

Bristol City Council Minutes of the People Scrutiny Commission

7 March 2022 at 5.00 pm



Members Present:-

Councillors: Tim Kent (Chair), Christine Townsend (Vice-Chair), Kerry Bailes, Brenda Massey, Tim Rippington, Sharon Scott, Lisa Stone, Mark Weston and Tim Wye

1 Welcome, Introductions and Safety Information

The Chair welcomed all attendees to the meeting.

2 Apologies for Absence and Substitutions

Councillors Craig and King sent their apologies.
Warda Awarla, co-optee, sent her apologies.

3 Declarations of Interest

The Chair, Councillor Kent, declared his child had special educational needs.
Cllr Rippington declared he had a child currently in an education setting out of area and awaiting a panel decision as to whether this could continue for another year.
Cllr Bailes declared her child had special educational needs and was currently involved in a tribunal with Bristol City Council.

4 Minutes of Previous Meeting

RESOLVED;

That;

- The public forum questions not published be added as an appendix to the minutes.
- The minutes of the meeting held on 13 December 2021 were agreed as a true record.



5 Chair's Business

The Chair announced that the Commission had established a Working Group to examine issues and opportunities around enabling inclusive mainstream education, and set out the objectives;

- (i) To identify the key challenges and opportunities to enable inclusive education in mainstream settings in Bristol (including local policy and practice, significance of admissions policies, and national policy).
- (ii) To inform policy development within the Council and across mainstream educational settings, to help address and overcome the systemic barriers to inclusive mainstream education.

All Commission members were invited to take part; the working group would take place in April.

The Chair asked Cllr Massey to update the Commission about gathering aid items for the crisis in Ukraine. Cllr Massey thanked staff and councillors for the support so far, that the donations and help with logistics was appreciated. There were lorries taking items to Romania, and then to Ukraine. There had been donations of clothing, and the need was now food and medical items. Items could be left in City Hall; the Council had provided an area for sorting and where items could be packed for transit.

Cllr Massey recommended [From Bristol with Love \(bristollovetrust.uk\)](http://bristollovetrust.uk) / @dinbristolcudrag [\(Bristol with Love on Facebook\)](#) for more information.

6 Public Forum

Questions and statements can be found at the following link: [Public Forum 7-3-22 People Scrutiny Commission \(bristol.gov.uk\)](#)

Questions

Ref	Name	Topic
Qs 1 - 2	Jen Smith	Special Educational Needs and Disability
Qs 3 - 4	Hayley	Special Educational Needs and Disability

Statements

Ref	Name	Topic
S1	Jen Smith	Special Educational Needs and Disability
S2	Hayley	Special Educational Needs and Disability



S3	Mrs P	Special Educational Needs and Disability
S3	Fiona Castle	Special Educational Needs and Disability

Fiona Castle and Jen Smith spoke to their statements.

Supplementary questions;

Jen Smith asked about the rate of permanent exclusions, and the Director of Education & Skills said that the permanent exclusions in Bristol had been high for a number of years and a lot of work had been done to reduce those; they were low now compared to national numbers and the data included Bristol children who were educated outside the Authority (and those figures were higher). Any child permanently excluded was a concern and work with the schools to prevent this happening was ongoing.

Jen Smith asked about the destinations of those children who had been permanently excluded, that more had gone to specialist settings. The Director of Education & Skills advised that this was one of the key themes out of the Alternative Learning Independent Review that took place last year, and that the evidence showed a lot of young people in alternative provision had unmet special educational needs so part of the improvement plan was to ensure there was earlier intervention and the right support for those young people was put in place.

7 Special Educational Needs and Disabilities (SEND) - Progress Against the Written Statement of Action

The Director of Education & Skills, and Gerry Bates, Head of Children's Service, Sirona Care and Health, introduced the report.

