etc. The Committee heard that there had been additional funding from the government through the national tutoring programme and a focus from the Department on support for children transitioning from primary to secondary school.
- **Elective Home Education (EHE)** - The Committee were encouraged by the work of the Department to build resilience in children and their families and noted that sometimes there was a reluctance from families for children to attend school. In response, the Director stated there had been an increase in EHE and the Department had expanded the team that supports and challenges families on this, but this was difficult as they had no right of entry unless there were safeguarding concerns. The Lead Member for Education and ISEND informed the Committee he had received a reply, from his letter to the government on this issue, which said they were still looking at it; the Lead Member noted it was a source of ongoing concern and he would continue to communicate to the government about it. The Committee asked if the Department had any concerns about families who were deliberately choosing to keep their children out of school because they are not happy about their allocated school. The Director responded to say there is detailed legislation which sets out how school admissions run and keeping a child at home cannot be used as a means to improve a family's chance of securing a place at

their preferred school. Overall a very high proportion of families in East Sussex secure one of their preferred schools.

6. WORK PROGRAMME

6.1 The Chair introduced the report which outlined the Committee's latest work programme.

Prevention in Children's Services

6.2 John Hayling was asked, as Chair of the Group, to provide an update on the new Prevention in Children's Services Reference Group. John Hayling informed the Committee that the Group met in June 2023 and received presentations from the Department on Prevention and Family Hubs (the slides from these presentations were included in the agenda pack) and that another meeting was planned for October/November 2023.

6.3 The Committee welcomed the update and presentation slides and asked for more information about the availability of support in the Family Hubs and requested that County Councillors be invited to visit the Hubs. The Director of Children's Services responded to say that the Hubs would be open 5 days a week but noted there would be restricted opening hours in the pop-up locations. The Director welcomed the request for Councillors to visit the Hubs and would arrange for these to happen.

Health and Social Care Integration Programme

6.4 The Committee enquired into ongoing scrutiny of HASCIP and cited that it was an important part of social care and should remain a priority on the work programme.

6.5 The Director of ASCH informed the Committee that the Pan Sussex Integrated Care Strategy and Shared Delivery Plan had been shared with the HASCIP Reference Group and that progress on this work would continue to be shared with HASCIP at relevant stages.

6.6. The Committee agreed that this would be discussed at the upcoming People Committee awayday meeting in October 2023.

Forward plan

6.6 The Committee reviewed the Council's Forward Plan of executive decisions.

Work Programme

6.7 The Committee RESOLVED to agree the updated work programme.

7. RECONCILING POLICY, PERFORMANCE AND RESOURCES (RPPR)

7.1 The Director of Adult Social Care and Health introduced the report which marked the start of the Committee's input into the 2023/24 RPPR Cycle and provided a stock take of the Council's position for scrutiny's consideration ahead of more detailed planning for the 2024/25 financial year. The report contained as appendices relevant parts of the Council's Year-End Monitoring Report which highlighted achievements and challenges for services the Committee scrutinised and the State of the County report which looked ahead at demographic, financial and policy trends and challenges. The Director informed the Committee that the Council remained in a period of uncertainty with the cost of living, no long-term financial settlements, and ongoing pressures impacting on demand led services.

7.2 The Director highlighted the key issues in Adult Social Care and Health including the Department overspend for 2022/2023, performance around the targeting of NHS Health checks, and ongoing work to support better outcomes for this; the seasonal pressures on health services, including industrial action in the NHS; the new Serious Violence Duty, and the success of the South East Regional Public Health Conference, hosted by ESCC, and attended by Professor Chris Whitty, Chief Medical Officer for England as a key note speaker.

7.3 The Director outlined the key priorities for the Department going forward, including the implementation of the Pan Sussex Integrated Care Strategy; the Adult Social Care Strategy; Community Networks; preparing for the upcoming Care Quality Commission (CQC) inspection; and ongoing challenges around financial inclusion, migrant support, and suicide prevention.

