

People Scrutiny Commission

26 September 2022

Public Forum – Statements



Statements

Statements have been received as listed below (the full content is set out on the subsequent pages):

1. Mr S Smith – Special Educational Needs and Disabilities (SEND)
2. Jen Smith – Fact-finding report - Use of social media by council staff in respect of the Bristol Parent Carer Forum / SEND
3. Hayley Hemming (submitted on behalf of Bristol Parent Carer Forum) - Fact-finding report - Use of social media by council staff in respect of the Bristol Parent Carer Forum / SEND
4. Sally Kent and 89 others (see enclosed statement for full details) – SEND
5. Hannah Summers & Amy Valenzia – Secondary school admissions
6. Hayley Hemming – Fact-finding report - Use of social media by council staff in respect of the Bristol Parent Carer Forum / SEND
7. Sandra Thomas – Fact-finding report - Use of social media by council staff in respect of the Bristol Parent Carer Forum / SEND
8. Cllr Geoff Gollop - Fact-finding report - Use of social media by council staff in respect of the Bristol Parent Carer Forum / SEND
9. Rowena Hayward & Jeff Sutton – Adult social care transformation update



Statement 1 – Mr S Smith

Topic - SEND

I am submitting this statement to let people know how bad and unhelpful Send is in Bristol.

What Send? The help I've been provided with has been shocking. I feel like the council and the schools don't like me. Nothing seems to be accessible.

I was pushed out of school again. That made me feel awful. I had no one to help me. It felt depressing.

I felt like I was all alone and there was nothing I could do and there was no one there to help me.

For legal reasons I can't disclose what happened at school that year but there were no reasonable adjustments and they were trying to kick me out for being autistic. In a special school. Blew my mind as well.

I've only had a few months of History and English lessons and I've had a total of three or four maths lessons this year.

I've got a really good history tutor and English tutor and that's the only good thing that's come out of the last year.

I'm not really confident about the future because I don't believe I can get the help I need and I feel my life is only going to go downhill from here.

I don't think it's fair that I've not been able to do GCSEs due to a number of schools pushing me out and making me miss out on education that I needed. And nobody cared. That's what it felt like.

I have also missed out on the opportunities to build friendships and to learn. Now I just sit in my room all day and contemplate life with no one to talk to. Which is not fair.

I think the people who are to blame for this are my old mainstream school, the council and the special school I went to as well.

I felt like I was being pushed out and I wasn't wanted. I don't know why they didn't want me in school. I don't think I did anything wrong. Even when I was in a special school I was still being kicked out for specialness. So I'm not sure why I was being unfairly pushed away.

I feel like it has impacted on my future not having an education, which means its going to be harder for me to progress in life by getting jobs and making new friends.

Statement 2 – Jen Smith

Topic – Fact finding report – use of social media by council staff in respect of the Bristol Parent Carer Forum / SEND school places /

The 'Fact-finding' report on this evening's agenda looking into social media spying by Bristol City Council staff regarding Send commentary by Bristol residents is disappointing.

The heavily redacted report is not supported by even a scintilla of evidence, with claims in places that are at best misleading and at worst mendacious.

More revelations continuing to appear on social media, paints a disturbing picture of council disregard for RIPA and the rights to Freedom of Speech in Bristol. It's clear from the evidence that knowledge of this went at the very least to Executive Director level.

Whilst Send spying focuses mainly on specific parents and the wider Send community, I feel it is worth pointing out that other Bristolian residents and Twitter users are being unfairly targeted in their attempts to speak out against injustice and imbalances of power in this city.

I feel it is likely that spying by council officers, alongside associated third parties and Bristol External Comms goes far wider than imaginable.

Nothing negative must be uttered about Bristol no matter how factual, how honest or how tactful. Everything must be stage managed and controlled, including feedback which this report shows must not be negative at all.

I am one of the subjects in the report who has experienced repeated monitoring and data collection which does not abide by relevant laws. This was simply because I had the temerity to talk online, in the media and at the Public Forum of Council meetings like this one, about the shambolic experiences my children have had at the hands of Bristol's Send system.

There are so many questions and deeply concerning issues raised in the report that you can't scratch the surface of this in one statement alone.

However, Paragraph 34 is particularly worrying for me and one that I find concerning for all Send families in Bristol. It shows that the SENDIASS service has been part of the spying action in some capacity.

SENDIASS is the Special Educational Needs & Disability Information Advice & Support Service. In Bristol, this is run by Send and You. The service is funded by Bristol City Council as part of their duties in Chapter 2 of the Send Code of Practice (CoP).

The CoP also says: 'Information, Advice and Support Services should be impartial, confidential and accessible and should have the capacity to handle face-to-face, telephone and electronic enquiries.'

On 20 January 2022, SENDIASS contacted Bristol City Council to say that an officer of Bristol Parent Carers had posted 'confidential' information online regarding a co-production meeting attended by the 'Alternative Learning Provision Team and the council and other stakeholders'.

Unfortunately, no such meeting actually took place involving a BPC officer*. The event that did take place on that day was an informal coffee morning hosted by Send and You for any parent carer in Bristol to attend. I attended.

Send and You often hold things like Send Surgeries, virtual coffee mornings and information events on topics such as exclusions, transitions, personal budgets and SEN support.

I don't make a habit of attending Send and You parent carer meetings. I did on this occasion because the specific subject of the meeting was for parent carers to find out more about Education Other Than At School (EOTAS).

As I was in the process of taking Bristol City Council to tribunal for EOTAS in one of my children's Education Health Care Plans, I attended the meeting. I registered on Eventbrite as a parent carer, under my own name and with my own personal email address.

Being part of the Twitter Send community, I posted some of the comments being made during the public parent carer meeting, because they might have been of interest to others. According to Bristol City Council's report, someone from Send and You saw these quoted comments in some capacity and reported them back to Bristol City Council.

SENDIASS Staff would have known full well that this was not a co-production meeting and I was not there as part of BPC because they organised it and ran it themselves.

In light of this, I went back through my Twitter account and blocked a number of Send and You staff along with some Bristol City Council and Sirona officers who had been following me.

The service appears to have conspired with the Local Authority to say that a BPC officer had released confidential information from a co-production meeting which did not actually exist.

Remembering that Send and You 'should be impartial, confidential and accessible,' how can a supposedly vital service heavily relied upon by Bristol families now be trusted with personal information that would be highly beneficial to the council legally at Tribunal?

The report also fails to mention the spying on the wider Send community in general. Emails leaked to the Bristolian website, clearly showed this was going on by a list of redacted names of other parent carers Bristol City Council decided were too critical alongside Send campaign groups.

As the situation develops, reliable discussion online shows that closed Bristol EHCP peer support groups for desperate families in the city have also been targeted.

Agenda papers for this meeting include a need to create 450 Send school places by 2024 due to a specialist places crisis.

It also shows severe delays in active EHCP cases of which 85 are over 21 weeks, 76 are over 31 weeks, 26 are over 41 weeks and 90 are over a year. Remembering the entire process should only take 20 weeks according to the law.

There is also a complaint to the LGO found in the parent's favour about a late EHCP with compensation awarded.

Despite these council failings, the report into the Send spying scandal attempts to unfairly demonise members of BPC and the Send community. Other Bristol residents on Twitter are also coming under fire now and historically, for speaking up about council failings including the Send system, which has failed children and stopped their lawful entitlement to education. Unsurprising considering Bristol even views local media with contempt and the Mayor's office has paid vast sums of money to Impact Social to monitor Twitter.

