

APPENDIX B

Minute extract – Overview & Scrutiny Management Board (OSMB) – 27 July 2022 – Decision report of the Local Government and Social Care Ombudsman

The Board received, for information, the final decision report of the Local Government and Social Care Ombudsman regarding a complaint against Bristol City Council in relation to delays in the Education, Health and Care (EHC) plan process (complaint reference 21 007 446).

Points raised/noted:

a. The Chair commented that in issuing this decision report, an action requested by the Local Government and Social Care Ombudsman (ref. para. 57) was that the Council agree, within 3 months of the decision, to 'send a copy of the final decision to the relevant scrutiny committee so there is democratic oversight of the extent of the problems affecting children and families waiting for EHC assessments in Bristol.' As the Ombudsman's report was issued/published on 4 March, it had not been practicable to formally report the decision to the 7 March meeting of the People Scrutiny Commission. The next meeting of the People Scrutiny Commission was on 12 September 2022, so to avoid delay in meeting the Ombudsman's request, it had been agreed with the Chair of the People Scrutiny Commission that it was appropriate for the Ombudsman's decision to be formally reported to this meeting of OSMB.

The Chair added that the decision could also be reported to the People Scrutiny Commission at their 12 September meeting. The People Scrutiny Commission had, in any event, requested that a position statement/update on progress in meeting the 20 week target for completing EHC plans be submitted to the 12 September meeting - it would, in his view, be appropriate for the Ombudsman's report to be discussed then bearing in mind the context of the update report that would also be considered.

b. Councillor Gollop, with reference to the quarterly performance progress report (agenda item 10) noted that performance against the 20 week target for issuing EHC plans had been an area of concern for both OSMB and the People Scrutiny Commission for a significant period of time. In his view, it would be important for the People Scrutiny Commission, mindful of the case highlighted in the Ombudsman's report, to also receive assurance that longer term outstanding cases were being addressed / resolved; there was a potential danger that in focusing on achieving a 20 week compliance in new cases, there could be a risk of a loss in focus in the oversight of longer term cases.

c. Councillor Massey supported Cllr Gollop's above comments and also stressed the importance of scrutiny ensuring a focus on longer term, outstanding cases being resolved.

Noting and taking into account the above points, OSMB then **RESOLVED**:

- To note the decision report of the Local Government and Social Care Ombudsman as set at Appendix A, and to agree that the above comments of members from this meeting be forwarded to People Scrutiny Commission members and relevant officers.