

Bristol City Council

Minutes of the People Scrutiny Commission

26 September 2022 at 10.00 am



Members Present:

Councillors Tim Kent (Chair), Christine Townsend (Vice-Chair), Lisa Stone, Mark Weston, Fi Hance (substitute for Cllr Wye) and Katja Hornchen (substitute for Cllr Bailes)

Overview and Scrutiny Management Board members (attended for agenda item 8):

Councillors Tony Dyer, Barry Parsons, Steve Pearce, David Wilcox

Cllr Asher Craig, Deputy Mayor with responsibility for Children's Services, Education and Equalities

15 Welcome, Introductions and Safety Information

The Chair welcomed all attendees to the meeting and explained the emergency evacuation procedure.

16 Apologies for Absence and Substitutions

The following apologies and substitutions were noted:

People Scrutiny Commission: Cllr Bailes (Cllr Hornchen substituting), Cllr Massey, Cllr Scott, Cllr Wye (Cllr Hance substituting)

Overview and Scrutiny Management Board (OSMB) (re: agenda item 8):

Cllr Bradshaw, Cllr Gollop

Apologies were also received from Cllr Holland, Cabinet member for Adult Social Care and Integrated Care System

17 Declarations of Interest

The Chair advised that he was married to one of the public forum participants. He also advised that he had attended and voted at the meeting of the Bristol Parent Carer Forum which had elected its current officers. Under agenda item 11, the Chair advised that a member of his family had an Education, Health and Care Plan.



18 Minutes of Previous Meeting

The Commission **RESOLVED:**

That the minutes of the meeting of the People Scrutiny Commission held on 7 March 2022 be confirmed as a correct record.

19 Chair's Business

a. Public forum - questions

The Chair noted that with regard to questions 11-16 submitted as public forum business, questioners had been advised that due to the preparatory work required in connection with the recently announced Ofsted SEND inspection, officers had not had capacity to immediately respond in advance of this meeting. Whilst noting the position and work pressures, the Chair stated that, in his view, this was not acceptable; replies would be sent (copied to all members of the People Scrutiny Commission) as soon as possible.

b. Senior management update

At the request of the Chair, the Executive Director: People provided an update on recent changes in the People directorate's senior management/staff appointments: Abi Gbago had been appointed as Executive Director: Children and Education Services and would be joining the authority in mid-December; Richard Hanks had been appointed as Interim Director: Education and Skills.

20 Public Forum

Public statements:

It was noted that the following public statements had been received:

1. Mr S Smith - topic: Special Educational Needs and Disabilities (SEND)
2. Jen Smith - topic: Fact-finding report - use of social media by council staff in respect of Bristol Parent Carer Forum / SEND
3. Hayley Hemming (on behalf of Bristol Parent Carer Forum) - topic: Fact-finding report - use of social media by council staff in respect of the Bristol Parent Carer Forum / SEND
4. Sally Kent and 89 other residents - topic: SEND
5. Hannah Summers and Amy Valenzia - topic: Secondary school admissions
6. Hayley Hemming - topic: Fact-finding report - use of social media by council staff in respect of the Bristol Parent Carer Forum / SEND
7. Sandra Thomas - topic: Fact-finding report - use of social media by council staff in respect of the Bristol Parent Carer Forum / SEND



8. Cllr Geoff Gollop - topic: Fact-finding report - use of social media by council staff in respect of the Bristol Parent Carer Forum / SEND

9. Rowena Hayward and Jeff Sutton, GMB - topic: Adult social care transformation update

Statements were presented by those in attendance. Statement 5 was presented by Cllr Edwards on behalf of Hannah Summers and Amy Valenzia. Statement 8 was presented by Cllr Weston on behalf of Cllr Gollop.

Public questions:

It was noted that the following public questions had been received (those in attendance asked supplementary questions as indicated below):

Q1. Jen Smith – topic: Fact finding report - use of social media by council staff in respect of Bristol Parent Carer Forum

Supplementary question from Jen Smith regarding question 1 as submitted: ‘The report states that I was there as a BPCF member, but this is not true. To claim otherwise in an official report in this arena is defamation. Why has the council knowingly done this?’

