



County Offices  
Newland  
Lincoln  
LN1 1YL

1 September 2022

**Children and Young People Scrutiny Committee**

A meeting of the Children and Young People Scrutiny Committee will be held on **Friday, 9 September 2022 at 10.00 am in the Council Chamber, County Offices, Newland, Lincoln LN1 1YL** for the transaction of the business set out on the attached Agenda.

Yours sincerely



Debbie Barnes OBE  
Chief Executive

**Membership of the Children and Young People Scrutiny Committee**  
**(11 Members of the Council and 3 Added Members)**

Councillors R J Kendrick (Chairman), W H Gray (Vice-Chairman), S A J Blackburn, R J Cleaver, Mrs J E Killey, C Matthews, N Sear, T J N Smith, J Tyrrell, M A Whittington and R A Wright

**Added Members**

Church Representative: Reverend P A Johnson

Parent Governor Representatives: Mrs M R Machin and Miss A E I Sayer



**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE AGENDA  
FRIDAY, 9 SEPTEMBER 2022**

| <b>Item</b> | <b>Title</b>  | <b>Pages</b> |
|-------------|---|--------------|
| 1           | <b>Apologies for Absence / Replacement Members</b>  |              |
| 2           | <b>Declarations of Members' Interest</b>  |              |
| 3           | <b>Minutes of the Children and Young People Scrutiny Committee meeting held on 22 July 2022</b>   | 5 - 10       |
| 4           | <b>Announcements by the Chairman, Executive Councillor for Children's Services, Community Safety and Procurement and Chief Officers</b>   |              |
| 5           | <b>Update on the Special Educational Needs and Disabilities Transformation Programme</b><br><i>(To receive a report from Sheridan Dodsworth, Head of Special Educational Needs and Disability (SEND), Carrie Forrester, Programme Manager (SEND Transformation), and Kate Capel, Head of Inclusion, which provides the Committee with an update on the Special Educational Needs and Disabilities (SEND) transformation work)</i>   | 11 - 28      |
| 6           | <b>Service Level Performance Reporting against the Success Framework 2022-23 - Quarter 1</b><br><i>(To receive a report from Jo Kavanagh, Assistant Director – Early Help, which summarises the Service Level Performance against the Success Framework for Quarter 1)</i>  | 29 - 48      |
| 7           | <b>Children's Services Annual Statutory Complaints Report 2021-22</b><br><i>(To receive a report from Jo Kavanagh, Assistant Director - Early Help, and Carolyn Knight, Head of Service Quality and Standards and Principal Social Worker, which updates the Committee on the performance of Children's Services in relation to complaints)</i>   | 49 - 64      |
| 8           | <b>CYPSC Work Programme</b><br><i>(To receive a report from Tracy Johnson, Senior Scrutiny Officer, which enables the Committee to consider and comment on the contents of its work programme to ensure that its scrutiny activity is focused where it can be of greatest benefit)</i>  | 65 - 70      |
| 9           | <b>CONSIDERATION OF EXEMPT INFORMATION</b><br>In accordance with Section 100 (A)(4) of the Local Government Act 1972, the following agenda item has not been circulated to the press and public on the grounds that it is considered to contain exempt information as defined in paragraph 3 of Part 1 of Schedule 12 A of the Local Government Act 1972, as amended. The press and public may be excluded from the meeting for the consideration of this item of business. |              |

**10 Education Provision Planning**

71 - 106

*(To receive an exempt report from Matthew Clayton, Admissions and Education Provision Manager)*

Democratic Services Officer Contact Details

Name: **Tom Crofts**

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E Mail Address [thomas.crofts@lincolnshire.gov.uk](mailto:thomas.crofts@lincolnshire.gov.uk)

**Please note:** for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

Please note: This meeting will be broadcast live on the internet and access can be sought by accessing [Agenda for Children and Young People Scrutiny Committee on Friday, 9th September, 2022, 10.00 am \(moderngov.co.uk\)](#)

All papers for council meetings are available on:

<https://www.lincolnshire.gov.uk/council-business/search-committee-records>



**CHILDREN AND YOUNG PEOPLE SCRUTINY  
COMMITTEE  
22 JULY 2022**

**PRESENT: COUNCILLOR R J KENDRICK (CHAIRMAN)**

Councillors W H Gray (Vice-Chairman), R J Cleaver, Mrs J E Killey, C Matthews, N Sear, T J N Smith, J Tyrrell, M A Whittington and R A Wright

**Added Members**

Councillor Mrs P A Bradwell OBE was also in attendance via Teams.

Phil Clark (Deputy Police and Crime Commissioner) attended the meeting as an invited guest.

Officers in attendance:- Dave Pennington (Head of Property Development), Eileen McMorrow (Programme Manager – SEND Strategy), Ethan Thorpe (Strategic Communications Lead), Heather Sandy (Executive Director – Childrens Services), Kiara Chatziioannou (Scrutiny Officer), Laura Bonner (Head of Service – East Lindsey Locality), Linda Dennett (Interim Assistant Director – Childerens Services), Martin Smith (Assistant Director – Children's Education), Matt Spoor (Head of Service – School Standards), Thomas Crofts (Democratic Services Officer), Tina Shaw (Senior Project Manager – Corporate Property) and Wendy Lanes (Project Manager – Corporate Property),

10 APOLOGIES FOR ABSENCE / REPLACEMENT MEMBERS

Apologies for absence were received from Alex Sayer.

11 DECLARATIONS OF MEMBERS' INTEREST

No declarations of Members' interest were made at this stage of the proceedings.

12 MINUTES OF THE CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE MEETING HELD ON 17 JUNE 2022

**RESOLVED:**

That the minutes of the meeting held on 17 June 2022 be confirmed and signed by the Chairman as a correct record.

13 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLOR FOR CHILDREN'S SERVICES, COMMUNITY SAFETY AND PROCUREMENT AND CHIEF OFFICERS

There were no announcements.

14 GOVERNMENT WHITE PAPERS ON LEVELLING UP THE UNITED KINGDOM AND OPPORTUNITY FOR ALL: STRONG SCHOOLS WITH GREAT TEACHERS FOR YOUR CHILD

Consideration was given to a report by Matt Spoor, Head of Service – School Standards, on the Government’s White Papers on Levelling Up. The following matters were highlighted:

- No timescale had been set by the Government for the implementation of the White Papers, as yet.
- The White Paper instructed the following:
  - That all schools ensure 90% of pupils achieve expected standards in reading, writing and maths – which meant a 25% increase for schools in Lincolnshire.
  - A 0.5% increase on pupils achieving a grade 5 for secondary schools.
  - All schools to become Multi Academy Trusts (MATs) by 2030.
  - 50 local authorities had been designated as education investment areas, which included Lincolnshire.
- In order to achieve new expectations, the following was to be developed:
  - The creation of new professional teaching qualifications.
  - Pay uplifts for teachers.
  - OAK National Academy – a new arms-length curriculum body.
  - A new attendance programme.
  - Funding for tutoring programmes and educational endowments.
- The reorganisation of all schools into MATs was the key priority of the White Papers.
- Although Lincolnshire was behind the national standard, the gap was being closed, in part due to the Council’s investment into Family Hubs and the Supporting Families Programme.

In response to questions raised by the Committee, the following points were confirmed:

- Small faith schools and grammar schools presented a challenge in academisation.
- Local authorities were to facilitate academisation with no additional resourcing.
- There was a lack of clarity regarding the consideration of outcomes for children in the move towards academisation. It was concerning that academisation was not necessarily a move based entirely on ensuring better outcomes.
- Lincolnshire was closing the performance gap with the national standard in that the national standard had dropped but Lincolnshire schools had not dropped as much.
- Many special schools had already become academies and were better placed to weather and disruption caused by further academisation.
- New teaching qualifications were available to any teacher, with some specifically tailored to senior leadership. The ongoing qualification route into teaching remained unchanged.
- Local authorities were not permitted to run academy trusts.

- The Council was looking into how to ensure that no school was left behind in the academisation process, with a focus on small rural schools.

Members felt that academisation was a one size fits all approach which did not necessarily prioritise outcomes for children.

RESOLVED:

1. That the report and comments be noted.
2. That a further report be brought to a future meeting of the Committee once more information is released and the implications for Lincolnshire are known.

#### 15 SCHOOLS' STANDARDS IN LINCOLNSHIRE

Consideration was given to a report by Matt Spoor, Head of Service – School Standards, on standards within the sector led system as previously requested by the Committee on 3 March 2022. The following matters were highlighted:

- The report represented data from 2019, pre-pandemic.
- Pupils identified as autistic and/or having behavioural/social/emotional difficulties were the largest representation with the category of SEND. Data also showed that SEND pupils had higher levels of achievement in a mainstream setting. However, the data was not considered statistically significant.
- The level of household disadvantage was the strongest driver of attainment and progress for children overall.
- Pupils with English as an additional language achieved higher attainment than native English speakers. This gap also widened as pupils got older.
- Performance was also driven by the particular school.

In response to questions raised by the Committee, the following points were confirmed:

- Local authorities were to become champions rather than drivers regarding school improvements under academisation, and the school improvements grant was to be cut to zero.
- The Government and Academy Trusts were now the sole drivers educational policy. Local Authorities still had a part to play in scrutinising and recommending matters to these parties.
- The Council still had expertise and data to help and influence partners. The Council could pursue non-statutory duties regarding schools to have a greater influence in decisions. However, there was no additional resourcing available to support this.
- The Council and the Committee were to become 'intelligent influencers'.
- The Council had established a close working relationship with schools over the years, which would endure.
- Multi Academy Trusts (MATs) did not yet have league tables, and standards tools and reporting were under review.

**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE  
22 JULY 2022**

- The Government's definition of a strong MAT was based upon strong financial standards and policies.

Members were concerned by the motivation for academisation and the roll of the Committee going forward. Members felt that the performance of male working-class children was an area that needed closer attention to ensure that the correct type of support was in place.

RESOLVED:

1. That the report assured the Committee on the issues highlighted.
2. That the Committee's comments be noted.

16 SERVICE LEVEL PERFORMANCE AGAINST THE CORPORATE PERFORMANCE FRAMEWORK - QUARTER 4

Consideration was given to a report by Laura Bonner, Head of Service – East Lindsey Locality, on Quarter 4 performance for Tier 2 Service Level Performance measures in relation to Children's Services. The following matters were highlighted:

- There were 10 measures reported at Quarter 4. Reasons for performance outcomes were explained with direct reference to the report.
- 3 measures did not meet their target.
- 2 measures exceeded their target.
- 5 measures achieved their target.
- Performance was still being greatly impacted by the past years' pandemic public health measures.

In response to questions raised by the Committee, the following points were confirmed:

- The Council continued to make representations to make reporting more timely regarding the two year lag in juvenile reoffending data.
- Data pertaining to children in care were all considered Lincolnshire Children.

RESOLVED:

1. That the report and comments be noted.
2. That the Committee was satisfied with performance.
3. That the Committee receive a briefing in relation to points raised.

17 CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK PROGRAMME

The Committee considered its work programme, to ensure that scrutiny activity was focused where it could be of greatest benefit.



It was noted that water fluoridation had also been discussed at the Health Scrutiny Committee for Lincolnshire.

RESOLVED:

That the work programme be agreed subject to the inclusion of the amendments mentioned above.

18      CONSIDERATION OF EXEMPT INFORMATION

RESOLVED:

That in accordance with Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that if they were present they could be a disclosure of exempt information as defined in paragraph 3 of Part 1 of Section 12A of the Local Government Act 1972, as amended.

19      EXPANSION OF ST LAWRENCE ACADEMY, HORNCastle

Consideration was given to the exempt report.

The Committee raised a number of questions which were answered by the Officers present.

RESOLVED:

1. That the Committee support the recommendations to the Leader of the Council as set out in the report.
2. That the Committee's comments be passed on to the Leader of the Council in relation to this item.

20      RESIDENTIAL ESTATES EXPANSION PROGRAMME - CHILDREN'S HOME LOUTH

Consideration was given to the exempt report.

The Committee raised a number of questions which were answered by the Officers present.

RESOLVED:

1. That the Committee support the recommendations to the Leader of the Council as set out in the report.
2. That the Committee's comments be passed on to the Leader of the Council in relation to this item.

The meeting closed at 12.25 pm

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**Open Report on behalf of Heather Sandy, Executive Director - Children's Services**

|            |  |
|------------|--|
| Report to: | <b>Children and Young People Scrutiny Committee</b>                                      |
| Date:      | <b>09 September 2022</b>   |
| Subject:   | <b>Update on the Special Educational Needs and Disabilities Transformation Programme</b> |

**Summary:**

This report provides the Children and Young People Scrutiny Committee with an update on the Special Educational Needs and Disabilities (SEND) transformation work. It includes an overview of the aims of the programme; the impact of the work so far and summarises further activity being undertaken to build on the successes of the transformation to date.

**Actions Required:**

The Children and Young People Scrutiny Committee is invited to review the update and seek assurance on the progress made through the transformation work.

## 1. Background

Over the last two years the Local Authority (LA) has been working with strategic partners, including School Leaders, Lincolnshire Parent Carer Forum, Lincolnshire Young Voices, and Health representatives to review the way the partnership works in supporting children and young people with SEND. The data and intelligence gathered throughout the initial stages of the transformation programme told us:

- Lincolnshire has more pupils with SEND than the England average.
- The Local Offer was not sufficiently understood to divert partners and parents to early intervention.
- The number of 'refusals to assess' was down from around 30% to 6% (nationally the figure was around 26%).
- The county had experienced an exponential rise in the number of Education, Health and Care (EHC) Plans – 3,300 in September 2014; 6023 in September 2020.
- In audit, 69% of children with an EHC Plan could have had needs prevented, reduced or delayed.

- In Fast Forward Trials – 45% of children going through assessment could have had their needs met more effectively without a Plan.
- There were misaligned expectations – EHC Plan was seen as the ‘best’ means of support.
- Only 3 of 589 EHC Plans ceased in 2020 were whilst young people were still in education.
- If the partnership did nothing:
  - The demand for EHCPs was estimated to grow by 39% from 6,023 (September 2020) to reach 8,417 by March 2023.
  - Demand on the High Needs Block would increase by over £20m a year by financial year 2022/23, outstripping anticipated growth.

The partnership agreed a series of 'System Ambitions' which have formed the basis of the *High Needs Strategy* (Appendix A). The ambitions were to:

- Strengthen the Local Offer and *Graduated Approach*
- Introduce a SEND advice line (Ask SALL) for Special Educational Needs Coordinators (SENCOs)
- Introduce Valuing SEND to support decision making and benchmarking
- Define and promote practice standards within the Statutory Assessment Pathway
- Develop a strengths-based approach to Annual Reviews
- Support step-down with focus on transition from special to mainstream school
- Introduce Safe Base provision within mainstream schools
- Hold to account and mitigate system pressures through primed performance

### **The SEND transformation programme:**

A raft of activities began in 2020 to support Lincolnshire's *Inclusive Ambition* which incorporates a system ambition that aims to ensure that the majority of children with special educational needs can fulfil their potential in mainstream settings where practitioners are clear how to meet their needs and the right support is available to do so at an early stage.

In January 2022, the digital version of **Valuing SEND** (VSEND) was launched with hundreds of SENCOs signing up to use the digitalised version of the former Excel tool. This complements the **Inclusion Toolkit** which sets the practice standards for Lincolnshire and provides SENCOs and other professionals with high quality practical support to guide and enhance their day-to-day practice. The VSEND tool helps settings to develop a single, rounded picture of the needs of children and the support they require to succeed and prosper within and outside of their education - from birth to adulthood (across early years, primary, secondary, special and post 16 education). The tool can be used as the foundation for planning and commissioning support, monitoring progress and evaluation of support at a child and cohort level, and to enable earlier and more co-ordinated intervention. The use of these tools is promoted through Ask SALL, the Graduated Approach briefings, the National SENCO Award course (for Lincolnshire) and in feedback to settings following requests for statutory assessment. The Panel considering requests for EHC Needs Assessments is urging settings to use VSEND to gain a holistic understanding of

the child's needs and the setting's readiness to meet them. It is becoming increasingly evident that schools and other settings that use the VSEND tool have a more sophisticated understanding of the child's needs and a greater awareness of what additional support they require to continue to meet the needs of their pupils.

The **Local Offer** received a complete overhaul and was re-launched in June 2021 on a new platform [SEND Local Offer – Lincolnshire County Council](#). It provides updated content and practical advice for families and settings about how to support children and young people experiencing difficulties rather than how to seek diagnoses or simply refer into specialist services. Access to the digital Inclusion Toolkit and VSEND is through the Local Offer, and it is also the route to contact Ask SALL and for booking places at the Graduated Approach briefings. The Local Offer also enables access to previously recorded Graduated Approach briefings and other information videos. Promotion and feedback events are on-going as the effort to make the Local Offer the main portal for information regarding SEND continues.

The **Workforce Development** learning platform was commissioned on 10 February 2022 via a Public-to-Public Collaboration Agreement, under Regulation 12(7) Public Contracts Regulations 2015 between Lincolnshire County Council and Lincolnshire Wolds Federation, as lead agency for the SEND Alliance. The SEND Workforce Development Learning Platform will mirror the existing training platform provided by the Lincolnshire Safeguarding Children Partnership (LSCP) which has proved most successful in providing training, resources, and support to professionals. The delivery model will be implemented over four phases/three years. Phase 1 is concluded with prioritisation being given to content creation and launch of the online learning platform for all Lincolnshire Special Schools. By the summer of 2023 full sector-wide implementation will have taken place. In Year 2, the third phase will see the learning platform open to parents and carers of children and young people with SEND along with their advocates/representatives and other interested stakeholders. In phase 4 the service will transfer to self-funding. A sustainability plan has been established for this to happen.

A **Transitions Protocol** was developed in the summer of 2021 to provide targeted intervention to support children and young people to step-down from specialist provision to mainstream. Four young people have successfully reintegrated into inclusive mainstream environments which can better support their outcomes and aspirations. Further work is underway to identify other young people that might be ready to consider a transition from Special School to mainstream.