The council has encroached into online Send communities where they are not welcome, labelling neurodivergent posters as 'aggressive' and without the allowance of Reasonable Adjustments to the autistic communication they are butting into.

Co-production in Bristol genuinely will not work because the council has created an untrustworthy and toxic environment for all residents, with the exception of administration cheerleaders. It only wants feedback to suit its own rose-tinted agenda.

Ofsted and the CQC cited 'the fractured relationships with parents and carers' as an area of 'significant weakness' in their Joint Send inspection of 2019. I don't think the city is ready to cross that off its Fixed List yet.

* Evidence can be provided to support this.



Jen Smith

Reply to
foi@bristol.gov.uk
Our ref 27371865
Date 12 September 2022

Dear Jen Smith

Freedom of Information Act 2000

Please accept my apologies for the substantial delay in providing you with this response.

Bristol City Council does not hold any information which relates to your request, as no monitoring or surveillance of Bristol SEND parents has been carried out. This conclusion was reached following an investigation carried out by Bristol City Council. You can find the report of the investigation here: [ModernGov - bristol.gov.uk](https://www.bristol.gov.uk/moderngov) (item 8).

However, I have attached information which I believe will be of interest to you as it consists of compilations of social media posts which include your personal data. Please note, your personal data is exempt under Section 40(1) of the Freedom of Information Act 2000, and as such is being provided to you under the Right of Access granted by Article 15 of the UK GDPR. The personal data of any third-parties included within the attached information has been supplied with their consent. Any information which has been redacted has been withheld as it constitutes the personal data of a third-party and for which Bristol City Council does not have a lawful basis to disclose, and as such is exempt from disclosure under Section 40(2) of the Act.

Please quote the reference number 27371865 in any future communications.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be sent to complaints.feedback@bristol.gov.uk.

Website
www.bristol.gov.uk



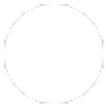
If you are still dissatisfied with the Council's response after the internal review you have a right of appeal to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF.
Telephone: 0303 123 1113

Website: www.ico.gov.uk

I will now close your request as of this date.

Yours faithfully



Bristol City Council

[REDACTED] – examples of behaviour that is incongruous with the Forum leads role

[REDACTED]

Two Twitter accounts:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Vice Chair – Twitter (Chopsy)

Prolific negativity about the council and SEND landscape. **The following are just between 17-20 May 2022**

[Chopsy Bristol on Twitter: "This thread is disturbing. It shows why pupils in Bristol are pushed out, off rolled, put in isolation, unlawfully excluded, end up in ALP and ultimately either making it into specialist or leaving school traumatised with no GCSEs. Send pupils not welcome in Bristol" / Twitter](#)

[Chopsy Bristol on Twitter: "Pretty much my face now every time I scroll through Facebook and see a post in local Send support groups going down like this... #BristolSend https://t.co/vQdJ2W2v7K" / Twitter](#)

[Chopsy Bristol on Twitter: "@BristolCouncil this is me waiting for a reply to my email about FSM for kids out of education https://t.co/coCnI1L5EI" / Twitter](#)

[\(18\) Chopsy Bristol on Twitter: "This mum is waiting for an EHCP and the one in green is waiting for a specialist school place https://t.co/m9Pbdh2kz8" / Twitter](#)

[Chopsy Bristol on Twitter: "It's funny that when I read the words 'public consultation' I actually hear the words 'stealth cuts'. Bristol Schools Forum papers are out. Except for the 'verbal' update from Alison Hurley. Not a fan of verbal updates https://t.co/tV6LJpVPoR" / Twitter](#)

[Chopsy Bristol on Twitter: "A report is claiming - in support of a planning application - that Bristol has a 'multiplicity' of Send places, despite a capacity crisis that will be unresolved for some years: https://t.co/bZLeZIRowg https://t.co/1jXb7Z8yNA" / Twitter](#)

[Chopsy Bristol on Twitter: "Yeah so what did I just read in a planning application from developers? Bristol doesn't need any more specialist places? I very much beg to differ...@SCANBristol https://t.co/xzjSam9SfU" / Twitter](#)

[Chopsy Bristol on Twitter: "The Bristol Autism Forum appears to be no more. Anyone know why? https://t.co/kxKOAL1clh" / Twitter](#)

[Chopsy Bristol on Twitter: "Limitless Bristol. A One City where PR guff is spun about inclusion when many Send kids have no access to education, experience discrimination and end up in ALP where lack of sufficient safeguarding puts them at risk https://t.co/SmvxshcAOe" / Twitter](#)

[Chopsy Bristol on Twitter: "Is there any data collection on the number of Bristol pupils who do not take GCSEs and the reasons why? Or research?" / Twitter](#)

[Chopsy Bristol on Twitter: "Bristol City Council has introduced a new Executive Director of Children and Education. Is this to ensure another generation of Send kids miss out on secondary education and end up with no GCSEs, cos you're doing a sterling job of that sunshine" / Twitter](#)

[Chopsy Bristol on Twitter: "I understand the last school my son was at has recently had their first Ofsted inspection. I can't wait to see the result of that. It will be a real test of how genuine the Send element of it is" / Twitter](#)

Random Samples of Tweets from Vice Chair Jan 22 to 3rd May 22.

 **Chopsy Bristol** @ChopsyBristol · 17 Jan ...

Interesting late answer to a public forum question at last People Scrutiny Commission just in. So is Bristol exceeding both the National average and statistical neighbours for EHCNAs? I wonder what the data shows?

In 2019 Leeds had 953 initial requests, they completed 96.1% within 20 weeks.

When is BCC going to start to ensure EHCs are completed on time instead of blaming the number of applications? If other LAs can manage, why can't Bristol?

Answer

The situation in Bristol is challenging as our increase in applications for needs assessment exceeds both the national and statistical neighbour averages, unlike some local authorities we also have legacy cases that we need to complete in addition to the new requests coming into the team. There are also continual, difficult decisions to be taken as to where to allocate our limited resources. For example, do we improve the number of plans issued on time or ensure that we are working on cases where families have already been waiting for some time? In Bristol we have decided to address both issues. We have also submitted a request to increase finances to increase our capacity for statutory SEND work.

Whilst not reflected in our timeliness figures, the total number of EHC plans finalised has increased in September 2021 to the highest recorded so far this year in a month. To understand the scope of the Statutory SEND assessment team it is important to look at all the work undertaken by the team including plans in and out of time scales. Whilst we acknowledge we are still on a journey to improve our timeliness figures, Bristol has issued more EHCs in 2020 than any of our statistical neighbours.

 **Chopsy Bristol** @ChopsyBristol · 20 Jan ...

I'm a bit behind what's going on with Bristol Send on a political level at the moment. Won't be back on top of it until about mid February. As a family, we're too impacted by the Send crisis in Bristol to keep a step ahead. Rest assured, it's still a catastrophe

  1  6 

 **Chopsy Bristol** @ChopsyBristol · 23 Jan ...

This 🙄 I am incredibly selective about which professionals are allowed in my home these days. And anything from a Trouble Families background AKA Families in Focus is positively banned

 **Chopsy Bristol** @ChopsyBristol · 24 Jan ...

Just filled in a couple of surveys for the local parent carer forum. Has your child ever experienced discrimination in school? Rolled my sleeves up for that one. My response is the one with the word 'unhinged' in it.

