

PEOPLE SCRUTINY COMMITTEE

MINUTES of a meeting of the People Scrutiny Committee held at Council Chamber, County Hall, Lewes on 17 November 2022.

PRESENT: Councillors Sam Adeniji, Penny di Cara, Chris Dowling, Kathryn Field, Nuala Geary, Johanna Howell (Chair), Wendy Maples, Stephen Shing, John Ungar (Vice Chair) and Trevor Webb and Ms Maria Cowler (Roman Catholic Diocese Representative) and Mr John Hayling (Parent Governor Representative)

LEAD MEMBERS: Councillor Carl Maynard, Lead Member for Adult Social Care and Health
Councillor Bob Standley, Lead Member for Education and Inclusion, Special Educational Needs and Disability (EISEND)

ALSO PRESENT: Mark Stainton, Director of Adult Social Care and Health
Alison Jeffery, Director of Children's Services
Ian Gutsell, Chief Finance Officer
Leigh Prudente, Assistant Director, Operations (ASC)
Elizabeth Funge, Assistant Director Education
Sara Lewis, Head of Training, Workforce and Organisational Development in ASCH
Nathan Caine, Head of Education: SEND and Safeguarding
Paul Bolton, ASC Service Development Manager
Michael Courts, Project Manager (ASC)
Beth McGhee, Senior Policy and Scrutiny Adviser

18. MINUTES OF THE PREVIOUS MEETING HELD ON 27TH SEPTEMBER 2022

18.1 The Committee RESOLVED to agree the minutes of the meeting held on 27 September 2022 as a correct record and agree the recommendations made at the meeting.

19. APOLOGIES FOR ABSENCE

19.1 Apologies for absence were received from Councillor Charles Clark, Mr Trevor Cristin (Diocese of Chichester Representative) and Miss Nicola Boulter (Parent Governor Representative).

20. DISCLOSURES OF INTERESTS

20.1 None.

21. URGENT ITEMS

21.1 There were no urgent items.

22. ADULT SOCIAL CARE WORKFORCE UPDATE

Adult Social Care and Health (ASCH) Workforce Programme

22.1 The Assistant Director, Operations (ASC) and Head of Training, Workforce and Organisational Development in ASCH introduced a report and presentation updating the Committee on the ASCH Workforce Programme (2022-25). The update was provided in response to a request made by the People Scrutiny ASC Workforce Review Scoping Board, in March 2022, for the Committee to have an update on the Department's work to address recruitment and retention challenges later in the year. As part of the presentation, the Committee was updated on the latest Skills for Care data on the East Sussex care workforce (all sectors), which showed an increase in the turnover rate (from 27.8% in 2020/21 to 34% in 2021/22) and vacancy rate (from 4.6% in 2020/21 to 8.8% in 2021/22). The turnover rate was slightly higher than the regional (33.4%) and national (30%) average turnover rates. The average number of sick days in the local care workforce (7.2 days for 2021/22) was highlighted as below the national average (8.1 days).

22.2 The Assistant Director and Head of Training, Workforce and Organisational Development outlined a number of projects the Department was undertaking as part of the Programme, within its six workstreams (strategic workforce planning, leadership and management, recruitment, retention, building and enhancing social justice in the workforce, and enhancing the wellbeing of the workforce). The Department had established channels, including a dedicated email address, for all ASCH staff to make suggestions or comments on the Programme and since March 2022 over 700 staff had accessed these channels, demonstrating a good level of staff engagement. The presentation concluded with a look ahead at projects and work planned over the coming years of the Programme. The presentation slides delivered were appended to the report included in the Committee's agenda pack.