7.4 The Director of Children's Services highlighted the key issues in Children's Services including the Department overspend for 2022/2023, owing partly to the increased number of children in residential care, and agency staff needed (as a result of fewer foster carers); increased complex needs requiring more costly care; and accommodating some families that do not meet the required criteria of local support from the District and Borough Councils.

7.5 In response to these financial challenges, the Department were prioritising demand management and prevention by recruiting additional social workers and additional posts to support Family Safeguarding and the government funded Family Hubs. Posts had also been created to support Lifelong Links, to connect looked after children with family and friends they may have lost connections with, and Connected Coaches were being used support teenagers to stay at home to meet the rising number of teenagers entering care.

7.6 The Director of Children's Services told the Committee that a recent review by the Competition and Markets Authority had concluded that the external residential placement market was not working effectively with a number of children's home providers raising prices significantly.

7.7 The Director noted the increasing number of children on Child Protection Plans (although these numbers had reduced in Quarter 4), and the increasing numbers of Unaccompanied Asylum-Seeking Children (UASC) as part of the National Transport Scheme which was contributing to increased numbers in care and recognised that this would be an ongoing issue. There would also be an impact from the proposed increase in support to adult asylum seekers who would require age assessments and for those identified as under 18, would need to be taken into the Council's care.

7.8 The Director highlighted the progress in education results including the narrowing in KS2 with local and national results.

7.9 The Director outlined how the Department was responding to the evolving national policy framework including the government's Stable Homes, Built on Love Strategy, and were working with the government on the new Early Career Framework for social workers. The Department was working with the DfE as regional experts to support the government's Special Educational Needs (SEND) policy, as well as collaborating with partners in the southeast and with the DfE to

address the broken care market. IMPOWER were also working with the Department on the procurement of children's care.

7.10 The Committee asked a number of questions regarding the information provided in the report including:

- Households in temporary accommodation – The Committee enquired about the high number of households in temporary accommodation, particularly in Hastings, and the increased waiting list times. In response the Director of Adult Social Care and Health noted there were similar challenges for all District and Borough Councils across the county and, in part, was a reflection of cost of living challenges. The Financial Inclusion Group, made up of the Adult Social Care and Health, Children's Services and representatives from the District and Boroughs and voluntary sector groups aimed to support residents with these issues, including through information and advice on the cost of living website, and benefit maximisations which aimed to ensure people claimed the money they were entitled to.
- Volunteering – the Committee enquired about the data on the number of volunteers and asked for a definition of the term 'volunteer'. The Director of Adult Social Care and Health told the Committee that a definition and more information on how the figures were achieved would be sent to the Committee.
- Drug and alcohol support services – The Committee enquired into the increase locally of adults in treatment for drug and alcohol, compared with national figures and suggested that this number would differ significantly across the county. The Director of Adult Social Care and Health noted that the increase in individuals in treatment was a positive indicator, as it reflected both the identification of people needing support and the successful provision of services. Some of the targeted work and additional funding received to support the ADDER and Harm to Hope projects had raised awareness and increased the capacity of services and support available which was reflected in the figures.
- Adult Social Care and Health Workforce – The Committee asked about the number of staff vacancies and what impact filling all vacancies would have on the Department's budget. The Director for Adult Social Care and Health told the Committee that he would send some of the most recent vacancy data to the Committee and clarified the Department were recruiting to all posts through several channels including apprenticeship schemes, the Refer a Friend scheme and partnership work with the Department for Work and Pensions, colleges, and veterans. The Director also noted that the Community Care budget was demand-led and that the Department would be using technology and more effective partnership, including working with the NHS, to manage the budget and that it would be closely monitored.
- **The RPPR process** – The Committee requested to see more information about how decisions were made when deciding whether to prioritise or cut services. The Committee also asked for clarification on the red, amber, green (RAG) system in the Council Monitoring Report including how these related to national targets and if it demonstrated financial or performance risks. The Director of Children's Services told the Committee that it was often more meaningful to compare East Sussex with the performance of statistical neighbours, but where there were national comparisons, these could be included in future reports, as well as statistical neighbour comparisons and more detailed information around decisions on costing. The Director clarified that the RAG system noted financial and performance risks, and the Council aimed to provide a quality but cost-effective service. The Director noted that investment in services needed to match the pace at which the Department could work towards, but that the Department would always prioritise funding on preventive measures. The Committee questioned whether the number of UASC should be identified in the Council Monitoring Reports, the Director of Children's Services noted that this was