- The Chair asked about the timescales for a referral for someone with an EHCP to a paediatric assessment, and Members were advised that timeliness for EHCP assessment health contributions was 87% in 6 weeks returned to all services; and that the new 'Specialist Health Advisors for SEND' service enabled needs assessments for those children previously unknown to a community health services.
- The Chair asked about timescales of EHCPs and the level of the backlog, and the Director of Education & Skills advised that an ethical approach was taken, approved by the Department for Education, which prioritised a proportion of new cases, which enabled service improvement and responded to highest need, whilst ensuring legacy cases were responded to. Members heard the council was currently working on 60% legacy and 40% new cases. There was a triage system which provided for a fair focus on prioritised cases.
- The Head of Accessible City advised the Commission that the number of live cases in the system was around 500, and that the Department for Education had undertaken surveys about the impact of COVID-19 on SEND and educational psychologist services, and there had been approximately 20% reduction nationally in the way SEND and educational psychology teams had been able to operate. The Chair noted concern about the figure of 500, that this was similar to three years ago.
- There was a query whether there was a difference between timescales of assessing children and adults, and Members were advised that there was not data available for this, as the focus was on



children and young people up to the age of 25; that the Special Needs Code of Practice spanned from 0-25 year olds.

- There was a discussion about school places, and the Director of Education & Skills advised, in terms of the Specialist Provision Project which aimed to deliver 450 places in the next two years, phase 1 was opened at the start of lockdown which meant delays; and these had now started to be delivered. There were 287 places to be confirmed shortly, which included those delivered as part of phase 2; 163 places would need to be delivered as part of phase 2 which was ongoing. There would be 450 places across the city by April 2023.
- Members asked about the reference to data, performance management and planning in the report and were advised that accountability of leaders was a standing agenda item on the Excellence in Schools Board which looked at performance and gap analysis data, attendance and exclusion data.
- The Commission was advised that there had been nearly 30 OFSTED inspections across education settings since the onset of COVID-19.
- Members were advised that there was now funding available for support for school holidays; the Holiday Activity Fund, secured for 3 years, enabled the council to work with partners to increase accessible provision for children and young people, particularly those eligible for free school meals.
- There was a discussion around Theme 6, Transition to Adulthood, and Members were advised that there was work to do for the post 16 offer, particularly the support for young people with their transition into adulthood and into positive destinations which included paid employment; enabled by programmes delivered by the skills team such as 'We Work for Everyone.'
- It was noted by Members that there were groups city-wide not funded that also enabled this type of provision.
- Members noted the amount of work and funding into school holiday provision.
- There was a discussion about the mental health support teams in schools, and the Commission was advised that there was additional funding identified which would expand the number of teams.
- The Head of Children's Service, Sirona Care and Health, advised the Commission that there was not a clear understanding why demand for autism assessment had increased nationally, although research showed there was a broader understanding of children with autism with better recognition, particularly of girls. Also, the criteria for the diagnostic tool had been broadened. Anecdotally, there was a better acceptance of neuro diversity and an awareness and understanding of challenges young people with social communication difficulties or autism face; this meant more people were picked up and much earlier.
- Members were told that there had been an additional £500K funding from the General Fund, the majority of the transformation funding came from top slice of the High Needs block; and there was also additional COVID-19 funding.
- The Chair welcomed the plan to deliver 450 additional places in special schools within 3 years and it was confirmed the deadline would be July 24 for September 24.
- There was a question about co-production with parents and Members were told that co-production and participation were built into the way policy and practice was developed; stakeholders and families had been engaged in improvement pieces of work; and the Engagement and Participation Co-ordinator



had ensured an understanding of all the parent carer groups in Bristol, and regular meetings were held with them.

RESOLVED;

That;

- The report be noted.
- The Commission receive further detail of how the triage system works for prioritising cases for EHCP assessments.
- The Commission be provided with details of the partnership groups/boards referred to in 'Governance' paragraph of the report (*2a. Context – Summary of Progress*), and the Excellence in Schools Board, including membership and terms of reference.
- The age limit for eligibility of school holiday provision be confirmed.
- The Commission receive a breakdown of funding, including what was from the General Fund, DSG, and COVID related funding.
- The Commission be provided with detail about the Mental Health teams in schools, including how many teams and schools involved.
- People Scrutiny Commission consider this item for the scrutiny work programme 22-23.

8 Transitions between Children's and Adults Services

The Director of Children Services and Director of Adult Social Care and introduced the report.