In response, the Head of Legal Service advised that this point would need to be verified, and, if necessary, corrected.

Supplementary question from Jen Smith regarding question 3 as submitted:

‘Does the council only use its own social media account to view and collate data from social media or do individual staff members use their private accounts instead or as well?’

In response, the Interim Director - Education and Skills advised that information was collated regularly by the Council’s communications team as part of their day to day work. This information would be collated via council accounts, not through individual accounts.

Supplementary question from Jen Smith regarding question 2 as submitted:

‘The response to the question says that tweet surveillance ‘did not involve any specific interaction with any of the individuals concerned.’ But that’s not true. Tweet surveillance continued all year as is shown in the bundle. Why weren’t there Equality Act adjustments in a meeting where top council managers called my social media presence and council statements derogatory and aggressive? They said that to my face with no reasonable adjustments.’

In response the Executive Director: People advised that reasonable adjustments applied primarily to ensuring council activity was accessible and that the council aimed to make reasonable adjustments to enable access, including communication. As indicated in the written response, whilst the term ‘reasonable adjustments’ was not applicable in this particular context, the department should still consider whether the questioner individually, or as part of a group, had any additional needs which should have been taken into account in communications with and responses from the department. Officers were happy to discuss this to ensure that future communications were conducted in a manner that was conducive to individual needs and preferences.

Q2. Jen Smith - topic: Progress update on Education, Health and Care performance



Q3. Lucy White - topic: Fact finding report - use of social media by council staff in respect of Bristol Parent Carer Forum.

Q4. Suzanne Audrey - topic: Fact finding report - use of social media by council staff in respect of the Bristol Parent Carer Forum

Q5. Adele Green - topic: Fact finding report - use of social media by council staff in respect of Bristol Parent Carer Forum

Q6. Charlotte Robertson - topic: Fact finding report - use of social media by council staff in respect of Bristol Parent Carer Forum

Q7. Ian Hemming - topic: Fact finding report - use of social media by council staff in respect of Bristol Parent Carer Forum

Q8. Kay Galpin - topic: Fact finding report - use of social media by council staff in respect of Bristol Parent Carer Forum

Q9. Lotte Lane - topic: Fact finding report - use of social media by council staff in respect of Bristol Parent Carer Forum

Q10. Lotte Lane – topic: Progress update on Education, Health and Care performance

Q 11. Hayley Hemming – topic: Fact finding report - use of social media by council staff in respect of Bristol Parent Carer Forum

At the invitation of the Chair, Hayley Hemming read out this question, as submitted:

‘On 1st September, BCC was informed that Data subject 1 had joined the forum “pending checks and references”. So that the public may understand any rules that data subject 1 was bound by regarding BPCF and DfE funding terms, please can BCC clarify on which date did data subject 1:

- Sign their contract with BPC Forum following those references and checks
- Join the forum steering group
- Become an officer of the forum’.

In response, the Head of Legal Service advised that a written response would be sent to the questioner as soon as possible.

12. Councillor Kerry Bailes - topic: SEND partnership plan

13. Julie Wilson - topic: Education Health and Care plans

14. Hannah Summers and Amy Valenzia - topic: Secondary school admissions

Cllr Edwards, on behalf of Hannah Summers and Amy Valenzia, read out this question as submitted:

‘Will Bristol City Council’s education department be reviewing the catchments and admissions of Bristol’s secondary schools as matter of urgency, taking more ownership of administration and ensuring all academies are working together to ensure all postcodes and areas of the city are served by at least one school?’

In response, the Interim Director: Education and Skills advised that from October, there would be discussions starting with schools / academy trusts around their catchment areas. Any new arrangements would not take effect until 2024 due to the lead-in time involved in implementing any agreed changes. A written response would be sent to the questioner as soon as possible.



15. Bristol Parent Carer Forum (BPFC) – topic: Progress update on Education Health and Care performance

Hayley Hemming referred to and summarised her written question, as submitted.