22.3 The Chair thanked the officers for the presentation. The Committee asked questions and made comments on the following areas:

- **Local social care workforce size** – a question was asked on how many posts in total there were in the care sector locally. The Director of ASCH responded that the figure was around 18,500 posts in total but noted that the figure was challenging to calculate accurately as factors such as fluctuating levels of funding in the system impacted overall numbers of posts at any one time. The Director emphasised that regardless of the total number of people employed, both the vacancy and turnover rates were very challenging.
- **Skills for care data** – officers were asked to comment on data covered in the presentation, including the increase in the vacancy and turnover rates. Both the Director and Head of Training, Workforce and Organisational Development responded that both rates were of huge concern. The Head of Training noted that the increase in the vacancy rate may have been impacted by a scheme to enable younger people to try roles before they applied, as a lot of those people had since left. In terms of other work to reduce vacancies, Skills for Care research had found that staff over 60 were more likely to leave their roles so the Department had a project to support staff over 55 to ensure they were able, and felt encouraged, to remain in the workforce, in their existing role or as coaches or mentors to younger staff. A Musculoskeletal (MSK) project was also underway to look at how to support staff with MSK issues to remain in their posts.
- **Social Media and targeting younger people** – questions were asked on whether work was taking place to target recruitment of younger people to help address the vacancy rate, and whether a range of social media platforms were being used for this. The refresh of the Council's recruitment branding was also welcomed. It was confirmed a range of platforms were used and the Director confirmed that work to recruit younger people was underway (e.g. with the try before you apply scheme) but that this had to be balanced with efforts to retain older members of the workforce, given a third of the workforce were over 55.

- **Exit interviews** – in response to a question, it was confirmed that exit interviews were undertaken with outgoing staff and the Department was working to ensure all managers were aware of the need to conduct interviews and to collect feedback on how improvements could support retention and other areas of workforce development.
- **Leadership workstream** – further information on the Leadership workstream of the programme was requested, specifically what percentage of the workforce was likely to move into leadership roles, what opportunities there were for progression, and to what extent leadership skills, such as mentoring, would be included in this work. The Assistant Director responded that part of the leadership workstream involved reviewing and disseminating ‘top tips for leaders’ to ensure that knowledge and tips on leadership skills, such as mentoring and compassionate leadership, were collated and shared. In terms of Leadership opportunities, the Ladder to Leadership programme had offered opportunities for more junior managers to develop skills and cross-Council experience to assist with progression. It was also confirmed that the Department encouraged managers to explore mentoring and coaching opportunities. The Head of Training added that while it was not possible to give a specific percentage of the workforce likely to move into leadership roles, in house personal development opportunities, including management apprenticeships, were highly subscribed to demonstrating that there was a constant flow of staff accessing progression and leadership training opportunities.
- **Turnover rate for managers** – the turnover rate for managerial roles, compared to the rest of the workforce was requested. Officers committed to follow up with this information.
- **Support for the independent sector workforce** – a question was asked on what work was taking place to support recruitment, retention, training and progression in the independent sector workforce. The Head of Training responded that the Department offered the sector access to a wide range of free training courses on mandatory topics, through to more specialist training such as on dementia care. ASCH also offered a leadership programme for registered care managers, senior managers and senior officers in the independent sector, which was well attended and well received. The Department had also been working with Skills for Care and the Registered Care Association on a new project for retaining registered care managers, focussed in part on ways to support their wellbeing, and the next phase of this would be focussed on retaining deputy registered care managers. The Director added that in addition to the training offered, the Department worked to influence the terms and conditions of staff in the independent sector through its commissioning as much as possible, with one example being that new Home Care contract included a range of expectations around peer support, welfare support and supervision for staff. The Department also contributed to the cost of overseas recruitment (e.g. of visas) to support the sector.
- **Cost of training** – with regards to the provision of free training mentioned above, a question was asked on whether the Council recouped the costs of training from those who moved on to other roles and whether consideration had been given to charging for training. The Director responded that in terms of providing training to the independent sector, the Department had made an assessment that it was more effective and efficient to provide the training free of charge, and ensure it aligned with our standards, policies and procedures, than to pay providers to source the training elsewhere. There was no mechanism to recover the money from those who attended training and moved on to other roles and the logistics of tracking that would be challenging and not cost-effective to administer. There was a fee charged for non-attendance at training and within ESCC, if staff were recruited on a training contract and left before that ended there would be a cost to them.
- **Pay** – a question was asked on how wages of care workers in the local authority and the independent sector compared with national wages, and to what extent this could be contributing to challenges with recruitment and retention. The Head of Training responded that pay was a

challenge, as the sector was competing with higher pay in the private sector. The Department had been working with others in the sector locally to dispel myths around working in social care to support recruitment. The Director added that, without significant national investment, the Council had limited influence over wages in the sector. The Lead Member for ASCH and Director both noted that in recent years the Department had made above inflation increases in contract funding with the ambition of improving the pay of contracted staff.