In September 2020, **Ask SALL**, Lincolnshire's SEND advice line for SENCOs was launched. The advisers provide advice and guidance to settings and, where appropriate, can offer a follow up appointment with an Educational Psychologist (EP). Since the advice line started, 47% of Lincolnshire schools have called the line at least once. Thirty-nine settings have called more than four times. 61% of calls are from primary schools with the highest number of users in North Kesteven and South Kesteven (34%) and the fewest in Boston and South Holland (18%). 25% of calls have been referred on to an EP. The most significant primary needs that callers seek advice about are Communication and Interaction, or

Social, Emotional and Mental Health (SEMH). Specifically, 50% of the calls relate to concerns about social/emotional/behavioural difficulties.

In calls where the SENCo indicated that they were considering making a request for an EHC Needs Assessment prior to seeking advice, the cases are tracked. On average, 18 cases per month over the last 12 months have not progressed to a request for statutory assessment following advice and guidance from Ask SALL.

A **multi-disciplinary (assessment) panel** was formed in November 2020 to consider requests for EHC Needs Assessments and ensure that practice standards are evidenced in the *graduated approach* prior to request for assessment. Over several years the number of 'no to assessment' decisions had fallen significantly. In part this was because of the low threshold test but on further analysis, it was clear that many requests were highly emotive and included 'catastrophic' language to describe children's needs which was not supported by the evidence presented. Decisions were therefore not always being made based on the true *needs* of the child. Colleagues in settings described being left unsure what to do next when the Panel made a 'no to assess' decision. Families often saw the 'no to assessment' decision as meaning their child be left without any support.

The Panel comprises specialist teachers, an Educational Psychologist, specialist Early Years practitioners, Ask SALL advisors and a SEND lead. The expertise of members enables the panel to scrutinise the evidence and provide comprehensive feedback to settings if a 'no to assess' decision is made. Additionally, settings may be contacted by one of the Ask SALL advisors if further advice and guidance is required to support the setting in continuing to meet a child's needs through the *graduated approach*.

Prior to the introduction of the multi-disciplinary panel, the number of 'no to assessment' decisions had dropped to as low as 6%, having been around 30% in the early years of the reforms and in the latter years of the 'old' Statementing process. Since the introduction of the Panel and robust feedback to settings, 'no to assessment' decisions have been made, on average over the last 12 months, in 26% of cases. This has dropped slightly but it is also clear that more cases coming for statutory assessment are the 'right' ones and there is generally good evidence of a robust *graduated approach* having been adopted prior to the request for assessment. The majority of 'no' decisions are accepted.

## **Impact**

The transformation work described above is aimed at ensuring that children and young people are supported as early as possible, with the right support to avoid their needs escalating. The tools that have been introduced have been generally well received and are being used increasingly across Lincolnshire schools and Early Years settings. The feedback from users of the advice line is overwhelmingly positive with 98% of survey respondents saying they would use it again.

Indications are that the work is having an impact on the number of EHC Needs Assessment requests received in 2021 (3% increase from the previous year compared to a 23% increase nationally).

In 2021, Lincolnshire experienced a 15.5% reduction in the number of *new* EHC Plans compared to a 3% increase nationally.

The local area's overall number of EHC Plans increased by 4% in 2021 compared to a 9.9% increase nationally.

In 2021, 33 EHC Plans were ended because settings were confident that the young people's special educational needs could be met without the continued need for a statutory Plan (3 in 2020).

Lincolnshire currently has 6,813 EHC Plans which is well below the anticipated increase (8417 by March 2023) without the introduction of the transformation programme.

A workshop about the Local Offer, facilitated by the Lincolnshire Parent Carer Forum in June this year, received positive feedback from parents and carers:

*'Love how LO now is so transparent about what LCC and Schools are doing around SEND. Parents can trawl around the wealth of information and check that they are being well served according to the outlines detailed in the LO'.*

*'The search facility in the Services directory has improved immensely with the ability to filter by area etc - big improvement instead of scrolling through loads of listings'.*

### **Cost avoidance**

At this time, cost avoidance is linked to two main areas of activity; the Ask SALL advice line and the multi-disciplinary panel as this is currently where cases can be tracked, and data extracted. Since September 2020, the authority has been able to negate a degree of additional expenditure that would have been incurred through further growth in the number of EHC plans. A total of £2.188m has been avoided across the period September 2020 – April 2022 based on the 'do nothing' trajectory line, with further cost avoidance of £1.124m anticipated between now and the end of the 2022/23 financial year (March 2023).

### **Next Steps**

There is more to be done to promote the benefits of using the tools available to support not only young people but also settings in identifying 'gaps' in their offer which may easily be remedied through training or accessing additional support. The next step is also to promote the use of VSEND in the Annual Review process; to use the tool as an objective measure of the progress the young person has made, recognising strengths, and thinking about whether it is possible to step-back to the *graduated response*.

In the autumn of 2022, there will be focused audit work undertaken, on a sample of cases, at key decision-making points to provide assurance that the tools, resources, and support that have been introduced have been accessed and implemented robustly prior to

entering the statutory assessment process. Auditors will be looking for clear evidence that all 'ordinarily available' support had been used and that the child was likely to require enhanced support available through an EHC Plan.

The Local Offer working group, comprising a range of stakeholders, has a well-established process of review and development. The workshop in June highlighted the need to improve information available for those transitioning to post-16 and Preparing for Adulthood. There is on-going work aligned to the Supported Employment Project and Lincolnshire's Further Education colleges to ensure that more information on post-16 options is available to families and young people.

It is imperative that the wider system supports the transition from specialist to mainstream education for those young people who are ready. Establishing a robust transitions ethos will not only free up spaces in Special Schools for the next cohort of young people who need specialist support but will also provide those moving back to mainstream with the opportunity to access education that meets their wider aspirations. This area of work also aligns with the development of the SEMH Strategy aimed at identifying the *right* support in the *right* setting for young people with a primary need of SEMH. The focus again is on meeting as many young people's needs as possible in their local mainstream setting, providing them with the best opportunity to access a curriculum that supports their ambitions.

**2. Conclusion**

Lincolnshire continues to have a committed and ambitious partnership, keen to innovate the way in which young people with SEND are supported to achieve their potential. Whilst Lincolnshire remains above the national average in terms of the numbers of children identified with SEND, there are positive signs of changes in practice that move away from reliance on statutory interventions and build on the inclusive practice that many Lincolnshire schools adopt.

**3. Consultation**

**a) Risks and Impact Analysis**

Not applicable

**4. Appendices**

|   |                                    |
|---|------------------------------------|
| These are listed below and attached at the back of the report |                                    |
| Appendix A  | Lincolnshire's High Needs Strategy |

**5. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Sheridan Dodsworth who can be contacted on 07775 705127 or by e-mail at [sheridan.dodsworth@lincolnshire.gov.uk](mailto:sheridan.dodsworth@lincolnshire.gov.uk).





# High Needs Strategy for Lincolnshire 2021 – 2023

Provision without boundaries  
where children feel they belong, are  
respected, hopeful and optimistic  
about their future



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Implementation

The Eight Elements

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How we will measure success

How will we keep this strategy under review

# Introduction

## What does the strategy aim to do?

The purpose of this High Needs Strategy (HNS) is to set out our aims and strategic direction over the next three years to ensure that children and young people with Special Educational Needs and Disabilities (SEND) in Lincolnshire are supported to achieve the best possible outcomes in school and in life. Partners in education, social care and health are committed to working together to establish an integrated school system where children and young people get the right health, care and education, in the right place, at the right time and are able to transition to adulthood and independence when they are ready to do so.

## Our Inclusive Ambition

The strategy has been developed following a review of our high needs provision in Lincolnshire in partnership with a wide range of stakeholders, including young people, parents, early years' providers, schools and post-16 providers, as well as local authority staff working in collaboration with Impower consultancy. Together, we have defined our inclusive ambition:

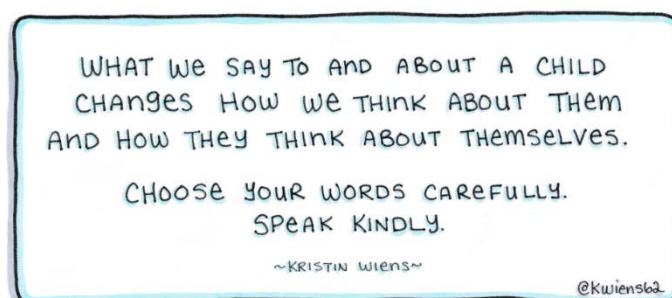
1. Children and young people, parent/carers and professionals will have a strong understanding of the graduated approach and support available in Lincolnshire. Children and families will feel supported by their community and have confidence with the SEND system, because the right support is provided at the right time.
2. Mainstream settings have strong knowledge and understanding of supporting children with additional needs and are able to use sophisticated ways to teach social and emotional skills. Settings are able to work together with families to ensure that the home environment reflects the support taking place within the school practice, in order to best meet a child or young person's needs.
3. We will move away from exclusions to recognise that behaviour is a communication of need. In response to this need professionals are able to wrap services around a child, helping to meet their need in an inclusive way.
4. We will have high aspirations for our children and young people with additional needs, using plans to help meet needs and achieve outcomes, meaning higher academic achievement, increased personal resilience, increased socialisation and more resilient adults after education.

## National and Local Context

A key aim of the government's SEND reforms (2014) was to promote high quality SEN support in schools, enabling more children to have their needs met within mainstream education. However, over the last few years there has been a rise nationally in the number of children with Education Health and Care Plans (EHCPs) who are educated in special rather than mainstream schools. This increase has put a significant pressure on the availability of local provision for children with SEND as well as our High Needs Block (HNB).

In Lincolnshire, our ambitious Building Communities of Specialist Provision: Together in Lincolnshire Strategy is well underway now. Due to be completed at the end of 2024, Lincolnshire's Special Schools are moving away from their previous specific designations and moving towards "All needs" provision (excluding the SEMH Specialist Schools). Additional Special School places are being created as part of the programme and this will provide much needed capacity but these extra spaces will quickly be absorbed if the broader aims of both the Building Communities of Specialist Provision Strategy and the High Needs Strategy are not achieved.

There has been a corresponding increase in the numbers of children and young people identified as needing additional support through an ECHP plan. Though now beginning to reduce, Lincolnshire's rise was sharper than both the regional and national averages and this created unsustainable pressure within the system which the HNS must ensure, through systemic change, is not repeated.



## SEND and High Needs Review

To first understand and then mitigate the rising demand, Lincolnshire County Council commissioned IMPOWER to work in partnership with the LA to review SEND and high needs support and evaluate how well Lincolnshire is delivering support and provision for children and young people with high needs across all partners providing children's services. This review found that there were significant opportunities to intervene earlier; in up to 69% of cases, children's needs could have been prevented, reduced or delayed, in many cases avoiding the need for an EHCP.

This and other findings are summarized as follows:

1. The local offer is not easy to navigate and is not being used effectively to reduce demand
2. Opportunities for effective early intervention are not commonly realised, and demand in early years is increasing
3. Demand for EHC plans are rising, this could be partly due to inconsistent use of the graduated approach
4. Children with SEND are disproportionately excluded, despite professionals feeling they are inclusive
5. There is increasing demand for specialist support, which is where the system and spend is focused
6. Decision making behaviours in the system are not always effectively managing demand
7. Current approaches to understanding needs, provision and finances are not connected
8. There is a lack of clarity about the outcomes being achieved for local pupils
9. There are challenges with performance oversight and a lack of shared understanding of challenges
10. Relationships and a joined up approach across all parts of the SEND system are not as strong as they could be

## Mitigating the impact of Covid-19

Covid-19 struck soon after the SEND review was concluded and must also inform any evidence-based strategic response. There is a real risk that the number of pupils referred for EHCP assessment or into specialist Social, Emotional and Mental Health (SEMH) or all-needs provision will only increase sharply without an overtly trauma-informed plan. Advances in neuro-science which show that trauma and adversity impact on all aspects of functioning, both cognitive and emotional<sup>1</sup>, must inform our strategy.

We know that the pandemic has increased hardship in a wide range of ways and that more children and young people will be growing up in stress-filled environments because of this, impacting on their capacity to meet age-related expectations, behavioural and academic<sup>2</sup>. The

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<sup>1</sup> <https://www.bmj.com/content/371/bmj.m3048>

<sup>2</sup> <https://www.health.org.uk/news-and-comment/blogs/emerging-evidence-on-covid-19s-impact-on-mental-health-and-health>

HNS strategy must ensure that all adults interacting with vulnerable children and young people understand how they can and must act as buffers against adversity, building resilience so that disadvantage need not become destiny.

We are not starting from ground zero in this. Our HNS will build on the awareness-raising work that has been undertaken already through the Inclusive Lincolnshire training offer and throughout lockdown, when engagement from the school sector in professional learning and reflection was unprecedented; we will build on this momentum and embed the practice within SEND policy and practice such that distressed children and young people are nurtured and healed within their mainstream schools, their resilience and ultimately their life chances subsequently enhanced.

## How we will meet this challenge

### Underpinning philosophy

Key to this strategy is the embedding of a strengths-based approach in our work with children, young people and families. Strengths-based practice is not a new concept and there are a range of methods, models and policies that underpin it. At its heart, however, this approach is about ensuring that we recognise and seek to build on the strengths and resources of the child or young person and their family, including their interests, skills and support systems, when planning how best to support them.

It is also important to make reference to the 'social model' and the 'medical model' of SEND as ways of understanding, identifying and responding to special needs. The medical model focuses on the child's condition, seeing the problem *within* the child and seeking to treat the child so that he or she can fit in with the environment. The 'impairment' is focused on, rather than the needs of the individual. This model draws on the idea that it is society that disables people, through designing policy and practice to meet the needs of the majority of people who are not disabled or who do not have special needs.

In contrast, the social model of special needs sees the problem within the environment and addresses changes that need to be made for the full participation of a diversity of people to be possible. Reasonable adjustments are made to ensure that individuals are not excluded or disadvantaged by virtue of their difference. As Alexander Den Heijer puts it, "When a flower doesn't bloom, you fix the environment in which it grows, not the flower."

The Warnock Report (1978)<sup>3</sup> promoted the social model of disability, with the 1981 Education Act changing the word 'handicap' to 'SEN' in the hope that this would shift the focus from disability to individual needs, the imperative being to meet those needs. However, Warnock's vision for inclusion has faltered in England. The proportion of pupils with learning difficulties who are educated within their mainstream schools has fallen by 24% between 2012 and 2019<sup>4</sup> and England is an outlier in comparison with the rest of the UK.

In Lincolnshire we have seen that this trend toward increased segregation is stronger than

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<sup>3</sup> <http://www.educationengland.org.uk/documents/warnock/warnock1978.html>

<sup>4</sup> <https://inews.co.uk/news/education/government-segregation-special-needs-children-mainstream-schools-328706>

nationally. The aim of the HNS is to reverse that by promoting within Lincolnshire the **social model** of inclusion and to build on the learning from Scotland, where the government's drive for greater inclusion has seen a sharp increase in the number of children with SEND being educated alongside their peers.

Finally, through a responsive and flexible continuum of SEND provision without walls, the HNS will ensure that the great hope which is neural plasticity translates into enhanced outcomes for children and young people. We know that children's progress can be astonishing when the right stimulus is provided, the developing brain being a sponge for learning. (The converse is also true). A special school place should not be viewed necessarily as a school-career, therefore, and neither should an EHCP plan. Our strategy ensures that increased independence is encouraged, recognised and celebrated at every opportunity.

The strategy is not merely a pragmatic response to financial pressure, then. It is underpinned by a moral and ethical commitment to strengths-based practice, the social model of SEND, a trauma-informed and non-pathologizing vision and ultimately equity for all of Lincolnshire's children and young people.

**GROWTH MINDSET & INCLUSION**

**INSTEAD OF THINKING... (FIXED MINDSET)**

- HE IS NOT READY FOR SCHOOL.
- WE DON'T HAVE ENOUGH RESOURCES.
- SHE NEEDS TO BE PULLED OUT TO A SEPARATE SETTING.
- I NEED MORE EDUCATION ASSISTANT TIME.
- WE HAVE TRIED THIS STRATEGY BEFORE.
- I WASN'T TRAINED FOR THIS.

**TRY THINKING... (GROWTH MINDSET)**

- HOW CAN WE GET SCHOOL READY FOR HIM?
- WHAT CAN I DO WITH THE RESOURCES I HAVE?
- HOW CAN I MAKE SURE SHE HAS A SENSE OF BELONGING?
- WHAT CAN HE DO INDEPENDENTLY?
- DID ANY PART OF IT WORK?
- WHERE CAN I LEARN MORE?

**WHEN A FLOWER DOESN'T BLOOM YOU FIX THE ENVIRONMENT IN WHICH IT GROWS, NOT THE FLOWER.**  
Alex Den Heijer

FREE DOWNLOAD: northstarpaths.com

## Implementation

The eight elements of the plan are designed to translate this trauma-informed, Warnock inspired, strengths-based vision for special needs provision into practice. Its elements are not organised chronologically but according to three broad areas of work. These will be introduced throughout the course of 2020-2023.

The goal of course will be to ensure that a responsive implementation strategy reflects the still unknown impact of the pandemic and it needs to be emphasised that a sound strategy is

capable of refinement, because it sits within a social, economic and policy context which changes. We must ensure that any new learning is harnessed so that Lincolnshire really does build-back better for children and young people with SEND. The LA will ensure that project managers keep this complex and ambitious plan on track with stakeholders engaged at every stage, not least our strategic partner, the Lincolnshire Parent and Carer Forum (LPCF).

To summarise the eight elements, items 1-3 relate to the graduated approach and how it will be strengthened to bolster early intervention and prevent the escalation of need; the middle components relate to statutory SEND and the introduction of robust practice standards; items 6 and 7 focus on the creation of a more nuanced and flexible offer for families, away from the binary choice between special and mainstream school provision, whilst the eighth element is about ensuring that information-systems allow system pressures to be mitigated and stakeholders robustly held to account.

## The Eight Elements of Transformation

### One: Strengthen our local offer and graduated approach

It will be important to ensure that the Local Offer promotes trauma-awareness and more broadly the social model of special needs, as outlined above. Updated content will provide families and settings with practical, evidence-informed advice about how to support children and young people experiencing difficulties, rather than how to seek diagnoses or simply refer into specialist services. We will also ensure that website design and language is informed by insights from behavioural science such that inclusive practice is foregrounded, as opposed to the statutory pathway.