In response, the Head of Legal Service advised that a written response would be sent to the questioner as soon as possible.

16. Laura Drake - Agenda item 8 – Fact finding report – use of social media by council staff in respect of Bristol Parent Carer Forum

21 Annual Business Report 2022-23

The Commission considered the annual business report.

The Commission **RESOLVED:**

1. To note the membership of the Commission for the 2022-23 municipal year.
2. To note the Commission's terms of reference.
3. To note that the dates and times for remaining further meetings in 2022/23 are as follows:
 - 5.00 pm, Monday 28 November 2022
 - 5.00 pm, Monday 13 March 2023
4. To note the ongoing appointment of Warda Awale as a statutory parent governor representative co-optee.

22 Fact-finding report - Use of social media by council staff in respect of the Bristol Parent Carer Forum

The Commission considered and discussed the fact finding report into the use of social media by council staff in respect of Bristol Parent Carer Forum (BPCF). It was noted that OSMB members had been invited to attend for this item of business.

Members raised questions/points in relation to the report, which included the following:

1. Cllr Townsend referred to para. 15 and the statement that the external communications team and the service area were familiar with both data subject 1 and 2 by virtue of their social media posts relating to SEND. She suggested that this indicated there had therefore been concerns before the parameters had been set for the fact finding report and queried why legal officers hadn't asked the SEND team if they were familiar with those and where their concerns had come from.



In response, the Head of Legal Service advised that questions had been asked of officers. As stated in the report, there were tweets and communications that officers had been aware of on an ad hoc basis but this did not amount to monitoring. Two specific incidents had been identified for investigation.

2. In response to further questions from Cllr Townsend, the Head of Legal Service reiterated that two incidents had been found where there had been collation of social media input from the two data subjects. No evidence of any other collation had been found, only ad hoc knowledge acquired from social media via the communications team's general monitoring of the Council's Facebook pages.

3. In response to an additional question from Cllr Townsend, the Head of Legal Service advised that in relation to the SENDIASS meeting referred to in the report, it was her understanding that although the meeting had been open for any interested person to book attendance via Eventbrite, the 'ground rules' of the meeting had been that the discussion and any information shared at the meeting should be regarded as confidential.

4. In response to questions from Cllr Dyer on para. 49, the Head of Legal Service confirmed:

- a. the role of the Council's information governance and security team.
- b. that, although not having been contacted previously, the team had confirmed that their view would have been that a Data Protection Impact Assessment would not have been required.

5. With regard to paras. 35-39, and the reference to officer C being asked to produce an options paper, Cllr Dyer asked whether that paper had included any examples of the social media posts that were causing concern, as part of its evidence.

The Head of Legal Service advised that she had not personally looked at the options paper but she would liaise with a legal colleague who had examined that paper and would arrange for clarity to be provided to Cllr Dyer on that point.

6. Cllr Stone referred to the statement at para. 49 which indicated there was 'no evidence that systematic monitoring took place' but noted there was also reference in that para. to 'concerns being raised by BCC about the campaigning activity of the forum members.' She asked for clarity about what was meant by 'campaigning activity.'

In response, the Head of Service: Accessible City advised that this was a nuanced area; members of Parent Carer Forums could campaign as individuals in their own right although they needed to be aware that they may be perceived by others as being a member of the forum, even on their own private social media. A full response on this issue had been provided by officers through the written response to Public Question 3.1 as submitted by Lucy White.

7. In response to a question from Cllr Stone in relation to the statement in para. 51 that 'it is quite apparent that the amount of time in question was negligible and justified on the basis that it enabled an informed decision to be made to discontinue support for funding', the Executive Director: People confirmed that it was not the case that any significant amount of officer time had been committed to looking at social media.



Cllr Stone then suggested that there was a possibility therefore that some officer time had been spent examining social media posts, and information obtained had led to a decision to withdraw funding from BPCF due to the way in which members of the Forum were campaigning.