   5 

NB: the last Tweet refers to the surveys BPC launched – Chopsy is vice chair, but writes this as if not affiliated at all.



Chopsy Bristol @ChopsyBristol · 24 Jan



I'll be looking in the over £500 spend in the future for the solicitor firm handling our EHCP Sendist tribunal for Bristol City Council. Wonder what area of spend they will be listed as. Or will they go under the random agency staff spend



Chopsy Bristol @ChopsyBristol · 7h



I'd like to suggest that Bristol City Council's Send tribunal participation is a complete mess. If you're going to force parents to appeal, at least have the good grace to do it lawfully and efficiently.



Chopsy Bristol @ChopsyBristol · 7h



I've got my answer about what the council is doing about unlawful exclusions in Bristol. Hope the Education Task and Finish Group has Cotham School on their to-do list, because they got caught with their hands in the cookie jar: P 25 for screen readers:
democracy.bristol.gov.uk/documents/b299...



Chopsy Bristol @ChopsyBristol · 2h



A nice tidy Annual Review this afternoon, with a lovely school, the best caseworker and no assbattery. I wish every Send thing in my life was this easy.



← **Tweet** This tweet has been deleted by the tweet author. Learn more



Chopsy Bristol
@ChopsyBristol

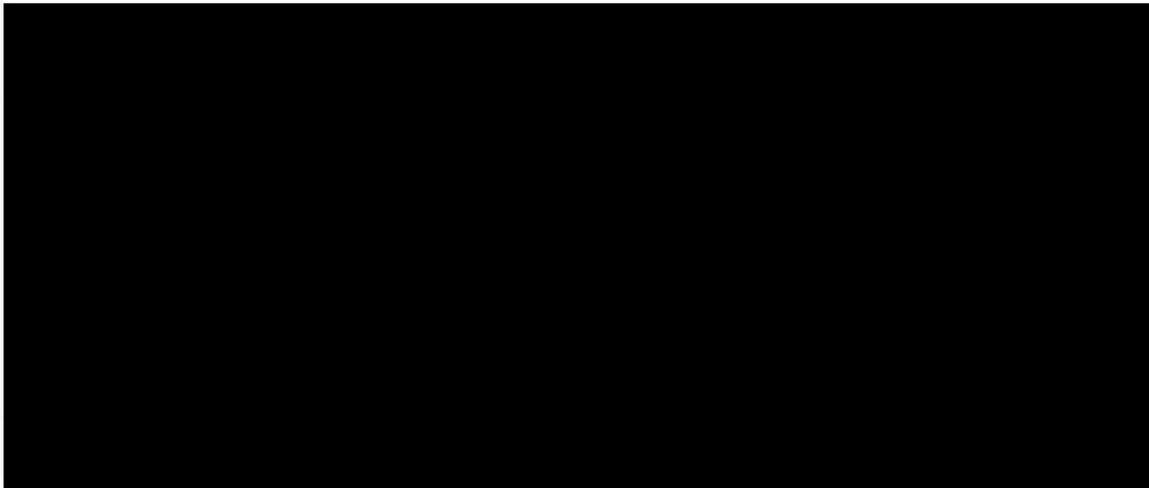


Replying to [REDACTED]

Bristol City Council spends a hearty sum on consultants

1:11 pm · 6 Mar 2022 · Twitter for iPhone

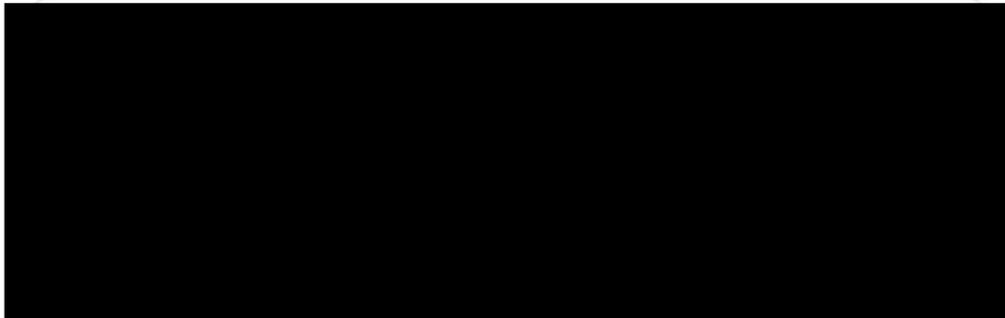
6 Likes



3rd APRIL 2022



Chopsy Bristol @ChopsyBristol · 3 Apr
Why is a really good question.





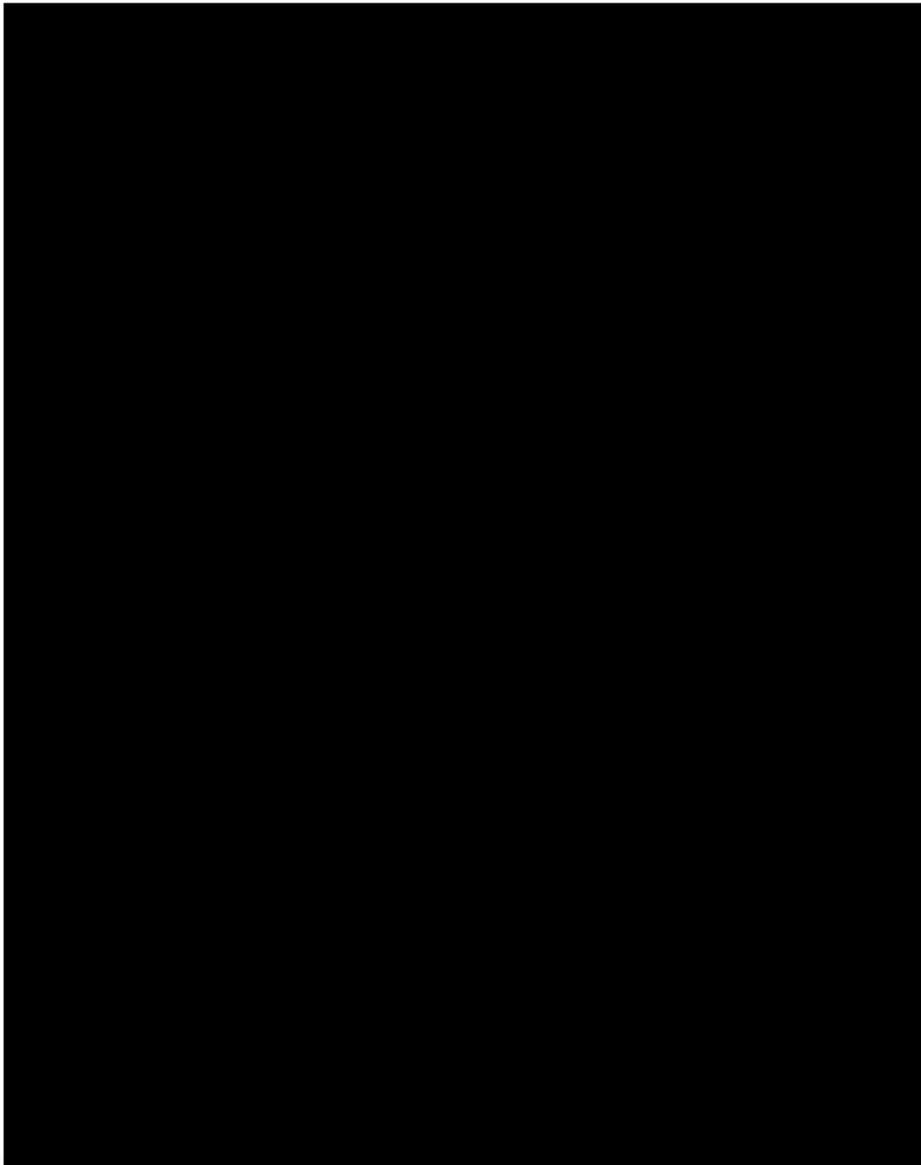
Chopsy Bristol @ChopsyBristol · 23m



I won't sell out my personal integrity to stop telling the truth about Send in Bristol no matter how many people try to shut me up. I won't be bullied by organisations or the People Directorate at Bristol City Council. The Send population in Bristol is being failed.