We will publish revised graduated approach guidance, rebranding it as Lincolnshire's 'Inclusion Toolkit' to make its core purpose clear: to provide SENCOs and other professionals with high quality practical support which will guide and enhance their day to day practice. There will be co-produced Toolkits for Early Years, schools and post 16 settings, published digitally via the Local Offer.

Underpinned by the social model, the Toolkit will also emphasise the fact that the needs of most children and young people can be met through inclusive High Quality Teaching (HQT) and reasonable adjustments. It will highlight a range of support and intervention that schools can provide, without the need for additional support from an EHCP.

### Two: Introduce a SEND advice line for SENCOs

We will launch a SEND Advice Line ('Ask SALL') in order to support professionals in finding solutions easily and quickly, without first having to refer pupils into specialist services or for statutory assessment.

Our advice-line team will familiarise practitioners with the Inclusion Toolkit, ensuring this becomes the 'go-to' document for professionals working with SEND, as well as guidance on



services available via the Local Offer. The core SALL team will also facilitate timely call-backs from educational psychologists when issues, such as emotionally based school avoidance, are complex and positive outcomes in peril.

SALL will contribute over time to workforce development and a 'levelling-up' of the knowledge, skills and understanding that exists within the mainstream sector. It will ensure that professionals feel empowered and supported to 'hold on' rather than 'refer on' and will feature prominently on the home page of the Local Offer.

### Three: Introduce VSEND to support decision making & benchmarking

We will embed a new assessment tool in Lincolnshire called Valuing SEND. Valuing SEND is an approach which looks to identify, articulate and track the needs and outcomes of children to create a more objective and holistic picture of needs and the support required to meet them. This approach was developed by IMPOWER Consulting and has been shown to support more productive and meaningful conversations about children and young people's needs, and better tracking of progress and evaluation of support.

The use of Valuing SEND will be central to our strategy to deliver more timely and comprehensive interventions, improving children's long-term outcomes and inclusion. Guidance on its use will be built into the Inclusion Toolkit and supported by Ask SALL as well as supporting our work on statutory assessment and annual review.

### Four: Define & promote practice standards within the statutory assessment pathway

The use of VSEND within revised Local Authority EHCP referral documentation will support the development of transparent practice standards and greater consistency across settings. In particular, the grading of 'setting readiness' through the VSEND tool will drive the development of a consistently high quality SEND offer county-wide. Where additional resource is required through an EHCP, this will be because needs are beyond those which should routinely be met within Lincolnshire's inclusive community of schools.

The reintroduction of a six week allocation panel will ensure that these practice standards are embedded. Over time, all referrals for EHCP will be appropriate because practice standards will have been clearly articulated through consistent support and challenge, both at key points along the statutory pathway and through greater clarity in relation to the graduated approach, or in other words our Inclusion Toolkit.

### Five: Develop a strengths-based approach to annual reviews

We will ensure that the progress that children and young people make when their needs are expertly met is recognised and celebrated through the annual review process. Repeated VSEND radar diagrams will allow progress across the areas of need to be tracked such that plans are closed when appropriate, especially but not exclusively at key transition points.

We will ensure that the voice of the child is heard. We will also ensure that families are encouraged to view placement in special school as an intervention, whenever the profile of

needs suggests this is appropriate, with transition to mainstream an ambition routinely explored at annual review. Through this and other elements of the HNS, we will transform culture and practice around SEND such that the shared goal is independence, not a statutory plan.

#### **Six: Support step-down with focus on transition from special to mainstream school**

The HNS will promote the identification of special school pupils who are ready to consider mainstream as the next step in their progress. Linked with the annual review process, caseworkers from the LA's Pupil Reintegration Team will ensure that transition is supported at every stage. Pupils and their families will be at the centre of decision-making and planning with the approach taken relationship-based, flexible and responsive. A period of dual registration will provide a safety-net, in response to parents' feedback on this, and there will also be flexibility in relation to the choice of mainstream school, which will not in all cases be the nearest.

We will also facilitate the transition back to mainstream of pupils who occupy places in Pilgrim Hospital School, due to severe and often school-based anxiety. For all KS1-3 pupils, a 6 week assessment place upon referral will facilitate the accurate identification of need and the wrap-around support required for successful reintegration. Mainstream settings will be supported in creating the conditions for this highly vulnerable cohort to be successful upon transition back.

Leaders at Springwell Alternative Academy will also ensure that a revolving door continues to release capacity such that some capacity can be released for pupils whose plans name SEMH Special, as well as those excluded or referred via the Ladder for intervention. All permanently excluded pupils in KS1-3 will now be reintegrated back to mainstream within sixteen weeks of placement. This strategic shift also enables us to build on the huge contribution that Lincolnshire's mainstream school leaders have made to our HNS by lowering the rate of permanent exclusion. This has allowed the LA to make more creative and targeted use of existing capacity.

#### **Seven: Introduce safe base provision within mainstream**

Usually referred to as 'specialist resource bases' (SRB), many other LAs have invested in enhanced provision within mainstream, enabling a greater proportion of children and young people with complex needs to access their community schools.

In the spirit of Building Communities, and as we endeavour to move away from labels, the HNS strategy will introduce 'Safe base' provision based on learner need rather than the diagnostic label, such as autism, which is typically associated with resourced provision. Through a pilot project, we will fund the establishment of safe bases in a small number of secondary schools as a progressive alternative for those pupils who would otherwise have been allocated special school places at SEND hub.

This will enable us to harness the growth in inclusive practice within mainstream settings that has been driven by Lincolnshire's 'Behaviour Ladder'. It will contribute to the development of a continuum of specialist SEND provision within Lincolnshire, providing families with an option that they report through the LPCF would meet needs in a significant proportion of cases.

#### **Eight: Hold to account and mitigate system pressures through primed performance**

Strengthening the visibility and accountability of data across the SEND spectrum, a two tier performance framework will enable us to monitor, evaluate and if necessary flex our HNS. The top level will be for all stakeholders to be able to map the current and future journeys of children and young people with SEND. The second tier will provide more detailed operational data for managers, to inform day to day decision making relating to the provision of SEND services for children and young people. This will also be combined with finance data so that spend in the High Needs area can be projected and understood, along with need type, so that we can ensure our estate of available provision is fit for the needs of Lincolnshire's children and young people with SEND.

### **How we will know the strategy is working**

#### **How we measure success**

We will work closely with the LPCF to ensure that children, young people and their families co-produce developments and support us in evaluating progress towards milestones:

- the local offer is appropriate to meeting the current and future needs
- higher achievement among pupils who have special educational needs and disabilities
- fewer pupils in segregated provision and greater inclusion in the local community
- reduction in exclusions, children out of school and NEET population
- better use of specialist provision that meets local needs
- increased confidence in mainstream schools and the LA SEND system
- reduction in SEND appeals and tribunals
- reduction in SEND-related complaints
- a more highly trained workforce
- feedback from parents, pupils and school staff have better access to information and support and that shows they feel more supported by education, health and social care
- better transitions and improved progression pathways that supports preparation for adulthood

#### **We will monitor our offer to ensure that it continues:**


- to meet changing needs
- to be attractive to children, young people and their parents
- to be affordable within future funding allocations

# MY INCLUSION ABC'S

@kwfens62

**A** ALL MEANS ALL  


**B** BEHAVIOUR IS COMMUNICATION  


**C** CHOICE  


BE A BEHAVIOUR DETECTIVE  
**D**  



**E** EVERYONE STARTS TOGETHER  



**F** FAIR MEANS EVERYONE GETTING THEIR NEEDS MET  


**G** GROWTH MINDSET  
  
**H** CHILD HONOURING


**I** INDEPENDENCE  


**J** JOYFUL LEARNING  


**K** KIDS DO WELL IF THEY CAN  


**L** LEAD WITH STRENGTHS  


**O** OPEN MINDEDNESS  




**M** MOVEMENT BREAKS  


**N** NEEDS BASED  



**P** PLAN & PURPOSE  


**Q** QUESTION UNEXPECTED BEHAVIOUR WHY? WHY NOW?  



**R** RELATIONSHIP  

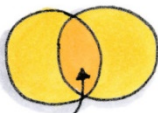

**S** SELF REGULATION  
  
**T** ASSISTIVE TECHNOLOGY  


**U** UNCONDITIONAL POSITIVE REGARD  
  
**U** UNIVERSAL DESIGN FOR LEARNING  


**V** VISUALS  


**W** WORDS MAKE WORLDS  


**X**-TRA PROCESSING TIME  


THE POWER OF **YET!**  
  
**Z** ONE OF PROXIMAL DEVELOPMENT



**Open Report on behalf of Heather Sandy, Executive Director – Children’s Services**

|            |  |
|------------|--|
| Report to: | <b>Children and Young People Scrutiny Committee</b>  |
| Date:      | <b>09 September 2022</b>   |
| Subject:   | <b>Service Level Performance Reporting against the Success Framework 2022-23 – Quarter 1</b> |

**Summary:**

This report summarises the Service Level Performance against the Success Framework for Quarter 1. This report will only summarise the measures that are above or below the target range.

**Actions Required:**

The Children and Young People Scrutiny Committee is invited to review and comment on the performance of the measures that are either above or below the target range.

**1. Background**

This report will summarise the performance of the Tier 2 Service Level Performance measures for the Children and Young People Scrutiny Committee.

There are 8 measures that should be reported at Quarter 1.

In Quarter 1:

- 4 measures did not meet their target;
- 1 measure exceeded their target; and
- 3 measures achieved their target.

**Measures that did not meet their target:**

**Children who are subject to a child protection plan (PI24)**

Actual: 402 Target: 370

The number of children subject to a Child Protection Plan in Quarter 1 in Lincolnshire is 402; this is just outside of the tolerance range for this measure. The number of children subject to a Child Protection Plan fluctuates as the decision for a child to be subject to or remain on a child protection plan is based on the risk factors present for the individual child. Child protection plans create safety, and it is important that risk is recognised and managed through plans where appropriate. Early intervention with families and effective risk management continues to ensure that only the right children are subject to a child protection plan. It is unsurprising to see that the number of children subject to a child protection plan has remained higher than the target. There are lasting impacts from the public health pandemic (specifically lockdowns and impact upon delivery of universal services) and it could be considered that the increased pressures and financial hardship upon families at the current time is likely to have impacted negatively on parents and their parenting capacity.

**Average time taken to move a child from care to an adoptive family (PI25)**

Actual: 513 Target: 450

Lincolnshire has failed to meet this target this quarter, as all of the children captured in this data will have been delayed in the Covid pandemic. There has been significant delay in getting cases through the courts during Covid, and this will continue to have some impact on the statistics and data for this year and accounts for the increased timescales. This measure is a 'rolling' three yearly average; as we have moved forward the calculation has considered more of the period covered by the pandemic, which has in turn increased the rolling average figure. The most recent published comparator data is from the three-year period before the pandemic (2015-18), however, Lincolnshire remains better than the national figure (486) from that period, although it is now higher than the statistical neighbours (456.33).

**16-17 year old Children in Care participating in learning (PI45)**

Numerator: 48 Denominator: 59  
Percentage: 81.36 Target: 90

The performance for this quarter is below the lower target tolerance for this performance indicator by 4%. All of our 16 and 17 year olds are supported by the Virtual School through the Personal Education Planning Process. This brings social workers, carers and providers together to focus on educational need and ensures that our young people are supported appropriately while participating in learning. Some of our young people in care struggle to access learning and the team also works with those young people not participating in

learning to ensure that they can access therapeutic support and/or appropriate educational opportunities when they are ready to do so.

**Juvenile Re-offending (PI125)**

Rate: 45.5 Target: 37.9

Lincolnshire's rate of juvenile reoffending remains higher than target at 45.5% and higher than that of our comparators (National 32.3%, Regional 28.3% and Youth Offending Team (YOT) Family 35.6%). However, as always, this does not necessarily suggest poor performance. Due to Lincolnshire's small cohort size any small difference can have dramatic effects on the percentage. In the quarter, Lincolnshire's cohort number dropped by over 50% which causes a higher rate of reoffending.

**Measures that exceeded their target:**

**Juvenile first time offenders (PI15)**

Actual: 106 Target: 125

Lincolnshire's rate of juvenile first time offenders remains low, at 106 (rate per 100,000) and continues to fall below our target (125) and the National (146), Regional (155) and YOT Family (122) rates. This continues to highlight the good work we are doing to minimise child entries into the criminal justice system including renewed efforts from the joint diversionary panel.

**2. Conclusion**

The Children and Young People Scrutiny Committee is requested to consider and comment on the report.

**3. Consultation**

**a) Risks and Impact Analysis**

None required

**4. Appendices**

|   |                             |
|---|-----------------------------|
| These are listed below and attached at the back of the report |                             |
| Appendix A  | Performance Measure Summary |

**5. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Jo Kavanagh, who can be contacted on 07810 441620 or [jo.kavanagh@lincolnshire.gov.uk](mailto:jo.kavanagh@lincolnshire.gov.uk).

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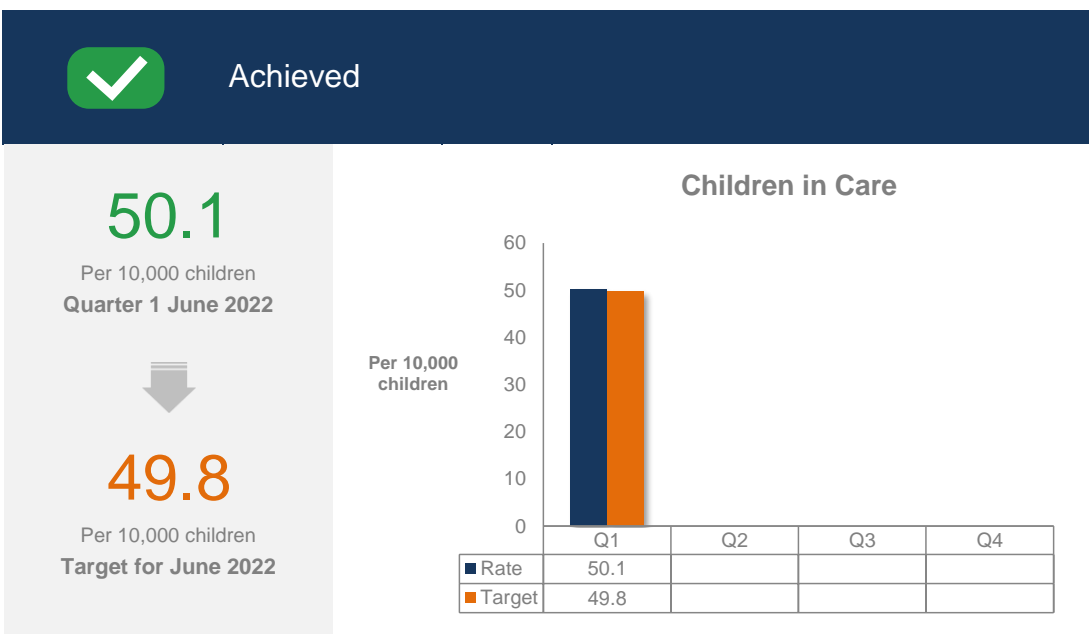


## Children in Care

Children in Care per 10,000 population aged under 18. There are a number of reasons why a child may be placed in the care of the local authority. Most often it is because the child’s parents or the people who have parental responsibilities and rights to look after the child are unable to care for the child, have been neglecting the child or the child has committed an offence. The local authority has specific responsibilities and duties towards a child who is in care or who has been in care.

This measure is reported taking a snapshot in time. So for example Q2 is performance as at 30th September.

A lower rate of children in the Local Authority's care indicates a better performance.

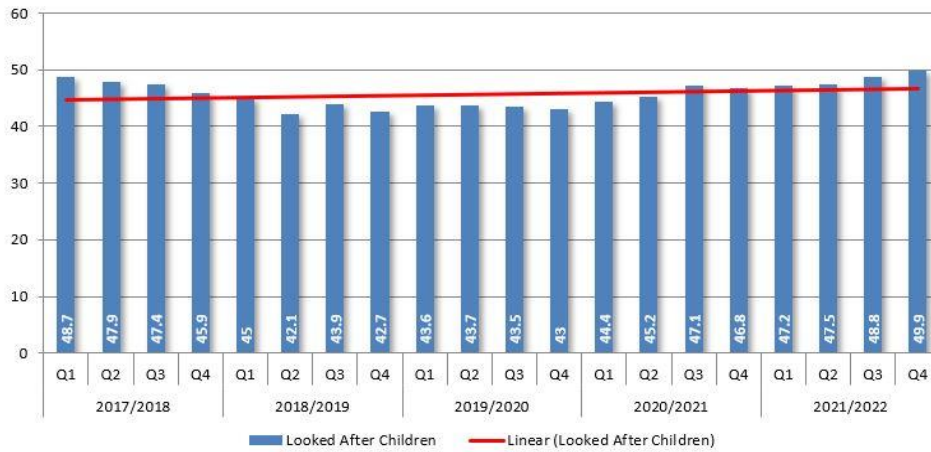


### About the latest performance

This measure has achieved target; however, this target has been revised upward in comparison to recent years to take into account the effects of the National Transfer Scheme. As with Quarter 4 2021/22, the number of Children in Care starters over Quarter 1 2022/23 has remained at a relatively high level whilst the number of care leavers has been below this. The increase in new entrants to care has continued to keep the Children in Care per 10,000 figure high over the past quarter. The growth in numbers is attributable to the Council’s safeguarding responsibilities and is partly attributable to the number of unaccompanied asylum-seeking children that have arrived as part of the new temporary mandated National Transfer Scheme. The expectation is that Lincolnshire will take a maximum of 103 children which equates to 0.07% of the general child population and therefore there continues to be a likely impact of growth going forward. Despite the growth this quarter and the potential for future increase there continues to be an emphasis on prevention from children coming into care and exit planning from the care system where it can be achieved. However, despite the increase, the Lincolnshire number of Children in Care per 10,000 remains significantly below the most recent published figures both nationally and by our statistical neighbours (67 per 10,000 and 63.4 per 10,000 respectively as of 31st March 2021).