Cllr Craig stated that she totally rebutted the above suggestion. She advised that efforts had been ongoing through officers to try to work with BPCF over the last 3-4 years. The issue of social media posting was just one of a number of issues / concerns; from her perspective, in light of these ongoing concerns, BPCF were not the right strategic partner for the Council.

8. Cllr Wilcox referred to para 48 and the definitions as set out of what 'systematic' and 'monitoring' meant. He suggested (referencing, for example, the tweets from the Chopsy account included within Public Forum Statement 2) that, in his view, there was evidence that monitoring had been systematic. In response, the Head of Legal Service reiterated that only two specific incidents had been identified for investigation; therefore, her judgment was that this could not be considered as 'systematic'.

9. In response to questions from the Chair, the Head of Legal Service advised that in relation to the two data subjects, she had not been asked to look at the veracity of the beliefs of officers in relation to campaigning activity.

10. The Chair referred to the dossier that had been prepared for the Director of Education in advance of a meeting with BPCF and indicated that, having seen some of the information in that dossier, he was concerned that it contained many errors and factual inaccuracies.

The Chair also advised that arising from information within the dossier, there was a potential issue about whether an officer(s) may have accessed information from a private Facebook group, and if so, whether this would constitute a breach under the Regulation of Investigatory Powers Act. In response, the Head of Legal Service advised that the relevant officers, when questioned, had made it clear that they had not accessed any private groups or used their own personal accounts. There was therefore no evidence that information had been accessed from the private group; further investigation would need to take place to establish how the dossier in question had been compiled.

11. Cllr Parsons referred to a number of references in the report which suggested, in his view, that there had been a pattern of repeated viewings of social media. He queried the distinction between ad hoc information taken from social media and the two specific incidents that had been identified for investigation as, in his view, there seemed to be a contradiction.

In response, the Head of Legal Service advised that ad hoc information taken from social media was essentially information that the Council would become generally aware of, for example if the Council was linked into a particular social media comment. She suggested that further clarity could be provided to members about how 'systematic monitoring' was categorised, together with further detail about the law around this and the law around RIPA as well.

12. Cllr Parsons drew attention to Contact's code of co-production and campaigning guidance to parent carer forums, which made it clear that not only were parent carer forums not prevented in themselves from supporting or raising awareness of local campaign activity, but also that there was nothing to prevent individual members of parent carer forums from joining campaign groups.



The Head of Service: Accessible City confirmed that officers were fully aware of this guidance. She also outlined details of the work that had been taking place over the past 3 years in terms of furthering engagement with the full breadth of parent carer groups across the city. Co-production was key to the work to improve SEND services.

13. In response to a question from Cllr Townsend about the use of additional discretionary funds provided through the Council and the CQC to support the parent carer forum for the financial year 2021/22, the Head of Service: Accessible City advised that her understanding was that this funding had been used to fund a temporary chair from another local authority who came in to work alongside BPCF to work in developing various areas of governance, including terms of reference, processes and protocols.

The Chair then moved the following motion:

'People Scrutiny Commission notes there is to be a debate at Full Council and:

- 1. Welcomes some of the steps that have been taken to widen consultation but feels this cannot be at the expense of high level coproduction with parents.*
- 2. Believes that great damage has been done to the reputation of the council, its relationship with parents and not helped improve services through its social media monitoring activities and endorses the call for a robust new policy on social media within the council.*
- 3. Notes the limited remit of the fact finding report and calls on the Chief Executive and the Mayor to approve an external investigation into media monitoring of SEND parents within the council and for this to be carried out under the direction of Overview and Scrutiny Management Board and the Vice-Chair of this commission.*
- 4. Is very concerned at the lack of coproduction with parents so calls on the Chief Executive and the Executive Director: People to write to Contact and the Department for Education indicating that they are now willing to sign the memorandum of understanding with BPCF and will reinstate BPCF as the lead strategic parental coproduction partner.*
- 5. Call on BPCF and BCC to work together to now build trust and work in co-operation to improve services for all SEND children, and adults, in our city.*
- 6. Asks democratic services officers to send a copy of this motion and report to the Ofsted Inspector.'*

The motion was seconded by Cllr Weston.