Above: 07/04/22 copied at 18:15 immediately after Jen, Hayley and Claire had met with Heather Tarbuck



Chopsy Bristol @ChopsyBristol · 19h



Replying to [REDACTED]

The condescending claptrap that came out of one of the former Cabinet education lead's mouth about having to close St George and then this? No wonder no one trusts education in Bristol. It's an underhanded long game that never benefits the children



↻ 3

♥ 4



29/04/2022



Chopsy Bristol @ChopsyBristol · 5h



I think we should put Bristol on the World Stage. find out what the rest of the world thinks about education here. Not enough schools, not enough places, kids off rolled, kids out of education because they're disabled. Let's put that on the world stage and get some feedback

💬 1

↻ 4

♥ 7



03/0522 – a veiled threat below?

CHOPSY BRISTOL **Chopsy Bristol** @ChopsyBristol · 22h ...

And if you screen shot this and store it, I would advise you contact your Ripa Monitoring Officer pronto

🗨️ ↻ ❤️ 2 📤

[Show this thread](#)

CHOPSY BRISTOL **Chopsy Bristol** @ChopsyBristol · 22h ...

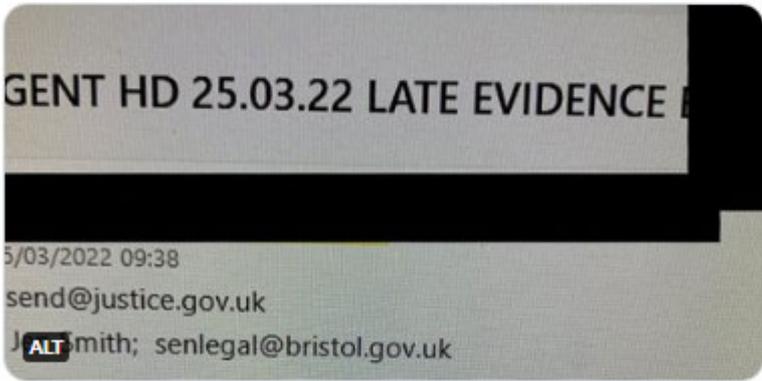
I could go on, but I'll finish saying this is the kind of crap Send parents are still dealing with in Bristol. Being served up crap at the last minute in a dishonest and contemptuous way whilst bleating to scrutiny that things are getting better. They're not getting better

🗨️ 1 ↻ ❤️ 5 📤

[Show this thread](#)

CHOPSY BRISTOL **Chopsy Bristol** @ChopsyBristol · 22h ...

I could go on, but here we go. They had months to put the clap trap together anyway, but sent it 20 mins before the hearing started and I didn't look at my emails until 9.50am while I was bored waiting for the hearing to start.



5/03/2022 09:38
send@justice.gov.uk
J **ALT** mith; senlegal@bristol.gov.uk

🗨️ 1 ↻ 1 ❤️ 2 📤



Chopsy Bristol @ChopsyBristol · 22h

...

This was a stunning lie in tribunal telling the panel all about how Wecil had said they could provide a volunteer to take my child to any activity and it was all go. Wecil told me they didn't offer what the council said they did and didn't think they could manage my child's needs



2



1



[Show this thread](#)



Bristol Parent Carer (BPC) Forum is a volunteer-led organisation that works with strategic partners and the wider SEND community groups in Bristol, to amplify and represent the voices of some of the most vulnerable people in our society.

In a time of Special Educational Needs and Disabilities (SEND) crisis across the country, we feel saddened that we are facing further unfounded allegations and feel that our focus should be on working with our partners to address this crisis.

We wish to be clear that we remain committed to supporting the SEND community in Bristol in a bid to repair the fractured relationship between parents and carers as per the Written Statement of Action aims. We will continue working in collaboration with strategic partners in health and schools as well as alongside other DfE-funded Forums.

On the 1st of July, BPC raised concerns with the BCC regarding the surveillance, processing and storing of Forum officers' data without their consent and the possible harm this action has had to officers' professional reputations. BCC informed us that they would investigate our concerns. BCC subsequently produced a fact-finding report released on Friday 2nd September.

In light of this report and to address any concerns of our stakeholders, we would like to offer the following clarification:

- BPC has not been asked for any information to inform the fact-finding report and first viewed it on Friday 2nd September when it was shared publicly.
- BCC raised concerns with previous BPC officers about Forum representatives' conduct in September 2021. Previous BPC officers examined these concerns and sought external advice. On the basis of this advice, it was concluded that there was insufficient evidence to carry out any internal investigation regarding Forum representatives' conduct.
- BPC Forum informed BCC on 19th October 2021, that there was insufficient evidence to support their concerns and that Forum representatives had not broken any Forum policies, BCC or DfE terms based on the evidence BCC had submitted to support their complaint.
- BPC, further added in this letter, that personal social media activities, individual Freedom of Information requests, and personal Judicial Review actions are all individual rights which are out of the remit of BPC to control.
- BPC Forum has not received any evidence from any other organisations, to support the opinion that Forum officers have shared sensitive information, or broken any Forum guidelines or any DfE or BCC funding terms.



- With no discussion or attempt to create achievable goals together, BCC informed BPC that they would not sign a memorandum of understanding to allow BPC to receive DfE funding.

We continue to support parent carers through school-based SEND coffee mornings, and offer webinars for parent carers to access advice and information. We are currently appointing new members to our steering group from our fellow SEND community groups in order to strengthen our reach and engagement so that every voice in every community across Bristol is heard.

Our door continues to be open for working with BCC and we hope that, despite our differences, we can join forces so we can work together to move forward and address the very real SEND crisis in our City. We have previously offered to show BCC officers our draft, "10 quick wins" for the EHCP process in Bristol, but they have not taken us up on our offer. As the EHCP process is an agenda item here today, perhaps councillors could take on board some of the suggestions made by parent carers in Bristol



Bristol Parent
Carer Forum

Shaping the Future *Together*

Bristol Parent Carer Forum

- WORKING WITH BRISTOL CITY COUNCIL
EHCPs: 10 'QUICK WINS'
SEP 2022/23



Bristol Parent Carers



Vision

To work as equal partners with all Bristol SEND services in order to shape the experiences that services provide for all families, children and young people living in Bristol. We strive to ensure co-production is as inclusive as possible, demonstrating equality, diversity, accessibility, and reciprocity to ensure co-production efforts are genuine and authentic.