Further details

### Children in Care per 10,000 of the Lincolnshire Population



About the target

The target has increased this year, due to the increases in the National Transfer Scheme. The unsettling situation in the Ukraine may impact and the increasing number of children who are presenting with more complex needs.

About the target range

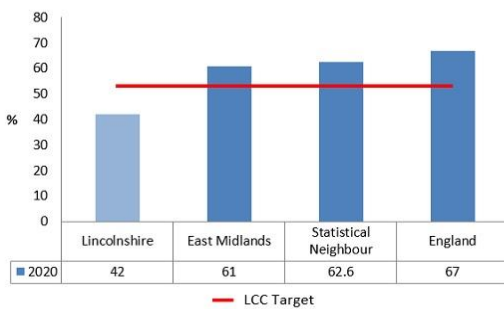
The target varies per quarter to take into account variances in the projected Children in Care cohort throughout the year. The tolerance allows for the number of Children in Care to vary by approximately -35 children and +70 children either side of the target each quarter.

Anything above or below this number would be flagged, indicating a significant variance from the current position.

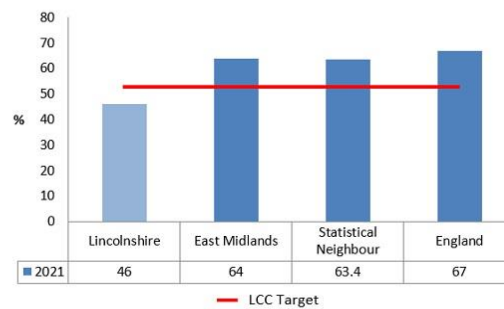
About benchmarking

Comparator information is available.

Children in Care 2020



Children in Care 2021



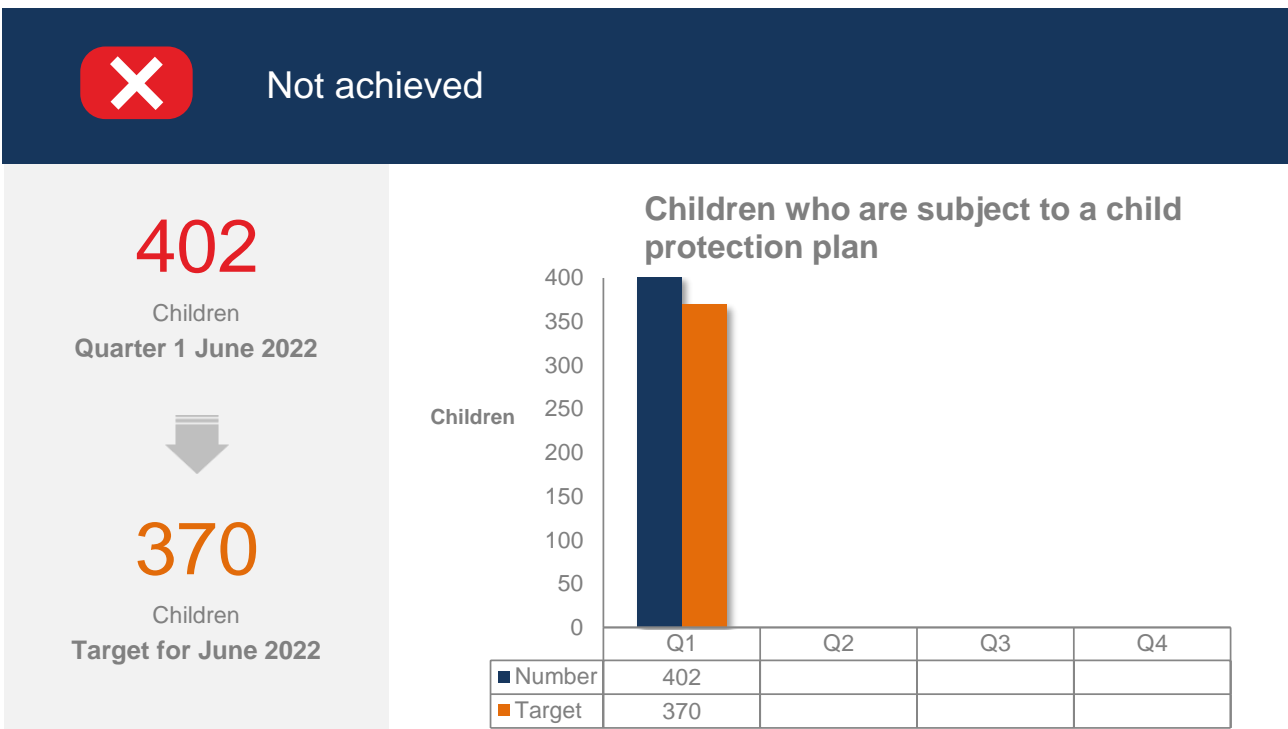
|                       | 2020 | 2021 |
|-----------------------|------|------|
| Lincolnshire          | 42   | 46   |
| East Midlands         | 61   | 64   |
| Statistical Neighbour | 62.6 | 63.4 |
| England               | 67   | 67   |
| LCC Target            | 46   | 46   |

## Children who are subject to a child protection plan

A child protection plan is a plan drawn up by the local authority. It sets out how the child can be kept safe, how things can be made better for the family and what support they will need.

This measure is reported taking a snapshot in time. So for example Q2 is performance as at 30th September.

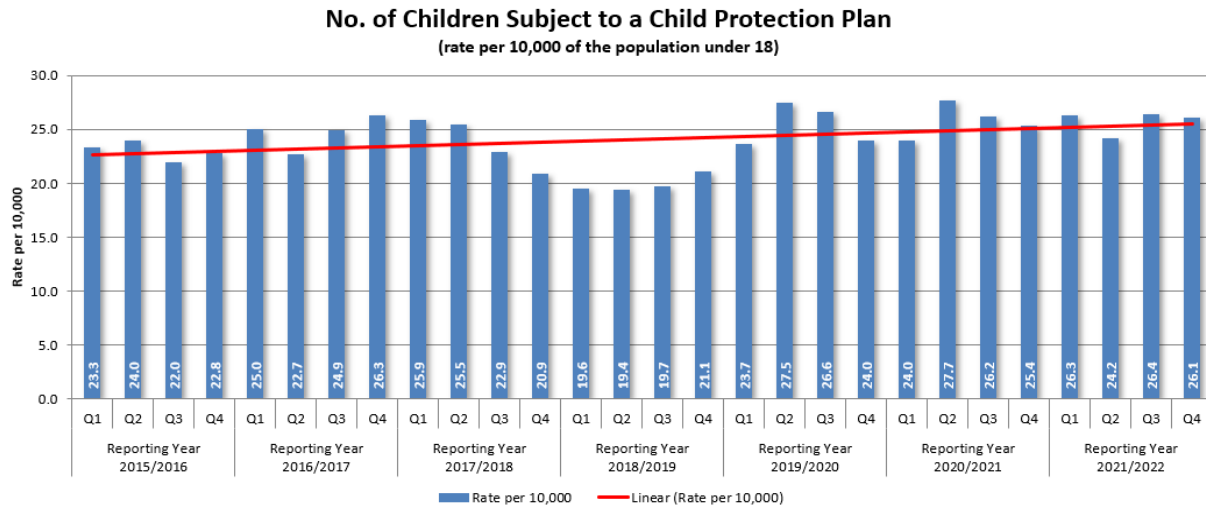
A lower number of children who are subject to a child protection plan indicates a better performance.



### About the latest performance

The number of children subject to a Child Protection Plan in Q1 is Lincolnshire is 402, this is just outside of the tolerance range for this measure. The number of children subject to a Child Protection Plan fluctuates as the decision for a child to be subject to or remain on a child protection plan is based on the risk factors present for the individual child. Child protection plans create safety, and it is important that risk is recognised and managed through plans where appropriate. Early intervention with families and effective risk management continues to ensure that only the right children are subject to a child protection plan. It is unsurprising to see that the number of children subject to a child protection plan has remained higher than the target – there are lasting impacts from the public health pandemic (specifically lockdowns and impact upon delivery of universal services) and it could be considered that the increased pressures and financial hardship upon families at the current time is likely to have impacted negatively on parents and their parenting capacity.

## Further details



## About the target

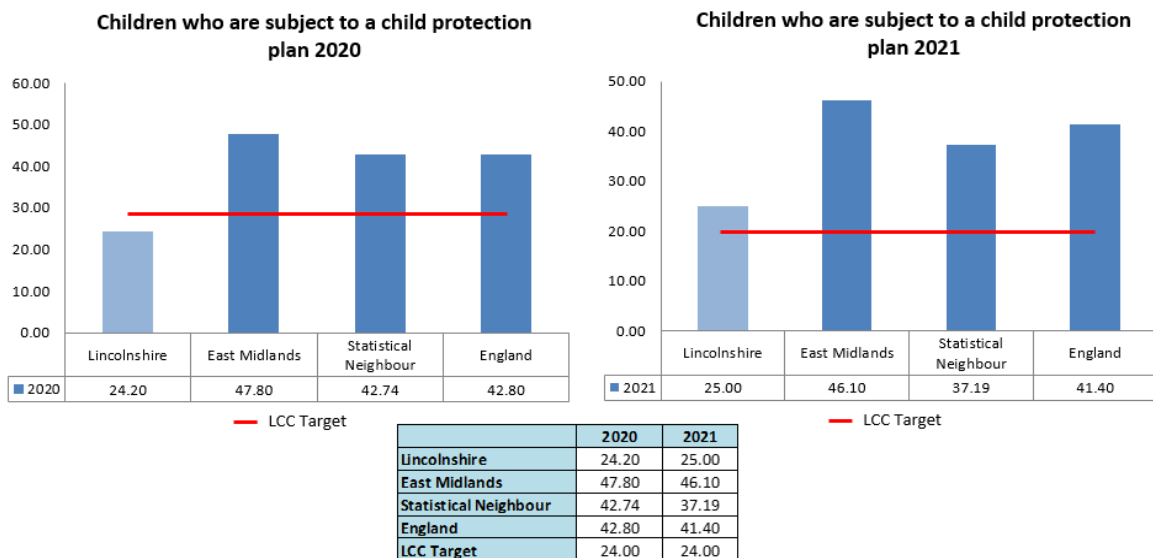
Targets have been revised to 370 to take into account current trends.

## About the target range

We have set a tolerance position of approximately 60 children with a CPP. This equates to a tolerance range of approximately +/- 30 children from the target.

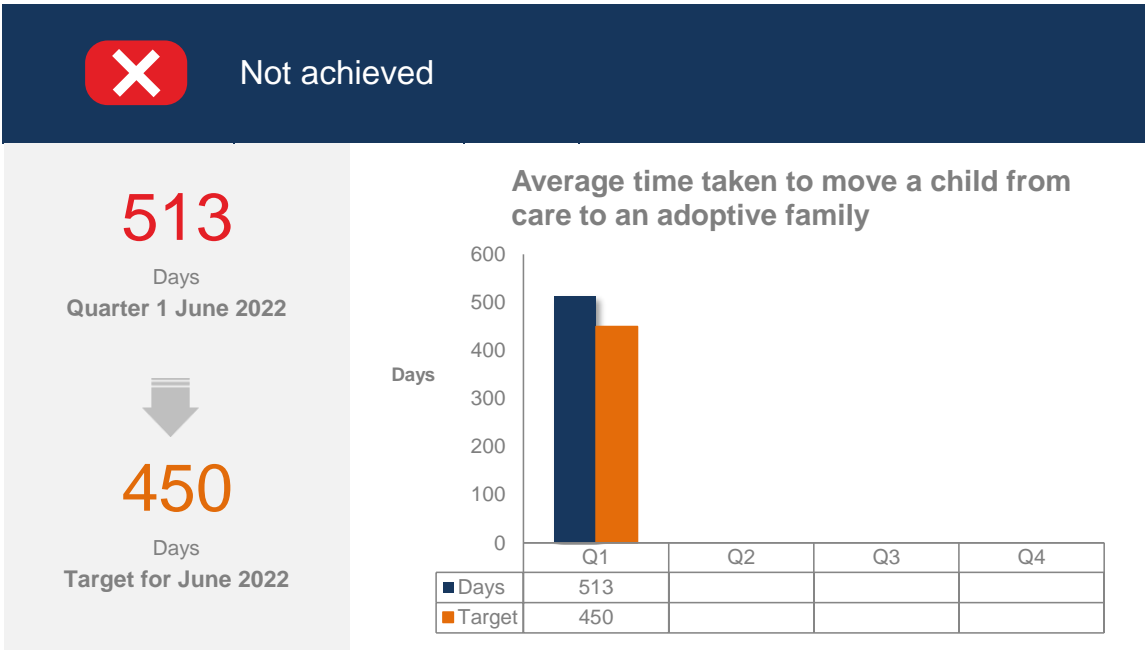
## About benchmarking

Comparator information is available. Benchmarked against National, Regional and Stat neighbours.



## Average time taken to move a child from care to an adoptive family

Average number of days between the child entering care and moving in with their adoptive family. A lower number of days taken to move a child from care into an adoptive family indicates a better performance.

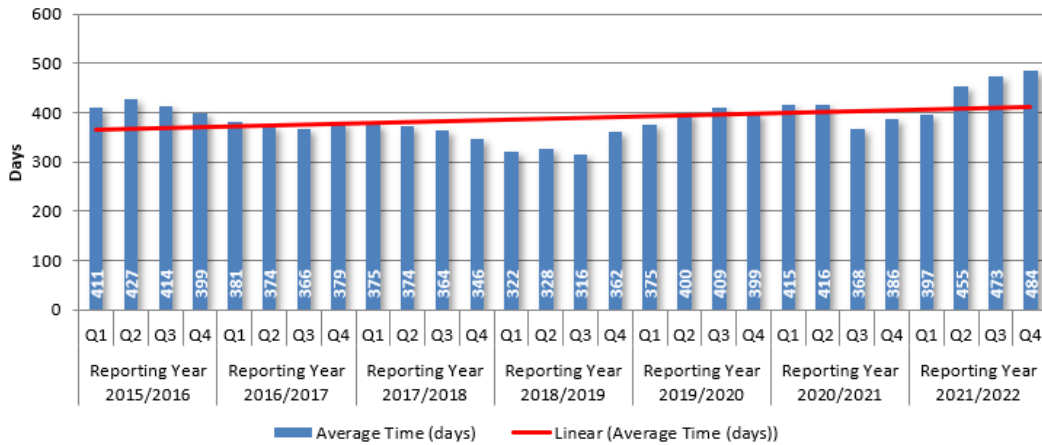


### About the latest performance

With the continued delays in cases getting through the court and the gradual recovery from the Covid-19 pandemic, Lincolnshire has failed to meet this target this quarter, as all of the children captured in this data will have been delayed in the Covid pandemic. There has been significant delay in getting cases through the courts during Covid, and this will continue to have some impact on the statistics and data for this year and accounts for the increased timescales. This measure is a 'rolling' 3 yearly average, as we have moved forward the calculation has considered more of the period covered by the pandemic, which has in turn increased the rolling average figure. The most recent published comparator data is from the three-year period before the pandemic (2015-18), however, Lincolnshire remains better than the national figure (486) from that period, although it is now higher than the statistical neighbours (456.33).

Further details

### Average Time (Days) Taken to Move a Child From Care to an Adoptive Family



About the target

There has been delay in court proceedings that will have impact on our average days over the next year. Also we have at least one sibling group that have been hard to place, which will have an impact on our performance for this year.

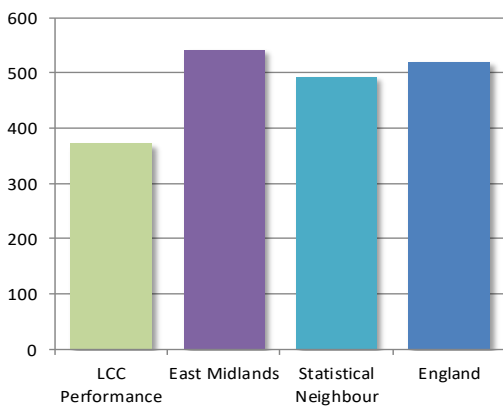
About the target range

A lower value of 495 - if we were to go above 495 days, we would want to highlight this to Scrutiny members.

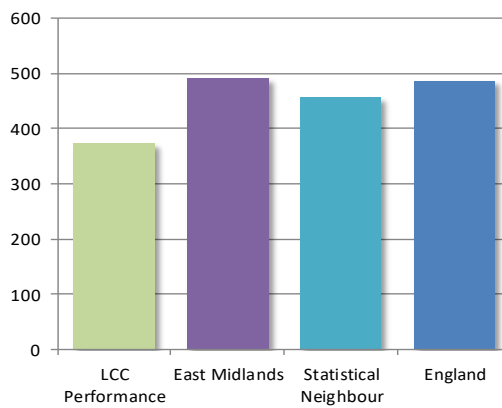
About benchmarking

Benchmarking information is available up to 2015-2018, however, this has now been discontinued as a national measure.