Summary of main points raised in debating the motion:

1. In response to comments from Cllr Hance, it was agreed that an additional point 7 be added to the motion as follows:

'7. Believes we should protect generally the rights of campaigners and whistle-blowers in the city.'

2. Cllr Townsend raised the issue of the request within the motion for the proposed reinstatement of the BPCF as the lead strategic parental co-production partner. She queried whether it might perhaps be considered premature to re-instate the BPCF at this point and in advance of the outcome of the external investigation that was being called for through the motion, as this may possibly be seen as pre-judging any findings from the investigation.



3. Cllr Weston took note of Cllr Townsend's above point; his view, however, was that the evidence pack had been collated in such a way that BPCF had been removed as the strategic partner - in his view, the proposed re-instatement was appropriate and the outcome / findings of the requested independent investigation should then be awaited. The Chair pointed out that the motion was calling for an external investigation into the actions of the Council in relation to social media monitoring rather than the activities of BPCF.

4. The Chair advised that it was his understanding that, at the moment, there was no strategic co-production partner. In response to a question from the Chair, officers advised that Contact would be working with the Council to assist wide engagement with 22 different parent carer groups; this work was in the early stages of development. The Chair then commented that he accepted that the Council's legal officers, based on the evidence they had seen, had advised that there had been no breach of the law; however, he would like to see that view from the perspective of an independent person once they had investigated, including looking at the additional issues raised at today's meeting. In his view, at this point, BPCF should be reinstated so they could act as the strategic voice for parents across the city.

5. Cllr Parsons drew attention to the fact that although the Council had a social media protocol, this did not deal directly with viewing and sharing third party social media but there was a recommendation that this protocol be reviewed. He suggested that until such a protocol was in place and officers had received the relevant training, there should be a suspension of any viewing and sharing of social media content from identifiable individuals.

The Chair suggested that this suggestion could be difficult to implement in practice as there were legitimate service reasons for the viewing and use of social media by council officers; for example, in cases where individuals directly tweeted about missed waste collections. The issue for investigation was whether an acceptable level of social media use had been exceeded.

6. In relation to the request in the motion that BPCF be reinstated as a strategic partner, Councillor Craig reiterated her earlier point that efforts had been ongoing through officers to try to work effectively with BPCF; from her perspective, some fundamental key issues remained and, at this moment in time, her view was that BPCF were not the right strategic partner. Contact had been engaged, with the support of the Department for Education, to work with the Council and the consortium of identified parent carer groups.

7. Cllr Stone queried the basis of the decision to discontinue BPCF as a strategic partner. In response, Cllr Craig advised that the decision had been taken with involvement and advice from professional officers; it was, in her view, clear that the working relationship between the Council and BPCF had not been working - through the work now being taken forward with Contact, the aim was to establish and engage with a wider consortium of groups so that there could be a fuller discussion with an inclusive and diverse group(s) of parents around the SEND agenda.

8. At the conclusion of the debate, the Head of Legal Service advised that it would be helpful, if the motion was agreed by the Commission, for the Chair (following the meeting) to provide any additional



clarity / detail as necessary on the exact investigation points that the Commission was asking the Mayor and Chief Executive to approve as the subject of an external investigation.

A vote was then taken on the motion, as amended in light of the comment raised at point 1. above.

The Commission **RESOLVED** (unanimously):

People Scrutiny Commission notes there is to be a debate at Full Council and:

1. Welcomes some of the steps that have been taken to widen consultation but feels this cannot be at the expense of high level coproduction with parents.
2. Believes that great damage has been done to the reputation of the council, its relationship with parents and not helped improve services through its social media monitoring activities and endorses the call for a robust new policy on social media within the council.
3. Notes the limited remit of the fact finding report and calls on the Chief Executive and the Mayor to approve an external investigation into media monitoring of SEND parents within the council and for this to be carried out under the direction of Overview and Scrutiny Management Board and the Vice-Chair of this commission.
4. Is very concerned at the lack of coproduction with parents, so calls on the Chief Executive and the Executive Director: People to write to Contact and the Department for Education indicating that they are now willing to sign the memorandum of understanding with BPCF and will reinstate BPCF as the lead strategic parental coproduction partner.
5. Calls on BPCF and BCC to work together to now build trust and work in co-operation to improve services for all SEND children, and adults, in our city.
6. Asks democratic services officers to send a copy of this motion and report to the Ofsted Inspector.
7. Believes we should protect generally the rights of campaigners and whistle-blowers in the city.