- **Costs of overseas recruitment** – a question was asked on whether there had been an analysis of the cost of conducting overseas recruitment and how that compared with investment to support recruitment domestically. The Director responded that the Department did have a detailed breakdown of the costs and tended to make a fixed contribution to homecare providers to support the activity. Those providers had also made an assessment that it was cost effective. Fundamentally, the challenge facing providers was that not enough people in the workforce wanted to take up roles in care, despite long-term efforts to increase recruitment, so overseas recruitment was a necessity to fill posts.

- **Accommodation for care workers** – a question was asked on whether work takes place to support care workers to find accommodation close to the places they worked and to the people they cared for. The Director responded that access to affordable housing was a known challenge in East Sussex and the wider South East. Some providers, such as residential nursing home providers, would offer initial access to accommodation for new recruits but it was acknowledged that it could be more challenging for home care workers to find affordable accommodation close to those they cared for. The Chair of the Committee noted that the time pressures involved in providing care, in terms of travel time, was also significant and may influence people's willingness to join and remain in the profession.

Personal Assistants and Support with Confidence

22.4 The ASC Service Development Manager and Project Manager (ASC) then presented a briefing report and presentation on the role of Personal Assistants (PAs) and the Support with Confidence (SWC) scheme. The briefing and presentation was also provided in response to a request by the People Scrutiny ASC Workforce Review Scoping Board that the Department revisit the recommendation of the previous People Scrutiny Review of the ASC Workforce: that the Department should support councillors to promote the role of PAs. The briefing and presentation covered the role of PAs, the support that the Council provided to PAs, figures on PAs in East Sussex, the aims and outputs of the SWC scheme, the role of the Direct Payment Support Service and plans to recommission the service.

22.5 The Chair thanked officers for the presentation. The Lead Member for ASCH commented on the success of the SWC scheme and its positive work. The Committee asked questions and made comments on the following areas:

- **Personal Assistant Role** – in response to a number of questions about the PA role, the Project Manager (ASC) confirmed that PAs are either self-employed or employed directly by the individual receiving care and the majority of PAs worked part-time so annual earnings would vary considerably. In East Sussex, PAs earned on average around £17 per hour but their annual salary would vary depending on how many hours they worked and how many clients they supported. In terms of the requirements to become a PA, the ASC Service Development Manager outlined that the requirements the SWC scheme looked for to accredit a PA were largely values based, with accreditation assessed on the basis of individuals being able to demonstrate qualities such as personalisation, respect and dignity. The broad range of activities PAs could be employed to undertake, from shopping, to administration, to personal care was noted.