Time taken to move from care to adoptive families (days) 2014-2017



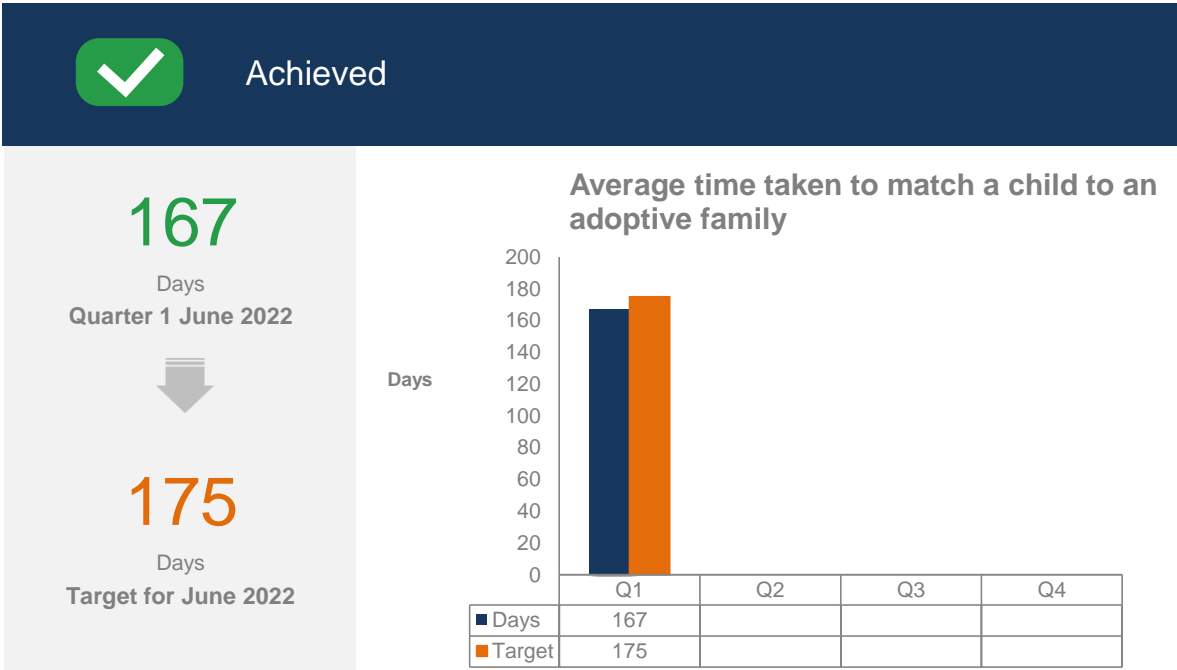
Time taken to move from care to adoptive families (days) 2015-2018



|                       | 2014/2017 | 2015/2018 |
|-----------------------|-----------|-----------|
| LCC Performance       | 372       | 372       |
| East Midlands         | 542       | 490       |
| Statistical Neighbour | 492.3     | 456.3     |
| England               | 520       | 486       |

## Average time taken to match a child to an adoptive family

Average number of days between the local authority receiving the court order to place a child and the local authority deciding on a match to an adoptive family.  
A lower number of days taken to match a child to an adoptive family indicates a better performance.

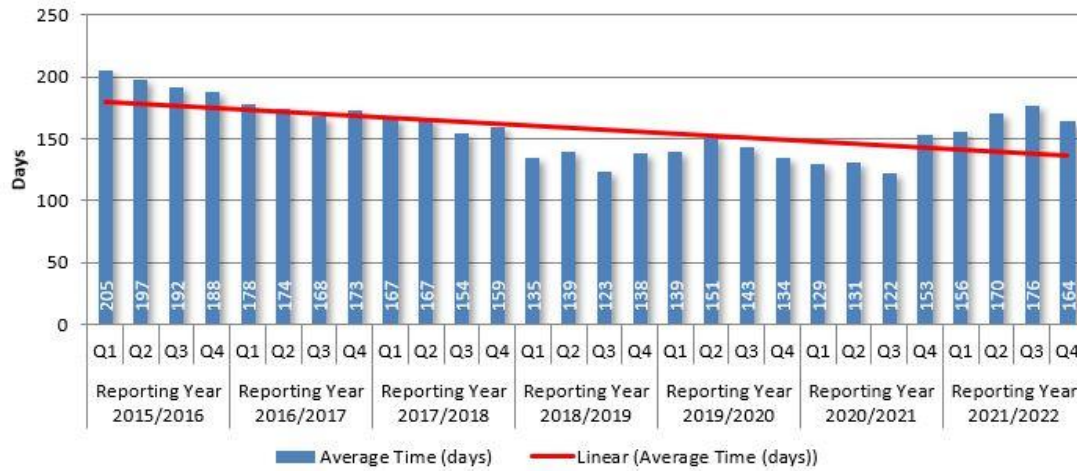


### About the latest performance

The performance in quarter 1 has continued to improve and has now been achieved. This is due to continued attention to family finding at the earliest opportunity, so that once children are subject to a Placement Order there is wherever possible a placement already identified so that practice is timely and effective.

Further details

### Average Time (Days) Taken to Match a Child to an Adoptive Family



About the target

The target has remained the same for this year.

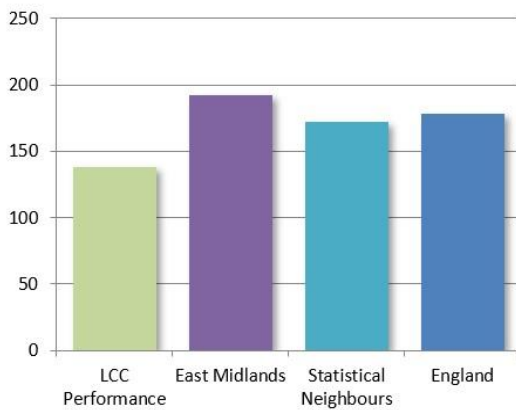
About the target range

Both upper and lower tolerances have been set at 10 days (average).

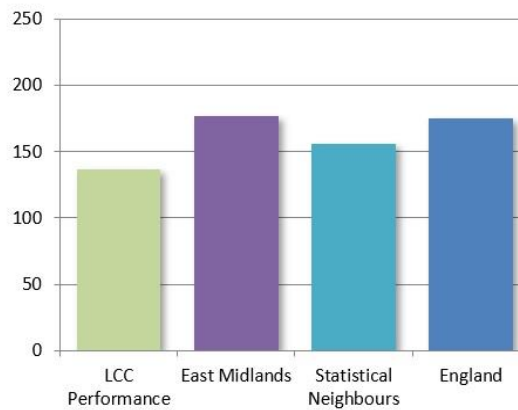
About benchmarking

Benchmarking information is available.

Average time taken to match a child to an adoptive family (days) 2016-2019



Average time taken to match a child to an adoptive family (days) 2017-2020



|                        | 2016/2019 | 2017/2020 |
|------------------------|-----------|-----------|
| LCC Performance        | 138       | 137       |
| East Midlands          | 192       | 177       |
| Statistical Neighbours | 171.89    | 155.44    |
| England                | 178       | 175       |



## 16-17 year old Children in Care participating in learning

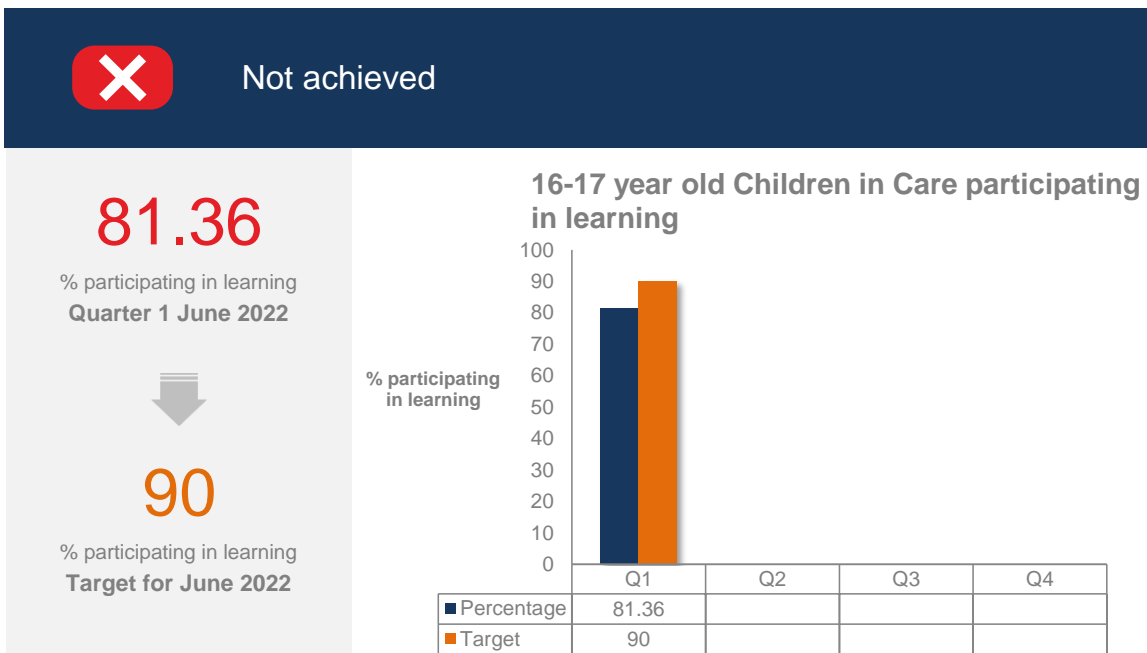
This measures young people recorded as being in care participating in learning at the end of the reporting period and will not take into consideration the length of time that they have been in local authority care.

Numerator: Number of Children in Care participating in learning at the end of the reporting period.

Denominator: Number of Children in Care at the end of the reporting period.

The percentage is calculated as follows: Numerator divided by the denominator multiplied by 100.

The parameters of this measure were previously defined as recording 16-18 year old Children in Care participating in learning. As of Q1 2017/18 onwards, the Department for Education no longer require monitoring of children aged 18, and so the measure has been amended accordingly, restricting data provision to 16-17 year old Children in Care only. A higher percentage of Children in Care participating in learning indicates a better performance.

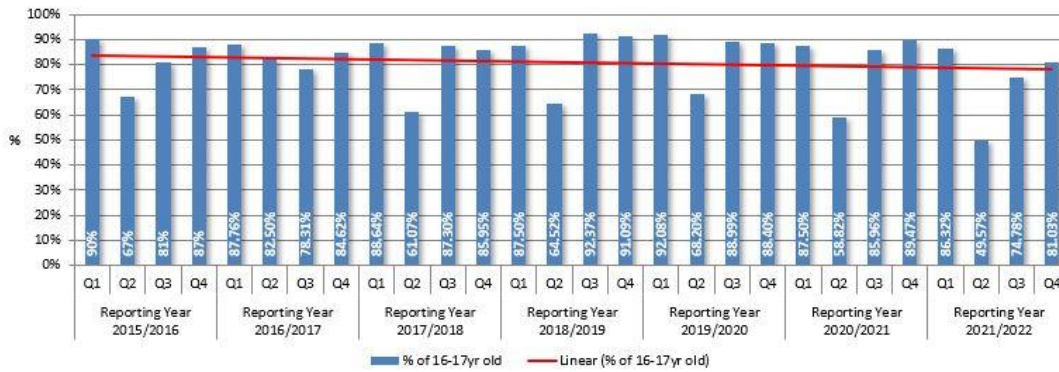


### About the latest performance

The performance for this quarter is below the lower target tolerance for this performance indicator by 4%. All of our 16 and 17 year olds are supported by the Virtual School through the Personal Education Planning Process. This brings social workers, carers and providers together to focus on educational need and ensures that our young people are supported appropriately while participating in learning. Some of our young people in care struggle to access learning and the team also works with those young people not participating in learning to ensure that they can access therapeutic support and/or appropriate educational opportunities when they are ready to do so.

Further details

**Percentage of 16-17 Year Old Children in Care who are Participating in Learning**



About the target

Target remains the same as the previous year. Q2 & Q3 targets lower to allow for the expected dip at this time of year due to September being the start of the tracking process

About the target range

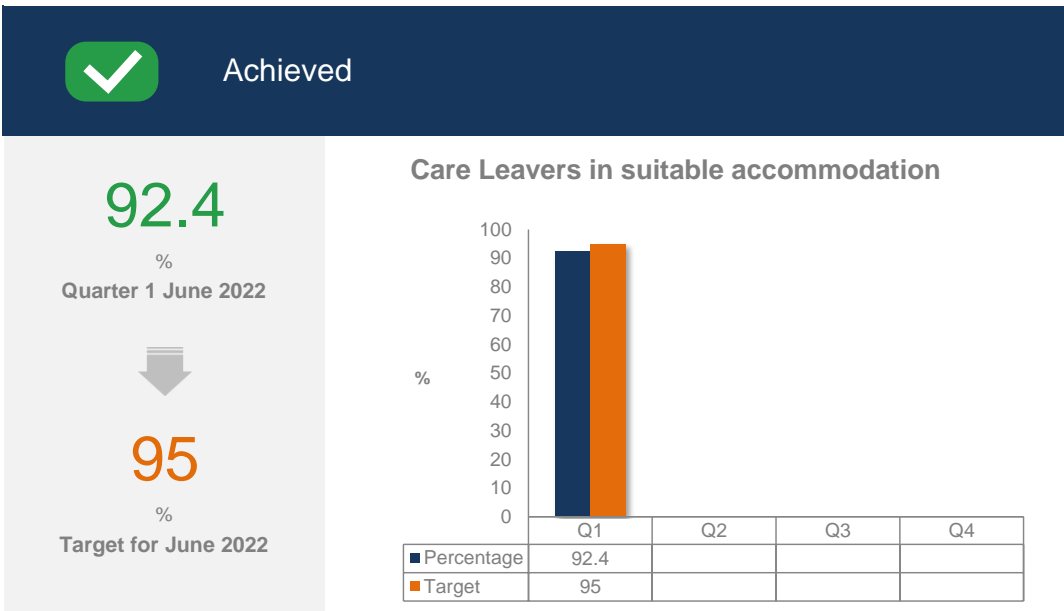
The target range is set at a level to allow for 2 percentage points above the target and 5 percentage points below the target.

About benchmarking

Benchmarking information is not available for this cohort

## Care Leavers in suitable accommodation

A care leaver is a young person who reaches the age of 18 who had been in local authority care.  
 Numerator: Number of care leavers turning 19 years of age in the year who are living in accommodation deemed as "suitable".  
 Denominator: Number of care leavers turning 19 years of age in the year.  
 The percentage is calculated as follows: Numerator divided by the denominator multiplied by 100.  
 A higher percentage of care leavers in suitable accommodation indicates a better performance.

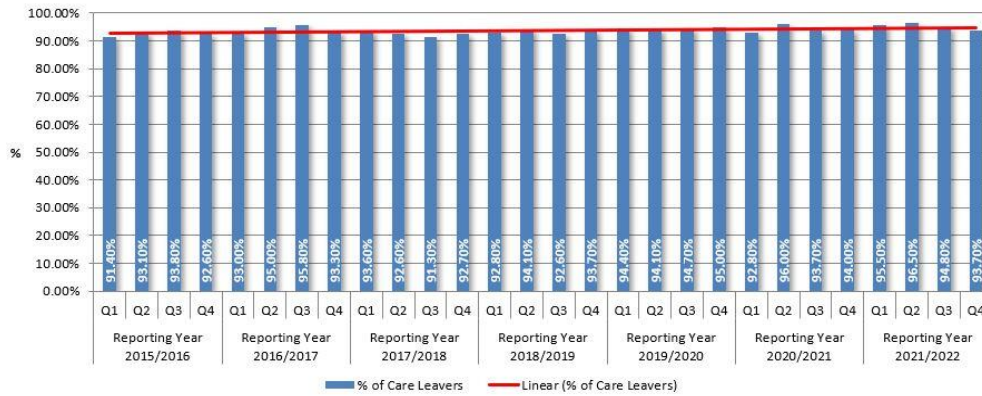


### About the latest performance

Ordinarily the proportion of young people in suitable accommodation for 19-, 20- and 21-year-olds runs at between 94% and 95%. The definition of the suitability of accommodation is very strict, and whilst the definition would deem some of the accommodation options unsuitable, the young person might be making an informed choice (as an adult) about where they live and how they live. For example, the monthly tracker identified 5 young people who are choosing to live with friends and sleep on their sofa. This is deemed unsuitable, but the decision to live on a friends sofa is the informed choice of the young person. The numbers of young people in custody affect this figure and this is also considered unsuitable, however this is beyond our control. Lincolnshire currently has 7 young people in custody. Lincolnshire has no homeless young people. Everyone has a form of accommodation of their choosing, and if it is deemed unsuitable, each young person is offered support and options to take should they wish to. The Corporate Parenting Manager monitors unsuitable accommodation on a case by case basis every month. The good performance in relation to accommodation continues to be down to good working relationships with District Councils and their willingness to view care leavers as a priority group. The continued flexibility and resilience of our housing provider, Nacro, during and after the pandemic continues to ensure safe accommodation is on offer. The above combined with persistent and creative work of leaving care staff has ensured that nearly all care leavers are suitably accommodated if they wish. A small number of young people in custody are there for deemed to be unsuitably accommodated, and one care leaver declined the support of housing authorities which does impact on the figure.

Further details

Percentage of Care Leavers in Suitable Accommodation



About the target

We have performed consistently higher than our previous years target. We have increased it to the upper target range from this last year and adjusted our target range as appropriate.

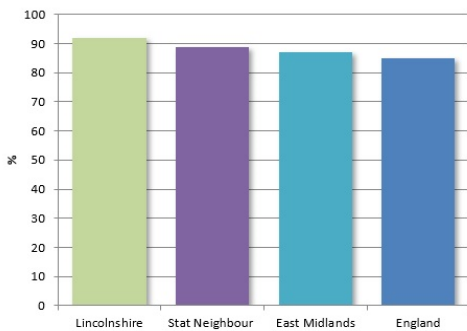
About the target range

The lower target has been set at the 25% quartile. Meaning if we fall below this we will not be in the top 25% of authorities. The upper target has been set 5% above this.

About benchmarking

Benchmarking information is available.

Care Leavers in Suitable Accommodation (2020)



Care Leavers in Suitable Accommodation (2021)



|                | 2020 | 2021  |
|----------------|------|-------|
| Lincolnshire   | 92   | 90    |
| Stat Neighbour | 88.8 | 91.33 |
| East Midlands  | 87   | 90    |
| England        | 85   | 88    |

## Juvenile first time offenders

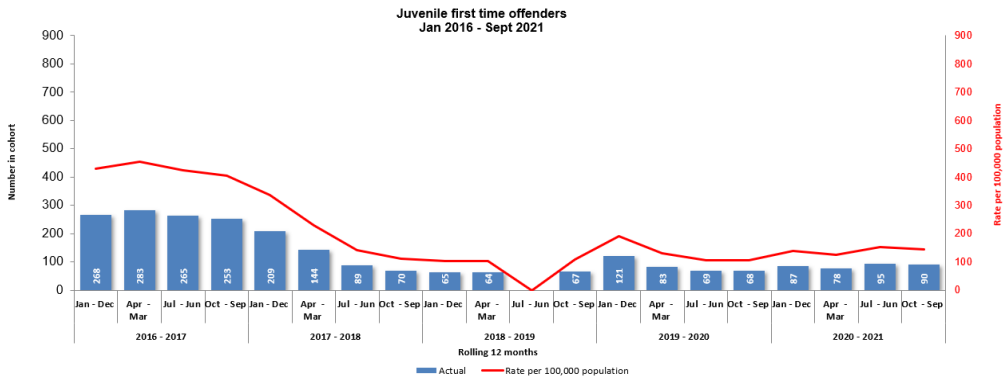
The First Time Entrant (FTE) measure is a rate per 100,000 of 10-17 population in Lincolnshire. Data is reported with a 6 month lag and a rolling 12 month period, for example Jan 2018 – Dec 2018 data is reported in Q1 2019/2020. A lower number of young people entering the criminal justice system for the first time indicates a better performance.