The meeting was then adjourned for a short break at 11.38 am and reconvened at 11.45 am.

23 Report from Working Group on inclusion in mainstream education

The Chair, in moving the report, thanked members of the working group, officers and all participants who had given evidence to the working group. In addition to the recommendation set out in the report, he suggested, and it was agreed, that it would be appropriate for the Commission to formally refer the report to the Overview and Scrutiny Management Board for information and awareness.

Summary of main points raised:

1. Cllr Townsend suggested that a task and finish group might be set up by the Commission to track progress on actions taken forward in light of the report. The Chair took note of this suggestion but indicated that it would be more appropriate for updates to be given through the People scrutiny lead members meeting.



2. In response to a point raised by Cllr Townsend, the Interim Director: Education and Skills undertook to arrange for a city map/graphic to be produced to show school cohorts compared with the communities in which schools were geographically located. This would be useful as a visual indication of how reflective schools were of their local communities.

3. The Interim Director: Education and Skills commented that many aspects of the working group's report aligned with and were being taken forward in the context of the Council's Belonging Strategy for Children and Young People. In addition to the recommendation to refer the report to the Bristol Learning City Excellence in Schools group, he suggested it would also be appropriate to refer it to the Race Equality Steering Group given the issues raised around equalities and diversity.

4. Cllr Hornchen commented that there were important issues around equalities and diversity to be addressed within the city's teaching system / workforce. Cllr Craig commented that there were a number of organisations and networks in the city working to address the whole issue about lack of representation and diversity within teaching staff and the recruitment of teachers. She also drew attention to the fact that following a call for action from the city's Youth Mayors around school exclusions, and in the context of the Belonging Strategy, work was starting with one of the academy trusts on a pilot programme to work towards 100% inclusion and how this approach could potentially be rolled out across Bristol.

The Commission **RESOLVED:**

1. To endorse the working group's report.
2. To refer the report to the Overview and Scrutiny Management Board for information and awareness.
3. To refer the report to the following for consideration and with an invitation to respond to the report:
 - * Deputy Mayor with responsibility for Children's Services, Education and Equalities.
 - * Bristol Learning City Excellence in Schools group.
 - * Race Equality Steering Group.

24 Decision report of the Local Government and Social Care Ombudsman

The Commission received a report setting out the details of a decision taken by the Local Government and Social Care Ombudsman (complaint reference 21 007 446).

The Chair suggested that it would be appropriate for members to note the Ombudsman report, noting also that an Education, Health and Care performance update was the next item on the agenda.

The Commission **RESOLVED:**

To note the decision report of the Local Government and Social Care Ombudsman (complaint reference 21 007 446).



25 Education, Health and Care performance update

The Commission considered a report setting out the latest Education, Health and Care Plan (EHCP) performance update.

Summary of main points raised:

1. In response to questions from the Chair, it was clarified that:

* as at the end of July, there were 605 active EHC needs assessments in the system. 328 of these were within the 20-week timescale; however, 277 were outside of the 20-week timescale.

* managers had reviewed the balance of work within teams on new and overdue / legacy cases to ensure that from 31 July 2022, no further cases would exceed 52 weeks. The 90 overdue cases as at 31 July had now been reduced in number to 47; all 47 cases had been allocated an assessment co-ordinator with draft plans in place, with a view to plans being completed (following consultation) by the end of the calendar year. It was recognised that for as long as there were overdue cases in the system, the 20-week targets were going to be under pressure.

2. Cllr Weston welcomed the reduction in the number of overdue cases from 90 to 47. He suggested, and it was agreed that a succinct 'snapshot' update of EHCP performance should be submitted to each meeting of the Commission.