evidenced in the State of County Report but could also be reflected in the Monitoring Report.

- **The Department overspend and future budgets** – The Committee enquired about how the Department would continue to meet increasing need and address Departmental overspend. The Director of Children’s Services noted that the upcoming quarter 1 monitoring would show continuing pressures, however the Department was looking (through work with the consultancy firm IMPOWER) at how to transition some children from more expensive placements to alternative foster care such as independent fostering agencies, as well as how to reunify children. The Lead Member for Education and ISEND noted that pressures in children’s services would be a challenge in the RPPR process for 2024/2025.,
- **Education Health Care Plans (EHCP)**– The Committee discussed the high number of children on ECHPs. The Director of Children’s Services noted that despite the increased number of EHCP applications, the Department had improved the timeliness of responding to these and were performing well nationally with this.
- **Children in Care** - The Committee enquired into the reasons for the increased number and cost of children in care. The Director of Children’s Services responded to say that factors such as mental health needs and neurodiversity were driving the need for support, however the most significant cause of additional cost was the shortage of appropriate local foster care. The Director noted the difficulties in obtaining the right care, including in some cases competing for placements with other local authorities and suggested that going forward there would be increased focus on provision in the county. The Committee discussed these challenges.
- **Home to school transport** – The Committee expressed concern about the high cost of home to school transport and enquired into ways this could be reduced by asking friends and family to transport children. The Director of Children’s Services clarified that by law, the Council must provide transport for SEND children, although transport could be provided by friends and family if that is what the family chose.
- **Unused Covid funding** – The Committee questioned why the Council had returned unused Covid grants to the government and enquired if this money could be used to address parental anxiety around children going back to school and if the Council could use funding to support St Pancras School which was facing closure. The Director of Adult Social Care and Health clarified that Covid grants were one off grants with very strict criteria, and the Council had maximised the use of those. Some of this repayment was due to the independent sector not fulfilling the criteria of the grant but the Council was working hard to meet the upcoming deadlines of this funding. The Director of Children’s Services noted that funding for schools was tightly regulated and based on the funding formula, thus outside of the Council’s control. Proposals in relation to St Pancras school were subject to consultation and would be decided in due course.

Areas for future scrutiny

7.11 The Chair asked the Committee if there were areas covered in the report that could benefit from further scrutiny. The Committee requested that they were updated on the outcomes of the upcoming CQC inspection in Adult Social Care and Health. The Director for Adult Social Care and Health suggested it would be helpful for scrutiny to look at the self-assessment framework before the inspection to which the Committee agreed.

7.12 The Chair suggested that areas requiring future scrutiny were also discussed at the Committee's work planning awayday in October and asked that the Committee notify the Chair of any areas they particularly wished to discuss at the awayday.

7.13 The Committee RESOLVED to establish an RPPR Board to meet in December to consider the developing financial position for 2024/25 and draft Portfolio Plans and agree detailed comments on those to be put to Cabinet. The Committee agreed the Membership of the RPPR Board would be the whole Committee.

7.14 The Committee RESOLVED to note the report.

8. ADULT SOCIAL CARE AND HEALTH EQUALITY AND INCLUSION SCRUTINY REVIEW

8.1 Cllr Ungar, as Chair of the Review Board, introduced the report. The Review Board was established to look at the ongoing work of the Adult Social Care and Health Equality and Inclusion Strategy and how the Department engages with seldom heard groups.