- Members noted that the transition from childhood to adulthood was not the final transition, especially for people with special educational.
- Members were advised that to enable sustained and valuable support the system required 'thinking lifelong', and the Families, Local Officer, Resources and Advice (FLORA) team was set up to provide the required early support, and this early intervention provided data to help enable sufficiency planning. The 'thinking lifelong' approach enabled a better way of people interacting with the system, with clear process, interactions and communication.
- Members noted that having key staff in place was important to support transitional arrangements, and the system, and related support, was negatively affected if those required posts were not filled.
- The Cabinet Member for Adult Social Care and Integrated Care System told the Commission that Adult Social Care had been working more closely with Children's Services over the last few years.
- Members were advised that relationships were important, as successful support came down to understanding who knew the child best so appropriate services could be put in place from which they would benefit from; and the system would benefit from being simpler with a greater focus on outcomes.



- There was a discussion about the need to strengthen the strategic commissioning approach as lack of choice led to high costs, and Members were told that the aim was to focus services within Bristol.
- There was a question around how the Council drew on best practice, and Members heard the Council was engaged with the Council for Disabled Children and was involved in a Working Group with the Department for Education.
- There was a discussion around the need for flexibility within providers with regard to transitioning and Members were advised that the council had liaised with the CQC and OFSTED and would investigate how to enable smooth transition.
- The Cabinet Member for Adult Social Care and Integrated Care System drew the Commission to, firstly, the use of Council General Needs homes for young people who moved into adult services, which demonstrated closer working between Housing and Adult Social Care; and secondly, the We Work for Everyone programme, which supported people with learning difficulties into employment.
- The Executive Director for People advised the Commission that all the reports on the agenda had a common theme, that episodic separate services did not serve people well or fully address their needs; and in order to support people have better lives there needed to be a focus on knowing and understanding people in the long term, which included a respect and recognition for preferences and aspirations, from childhood, adolescence, adulthood and into old age. This could not be done well with services that only dealt with episodes of problems, and so there was a lot to do to improve. The ambitions were to focus on investment and services within the Bristol North Somerset South Gloucestershire area.
- There was a query about support for parents and carers, and Members were told the focus was about working with young people and parents so young people could live independently.
- There was a query regarding a buddy system for children and Members were advised that WECIL was commissioned to offer support for young people, and that the council would look to have a buddy system developed.

RESOLVED;

That the report be noted

9 Response to Sir Stephen Bubb Review: Building Rights - Update

The Executive Director, People, introduced the report.

It was noted this item had been brought to the Commission on the 19 July and this report was to update Members on progress.

Alun Davies, Chair of the Bristol Disability Equality Commission, was introduced to the Commission; he had been asked by the Mayor in September to take a lead on the response to the Sir Stephen Bubb report.



Alun Davies advised the Commission of key points in the report and explained that he set up a Task & Finish Group with priorities to ensure membership reflected people's lived experiences and the work was co-produced with people with lived experiences; and that the report would be accessible with no jargon.

- It was noted that the Reference Group, which was being developed, involved the Keeping Bristol Safe Partnership Board, and would include groups with representation of people with lived experience across the city; and also criminal justice, health and care representatives, and service providers in the city.
- The Commission was advised that the Reference Group would develop in size over time, and that, in terms of representation of people who required advocates, there were three care representatives from carers organisations, all of whom had autistic children.
- There was a discussion around timescales for the work, and Members were advised that the initial intention was for the work to have been completed in March, although it was now envisaged it would be ongoing passed this date. The Commission was advised that the extended timeline for the group would be justified as the group would enable, as well as production of an action plan, peoples' voices to be heard, and a culture developed where people felt more involved and engaged.
- The Commission was advised that enabling engagement had taken time; that the work on the charter had been undertaken; and the more complex issues which included the right to challenge, and the role of the commissioner, needed more engagement with organisations.
- It was proposed that a report from the Reference Group, with an action plan, which would show how recommendations would be taken forward, be brought back to the Commission in the summer.
- The Commission was advised that not everyone wanted to or could engage in standard ways, and it was important that people were met where they were, rather than an expectation that people fitted into structures that already existed.
- Members were told that the Inclusion and Participation lead for Keeping Bristol Safe Partnership had focused on different ways involve people and to build a level of representation.
- Members noted the need for parents and carers voices to be heard with representation on groups such as this, and welcomed the representation on the Board of parents and carers with lived experience.