3. In response to questions, it was noted that officers were in ongoing communication with a wide range of other local authorities with a view to learning and applying best practice. Whilst it was acknowledged that the situation was far from resolved and further improvement was necessary, there had been a reasonably steady trajectory of improvement since 2019 in terms of the timeliness of meeting the 20 week target. Bristol's focus was on securing improvements that would be sustained. It was noted that Portsmouth had been one of the first local authorities that had produced a clear articulation of the school-based stages of the code of practice; officers had assessed the Portsmouth approach and were developing the application of this in Bristol. As a result, considerable work was being undertaken with schools to strengthen the school-based stages of the code of practice, e.g. issuing of Ordinarily Available Provision guidance and training, as well as developing a comprehensive workforce development plan.

4. Cllr Townsend flagged the importance of the timeliness of annual reviews, noting that monitoring data on this was not included in the report. It was noted that through the SEND reporting system, the aim was to ensure that individual, child level information would be available, including reporting measures around annual reviews. Within Bristol, delegated responsibility for annual reviews had been passed, as was the case in most local authorities, to educational settings. The authority did not have the capacity to ensure officer attendance at each individual annual review, but there would be a greater focus and emphasis placed on ensuring a more robust system was in place in terms of quality assurance around annual reviews.



5. With reference to para. 6.3, Cllr Weston asked that a copy of the Council's response to the government Green Paper - SEND Review: Right Support, Right Place, Right Time be circulated to Commission members.

6. The Chair thanked officers for the update report. On noting the above point that for as long as there were overdue cases in the system, the 20-week targets were going to be under pressure, he commented that he was also concerned about the capacity of the department to significantly reduce/eliminate the number of legacy cases, given the numbers of new cases that also needed to be dealt with. In response, it was noted that to help tackle the challenge faced, action was being taken to recruit additional assessment co-ordinators and educational psychology staff. The Chair further commented that, in his view, there was an issue for the Council more generally to consider about whether additional resources should and/or could be allocated to support SEND improvement work; whilst that was a challenge for the administration, it was, in his view, also an issue that all political groups needed to consider.

The Commission **RESOLVED**:

1. To note the report and the above information.
2. That a succinct 'snapshot' update of EHCP performance be submitted to each meeting of the Commission.

26 School provision and specialist placements update

The Commission considered a report updating on new school provision in Temple Quarter and Knowle, and on new specialist school places provided over the last year, and those planned for the next 2 years.

Summary of main points raised:

1. In response to questions from the Chair, it was clarified that parents applying for secondary school places in the new schools would receive two offers, one being a conditional offer for a 'new' school in anticipation that places would be available in the new schools' respective temporary accommodation in September 2023, and the other being an offer at an alternative school. Conditional offers would be confirmed as soon as possible once there was definite confirmation that the temporary sites would be operational for September 2023; it was recognised that the situation would need to be managed carefully through the school admissions team as it inevitably presented a logistical challenge. Further detail on the process would be shared with members.
2. In response to a question from Cllr Weston, it was confirmed that the catchment areas for the two new schools had deliberately been set quite widely to try to minimise any disrupting effect for other schools, particularly in the central and eastern parts of the city. In time, it was anticipated that the increased sufficiency in secondary school places that would be realised through these two schools would have a 'knock-on' benefit in relieving pressure on admissions more widely across the city.



3. In response to questions from Cllr Townsend, it was confirmed that discussions would take place with Oasis about specialist SEND provision once the new schools were in place as physical buildings. Whilst noting this, Cllr Townsend expressed disappointment that neither of these two new secondary schools were catering for SEND inclusion through architectural design.

4. In response to a further question from Cllr Townsend, it was noted that discussions would start with schools / academy trusts in October about reviewing secondary school catchment areas and admissions. Whilst recognising that academies and voluntary aided schools set their own admissions policies and catchment areas, the key basis of the engagement would be to encourage recognition of the underlying principles of the Belonging Strategy and for this to be the focus of the discussions / review.