### About the latest performance

Lincolnshire's rate of juvenile first time offenders remains low, at 106 (rate per 100,000) and continues to fall below our target (125) and the National (146), regional (155) and YOT Family (122) rates. This continues to highlight the good work we are doing to minimise child entries into the criminal justice system including renewed efforts from the joint diversionary panel.

## Further details



## About the target

The Lincolnshire average rate in 2020/21 (to date) has been 104, but our Youth Offending Service is entering a new period of stability that may begin to fluctuate following the dramatic drop over last few years.

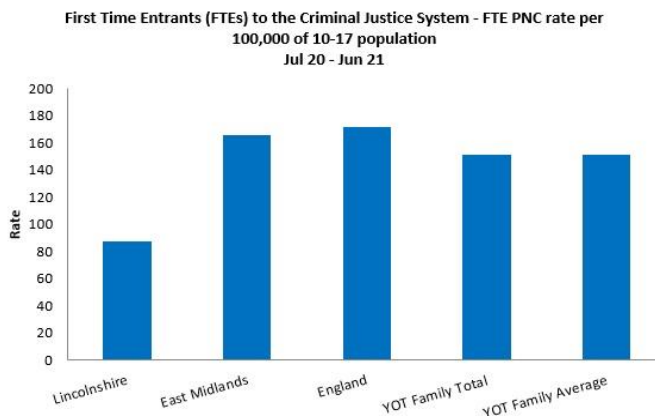
A target of 125 is still relevant and allows for this period of uncertainty while remaining well below the previous year's average as a goal for improvement.

## About the target range

The Lincolnshire average rate in 2020/21 (to date) has been 104, but our Youth Offending Service is entering a new period of stability that may begin to fluctuate following the dramatic drop over last few years. The upper and lower targets have been set to take this into account.

## About benchmarking

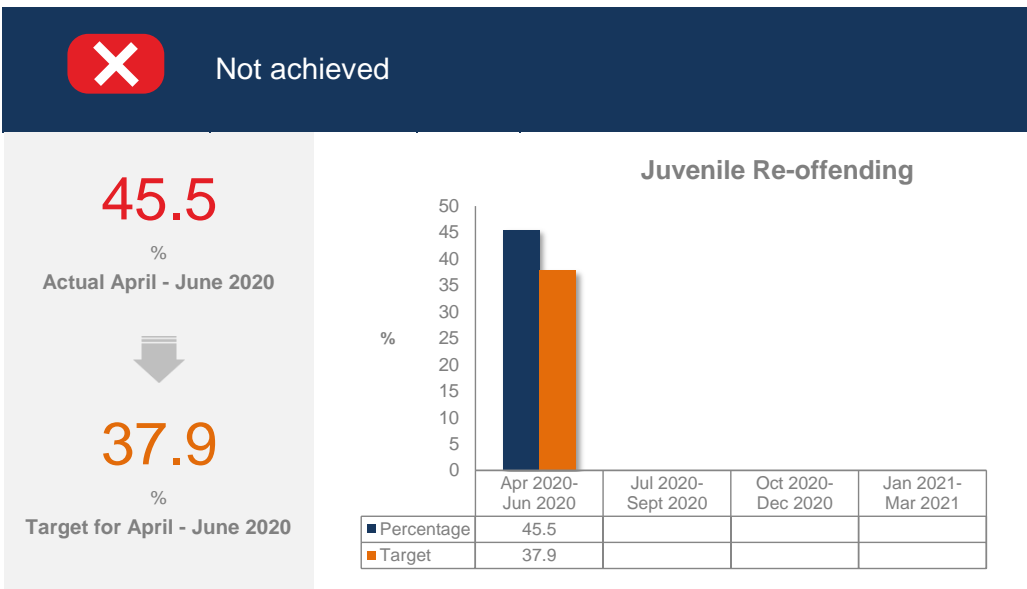
Benchmarked against National, Regional and YOT Family performance



| Juvenile First Time Offenders | Jul 20 - Jun 21 |      |
|-------------------------------|-----------------|------|
|                               | Number          | Rate |
| Lincolnshire                  | 62              | 95   |
| East Midlands                 | 744             | 166  |
| England                       | 9,328           | 167  |
| YOT Family Total              | 878             | 135  |
| YOT Family Average            | 80              | 135  |

## Juvenile Re-offending

The number of young people aged 10 to 17 who commit a proven offence in a 12 month period following previous involvement with Lincolnshire Youth Offending Service. This measure uses a 3 month cohort to review for a further offence committed in the subsequent 12 month period. Offenders are still monitored for 12 months after the follow-up offence has been committed. Data will be reported with a 2 year lag. A lower percentage of juvenile re-offending indicates a better performance.

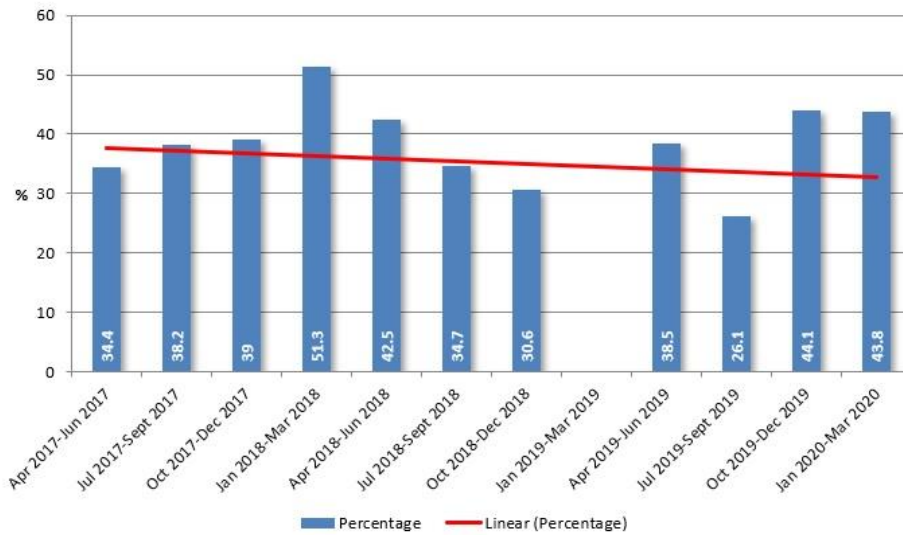


### About the latest performance

Lincolnshire's rate of juvenile reoffending remains higher than target at 45.5% and higher than that of our comparators (National 32.3%, regional 28.3% and YOT Family 35.6%). However as always this doesn't necessarily suggest poor performance. Due to Lincolnshire's small cohort size any small difference can have dramatic effects on the percentage. In the quarter, Lincolnshire's cohort number dropped by over 50% which causes a higher rate of reoffending.

Further details

**Percentage of Juveniles Re-offending**



About the target

Performance in reoffending can fluctuate quarter on quarter due to the small cohort numbers being reviewed.

This target reflects the National average performance in 19/20 to date. Our goal is to remain at or below this average figure.

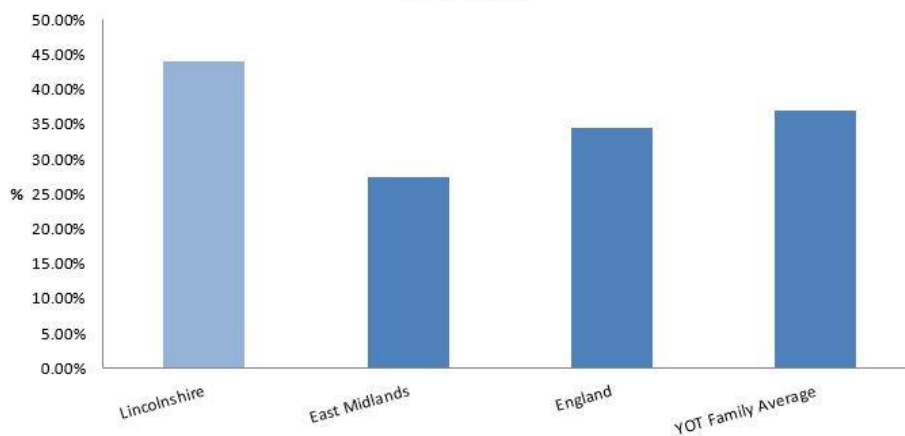
About the target range

Upper and lower targets have been set to allow for the range of movement possible based on cohort numbers.

About benchmarking

Benchmarked against National, Regional and YOT Family performance

**Juvenile Reoffending Rate after 12 months**  
Oct 19 - Dec 19



| Juvenile Reoffending Rate after 12 months | Oct 19 - Dec 19      |                       |               |
|---|----------------------|-----------------------|---------------|
|   | Number in the cohort | Number of reoffenders | % Reoffending |
| Lincolnshire                              | 34                   | 15                    | 44.10%        |
| East Midlands                             | 317                  | 87                    | 27.40%        |
| England                                   | 4,849                | 1,667                 | 34.40%        |
| YOT Family Average                        | 511                  | 189                   | 37.00%        |





**Open Report on behalf of Heather Sandy, Executive Director - Children's Services**

|            |   |
|------------|---|
| Report to: | <b>Children and Young People Scrutiny Committee</b>                     |
| Date:      | <b>09 September 2022</b>  |
| Subject:   | <b>Children's Services Annual Statutory Complaints Report 2021-2022</b> |

**Summary:**

This report introduces the Annual Complaints Report for Children's Services. This is a statutory requirement and serves to update the Children and Young People Scrutiny Committee on the performance of Children's Services in relation to complaints. The report only addresses complaints relating to Children's Social Care in line with the statutory requirement and does not contain any data relating to complaints about the wider Children's Services.

**Actions Required:**

The Children and Young People Scrutiny Committee is invited to review and comment on the Annual Complaints Report for 2021/22 and note the low numbers of complaints that were upheld or partially upheld.

## **1. Background**

The report attached at Appendix A provides the Committee with information on the complaints received by Children's Social Care for the period of 1 April 2021 to 31 March 2022.

A total of 144 contacts were received in 2021/2022 from individuals wishing to complain about the service, up by eight contacts from 136 last year. In recent years, Children's Services has introduced a more restorative approach to complaints, whereby when people indicate they are unhappy and are considering making a complaint, a manager in the relevant service reaches out and attempts to resolve the issue before a formal complaint is made. As a result of this approach, 35 complaints were resolved informally, outside of the complaints process, accounting for 24% of all contacts received.

With the resolution of 35 complaints outside of the complaints process, to the service users satisfaction, 2021/2022 saw an overall increase of 18 complaints (20%) entering the formal process to 109, in comparison to 2020/2021 where 91 formal complaints were

made. This figure of 109 formal complaints is the second lowest number in the last ten years. This is in the context of 48712 contacts made to Social Care and 6952 referrals progressed and unprecedented workforce challenges. Children's Services has continued to try and resolve concerns as early as possible despite the additional pressures seen over the course of the year.

29 complaints were fully upheld. Of these 29 complaints, four were in relation to data breaches. These were all dealt with appropriately and referred to the Data Protection Officer, with no on-going concerns from the Information Commissioners Office. Eight cases were as a result of a lack of communication from involved staff. This has been an on-going theme and is already an area of improvement that the service is aware of.

Five complaints related to the delay in services being delivered. Considering the changes seen throughout the year as services readjust following Covid, this relatively low number should be considered a positive reflection of the work done in meeting need. A total of six cases were in relation to staff conduct and attitude. This was in relation to staff in four different area teams and has been dealt with accordingly. It is encouraging that there are no specific teams that see this as trend in the complaints that have been received for their area.

The remaining six cases were as a result of errors in assessment. The relevant records were amended and none of these cases resulted in the issues being progressed to the next stage of the complaints process. Social care undertook 6484 assessments in the year, so to only have six that required amending highlights the quality of the work being produced.

In total 16 complaints were found to be Partially Upheld. Four cases were as result of a lack of communication. Delays in service accounted for three of the partially upheld cases with two cases arising as a result of assessment errors.

The above areas were also present in cases fully upheld. Cases recorded as partially upheld in these areas were due to some of the concerns raised not being accurate. An example of this being a case where an individual indicated three instances of a lack of communication. Upon investigation it was identified that only one of those instances saw communication not returned; the remaining instances raised were actioned appropriately.

Four of these complaints were as a result of procedures not followed. To clarify, these cases were not as a result of procedures and processes being ignored but instances where a step within a procedure was missed or delayed. These were rectified as a result of the complaint with support and guidance being provided to involved staff. No cases in relation to this were escalated to the next stage of the complaints process.

2021/2022 saw only one complaint escalated to the second stage of the statutory complaints process. The main aspects of this complaint were the following: -

- Disagree with assessment outcome
- Lack of Service

At stage one of the complaints process the complaint was not upheld. This case was referred to the Local Government and Social Care Ombudsman who asked the authority to progress this case within the complaints process. At the writing of this report this case remains open at stage 2 independent investigation.

Any learning from these complaints has been addressed by the managers for the team with the staff concerned. It is really pleasing to note the low numbers of complaints within the context of recovery from Covid, workforce challenges and the impact that early resolution is having on the numbers.

**2. Conclusion**

What can be surmised from the data presented in this report is the on-going investment and work in resolving issues informally wherever this is possible. Children's Services, despite the difficult circumstances and additional pressure of readjusting services, has remained focussed on achieving early resolution for individuals dissatisfied or concerned around what is being delivered. This is reflected in the maintaining of the number of complaints entering the formal process, with no significant increase, despite challenges.

In addition to the above, the Children's Services focus on providing robust responses, addressing all concerns, at the first stage of the formal complaints process, has seen only one case enter the statutory stage 2 process. The area should continue to focus on the informal resolution of cases in early resolution in order to maintain the positive figures achieved.

**3. Consultation**

**a) Risks and Impact Analysis**

Not Applicable

**4. Appendices**

|   |  |
|---|--|
| These are listed below and attached at the back of the report |  |
| Appendix A  | Annual Social Care Statutory Complaints Report 2021 - 2022 |

**5. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Carolyn Knight, who can be contacted on 07879 603618 or [carolyn.knight@lincolnshire.gov.uk](mailto:carolyn.knight@lincolnshire.gov.uk).

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# **Partners in Practice**

Putting children first

**Everyone Working Together for  
all Children, Young People &  
Families to be Happy, Healthy,  
Safe and the Best they can be**

**Annual Complaints Report  
2021 - 2022**

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## **Introduction**

Lincolnshire County Council is an authority that welcomes all feedback which may serve to increase understanding of the experiences of customers who receive services. With this in mind, the authority is keen to make use of complaints as a means of improving services for children and their families. It is anticipated that the speedy resolution of complaints will maximise the prospect of a good outcome.

This report is written in compliance with the statutory complaints guidance issued by the Department of Education – Getting The Best From Complaints. The report deals with complaints received from children, Young People and their families between the period of 1<sup>st</sup> April 2021 and 31<sup>st</sup> March 2022. This report is provided under the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. This report fulfils the Council's statutory duty to produce a report.

This report seeks to outline the themes which arise from complaints received and identify any learning which may be required in order to improve service provision.

### **1. Complaints definition**

A complaint is considered to be an expression of dissatisfaction about a specific incident or a given situation. All complaints received by Lincolnshire County Council are dealt with under the following procedures;

- Statutory complaints procedures
- The schools complaints procedures
- The council's corporate complaints procedure.

This report focuses on complaints that relate specifically to Children's Social Care (including adoption and fostering). School complaints and corporate complaints are dealt with separately and information about them is not included within the scope of this report.

### **2. Complaints legislation**

The regulations require that every local authority appoint a Complaints Manager to ensure provision of a robust social care complaints and representation procedure to eligible service users. The framework for handling Children's Social Care Complaints within England is laid out within the Regulations.

### **3. Children's Social Care Complaints Procedures**

#### **Complaints Management:**

Lincolnshire County Council has a dedicated officer who is based within the Customer Relations Team. Complaints can be made at any point in the local authority with all complaints being

forwarded to the Customer Relations email account. The mail box is managed by the Customer Relations Team who will view all complaints. Where complaints may be ambiguous, the complainant will be contacted in order to gain greater clarification. When a complaint is received directly from a child or young person, discussions are held with the Social Worker allocated to the child in order to ascertain whether additional support might be required by the child in order for them to pursue their complaint.

The Complaints Officer's role is to ensure that all complaints which are received are responded to in line with the Statutory Complaints Procedure and to this end they will chase responses to ensure that these are sent out within specified timescales. In addition the Complaints Officer will ensure that information in respect of complaints is recorded in order that themes and issues can be identified.

### **Complaints Procedure**

There are various stages to the complaints process which are outlined below. It should be noted that whilst there are clear timeframes for complaints to be addressed at each stage of the complaints process, there will, on some rare occasions, be a need to extend this timeframe. This may include the complainant child requiring an advocate. If additional time is required the complainant will be notified of this at the earliest opportunity.

#### Stage one – Local Resolution

Complaints received are forwarded to the appropriate manager to address the concerns. An acknowledgement is sent to the complainant within one working day and in most cases a full response will be provided within ten working days. In some circumstances i.e. where the complaint is particularly complex a further ten days is permitted to address the complaint. When this is the case the complainant will be notified.

#### Stage two – Independent Investigation

When an individual is dissatisfied with the outcome of the stage one complaint they are able to request an independent investigation. The timeframe for this stage of the complaints process is 25 working days with an extension to 65 working days.