- The Cabinet Member, Adult Social Care and Integrated care System thanked Alun Davis and the Disability Commission for leading on this work; and that it was important that the intersectionality of disadvantage was recognised – this included the double disadvantage of disabled women faced.

RESOLVED;

- The developed report and action plan and next steps be considered by the Commission on the beginning of the next work programme.
- The report be noted.

10 Adult Social Care Transformation Programme

The report was introduced by the Executive Director, People; the Director of Adult Social Care; and the Director of Transformation.

- There was a discussion around cost of care, and the Commission was advised that there were three main reasons for differences between care costs for older and younger people;
 - (i) As young people who accessed services tended to have more enduring needs, over a longer term with a higher level of acuity, their care would be more expensive than episodic, short term needs that older people tended to have;
 - (ii) That the proportion of younger people with disabilities came from lower socio-economic backgrounds which meant they did not contribute to the chargeable element of services, and more chargeable elements were recouped from older people;
 - (iii) There had been a shift in the proportion of people who accessed services; that in 2018 the proportion of older people and younger people was approximately 70%:30%, and now it had moved significantly, to 60% older people and 40% younger people who accessed services. This had increased costs of social care.
- There was a discussion around the Bristol community meals service, and Members were advised that about 350-400 people per month accessed meals via the service; that it had been a good service for communities and had potential for expansion. It was confirmed that self-funders were also able to buy into the service.
- The Cabinet Member for Adult Social Care and Integrated Care Service highlighted the community meals services teams as unsung heroes for the work and support they provided for vulnerable and isolated people, over and above the meals provision.
- There was a question about joint working with planning colleagues to help ensure accessibility and future-proofed accommodation, and Members were advised that the social care team would not have sight of every planning application, although there was close work with colleagues around the design of accommodation and services for people with needs.



- It was noted that the Adult Social Care team sat on the Housing Delivery Board and worked closely with Housing colleagues, for example on Extra Care schemes and supported homes for younger people.
- There was a discussion about direct payments and the Commission was advised that the aim was to have more people with access to direct payments and there was a work stream to improve the process.
- There was a question about Integrated Care Partnerships (ICPs), and where they fit on the 'Care Ladder' and the Commission was advised that they were across all of it; that the Care Ladder was at the heart of the ICP work, relevant for all organisations and partners.
- There was a discussion around meeting need within the city and across Authority boundaries, and Members were told that neighbouring Authorities worked as a system, across Bristol, North Somerset and South Gloucestershire, as Healthier Together, with the same aims; and so reference to 'out of area' was other parts of the country, outside the immediate partnership.
- There was a discussion around the Council's service provision, and services outsourced, and Members were told that Bristol's communities had benefited from the provision of community meals and reablement services. There were ways the Council could configure relationships with other sectors so a stake and control in the service provision and activities was retained, for example through strategic partnerships; through that method, investment and expertise could be brought into the city and wider area, and skills and capabilities of the workforce could be built at scale, that could not be achieved as a local authority on its own.
- There was a question around how people were supported after they left hospital, and Members were advised Extra Care housing was purpose built with technology; although older schemes needed modernising.
- The Chair asked about the time it took to complete the digital forms within the time allocated on a Homecare package, and Members were advised that commissioners needed to be constantly aware of, and assess, the efficacy of new developments in technology. It was confirmed that that the system had moved away from that type of data inputting task for the carer within the allocated time.

Resolved;

That the report be noted.

11 Risk Report (Q3 2021-22) (for information)

The Risk Report was noted.

12 Performance Report (Q3 2021-22) (for information)

The Performance Report was noted.



13 Action Tracker (for information)

The Action Tracker was noted.

14 Work Programme (for information)

The Work Programme was noted.

There was a discussion about the amount of resource allocated to scrutiny, and the Chair proposed a recommendation of more resource should be made to the Overview & Scrutiny Management Board.

RESOLVED;

- That a recommendation of more resource to scrutiny be made to the Overview & Scrutiny Management Board.

Meeting ended at 8.00 pm

CHAIR _____