In connection with this point, the Chair reminded members that one of the key recommendations from the Commission's working group on inclusion had been as follows:

'There should be a city-wide review of admissions policies with a view to enabling a fairer and equitable admissions process. This should entail education settings and the Council working together to introduce criteria that recognise the need to serve local communities and enables better inclusion, including the local authority exploring how to encourage schools to implement criteria that provide an appropriate proportion of Pupil Premium student priority places in school applications when places are oversubscribed'.

The Chair expressed the view that the Council should particularly take on board and pursue this recommendation through the forthcoming discussion with schools and academy trusts.

The Commission **RESOLVED**:

To note the report and the above information.

27 Adult social care transformation update

The Commission considered a report setting out an overview of the reset Adult Social Care (ASC) transformation programme, including the approach being taken to ASC In-house services.

The Interim Director: Adult Social Care Transformation outlined the report. In response to the public forum statement submitted by the GMB, the following points were clarified:

- * Changes to any of the projects within the transformation programme would need to be taken forward through the Council's decision-making processes.
- * There was no proposal to transfer the intermediate/rehab centre in east Bristol to Sirona.
- * As indicated in the report, the South Bristol rehab service was closed in July and the management of change process for the affected staff was now close to completion. Important lessons had been learned in relation to working with health partners and the impact on staff during the process, and these would be applied to future work.

Summary of main points raised:



1. Cllr Weston queried whether the identified saving of £800k in relation to workstream 9 (pricing control) was realistic given the rate of inflation currently. In response, officers acknowledged that this and some other identified savings were challenging in light of national economic factors. There was ongoing liaison and dialogue with providers over cost pressures, recognising also that a key rationale for the transformation programme was to address the fact that Bristol was a relatively high-cost outlier nationally.
2. In response to questions about Bristol Community Meals, it was noted that the ambition was to grow the service so that it became self-sustaining and able to generate a profit. In light of the cost of living crisis and related pressures, it was suggested that as part of developing further the business case for Bristol Community Meals, careful consideration be given to phasing any future price increases to customers that may become necessary.
3. In response to a question from the Chair, it was confirmed that Discharge to Assess and Home First were key programmes for the Council and health partners; the focus was to ensure a 'whole system' approach which maximised the flow of patients from hospital into appropriate care, either at home, into intermediate care, or residential care where this was necessary. The Chair commented that the effectiveness of this approach might be an area for the Commission or member leads to examine in greater detail at a future point.
4. In response to a question from Cllr Hance, it was noted that inflation costs were factored into the care placement budget each year; regular discussions were held through a provider forum to ensure information around cost pressures (e.g. energy costs) was shared; an appropriate balance was sought through the programme between recognising the need to address the Council's position as a high cost outlier and the need to sustain/work with the market.
5. In response to a question from Cllr Stone, it was confirmed that increasing the use of direct payments was an area that was being considered through the modelling, including the issues around pay rates for personal support assistants. It was important to try to ensure positive outcomes for individuals through direct payments.
6. In response to a question from the Chair in relation to the deliverability of the 2022/23 MTFP savings in Adult Social Care as set out in Appendix 2, the Executive Director: People advised that there were particular challenges in delivering savings related to the care market, given the national economic situation. However, the overall position in terms of the delivery of savings within the Adult Social Care budget had improved in comparison to previous years, as referenced in the regular budget monitoring reports to Cabinet.

The Commission **RESOLVED:**

To note the report and the above information.



28 Quarter 4 performance progress report 2021-22

The Commission received the quarter 4 performance progress report 2021-22.

At the suggestion of the Chair, it was agreed that the latest performance progress and risk management reports should be taken as the first substantive items of business at the next meeting of the Commission on 28 November.

The Commission **RESOLVED**:

To note the report and the above information.

29 Quarter 1 corporate risk management report 2022-23

The Commission received the quarter 1 corporate risk management report 2022-23.

The Commission **RESOLVED**:

To note the report.

30 Work Programme

The Commission **RESOLVED**:

To note the latest update of the work programme.

Meeting ended at 12.57 pm

CHAIR _____

