

Statement to Cabinet from the Overview and Scrutiny Management Board – Safety Valve

At its meeting on 8th April 2024, the Overview and Scrutiny Management Board (OSMB) and People Scrutiny Commission met to consider the following reports:

- Safety Valve Programme - 5 March 2024 Cabinet
- Safety Valve Programme - Capital Funding - 9 April 2024 Cabinet

Having considered these items, Members agreed to refer the following comments to Cabinet at the 9th April 2024 meeting:

- The March Cabinet report had been taken as an urgent item, but Members were unclear about whether this had been necessary. Members were concerned about the confusion over the extent of any embargo around the application process and whether the Department for Education had, or had not, required this. They expressed a desire for absolute clarity on this point and noted that a statement from the Mayor on this was anticipated in the near future.
- The Cabinet report indicated that both Audit Committee and Scrutiny Members (via the Finance Task Group) had been 'consulted' on the Safety Valve proposals. However, Members would like it to be noted that this had been via a confidential briefing, with no opportunity for Members to influence or endorse the outcomes. Members suggested that a preferable route for liaising with Members about the Safety Valve would have been via the Party Group Leaders and a briefing or exempt meeting for the People Scrutiny Commission, particularly in light of the change of governance in May 2024.
- It was difficult for Members to give an informed view about the Safety Valve proposals with the information available and they would welcome more detailed information about financial implications, progress and risk going forward in the project. Members could not understand how a decision could be taken to sign up to the Safety Valve without detailed understanding of the risks involved. They were concerned that as there was no evidence indicating quantification of the risks, they were unsure whether this was because the risk assessment had not been done or if there were more detailed papers that had not been made available to Scrutiny or the public.
- Members noted that the Department for Education would shortly provide more information about the approval of the Capital funding that would be provided to the Council (in addition to the circa £21.5m that had already been received to reduce the DSG deficit), details of which would be shared as soon as possible.
- Members inquired about the targets or KPIs that the Council would need to achieve in order to remain in the Safety Valve scheme, and whether there would be any financial penalties (such as repayment of monies already given to the Council) if performance was inadequate. It was agreed that officers would share information about KPIs for both service and financial targets in due course and confirm the position about repayment of monies/financial penalties in writing following the meeting.
- Parents and carers of SEND children were deeply concerned about the Safety Valve proposals and whether it would lead to a need to make savings which would impact

on service provision. It is vital that the Council works with service users to ensure everyone understands how they will be affected by the planned changes as set out in the Deficit Management Plan in the April 2024 Cabinet report.

- The Safety Valve scheme included the requirement to increase mainstream SEND provision by building a new school (which is likely to be in Southmead). The aim to establish this school by September 2026 was considered highly optimistic based on timescales for similar schemes and therefore a significant risk. It was noted that the school could operate from temporary accommodation if required.
- It is important for the Council to continue to work with existing schools to ensure they are contributing to positive outcomes for children with SEND.
- Members thanked officers for the comprehensive information that had been provided during the scrutiny meeting. Members expressed the view that it was regrettable that no Cabinet Members had been in attendance.