Mission

We seek to support and empower families to be heard and achieve better outcomes ensuring families' voices are heard by planners and decision-makers. Signposting and communication are key to our roles and we always aim for work to be co-produced with us, so that the voice of families is at the heart of every decision and policy. →



Our Goals

We want families, children and young people to...

Feel included in their education settings

Have access to suitable education settings

Be able to access the community & go to work

Receive health advice & support promptly

Have accurate information on their EHCP journey



We will achieve these by working with families, children & young people, community groups & SEND services...

Create awareness in the community of the resources (OAP etc) & services (FLORA) BCC have created around SEND support via school-based coffee mornings.

Keep families informed on the progress that BCC has made in creating school spaces

Parental support webinars/seminars

Parental support webinars/seminars

Co-produce a visual guide to the EHCP process

Work with the ICS to support ND pupils in schools

Co-produce lists of schools and types, liaise with them to keep spaces up to date on LO & BPC website

Clear co-produced information on the availability of local services and direct payments/personal budgets

Co-produce ND toolkit and family leaflet

Co-produce a city-wide understanding of PDA

Co-Produce documents detailing the EHCP process that reflect current wording around panels

Help families understand graduated response to help BCC place plan SEND school spaces

Stronger links between CYP with EHCPs & Social care team

Co-produce understanding of the use of private reports & obtaining health advice in EHCPS

Co-produce and publish parent-friendly versions of all EHCP SoPs



10 quick EHCP wins for Bristol City Council

1

Problem: Families tell us that there is a long wait to receive a reply to an email or that they are not informed of panel decisions. [Solution](#): Implement a service-level response time so families know you will get back to them to prevent lots of duplicate emails chasing initial queries that staff then need to process on top of the original question

2

BCC has been working with schools to strengthen inclusion but it is families who ultimately have the power to hold schools to account. [Solution](#): Use parent carer feedback to identify schools that need more support with inclusion practices & educate families on what good SEND support looks like and how to engage school leaders.

3

Problem: Each time a family raises a complaint, the complaints team then asks the SEND team to look into the issue, diverting staff away from EHC assessments.

[Solution](#): Co-produce solutions to common complaints to prevent problems from repeating and lessen the need for families to complain

4

Problem: Families tell us that Bristol City Council does not arrange mediation dates within 30 days as they are required to in law. [Solution](#): Co-produce a standard operating procedure with families relating to mediation so that appeals can be avoided meaning more staff available for needs assessments which will increase timeliness

5

Problem: The number of EHC needs assessments BCC refuse to carry out is increasing and families tell us that when they are informed of this, they do not know what to do or where to get support. They also tell us that they do not believe decisions have been made in line with the law and that once they enter an appeal, BCC quickly concedes, causing around a 5-month delay in supporting their child. [Solution](#): i) ensure legal departments are aware of BCC EHCNA request criteria, ii) include advice on the support available from community groups with the decision letter iii) include an example of a support plan with ordinarily available provisions. These actions may reduce appeals and reassessment figures freeing up resources which in turn may increase timeliness.



10 quick EHCP wins for Bristol City Council

6

Problem: The local offer in Bristol is not well understood by families. [Solution](#): Provide BPC Forum with the DfE funding so that they can create a network of volunteer parent carer peer supporters to help other families navigate and understand the services available locally.

7

Problem: The decision on whether to carry out an EHC assessment comes too late in the process due to the panel system BCC use. [Solution](#): Speed up this process by only using panels for difficult cases with unclear evidence. This means fewer school staff have to attend panels so they can get on with delivering the support needed in schools.

8

Problem: Parents tell us that they are confused by the EHCP system. [Solution](#): Coproduce all of the letters sent to families during the process so that families are clear on what's involved especially where English is not the family's first language. This will create and hopefully lead to fewer complaints, ensuring better relationships between families and BCC.

9

Problem: Families and schools tell us that when the process misses a legal deadline they do not have anyone to contact. [Solution](#): provide a dedicated email address for schools/families to use with an agreed service level response time. This will hopefully mean fewer complaints, ensuring resources are not diverted from the SEND team.

10

Problem: Families tell us that they often see an Educational Psychologist (EP) 2 or 3 times in 18-24 months. This creates a huge demand for EP services which contributes to delays in the EHC assessment process. [Solution](#): Coproduce the EP reports that families are provided with before they reach the EHC needs assessment stage with the aim of ensuring that EPs write "EHCP ready" reports. This means that the advice can then be used in the EHCNA process (pending Reg 6.4) meaning that a report would not need to be duplicated which would speed up the process. Alternatively, BCC could consider carrying out an EHC needs assessment for any CYP who needs input from an EP & BCC could provide guidance on the use of independent reports which are frequently ignored.



Glossary

- SEND Special Educational Needs and Disabilities
- OAP Ordinarily Available Provisions (support schools should try)
- FLORA Families Local Offer Resources Advice
- ICS Integrated Care Service (health services in the area)
- ND Neurodivergent: A non-medical term that describes people whose brain develops or works differently for some reason
- BCC Bristol City Council
- LO Local Offer: The SEND services & support available locally
- BPC Bristol Parent Carers
- CYP Children and Young People
- EHCP Education Health Care Plan
- EHCNA Education Health Care Needs Assessment
- SoP Standard operating procedure
- CoG Community Groups (SEND-based) in Bristol
- P/C Parent Carer



Statement 4

I am Sally Kent, I am mother to a child with SEND in Bristol. I have been involved in SEND since 2015 and in 2017 I decided to set up a facebook EHCP peer to peer support group for families going through the EHCP process. EHCPs are an agenda item at this meeting today, alongside a "fact finding" into 2 data subjects related to Bristol Parent Carer Forum.

There have been concerns from many families over the last 3 years about monitoring of families on both twitter and facebook, including the group I monitor. HH is an administrator of the group and has been since she joined BPC. Before her role at the forum she would offer completely free advocacy work via my group, for a handful of families stuck in the EHCP process with an extremely high level of need.

Families with parents recovering from cancer of children who self harm or have tried to take their own life. Since joining the forum she has only done one piece of free advocacy work to support a friend outside of the group, who has a child who was permanently excluded who had an EHCP that had exceeded week 40. She carried out this work although she knew it would upset BCC officers because she wanted to stop the child being excluded.

I posted to the group I run to let them know about the alleged surveillance carried out by BCC on HH, JS and other SEND families. I know that SEND families do not have time to write statements or send questions to meetings like this and so I asked if other members were in support of the following four points.

We feel that it's:

1. Really important that people who are making changes to services really know and understand the processes inside and out
2. That people suggesting changes and improvements have lived experiences of services they seek to change and
3. That these people should also have an understanding of the experiences of other families, from all communities, not just this FB group, face. They should know what happens in reality, not only what the data on paper tells us.
4. PCF Officers should not be penalised for supporting families in navigating the SEND maze when local services refuse to make things easier for us and provide tangible support for local families.

The undersigned are submitting this statement and fully support HH and JS in their continuing their role at the forum, working with BCC to see the changes we all desperately want.