#### Stage three – Review Panel

If the complainant remains dissatisfied with the outcome of a stage two investigation they may request an independent panel to review how the complaint was handled. The panel must meet within 30 working days of the request.

It should be noted that whilst the internal process concludes at stage three, if the complainant remains dissatisfied with the outcome they are able to approach the Local Government Ombudsman. This report does not extend to any issues addressed at this level.



#### 4. Advocacy and Engagement

Lincolnshire County Council commission Voiceability Lincolnshire to provide independent advocacy for adults and children and young people who might wish to make a complaint. The children's element of this contract is sub contracted to Barnardo's. All children and young people who wish to take advantage of this service are able to do so, in addition any child or young person who enters care or who becomes subject to Child Protection procedures are provided with an advocate unless they specifically express that they do not want one. The Complaints Officer ensures that children and young people are aware of this service when they seek to make complaints.

This year saw no cases where there was involvement from the advocacy service. Cases have been exceptionally low with the introduction of an Early Resolution step and this may account for this.

There is always concern that children and young people are unaware or not confident enough to make a complaint which is one of the primary purposes for the Children's Statutory complaint process, however children and young people who are in the system have Social Workers and so if they complain the issue should be resolved locally if the Social Worker is in the position to assist them. All Social Workers are aware that children and young people are entitled to an advocate and any children within Child Protection or Children in Care are provided an advocate automatically unless they opt out.

#### 5. Children in Care

As soon as a child enters care, they are provided with a "coming into care kit." This provides them with information as to how they can express any feelings of dissatisfaction they may have including making formal complaints. There are however a number of informal dispute resolution options which are available to children and young people who are in the care of the local authority. These include the following:-

**Independent Reviewing Officers:** The Independent Reviewing Officer has a duty to engage with children and young people to ascertain their views in respect of their care plans and also to advise them of their entitlements including their right to complain. Children are encouraged to attend their reviews in order that they are aware of their plan and are able to comment on this. Where children's wishes are contrary to the plan, the Independent Reviewing Officer is able to escalate matters on behalf of the child in order to resolve matters in a timely manner. Where children and young people continue to be dissatisfied, the Independent Reviewing Officer is able to support young people in making formal complaints.

**Regulation 44 Visits:** The Regulation 44 Officer is an Independent Visitor who visits all residential homes within the authority on a monthly basis. An integral part of the role of the Independent Visitor is to talk to children, young people and their families about their experiences of the residential home. The Regulation 44 Visitor can engage in discussions with the homes manager

in order to resolve any issues which the child may identify. Where this early attempt at resolution is unsuccessful, the Independent Visitor is able to support the young person in making a formal complaint.

**Social Workers:** Social Workers meet with children on a regular basis. A fundamental part of this visiting is ascertaining the wishes and feelings of children and young people. Where children are unhappy with the level of care which they are receiving, their social worker will in the first instance work with the child to see whether changes are able to be made which would comply with the child's wishes. Social Workers can direct children to the advocacy service if they wish to pursue a formal complaint.

## **6. Complaints received around Children in Care**

This year has seen no complaints made directly by children who are in care. However 5 complaints were received from parents or carers of children in care. The following is a brief summary of those complaints received in relation to this area.

### Quarter 1

3 cases in total were received in the first quarter;

- That assessment and communication with the family were repeatedly delayed. This complaint was not upheld on the basis that several attempts were made to contact the family with no response.
- Parent complained as they were unhappy with conversations that had taken place between their son and home staff, where staff had attempted to explain why he would no longer be resident. This complaint was not upheld as notice had been served to both parent and child and he was therefore already aware of the situation.
- Parents complained that decisions had been made about their child's placement without agreement from the parents. Parents stated that they have joint PR with the Authority and therefore should have been consulted. This complaint was not upheld as the home was closed as a result of an emergency situation and there was little the authority was able to do about this. This point was accounted for in the court order and parents were notified within 24 hours of the matter occurring.

### Quarter 2

2 complaints were recorded in the second quarter;

- Parent complained that there had been delays in receiving communication from the involved SW to arrange contact. Additionally parent complained about information that was shared during court proceedings. This complaint was not upheld as it was evidenced that parent had agreed to contact SW on a monthly basis to discuss contact, as parent was unable to commit to a specific date/day each month, but had not done so. No investigation took place in to concerns around court proceedings.

- Parent was unhappy with the level of communication from Social Worker with unanswered calls and infrequent responses. This complaint was not upheld as records indicated that attempts were made to contact parent, it was explained that these were not as frequent as the parent would like but still an appropriate and expected level.

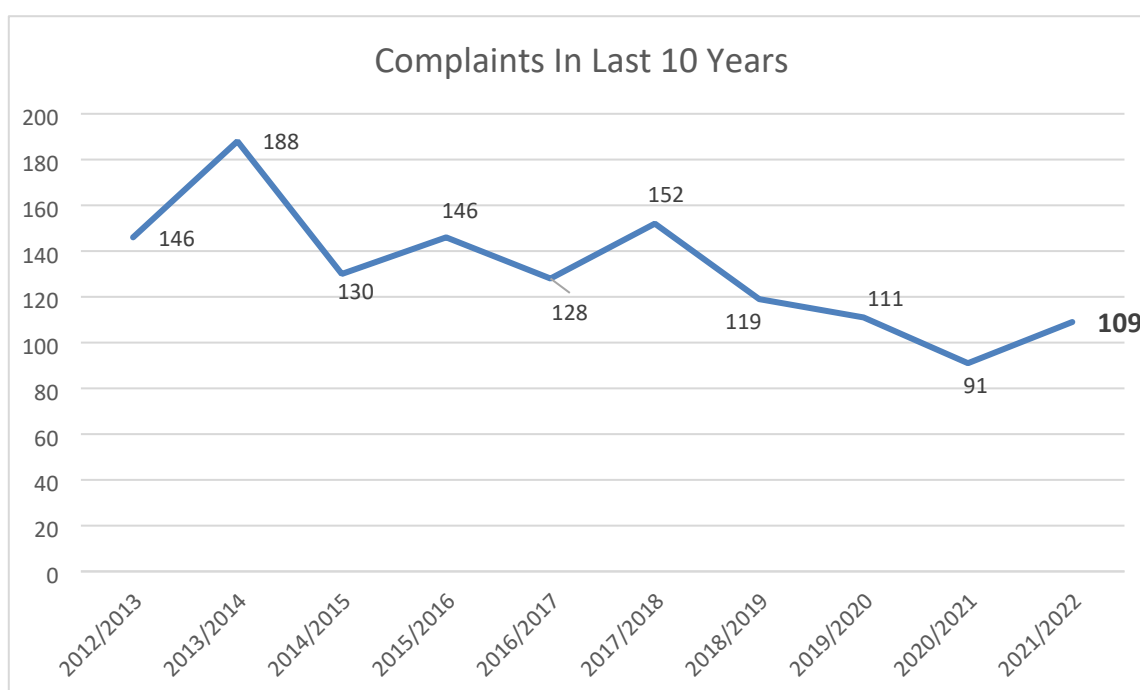
No Complaints were recorded for this area in the third and fourth quarters of the financial year.

## 7. Statistical Analysis

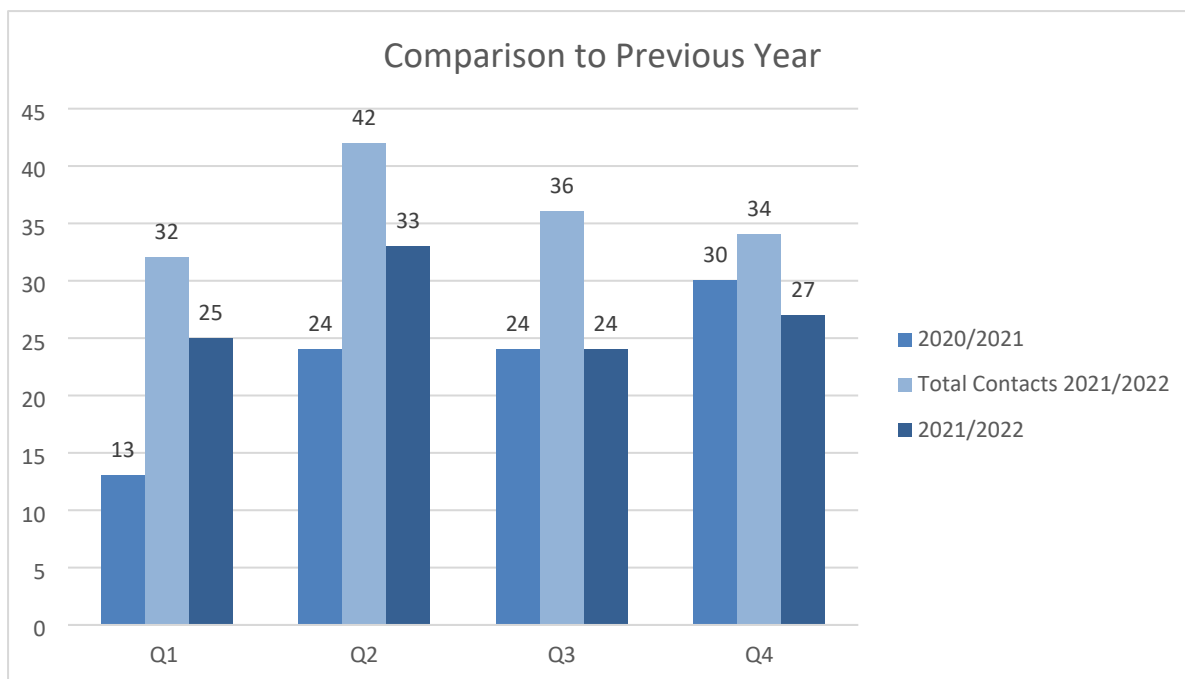
This section will provide an overview and analysis of the handling and management of all Children's social care complaints received in 2021/2022.

A total of 144 contacts were received in 2021/2022 from individuals wishing to complain about the service. To put this into context in the same period Social Care received 48712 contacts and 6952 referrals so only 2% of referrals led to a complaint being initiated. Of 144 complaints 35 were resolved informally, outside of the complaints process, accounting for 24% of all contacts received.

With the resolution of 35 complaints outside of the complaints process, to the service users satisfaction, 2021/2022 saw an overall increase of the complaints entering the formal process of 20%. The authority as a whole has seen a significant increase in the number of complaints recorded with the average increase across services being 25%. Children's services have continued to try and resolve concerns as early as possible despite the additional pressures seen over the course of the year.



The following shows a breakdown of all contacts received, and the number of these entering the formal process per quarter, in comparison to the previous year.

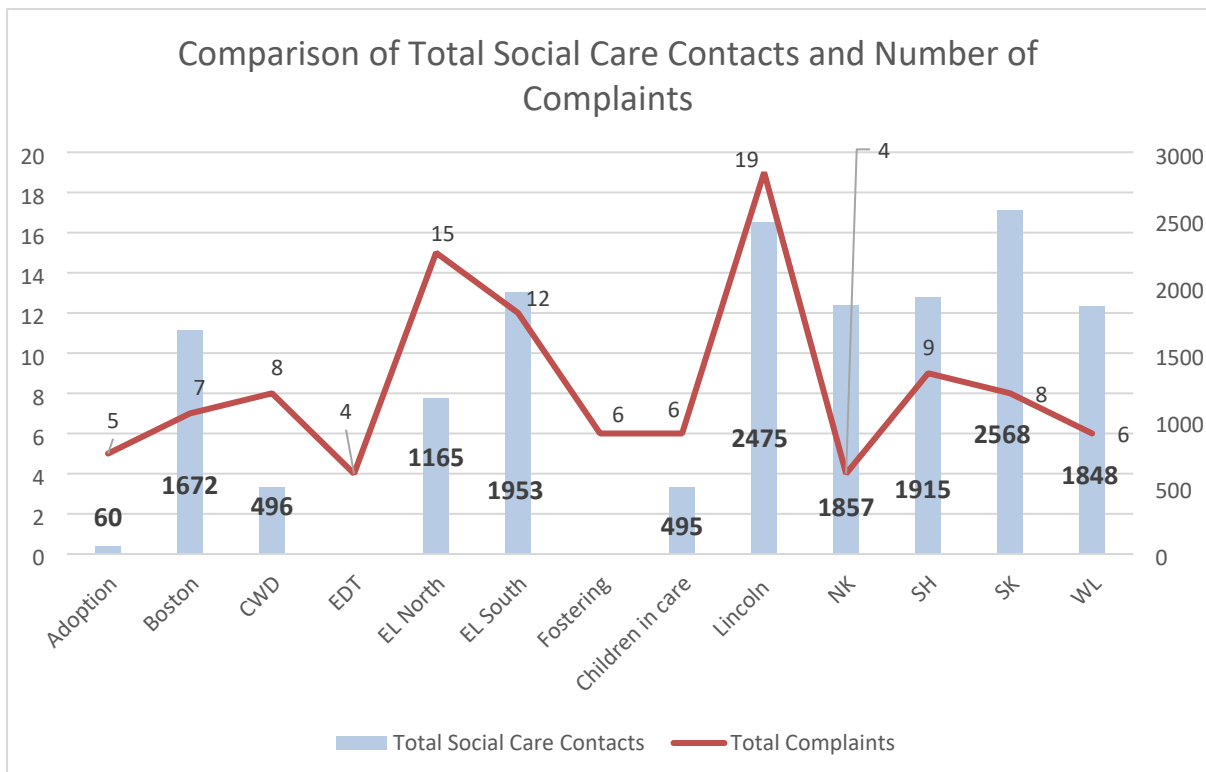


Whilst there has been an increase this is not considerable enough to result in concern. Staff should be commended for maintaining this despite the additional pressures faced during this period.

Whilst the 20/21 financial year saw a slight drop in the overall number of cases entering the formal complaints process, we can now see numbers returning to pre-pandemic levels. To have maintained this under the current pressures faced by services is extremely positive. As mentioned earlier in this report other areas within the authority have seen significant increases in overall contacts and cases, therefore consistency is commendable.

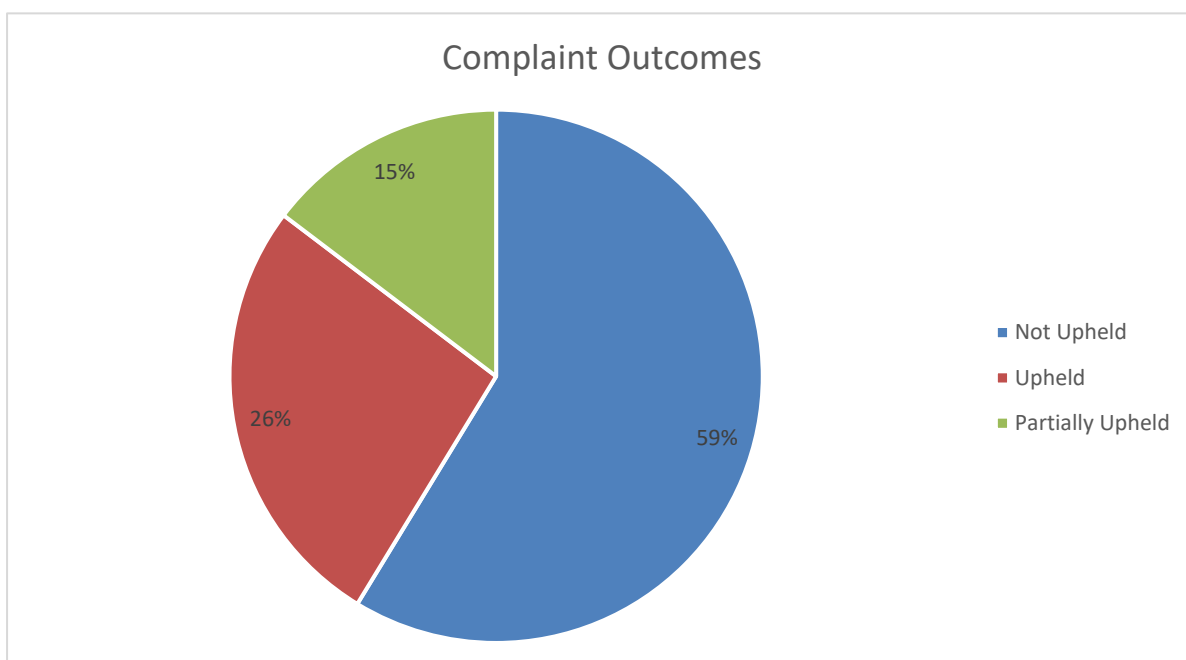
Keeping in mind countywide trends in complaints it is possible that an increase will be seen in the coming year. Additional benchmarking has been completed with other authorities in the region. Whilst we are unable to share the data of these authorities via this report it can be confirmed that the average increase in complaints seen in the year is 27%. This authority's figure of 20% is significantly lower than this and a direct result of on-going efforts in achieving informal resolution and taking a restorative approach.