- **Becoming a Personal Assistant** – a question was asked on who Councillors should refer residents to that may be interested in taking up a role as a PA. The ASC Service Development Manager responded that anyone interested in becoming a PA could contact the SWC scheme to find out more about what was involved in setting themselves up. Information about SWC was available on the ESCC website. The Project Manager added that ESCC commissioned two Direct Payment Support Service providers which played a role in matching vacancies to PAs, and assisting PAs with any additional training or support they required in taking up the role.
- **Turnover in SWC** – a question was asked on what contributed to the high turnover of people accredited by the SWC scheme. The ASC Service Development Manager responded that alongside ongoing high turnover, the SWC scheme had increased its capacity by 10% every year since 2016 demonstrating the increase in demand for the scheme. However, this was expected to be the first year the scheme would not increase its capacity a similar amount and was thought to be due to a people making changes in, and re-evaluating, their lifestyles post-pandemic and deciding to withdraw from the scheme as a result.
- **Resilience and continuity of PA care provision** – the Committee noted that while PA roles offered a number of benefits for the PAs and those employing PAs (in terms of flexibility and personalisation of care), there were risks in being able to guarantee continuity of care if a PA became sick or wanted to take leave, as they were a sole provider. The ASC Service Development Manager gave assurance that in order to mitigate this, the SWC scheme required accredited PAs to buddy up early in their employment journey with others to establish cover arrangements; and the scheme worked to ensure conversations between PAs and those receiving care happened at the outset of employing a PA to ensure contingency measures and a robust package of care was in place. The Project Manager (ASC) added that the need for contingency planning had been picked up in responses to a recent survey of Direct Payment Support Service users and work was taking place to ensure this was reflected in the offer from the Direct Payment Support Service providers.
- **County Council employment of PAs** - a question was asked on why the Council did not directly employ PAs. The Director responded that a mixed economy of care was required to meet people's needs. Around 30% of ASCH's clients were in receipt of direct payments and it had long been at around this level, reflecting that it was not appropriate, or necessarily desirable given the work involved, for all clients to receive payments and recruit PAs. The Director was therefore confident that the current approach of encouraging a healthy market of accredited PAs, alongside a range of other provision, was the best approach to most effectively, and most cost-effectively, meeting people's needs.
- **Challenges facing direct payment recipients** – in response to comments and questions from the Committee about the benefits, risks and practical challenges of direct payment recipients acting as employers of PAs, the Director outlined that the Department was committed to commissioning, and now recommissioning, a robust Direct Payment Support Service that supported people receiving direct payments with their responsibilities as an employer; in recruiting and retaining PAs; and dealing with any employment issues (although these were the expectation rather than the norm). The national Skills for Care website also provided assistance to those employing PAs. The Director confirmed that in terms of safeguards, people's direct payment accounts were monitored to ensure they were spending the money they received on their care and support needs and anyone in receipt of direct payments would receive a care review to ensure their needs were being met appropriately. The Director also confirmed that there were clear divisions of duty to ensure those in receipt of direct payments were paying PAs, and there was no conflict of interest in PAs paying themselves.

22.6 The Committee RESOLVED to note the presentations and updates.

23. RECONCILING POLICY, PERFORMANCE AND RESOURCES (RPPR)

23.1 The Chief Finance Officer introduced the report which provided the Committee with an opportunity to consider the current position of the services within its remit and identify any information required ahead of the Committee's December RPPR Board. As the Autumn Statement was being announced on the day of the Committee's meeting, the Chief Finance Officer committed to circulate a briefing to all councillors on the implications of the Autumn Statement for ESCC.

23.2 The Committee asked questions on the following areas:

- **Use of County Hall** – a question was asked on whether financial analysis would be undertaken of the impact of alternative use of County Hall on future years of RPPR. The Chief Finance Officer responded that while the papers presented to the Committee provided an overview of the current position for service budgets and portfolio plans, to inform consideration of information the Committee required ahead of its RPPR Board, any ideas or options to mitigate future budget pressures would be considered through the RPPR process for 2023/24 onwards. The Chair of the Committee also advised that consideration of the Council's property strategy would be a matter for Place Scrutiny Committee. The Lead Member for EISEND confirmed that Cabinet had discussed with the Corporate Management Team how to make best use of the Council's office accommodation post-COVID, so the matter was under consideration.
- **Budget sustainability** – recent press coverage of the challenging financial position facing county councils in the South East was noted and assurance sought that ESCC was not facing similar challenges. The Chief Finance Officer responded that much like other local authorities, in the medium term, ESCC faced a significant deficit and would not be able to present a balanced Medium Term Finance Plan without additional sources of funding. The current position did not, however, generate the scale of concerns other councils had reflected publicly recently.
- **One Council working** – a question was asked on how well Directors felt they were able to achieve their services' priorities given, what could be seen as, conflicting priorities and demands in other areas of the Council. The Director of ASCH responded that they recognised and saw a One Council approach in the way services and priorities were planned and delivered at ESCC. First and foremost, the Council's priorities and the way Departments worked together was informed by the range of statutory responsibilities the directorates were responsible for delivering. Beyond that, where there were opportunities to work more flexibly on delivering broader priorities there was a corporate, One Council approach used, particularly through the RPPR process which provided a mechanism to ensure the Council effectively used its resources to deliver on a range of priorities and agendas. The Lead Member for EISEND added that the limitations on resources meant that there were often challenging decisions to be made around prioritisation of resources, and that the RPPR process enabled the Council to plan its budgets and priorities considering demands as a whole. The Director of Children's Services added that the RPPR process provided a fair opportunity to consider the priorities, and pressures, in Children's Services.