8.2 Overall, the Review Board welcomed the Department's work to identify seldom heard groups and increase engagement, in particular the work with staff to identify potential barriers, and collaboration with trusted partners to support engagement and build trust with seldom heard communities and people. The Review Board had made recommendations that were practical, built on the good work underway, and were focussed on establishing best practice for engagement, staff learning, and maintaining relationships with key partners.

8.3 The Chair thanked the Members who took part in the review and the officers who provided support.

8.4 Councillor Nuala Geary, Member of the Review Board, recognised the important contribution of the witnesses involved in the review and that they had played a key role in developing the recommendations.

8.5 Councillor Trevor Webb, Member of the Review Board, reflected on the challenges in engaging with some seldom heard groups, particularly Gypsy, Roma, and Traveller Communities, but noted the good work in developing recommendations in this area.

8.6 The Director of Adult Social Care and Health thanked the Review Board for their work on this and noted the opportunity for learning for the whole Council on engagement with seldom heard groups. In response, the Department would put together an action plan to address the recommendations in the report.

8.7 The Committee welcomed the report and, in discussing it, asked questions and made comments on the following areas:

- **Identification of seldom heard groups** – a suggestion was made that care leavers are considered as a seldom heard group, even though they do not have a protected characteristic. The Director of Adult Social Care and Health noted that there is some additional support and protection for care leavers, but this would be considered when addressing the report's findings. It was also noted by the Committee that poverty, although implicit in the work of Adult Social Care and Health and Children's Services, should be considered when identifying vulnerable groups. The Director of Adult Social Care and Health noted that this was a recognised determinant of people's health and wellbeing and there was ongoing work to support this, including the Financial Inclusion Group.

- **Equality data in the Census** – a question was asked about the equality data in the report, particularly in relation to local figures on ethnic data and languages spoken. The Director responded that this data was taken from the Census which was self-declared.

8.8 The Committee RESOLVED to agree the Scrutiny Review report and its recommendations, and to receive six and twelve month monitoring updates on the Review.

9. USE OF DIGITAL AND TECHNOLOGY IN ADULT SOCIAL CARE AND HEALTH SCRUTINY REVIEW

9.1 The Assistant Director for Planning, Performance & Engagement introduced the report which provided an update on the implementation of the recommendations of the Use of Digital and Technology in Adult Social Care and Health Scrutiny Review.

9.2 The Assistant Director noted the positive news of the online financial assessments which were now live, and informed the Committee that an update on the progress of this would be reported at the twelve month update.

9.3 The Assistant Director noted the close working relationships between the digital and operational teams was important to address ongoing and future priorities and highlighted the Department's work on the Digital by Default approach as well as ongoing consideration of digital inclusion.

9.4 The Assistant Director noted the areas in the report where the Department were still making progress on the recommendations from the scrutiny review, including on digital ways of working and digital inclusion across all areas of work. Future priorities also included digital feedback mechanisms.

9.5 The Committee welcomed the report. A question was asked about what the Department was doing to ensure robust checks of financial information submitted online. The Director of Adult Social Care and Health responded to say that although the use of digital financial assessments resulted in speeding up the process, there were still thorough checks to mitigate this risk.

9.6 The Committee also sought clarification on the amber rating against the recommendation for the Department to explore opportunities with partners to support engagement with the Digital Offer. The Assistant Director noted that although the Department had successfully carried out the agreed actions, the Department felt that it was still important to reflect the impact of these in the RAG report. It was agreed that this would be further detailed in the twelve-month update report.

9.7 The Committee RESOLVED to agree the recommendations and to receive a further update report in six months time.

Meeting ended: 13:11pm

The meeting ended at 13:11pm

Councillor Johanna Howell (Chair)