The following shows a breakdown of complaints received by the area they were raised with;



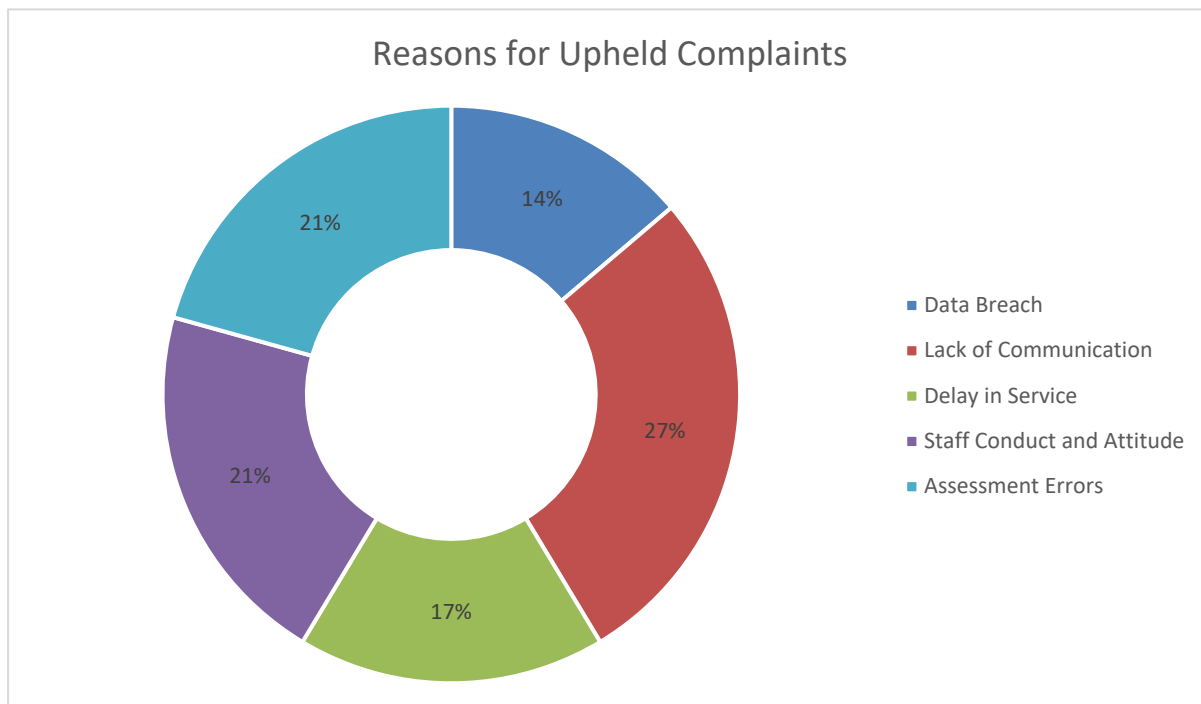
The total number of complaints accounts for 0.2% of all Social Care Contacts. In the above, areas with no total contacts is as a result of this information being recorded separately. This break down is proportionally consistent with previous years. Given its comparability to both the previous year and pre-pandemic year staff should be commended on their consistency in tackling concerns raised in the most difficult of circumstance.

The proportional number of complaints that we see above are likely to be a reflection of the number of families being provided services in those areas. The following shows a breakdown of the outcomes of all complaints received;



It is positive to note that the majority of complaints, 59%, identified no fault with the service provided.

Analysis was completed on all complaints which were fully or partially upheld in order to determine if there were any common areas or trends which needed to be considered and improved moving forward, however as noted previously, this was done with consideration of what has occurred this year.

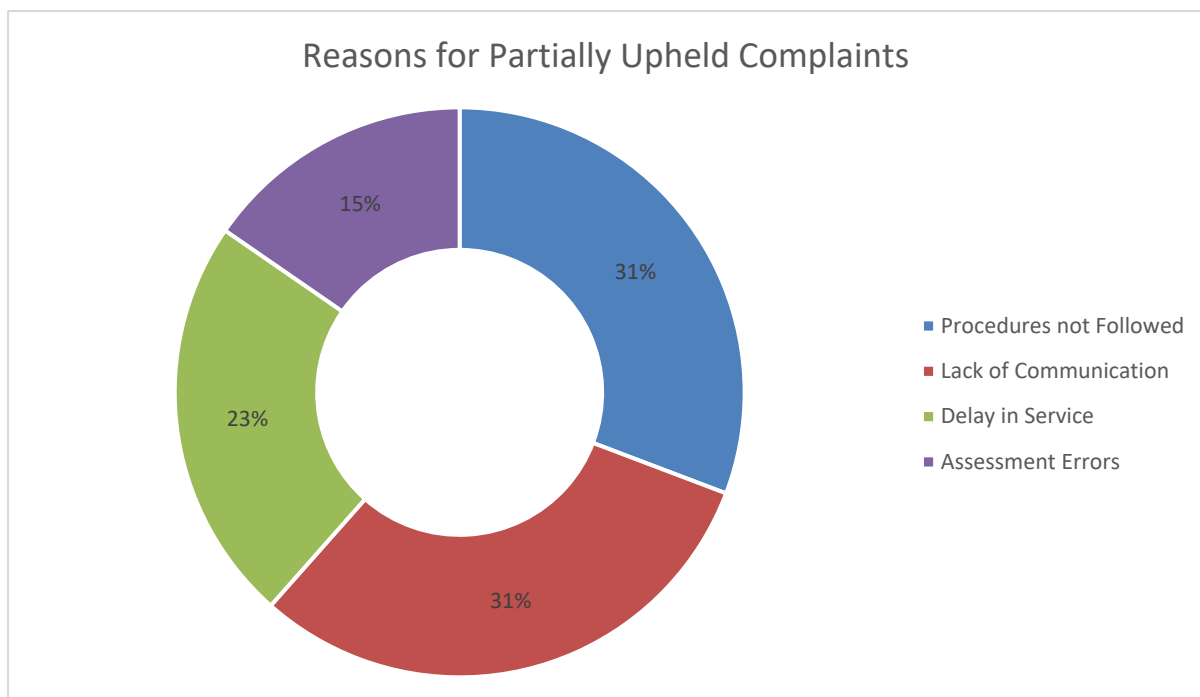


Of the 109 complaints received, 29 were upheld. Of these 29 complaints 4 were in relation to data breaches. These were all dealt with appropriately and referred to the Data Protection Officer, with no on-going concerns from the Information Commissioners Office. 8 cases were as a result of a lack of communication from involved staff. This has been an on-going theme and is already an area of improvement that the service is aware of.

5 complaints related to the delay in services being delivered. Considering the changes seen throughout the year this relatively low number should be considered a positive reflection of the work done in meeting need. A total of 6 cases were in relation to staff conduct and attitude. This was in relation to staff in 4 different area teams, and has been dealt with accordingly. It is encouraging that there are no specific teams that see this as trend in the complaints that have been received for their area.

The remaining 6 cases were as a result of errors in assessment. The relevant records were amended and none of these cases resulted in the issues being progressed to the next stage of the complaints process. Social care undertook 6484 assessments in the year, so to only have 6 that required amending highlights the quality of the work being produced.

The following shows a breakdown of the areas of Partially Upheld complaints where fault was found;



In total 16 complaints were found to be Partially Upheld. The above shows the aspects of those complaints where fault was found.

4 cases were as result of a lack of communication. As stated previously this is an area which is already being addressed appropriately. Delays in service accounted for 3 of the partially upheld cases with 2 cases arising as a result of assessment errors.

The above areas were also present in cases fully upheld. Cases recorded as partially upheld in these areas were due to some of the concerns raised not being accurate. An example of this being a case where an individual indicated 3 instances of a lack of communication. Upon investigation it was identified that only one of those instances saw communication not returned; the remaining instances raised were actioned appropriately.

4 of these complaints were as a result of procedures not followed. To clarify these cases were not as a result of procedures and processes being ignored but instances where a step within a procedure was missed or delayed. These were rectified as a result of the complaint with support and guidance being provided to involved staff. No cases in relation to this were escalated to the next stage of the complaints process.

### Escalations

2021/2022 saw only one complaint escalated to the second stage of the statutory complaints process. The main aspects of this complaint were the following;

- Disagree with assessment outcome
- Lack of Service

At stage one of the complaints process the complaint was not upheld. This case was referred to the Local Government and Social Care Ombudsman who asked the authority to progress this case within the complaints process.

At the writing of this report this case remains open at stage 2 independent investigation.

## **8. Local Government and Social Care Ombudsman**

In total 14 referrals were made to the Local Government and Social Care Ombudsman in regards to Children's statutory complaints. In two of these cases fault was found. 10 cases saw no fault in the way in which this authority had delivered its services. At the writing of this report 4 cases remain open to the LGSCO.

## **9. Learning and Recommendations**

Learning has already been undertaken by the service given the on-going work in Early resolution of concerns raised, the low number of cases in which fault is found and the significantly lower number of cases where individuals remain dissatisfied with the outcome of their complaint and request an escalation.

Delays in service were an expected outcome of this year however the year has seen the number of complaints in relation to this, where the authority has identified fault, decrease in comparison to the previous year.

Work continues in order to address issues in relation to the lack of communication which has been reported via the complaints process. Workers already have a requirement to meet a certain level of communication with families that they are working with and this is being monitored.

Some individual learning has also been identified through the complaints received and this has been undertaken by the relevant team manager.

## **10. Summary**

What can be surmised from the data presented in this report is the on-going investment and work in resolving issues informally wherever this is possible. Children's Services, despite the difficult circumstances and additional pressure of readjusting services, has remained focussed on achieving early resolution for individuals dissatisfied or concerned around what is being delivered. This is reflected in the maintaining of the number of complaints entering the formal process, with no significant increase, despite challenges.

In addition to the above, the Children's Services focus on providing robust responses, addressing all concerns, at the first stage of the formal complaints process, has seen only one case enter the statutory stage 2 process. The area should continue to focus on the informal resolution of cases in early resolution in order to maintain the positive figures achieved.



**Open Report on behalf of Andrew Crookham, Executive Director - Resources**

|            |  |
|------------|--|
| Report to: | <b>Children and Young People Scrutiny Committee</b>                |
| Date:      | <b>09 September 2022</b>   |
| Subject:   | <b>Children and Young People Scrutiny Committee Work Programme</b> |

**Summary:**

This item enables the Committee to consider and comment on the content of its work programme to ensure that its scrutiny activity is focused where it can be of greatest benefit. The Committee is encouraged to highlight items that could be included for consideration in the work programme.

**Actions Required:**

- (1) To review and agree the Committee's work programme as set out in this report.
- (2) To highlight for discussion any additional scrutiny activity which could be considered for inclusion in the work programme.

**1. Background**

Current Items

For reference, the Committee's items for this meeting are set out below: -

| 09 September 2022   |   |               |
|---|---|---------------|
| Item  | Contributor   | Purpose       |
| Update on the Special Educational Needs and Disabilities Transformation Programme | Sheridan Dodsworth, Head of Special Educational Needs and Disability (SEND)<br>Carrie Forrester, Programme Manager (SEND Transformation)<br>Kate Capel, Head of Inclusion | Policy Review |

| <b>09 September 2022</b>  |   |  |
|---|---|--|
| <b>Item</b>   | <b>Contributor</b>  | <b>Purpose</b>   |
| Service Level Performance Reporting against the Success Framework 2022-23 – Quarter 1 | Jo Kavanagh, Assistant Director – Early Help  | Performance Scrutiny   |
| Children's Services Annual Statutory Complaints Report 2021-22                        | Jo Kavanagh, Assistant Director - Early Help<br>Carolyn Knight, Head of Service Quality and Standards and Principal Social Worker | Performance Scrutiny   |
| Education Provision Planning (EXEMPT)   | Matthew Clayton, Admissions and Education Provision Manager   | Pre-Decision Scrutiny (Executive Councillor decision between 12 – 16 September 2022) |

#### Planned Items

The Committee's planned items are listed below:

| <b>21 October 2022</b>  |   |  |
|---|---|--|
| <b>Item</b>   | <b>Contributor</b>  | <b>Purpose</b>   |
| Children In Care and Care Leavers Strategy                          | Andrew Morris, Corporate Parenting Manager  | Pre-Decision Scrutiny (Executive decision on 1 November 2022)                      |
| Update on the Building Communities of Specialist Provision Strategy | Sheridan Dodsworth, Head of Special Educational Needs and Disability<br>Eileen McMorrow, Programme Manager, Special Schools Strategy<br>Dave Pennington, Head of Property Development | Policy Review (Yearly Update)  |
| The Lincolnshire Secure Children's Home - New Build (EXEMPT)        | Tara Jones, Head of Service – Children in Care Transformation<br>Matthew Stapleton, Senior Project Manager, Corporate Property  | Pre-Decision Scrutiny (Executive Councillor decision between 26 – 31 October 2022) |

| <b>2 December 2022</b>  |  |                      |
|---|--|----------------------|
| <b>Item</b>   | <b>Contributor</b>   | <b>Purpose</b>       |
| Joint Diversionary Panel – Update against Recommendations from University of Lincoln Evaluation | Andy Cook, Service Manager - Future4Me/<br>Youth Offending<br>Chief Inspector Daryl Pearce, Lincolnshire Police<br>Tony Pryce, JDP Coordinator | Performance Scrutiny |
| Impact of the Covid-19 Pandemic and Post Pandemic Recovery                                      | Linda Dennett, Assistant Director – Children’s Health and Commissioning  | Position Report      |
| Service Level Performance Reporting against the Success Framework 2022-23 – Quarter 2           | Jo Kavanagh, Assistant Director – Early Help   | Performance Scrutiny |
| Review of the Summer Holiday Activities and Food (HAF) Programme                                | Nicky Myers, Interim Head of Service – Early Years and Childcare Support   | Policy Review        |
| Child Care Sufficiency Update   | Nicky Myers, Interim Head of Service – Early Years and Childcare Support   | Performance Scrutiny |

| <b>13 January 2023</b>  |   |   |
|---|---|---|
| <b>Item</b>   | <b>Contributor</b>                                      | <b>Purpose</b>  |
| Children’s Services Budget Proposals 2023/24  | Heather Sandy, Executive Director – Children’s Services | Budget Scrutiny   |
| Attendance in Schools, Elective Home Education and Children Missing Education Annual Report 2021/22 | Jill Chandar-Nair, Inclusion and Attendance Manager     | Policy Review   |
| Recommissioning of Children with Disabilities services  | Rosemary Akrill, Senior Commissioning Officer           | Pre-Decision Scrutiny (Executive decision on 7 February 2023) |

| <b>13 January 2023</b>   |  |  |
|--|--|--|
| <b>Item</b>  | <b>Contributor</b>   | <b>Purpose</b>   |
| Alternative Provision Key Stage 4 (APKS4) Interim Commissioning Arrangements | Charlotte Gray, Head of Service - Children's Strategic Commissioning | Pre-Decision Scrutiny (Executive Councillor decision on 7 February 2023) |

| <b>3 March 2023</b>  |  |                      |
|--|--|----------------------|
| <b>Item</b>  | <b>Contributor</b>                           | <b>Purpose</b>       |
| Service Level Performance Reporting against the Success Framework 2022-23 – Quarter 3              | Jo Kavanagh, Assistant Director – Early Help | Performance Scrutiny |
| Lincolnshire Local Authority School Performance 2021 - 22  | Martin Smith, Assistant Director - Education | Performance Scrutiny |
| Response to the removal of the Local Authorities School Improvement Monitoring and Brokering Grant | TBC  | Policy Review        |

| <b>21 April 2023</b>  |  |                |
|---|--|----------------|
| <b>Item</b>   | <b>Contributor</b>                                       | <b>Purpose</b> |
| Lincolnshire Safeguarding Children Partnership (LSCP) Annual Update | Chris Cook, Chair of LSCP<br>Stacey Waller, LSCP Manager | Yearly Update  |

#### **Items to be scheduled**

- Review of Children and Young People Mental Health Services

## **2. Conclusion**

The Committee is invited to review, consider and comment on the work programme as set out above and highlight for discussion any additional scrutiny activity which could be

included for consideration in the work programme. A list of all upcoming Forward Plan decisions relating to the Committee is also attached at Appendix A.

**3. Appendices**

|   |  |
|---|--|
| These are listed below and attached at the back of the report |  |
| Appendix A  | Forward Plan of Decisions relating to the Children and Young People Scrutiny Committee |

**4. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Tracy Johnson, Senior Scrutiny Officer, who can be contacted on 07552 253814 or by e-mail at [tracy.johnson@lincolnshire.gov.uk](mailto:tracy.johnson@lincolnshire.gov.uk).

**FORWARD PLAN OF DECISIONS RELATING TO CHILDREN'S SERVICES FROM 01 SEPTEMBER 2022**

| DEC REF         | MATTERS FOR DECISION   | REPORT STATUS | DECISION MAKER AND DATE OF DECISION   | PEOPLE/GROUPS CONSULTED PRIOR TO DECISION                                | DOCUMENTS TO BE CONSIDERED | OFFICER(S) FROM WHOM FURTHER INFORMATION CAN BE OBTAINED AND REPRESENTATIONS MADE<br>(All officers are based at County Offices, Newland, Lincoln LN1 1YL unless otherwise stated)  | DIVISIONS AFFECTED |
|-----------------|--|---------------|---|--|----------------------------|--|--------------------|
| I027830         | Education Provision Planning   | Exempt        | Executive Councillor:<br>Children's Services,<br>Community Safety and<br>Procurement<br><br>Between 12 Sep 2022<br>and 16 Sep 2022  | Children and Young<br>People Scrutiny<br>Committee                       | Reports                    | Admissions and Education Provision<br>Manager - Children's Services<br>E-mail: <a href="mailto:matt.clayton@lincolnshire.gov.uk">matt.clayton@lincolnshire.gov.uk</a>  | All Divisions      |
| I026118         | The Lincolnshire Secure<br>Children's Home – New Build                             | Exempt        | Executive Councillor:<br>Children's Services,<br>Community Safety<br>and Procurement<br><br>Between 26 October –<br>31 October 2022 | DLT/Executive DLT/<br>Children and Young<br>People Scrutiny<br>Committee | Reports                    | Head of Service - Children in Care<br>Transformation<br>E-mail: <a href="mailto:tara.jones@lincolnshire.gov.uk">tara.jones@lincolnshire.gov.uk</a>   | All Divisions      |
| I025746         | Recommissioning of Children<br>with Disabilities services                          | Open          | Executive<br><br>7 Feb 2023   | Children and Young<br>People Scrutiny<br>Committee                       | Reports                    | Strategic Commissioning Manager<br>E-mail: <a href="mailto:mark.rainey@lincolnshire.gov.uk">mark.rainey@lincolnshire.gov.uk</a><br><br>Strategic Commissioning Head of Service<br>E-mail: <a href="mailto:charlotte.grey@lincolnshire.gov.uk">charlotte.grey@lincolnshire.gov.uk</a> | All Divisions      |
| I027981<br>New! | Alternative Provision Key<br>Stage 4 (APKS4) Interim<br>Commissioning Arrangements | Open          | Executive Councillor:<br>Children's Services,<br>Community Safety and<br>Procurement<br><br>7 February 2023                         | Children and Young<br>People's Scrutiny<br>Committee                     | Report                     | Head of Service - Children's Strategic<br>Commissioning<br>E-mail: <a href="mailto:charlotte.gray@lincolnshire.gov.uk">charlotte.gray@lincolnshire.gov.uk</a>  | All Divisions      |

# Agenda Item 10

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of the Local Government Act 1972.

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