23.3 The Committee RESOLVED to note the report.

24. WORK PROGRAMME

24.1 The Chair introduced the report which outlined the Committee's latest work programme. The Chair of the Scrutiny Review of Use of Digital and Technology in ASC reported that the

Review was concluding, having considered a range of evidence and would be reporting to the Committee's next meeting. The Chair of the Review Board added that they were supportive of the Committee's work programme, which was balanced, and that they welcomed the opportunity scrutiny reviews provided for the Committee to act a critical friend to work taking place and give a greater profile to that work.

School Attendance Data

24.2 Following a request of the People Scrutiny Board that scoped a potential review of School Attendance in March 2022, an update on school attendance data was considered to assist the Committee with work programming of this planned review. The Director of Children's Services introduced the latest data that was appended to the report, outlining that in line with a national trend post- coronavirus pandemic, the rate of school absences in East Sussex had not improved. The Head of Education: SEND and Safeguarding added that the Department had recently received national comparator data for autumn/winter 2021/22 which showed that East Sussex had overall absence and persistent absence rates closer to the England average than its statistical neighbours. Despite this, improving school attendance was a very high priority for schools and the Department.

24.3 The Head of Education: SEND and Safeguarding also outlined that new national guidance on attendance had been published and was due to come into force as statutory guidance in 2023. The Department was looking at how to organise its services to deliver on new expectations this created. The guidance created a new category of attendance; children with attendance at 50% or lower would be classed as having 'severe absence'. Early analysis indicated that there would be significant numbers of children in this category in East Sussex, who would need to be supported by the Council as a result of the new expectations.

24.4 The Committee asked questions on the following areas:

- **Reasons for absences** – questions were asked on whether the Department looked into the reasons for absences from school and ensured the interventions taken in response addressed those reasons, noting that sometimes a family's lifestyle or situation could be a cause. The Head of Education: SEND and Safeguarding responded that the reasons for school absence were varied, and layered, and it could be challenging to unpick the causes unless the Department was already working with families. When working with children or families, the Department would explore the reasons for school absences and make an intervention tailored to the cause. Causes of poor attendance could range from anxiety and mental health issues, including parental anxiety about school, to Emotionally Based School Avoidance, to a children's Special Education Needs or Disability (SEND) (for example instances of children with autism who struggled at school).

The Head of Education: SEND and Safeguarding added that the Department was working to improve data gathering on school attendance, including automating gathering of data from all schools, to provide a better picture of reasons for absences. It was important to acknowledge that attendance in East Sussex had been below the national average for some time, and that responses to previous communications campaigns the Department had undertaken on this had shown different attitudes to school attendance in different parts of the county, so the response required a range of approaches and solutions. A member of the Committee commented on the important role parents and carers played in ensuring good school attendance of their children and the Director confirmed that this was absolutely recognised. The Assistant Director, Education added that the Department was also working hard to ensure school attendance was 'everyone's business'. This included working closely with Early Help and Social Care Teams to ensure that where those teams were working with families, school attendance was high on their agenda.

- **Mental Health Support in Schools** – in light of mental health and anxiety being highlighted as one of the causes of school absence, a question was asked about whether schools have staff in mental health first aider roles who could provide, and signpost to, support. The Head of Education: SEND and Safeguarding responded that promoting good mental health and wellbeing was a priority of schools. A range of approaches to providing support were taken, and it was down to individual schools to decide the approach. Mental Health Support Teams (MHST) (a nationally funded scheme providing high-quality, professional mental health advice to children and young people) were embedded in around 50% of East Sussex schools. The Department also provided, jointly with health partners, a programme for all schools looking at whether schools could employ professionals to be mental health first aiders or design a whole school system that promoted good mental health and wellbeing.

A follow-up question was asked on whether there was quantifiable evidence of an improvement in the mental health of children in schools that had MHSTs. The Head of Education: SEND and Safeguarding responded that although they did not have this data, because the teams worked with schools in more deprived areas, they would be addressing mental health challenges from a baseline of higher need. The Assistant Director added that MHSTs did good data analysis of issues arising for children they worked with to identify ways to get upstream of issues affecting children's mental health in all schools. The Director added that MHSTs disseminated learning to all schools, including through an annual conference.