1. Sally Kent
2. Lucy White
3. Louise Bush
4. Mandy Juggler

5. Nickie Woods
6. Sarah Traves Smillie
7. Rebecca ford
8. Rachel Gardiner
9. Lyn Ruth
10. Sarah Geach
11. Jo Farr
12. Lucy Winchester
13. Sara Stocks
14. Liesl Lowes
15. Laura Anne
16. Laura Fogg Rogers
17. Polly Irish
18. Dany Moore
19. Tara Waite
20. Em Williams
21. Gemma Curtis
22. Fiona Preece
23. Harry Barry
24. Ian Hemming
25. Tracy Franklin
26. Amanda Strickland
27. Lisa Beacham Butler
28. Bridget Ruth Kelly
29. Ghislaine Swinburn
30. Kylie Hicks
31. Fran Turner
32. TF G Sandie
33. Amy Twibell
34. Kelly Rogers
35. Sarah Smith
36. Lana Gayle
37. Rach-ael R Robbins
38. Kerry J Bailes
39. Kelly Cogan
40. Adele Green
41. Sam Burrett
42. Elaine Elstone
43. Natasha Lock
44. Victoria Hawkins
45. Lynda Smith
46. Vicky Caradine
47. Sarah Elizabeth
48. Sarah Lugg
49. Marie Peppercorn Snow
50. Tracy Baggott

51. Kate Eltee
52. Anna Hinchliffe
53. Kim Gibson
54. Michelle Whitlock
55. Lisa Andrew
56. Gill Jane
57. Gillian Crea
58. Louise Mills
59. Lucie Starr
60. Sally Davies
61. Imogen Allen
62. Krystal Hurley
63. Helen Mills
64. Emma Piggott
65. Jayanthi Mondri
66. Lisa Herbert
67. Nicola Harris
68. Kate Avery
69. Vicki Austin
70. Susan Lambert
71. Jemma Reid
72. Mandie Price
73. Tamsyn Jane Carey
74. Paula Croydon
75. Anusree Iyer
76. Alan Parry
77. Laura Plenty
78. TF G Sandie
79. Add me
80. Dian Sin
81. Sian Elizabeth Morgan
82. Vicky Caradine
83. Leanne Heavens
84. Sara Louise Bryant
85. Naomi-Jaine Garlick
86. Elizabeth Jane
87. Jennifer Suzanne
88. Carole Payne-gill
89. Charlotte Robertson
90. Catherine Vallejo Veiga

Statement 5

People Scrutiny Meeting Sept 26/09/22 Statement

From: Hannah Summers & Amy Valenzia, Residents and Parents in Horfield
(Bishopston & Ashley Down ward)

Statement

Hannah and Amy begun campaigning in 2021 to highlight the problems faced by their local community in securing local Secondary places for their children.

Petition;

https://www.change.org/p/bristol-city-council-horfield-lack-of-secondary-school-provision-bishopston-ashley-down-ward/dashboard?source_location=user_profile_started

Having already submitted to both Full Council and People Scrutiny at past meetings, we wished to hear what progress is being made in regards to our cause.

We ask that our portion of Horfield (Bishopston & Ashley Down ward, see map) is confidently served by at least one local Secondary School.

We recently had our Story and campaign covered by BBC Points West,

<https://www.bbc.co.uk/news/uk-england-bristol-62667034>

It has come to our attention after thorough research, investigation and inspired by local experiences, that many families are facing huge issues with securing local provision. This seems mostly driven by the fact that the majority of Bristol's secondaries are now Academies and their own authority on admissions and catchments. It appears there are flaws with how Bristol City Council oversees that these Academies serve the whole city in a realistic and fair way. We believe Redland Green School and Fairfield High School have not reviewed their catchments since 2006, let alone since the new Trinity Academy opened. Trinity's catchment overlaps with both Orchard Academy and Fairfield, yet our portion of this area is not served by any of them. Redland Green's popularity realistically means our area is not served by this School at all and this needs recognition and reflection of how it's catchment actually looks.

Part of the response from the Ex-Director of Education Alison Hurley, in response to our last submission stated; *'The local authority's role is to coordinate the admission arrangements and ensure sufficiency'*.

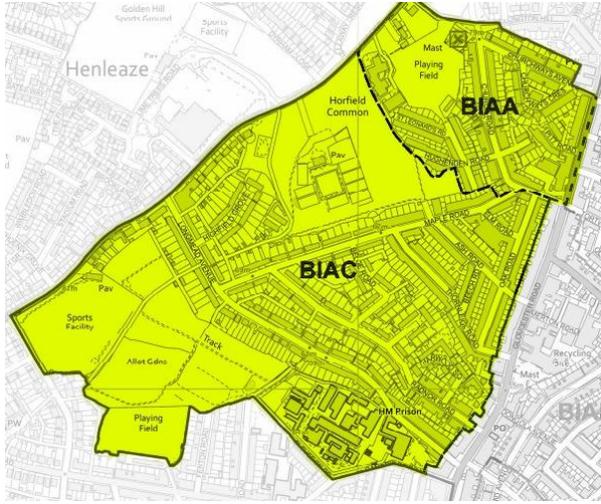
Our area has no sufficiency or certainty that any child would secure a local place.

In response to our comments submitted to the 2023-4 School's Admission consultation, we were informed by Fairfiled, Excalibur Trust Academies that;

'Whilst Excalibur do have the authority to change our catchment area we would not do this without discussion with BCC. Many of the points you raise require action and co-ordination at a local authority level rather than an Admissions Authority level.'

We ask that discussions begin without hesitation, not after several years, as has been suggested.

Map illustrating approximate geographical region of concern



STATEMENT 6

Hayley Hemming Statement Public Scrutiny, 26th September 2022

Dear all,

On 20th September 2022, I was contacted by Nicholas Mimmack who is a Lawyer at Bristol City Council. Nicholas contacted me to ask for my consent to share a collection of comments that I had posted from my personal Facebook account with, 'one of the members of the People Scrutiny Commission'.

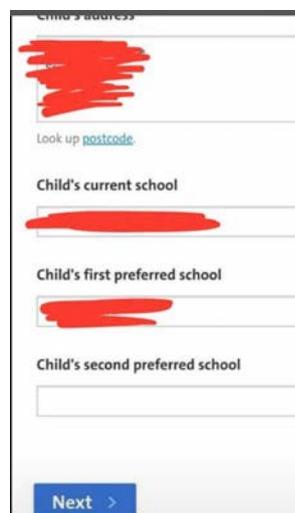
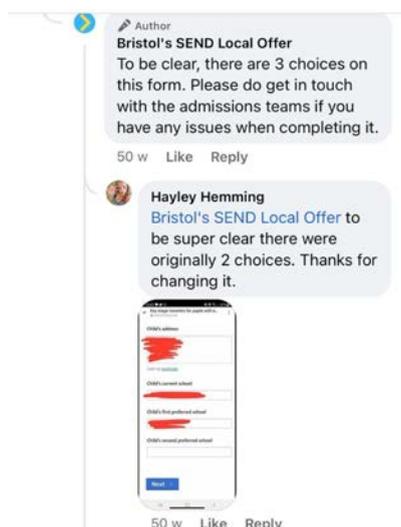
Nicholas informed me that the scrutiny member had requested the 'indexed pack of information' that Officer C prepared in order to evidence conflict on the part of both HH and JS which is referred to in paragraph 41 of the report.