- **Home working** – a question was asked on whether the Department had identified a connection between parents working from home and reduced school attendance. The Head of Education: SEND and Safeguarding responded that they did not have any evidence to suggest that was a factor, but did know that attendance had dipped post-pandemic and attachment issues were a cause of non-attendance so this may have had an impact on some families.

Forward plan

24.4 The Committee considered the Council's Forward Plan of executive decisions and agreed there were no issues that required more detailed scrutiny.

24.5 The Committee RESOLVED to agree the work programme.

25. ELECTIVE HOME EDUCATION (EHE) IN EAST SUSSEX

25.1 The Assistant Director Education and the Head of Education: SEND and Safeguarding introduced the report which updated the Committee on the work the Department undertook to meet the Council's statutory requirements relating to Electively Home Educated (EHE) Children. The growth in the number of children electively home educated between the 2017/18 and 2021/22 academic years was highlighted, and it was noted that the current number of children EHE in East Sussex was equivalent to around the size of a large secondary school. The introduction also covered:

- The limited statutory powers the Authority had to ensure EHE children received a good standard of education, and to safeguard children. The Head of Education: SEND and Safeguarding noted that EHE had been a factor in a number of serious case reviews nationally.
- The changing national policy and legislative framework, including that the Schools Bill, which had been expected to legislate for new duties on local authorities – including to maintain a register of children not in school – appeared to have been removed from the Parliamentary timetable as a result of recent national political changes.
- The service had recently undergone an internal audit that had received an opinion of substantial assurance that the service was delivering its duties.
- Service improvements were being implemented and schools were supportive of work to reduce the number of children EHE and bring children EHE back into school wherever possible.

25.2 The Lead Member for EISEND commented that the reasons for families choosing to EHE were varied, and as a result the standard of education children received was very varied. The Authority had very limited powers, particularly around ensuring the safeguarding of EHE children and it was unfortunate that the future of the Schools Bill, which would have given greater powers in this area, had become uncertain.

25.3 The Committee asked questions and made comments on the following areas:

- **Areas with high EHE** – a question was asked on where the five schools with higher levels of EHE mentioned in the report were situated in the county. The Head of Education: SEND and Safeguarding committed to follow-up with this information, as well as where the schools with lowest level of EHE were situated. The Head of Education: SEND and Safeguarding noted that the schools with high or low levels were identified by schools recording requests to off-roll children. The Department knew that there were children in some parts of the county who had never been on-rolled; and there were parts of the county where certain philosophical beliefs around education were contributing to high levels of EHE but the position of children who had never been admitted to a school roll would not be reflected in the data.
- **Religious education** – a question was asked on whether there was any focus on ensuring EHE children received a religious education. The Director responded that parents that elected to home educate their children were not bound by the national curriculum or to deliver the curriculum agreed by the Standing Advisory Council on Religious Education. The Department asked for evidence of children receiving an appropriate education and if this indicated a child was receiving an education that could be deemed as extremist, the Department would respond.
- **School places** – a question was asked on whether any families were having to educate their children at home because they could not access a school place. The Head of Education: SEND and Safeguarding responded that the report in front of the Committee was focussed on parents who had elected to home educate their children. There were instances where children may not be in school as they were waiting for a school place, for example children with SEND who were awaiting a special school place, but the arrangement for those children's education would be different, for example with access to tuition.
- **Educational performance** – a question was asked on whether the Council knew how the educational performance of EHE children compared with those in school. The Head of Education: SEND and Safeguarding responded that this was not possible to compare because there was no requirement for EHE children's education to follow the national curriculum, for them to undertake exams or for parents to report the exam performance of their child if they did take exams. This contributed to the challenge of assessing whether EHE children were receiving an appropriate education as there was no requirement to demonstrate that the education being delivered would lead to a qualification.
- **Assessment of appropriateness of education** – a question was asked on how - given the limited powers local authorities had to investigate - an assessment of children receiving an appropriate education was undertaken. The Head of Education: SEND and Safeguarding responded that the Department would visit families, ask for examples of work and try to make a professional judgment on whether it would meet the standards expected of a child at that age. Where it was challenging to make this assessment, the Department would arrange to revisit at a future point. Where there was no evidence, or little evidence of performance to a required standard, the Department could implement a school attendance order compelling a child to attend school. The Director added that it was important to understand that although the Department could request to visit EHE children, and the EHE Team were very good at engaging

parents, the Council had no right of entry unless there was evidence of a safeguarding risk, in which case, officers would attend with a police officer. The Director emphasised that this was a very contentious area and EHE lobby groups felt strongly that Councils should not have a right of entry.

- **Role of school in outcomes of children and young people** – the Committee commented on the role, and importance, of school for providing children with valuable life and developmental experiences. The Head of Education: SEND and Safeguarding responded that while it should be recognised that some children thrived while being EHE, the Department shared similar concerns about EHE limiting a child's social interaction with peers and their access to a range of benefits that came from attending school, including access to other support services.
- **Budget pressures** – a question was asked on whether a link had been identified between schools' stretched budgets, as well as rising thresholds for accessing a range of support services (e.g. Child and Adolescent Mental Health Services and educational psychology services) and rising numbers of EHE. It was also asked, if there was a link, could those numbers be expected to rise. The Assistant Director responded that it would be difficult to demonstrate a direct link but that there were a number of reasons for families opting to EHE and some of those reasons may relate to issues, such as challenges around mental health, that may require needing to access stretched support services.
- **Legislative changes** – in light of the information presented on the limited powers the authority had to ensure safeguarding of EHE children, the Committee asked the Lead Member for EISEND to write to the Government to ask for clarity on the future and planned timetable of the Schools Bill. The Lead Member agreed to write to the Secretary of State for Education or Schools Minister, copied to East Sussex MPs, to ask for assurance the Bill would contain anticipated powers to create a register of children not in school and for an update on the timetable of the Bill.
- **Information and support for parents** – a question was asked on whether training or online support was made available for parents that outlined the range of benefits for children from being educated in school, to help them make an informed decision about EHE. A linked question was also asked on what proactive engagement, including virtual engagement, the Department was undertaking to support parents that had chosen to EHE. The Head of Education: SEND and Safeguarding responded that the service provided drop in meetings to engage parents to ensure they were making informed decisions about EHE. The Department had worked with schools to ensure parents considering EHE understood that in choosing to EHE they were opting out of the education system and could not access resources for education or exams. There were also a wealth of other resources available for parents from EHE lobby groups. In terms of proactive support, a range of information, advice and guidance was provided on the ESCC website for parents, along with ways to contact the service. The service's resource was stretched, however, so had to primarily be focussed on delivering the Department's statutory responsibilities and could not necessarily proactively support, or address, coordinated online groups for EHE parents.
- **Home Educated Children with SEND** – in response to a comment about instances of parents opting to EHE because they felt their child was not receiving an appropriate education tailored to their SEND needs, the Head of Education: SEND and Safeguarding outlined that the Department had seen an increase in the number of EHE with SEND and were keen to ensure parents were making informed decisions. The service targeted support to schools to ensure they had conversations with parents considering EHE in these circumstances, to discuss how their child's SEND needs would be met and to challenge their plans if the school felt they were inappropriate for the child. The Assistant Director added that this was linked to broader work to

ensure schools were having early conversations with families considering EHE to provide a wider perspective and challenge pre- or misconceptions about EHE. The Director added that the Department was undertaking a pilot in Eastbourne and Hailsham of council staff joining discussions between schools and families with children with identified SEND or attendance needs who were considering EHE.

25.4 The Chair thanked officers for the interesting and thorough report. The Committee RESOLVED to request officers provide the information on geographic spread of schools with high and low levels of EHE; and for the Lead Member to write to the Secretary of State for Education or Schools Minister as outlined in the legislative changes section above.

25.5 In response to the report recommendation that the Committee consider whether to progress to scoping a scrutiny review of EHE, the Committee considered work programming of the topic and agreed to request an update on the service's work in six months.

The meeting ended at 12.50 pm.

Councillor Johanna Howell (Chair)