I gave my consent for this information to be shared and added the following message: *"I also ask that you share a copy of the form that was on the Local Offer and the comments alongside it which were not collated into this indexed pack, likely because it does not fit the picture BCC is attempting to paint of my personal conduct via interactions on FB."*

Nicholas replied to say that he could not append additional information but that I could approach the Chair of the Commission in relation to sharing the additional information which I did. Following a conversation with 'legal colleagues', Ian Hird (Scrutiny Advisor) informed me that, *'the most appropriate approach would be for [me] to send the information [I] wish to share as a public forum statement for the 26 Sept People Scrutiny Commission.'*

Below is the information that I was sent by Nicholas Mimmack. Nicholas said that this was my data that was contained in, *"the 'indexed pack of information referred to in paragraph 41 of the report.'*" The dates cover 17.02.21 - 01.10.21. I joined the forum Steering Group in December 2021 and became an officer in January 2022.

From the pack you will see on 15/09/21 comments around a form that was added to the local offer facebook page which asked families to select two schools for children with EHCPs. There were concerns in the community that this was discriminatory as mainstream pupils have 3 school choices. There is a comment made by a redacted officer, it says *'the form wasn't changed - I was advised it had always been 3 choices'*. See the screenshot below showing 2 choices this was posted within the same Facebook comments but omitted from this indexed pack of information.



Facebook negative or combative comments HH and JS

Date	Topic	Name	Comment
17/02/21	Advert for Disability Equality Commission Chair	JS	"Value disabled people by paying them for their work."
24/03/21	CYP Outcomes Framework published	JS	"Is there any chance we can get some clarity on this: 'What are outcomes? Outcomes are recorded in EHC plans. An outcome stretches over a phase or stage, usually a key stage. ■ I want to be in school full time by the end of this term: As long as this is what the child or young person wants, this is a good outcome.' Because it doesn't make any sense to me"
		JS	"So if a child or young person doesn't want to go to school, then what? They get no education and that's fine by the Local Authority?"
		HH	" Jen Smith BCC are confusing the outcomes pyramid the CDC created after the CHUMS research study into health outcomes. It identified that participants wanted health interventions to enabled them to live ordinary and fulfilled lives. The outcomes pyramid was devised to encourage health professionals to think long term about CYP outcomes. Families and health professionals do not always share a vision for what services are seeking to achieve. It's a joint commissioning tool. The pyramid is not connected to how an EHCP should flow or how it should be reviewed. I really hope caseworkers and SENCOs understand this."
		HH	"Bristol's outcomes document also says: "The Framework will ensure that outcomes and the provision put in place to meet outcomes will be derived from the child or young person's hopes and dreams for the future" If you match provision to outcomes that could mean EHCP are ceased prematurely, as after-all, the outcome will have been achieved, so it seems only logical, right? At it's very core an EHCP needs to identify a child / young persons SEN NEED and provision needs to be matched to that > which leads to better outcomes and meeting aspirations. The CDC say, "there must be provision for each and every need identified" and "specify the provision to meet the needs" An EHCP should flow, in my opinion and in the opinion of many lawyers as Needs>Provision>Outcomes>Aspirations

			<p>Home • Resources</p> <p>Case Law Update 34 – B and M v Cheshire East Council – When a local authority can cease to maintain an EHC Plan</p> <p>In this update, the Upper Tribunal set aside a decision of the First-tier Tribunal that the local authority was entitled to cease to maintain an EHC plan of a severely disabled young person. There are numerous reasons why it may be necessary for a local authority to continue to maintain an EHC plan, and the question is not simply whether the outcomes in the plan have been achieved.</p>
01/04/21	Bristol Autism Team support videos for returning to school for Autism Awareness Week	JS	"Are autistic children and young people able to access disability social workers yet? Or do they still need to have a learning disability no matter how disabling the autism may be?"
27/04/21	Advert for sensory support service	HH	"Hello, what is the sensory support service please?"
19/05/21	Advert for videos to help other parents (49 comments, mostly angry, HH also 'loved' some of these)	HH	"I'd find it hard to make a video that had very many positive things to say. But I'd be happy to be a buddy for parents of children with SEND. I found the best support was online from other parents. My son was diagnosed and we were given parenting course details and a charity to call. 😊" " I asked who ran the course and as no one running it was a parent of a child with SEND I refused to attend 🙄 friend have told me it's been a helpful way to meet other parents but they didn't pick much up on the course 😞"
		JS	"This is fantastic. My son is 14 and despite the fact I identified him with Send when he was 2, everyone else is just catching up now. I tell you what I have found helpful, Legal Aid and a Direct Access Barrister."
22/06/21	Advert for EHCP coffee morning	HH	"Is it too late to attend? the link doesn't work 😞"
		JS	"Why is the Time For Change group logo going for the whole wrong puzzle piece thing?"
24/06/21	ALP consultation	HH	"@Jen Smith"

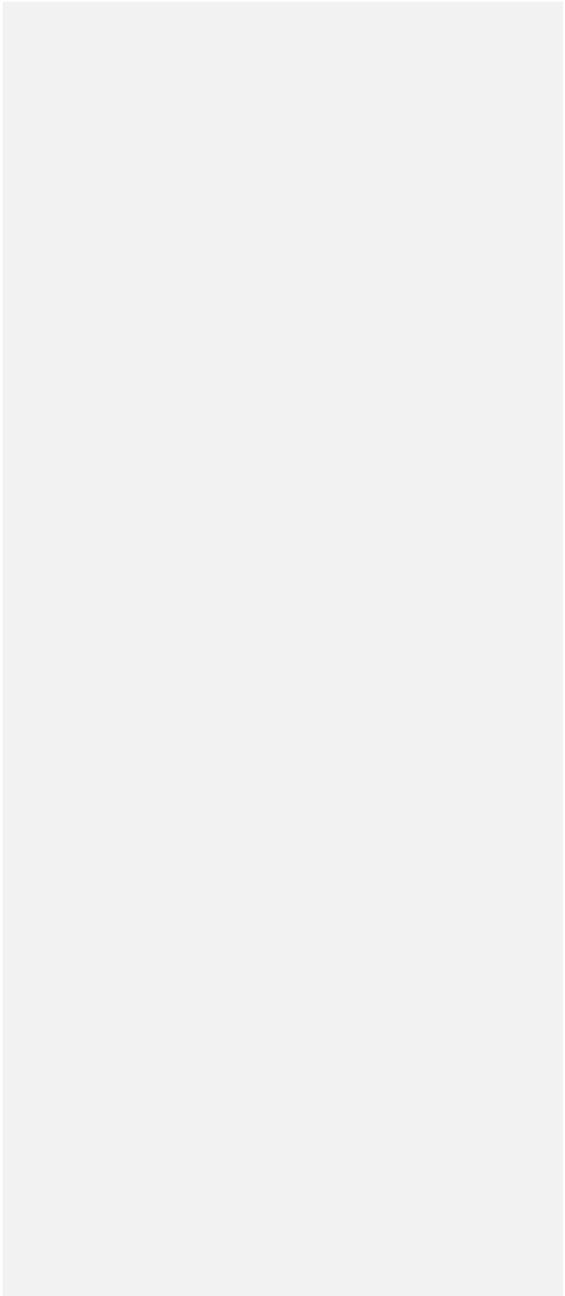
		JS	" Hayley Hemming I filled it in but I doubt my input is going to help pupils get the right support."
15/09/21	Secondary school admissions EHCP key stage transfer	HH	<p>"Why do EHCP pupils have to apply using that link and has this been communicated to parents and carer of children with EHCPs / schools as this isn't the usual process. Also what about children and young people stuck at draft stage? With their schools be named at issue? Thanks"</p> <p>"For anyone reading this post in a panic please know this.... <ul style="list-style-type: none"> ⚠ The LA may prefer parents and carer to do this for their own administrative purposes, but this is not required by law. ⚠ ⚠ They cannot require that you do this instead of holding an AR and following the law as set out in the Children & Families Act 2014 and the regulations made under it (i.e. the SEND Regs 2014)." </p> <p>"Thanks for getting the form changed to show 3 choices rather than the 2 choices that were initially offered. 🙌"</p> <p>If the form helps your planning, that's fantastic and really good news that you're taking steps to get an idea of demand early on. But please make it clear that if the date is missed the child or young person will not suffer the consequences. There is no requirement for parents and carers to complete this form. The LA are able to allocate places via autumn annual reviews as per Regulation 18 of the SEN Regs with EHCPs being reviewed and finalised by Feb 15th."</p> <p>"Bristol's SEND Local Offer to be super clear there were originally 2 choices. Thanks for changing it."</p>
01/10/21	Advert for ALP SoA coproduction sessions	JS	<p>"You have put all these Zoom sessions directly in the school run. Why is this?"</p> <p>"You've completely changed these times in the last hour. Which is good. But let's not pretend I was wrong. Have some transparency and say that we were informed the 3.30-5pm times clashed with the school run and due to pressure we've changed them"</p> <p>"Don't try to play people who are used to being played by the council"</p>

Commented [redacted]: NB: the form wasn't changed – I was advised it has always been 3 choices.

			"No, this is just not the truth. The times have been changed from what was originally planned. Parents and carers won't believe the council until it starts being honest and competent]"
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Other top critical commenters: [REDACTED]

Affiliated groups: Bristol SEND Community Alliance, Bristol SEND Justice, Bristol SEND crisis



STATEMENT 7 – Sandra Thomas

I am a parent of a child with Special Educational needs. I am not an officer or volunteer of Bristol Parent Carer forum but I have experienced tweets of mine being copied and shared with other agencies.

It took me almost 2 years and cost me thousands of pounds to ensure my son was in a suitable school place - this was decided by a judge during a tribunal process, through independent reports.

During this process I was referred to social services as Bristol SEND services raised concerns that I had fabricated or induced my son's illness. Fabricated or Induced Illness (FII) is the term used for when a parent or caregiver of someone, most commonly a child, is accused of fabricating, exaggerating or inducing the symptoms of that person.

False FII allegations are made by people in power, such as medical professionals, social workers, teachers, the Local Authority etc and they happen more often than is known and the cases are continuing to rise by the day.

Part of the reason these allegations came about is because in May 2021, an employee of BCC sent my son's head teacher a copy of some tweets I had made about how my son feels in school. The officers told the headteacher that, "BCC communications team.... Monitor social media for us" and that she felt the school would, "rather be aware of the situation than not".

SEND parents know that monitoring of families is prolific, especially if we appeal decisions of shoddy EHCPs which are not fit for purpose. This SEND surveillance is not just about forum officers - the leaked emails clearly show redacted names which are likely to be other parents.

Although my eldest son is now in the correct provision and social services have no concerns and are discharging us, my younger two children are being denied referrals to the Autism team. This is in part due to the school insisting that my children are not autistic and should not be referred and being denied Human Rights to go private.

The officer that shared my tweet sought to damage my relationship with the school - which they have been totally successful in and the actions of this officer now impacts the support my children are able to access and the hellish nightmare of FII accusations over the last year. The school for example, has actively called the paediatrician to ensure the GP request of referral for autism assessments is blocked.

I urgently need to get my children help as their SEN needs have been recognised by independent professionals but I am not able to get them the help they need due to the FII allegations, yet I have support of my GP, Social Services. Their needs are being ignored across health and education. Surely this is disability discrimination?

I feel this situation has been deliberately created due to the surveillance actions of the comms team and the officer that shared the post with the headteacher. I believe

this is some form of punishment for advocating for my eldest and for contacting the Evening Post in 2020 to share with them how awful the SEND system is.

This is simply unacceptable and I hope my story encourages other families to share the experiences they have had and not to be scared of the threat of social services.

STATEMENT 8 – Cllr Geoff Gollop

People Scrutiny Commission

26 September 2022

Public Forum statement

Item 8 Fact finding Report

There are a significant number of issues arising from this report.

Whilst the report is extremely professional and detailed and may deliver what it was instructed to, the initial brief missed the most serious concern.

I ask whether the Council should be monitoring any of its residents on social media. I can only think of extreme situations involving fraud or criminal activity where that could possibly be justifiable.

What ever the legal situation, I can think of no moral or ethical justification for monitoring families of children we are meant to be safeguarding.

I don't believe I am the only councillor who is offended by this activity being carried out by The Council I am a member of, but I am concerned that we employ people who thought it was acceptable and the fact that we have no document anywhere that makes such unacceptable behaviour an issue for potential dismissal.

I urge scrutiny, People or Overview and Scrutiny Management to keep this issue on the agenda until the administration takes action to introduce an appropriate policy and modifies employment terms and conditions to reflect this. I also ask for an urgent and strongly worded statement to be submitted to cabinet.

I am sorry I cannot be present to present this statement but unfortunately the rearranged meeting clashes with another meeting that was already scheduled.

Cllr Geoff Gollop

23/09/22



STATEMENT 9

23 September 2022

People Scrutiny Commission
Bristol City Council

GMB Submission – Adult Social Care Transformation Update

GMB wish to make the following statement with specific reference to the focus upon how in-house services are incorporated into the transformation programme (MTFP 2022/23 saving £650,000).

GMB welcome the comments made in the report regarding SBRC where it states that 'important lessons have been learned in relation to working with health partners and the impact on staff during this process and these will be applied in future work.'

However to date, management have made no attempt to contact GMB regarding our request for a 'lessons learnt' opportunity. The way in which the staff have been treated throughout the process regarding the closure of SBRC was disgraceful and we believe it is only fair this Commission is made aware of this. To inform staff in November 2021 they would be the subject of a TUPE transfer to Sirona (stating if they did not agree to the transfer they would be terminating their employment). Staff were told they would be transferred as Sirona was finding it difficult to recruit. Staff were then left over the Christmas period without any communication.

In January 2022 upon closer scrutiny it was challenged by the union as this was not a comparable transfer of like service plus Sirona did not proceed with submitting a business plan to proceed

GMB have requested the HR Committee to set up an investigation into the way in which this process has been conducted and how staff have been treated.

We note that in this Scrutiny report it is the council's decision to outsource the remaining intermediate/rehab centre in east Bristol to Sirona and would ask if and when staff have been informed of this?

GMB would also request whether or not a decision has already been made by the council regarding the outsourcing of Redfield Lodge/Reablement Intermediate Care as this is all under one section (page 8)?

GMB would not support any decision to outsource existing services as transferring staff to another employer does not either improve or make the delivery of the service any more cost effective. If there are issues then surely the first focus should be upon management and how they deliver the service rather than outsourcing. We would have hoped that Bristol City Council would have learnt this lesson over the years of outsourcing and then having to bring services back in!

Jeff Sutton

Jeff Sutton
Branch Secretary

Rowena Hayward

Rowena Hayward
Senior Organiser