



## Scrutiny Committee

Minutes of the Meeting Held on 18 May 2023  
at 10 am at County Hall Norwich

### Present:

Cllr Steve Morphew (Chair)  
Cllr Daniel Elmer (Vice Chair)

Cllr Phillip Duigan  
Cllr John Fisher  
Cllr Mark Kiddle-Morris  
Cllr Keith Kiddie  
Cllr Brian Long

Cllr Ed Maxfield  
Cllr Jamie Osborn  
Cllr Brian Watkins  
Cllr Tony White (substitute for Cllr Lesly  
Bambridge)

### Also, present (who took a part in the meeting):

Cllr Maxine Webb	County Councillor (in attendance for item 9)
Cllr Kay Mason Billig	Leader and Cabinet Member for Strategy and Governance
Cllr Andrew Jamieson	Deputy Leader and Cabinet Member for Finance
Cllr Karen Vincent	Deputy Cabinet Member for Children's Services
Harvey Bullen	Director of Strategic Finance
Paul Cracknell	Executive Director of Strategy and Transformation
James Dunne	Assistant Director of Strategy & Transformation (Comms)
Sara Tough	Executive Director of Children's Services
James Wilson	Director of Sufficiency, Planning & Education Strategy
Michael Bateman	Assistant Director SEND Strategic Improvement & Partnerships
Kat Hulatt	Director of Legal Services and Monitoring Officer
Peter Randall	Democratic Support and Scrutiny Manager
Tim Shaw	Committee Officer

**1A Opening remarks by the Chair –Welcome to new Members of the Committee  
and thanks to Cllr Lana Hemsall, the former Vice-Chair of the Committee**

- 1A.1** The Chair formally welcomed Cllr Elmer and Cllr Fisher as new members of the Committee and pointed out that Cllr Fitzpatrick had also been appointed to the Committee but had given his apologies for this meeting.
- 1A.2** The Chair placed on record the Committee's thanks to Cllr Lana Hemsall, the previous Vice-chair of the Scrutiny Committee, for all her hard work on behalf of the Committee.

## **1B Apologies for Absence**

- 1B.1** Apologies were received from, Cllr Carl Annison, Cllr Lesley Bambridge, Cllr Tom FitzPatrick, Ms Helen Bates (Church Representative) and Mr Paul Dunning (Church Representative). Apologies were also received from Cllr Penny Carpenter (Cabinet Member for Children's Services).

## **2 Minutes**

The minutes of the previous meetings held on 20 April 2023 were confirmed as an accurate record and signed by the Chair.

## **3. Declarations of Interest**

- 3.1** Cllr Ed Maxfield declared another interest in item 9 because he worked for a charity that benefitted from grant funding from the Council.

## **4. Public Question Time**

- 4.1** There were no public questions.

## **5. Local Member Issues/Questions**

- 5.1** There was one local member issues/question from Cllr Maxine Webb which the Chair agreed the Committee should consider at item 9 on the agenda.

## **6 Call In**

- 6.1** The Committee noted that there were no call-in items.

## **7 Committee Terms of Reference**

- 7.1** The annexed report (7) was received.
- 7.2** The Scrutiny Committee received a report that served as an annual opportunity for members to note and consider the sections of the NCC Constitution that related to the operation and powers of the Scrutiny Committee.
- 7.3** The Committee **RESOLVED:**

**To note the following documents with relation to the powers and procedures of the Scrutiny Committee:**

- **Excerpt from Part 7 of the NCC Constitution - Overview and Scrutiny Bodies (pg. 115-118).**
- **Excerpt from Part 7A of the NCC Constitution – Overview and Scrutiny**

## **Procedure Rules (pg. 123-124).**

### **8. County Deal – Consultation Outcomes and Next Steps.**

8.1 The annexed report (8) was received.

8.2 The Committee received a report the invited members to consider the County Deal consultation outcomes ahead of Cabinet making a decision on sending the responses on to central government, providing feedback and recommendations where appropriate.

8.3 During discussion of the report with Cllr Kay Mason Billig, (Leader of the Council and Cabinet Member for Strategy and Governance), Cllr Andrew Jamison (Deputy Leader of the Council and Cabinet Member for Finance), Paul Cracknell (Executive Director of Strategy and Transformation) and James Dunne (Assistant Director of Strategy & Transformation (Comms)) the following key points were noted:

- The Executive Director of Strategy and Transformation said that the Government had encouraged the Council to consult with residents, the public, partner organisations and business communities about the proposed deal and to share the outcomes of the consultation with all interested parties.
- The consultation results had been evaluated by a third party thereby ensuring their independence.
- Next steps included holding extensive awareness raising sessions about the outcome of the consultation with County and District Councillors and key staff, followed by the matter being brought back to Cabinet for discussion.
- The timing was currently focused on getting the next stage in the process completed during the summer.
- If Cabinet agreed to share the consultation results with government, government would use them to inform their decision to proceed to the next stage of Norfolk's in principle deal agreement. Full Council would then be asked in December 2023 whether they endorsed the deal and supported the move to an elected leader and cabinet system of governance. If this did not happen, a Level 3 deal would not be possible.
- The Chair said that while he was in favour of devolution, he was not in favour of the devolution deal that was currently on the table. The Chair added that the public appeared to be unclear as to how they were expected to respond to the consultation exercise.
- In reply, the Deputy Leader and Cabinet Member for Finance said that the consultation exercise was a legal process and as such of little interest to Norfolk residents. Residents were, however, interested in understanding what the deal could bring to Norfolk. The responses to the consultation made the Deputy Leader believe that people did understand the important issues.
- Officers were carefully reviewing all the responses to see what else needed to be included in the planning for the implementation of the deal.

- Some Members said that the findings of the consultation had revealed that a county deal this was not a priority issue for Norfolk residents at a time when they were facing cost of living pressures. Because the message lacked clarity about funding it was not surprising that those receiving it were not entirely enthusiastic.
- In reply, officers said that there were responses from over 60 organisations. The detail in the consultation was proportional to the stage that Norfolk was at in the county deal process; each question included links to more resources and documentation. The timing was chosen due to being mindful of holding this exercise before the pre-election period.
- The Leader said that Norfolk County Council had to focus on providing good services to the people of Norfolk. It would have been better to have had more responses however the Council could only encourage people to respond and advertise the consultation as widely as possible. It was written in such a way that everyone could comment on why they agreed with it or not. There were interesting views raised and questions to evaluate.
- Social media had been used to promote the consultation especially to younger people, the youth parliament and colleges.
- Officers said they were satisfied that there was enough activity through social media to let people know that the consultation was taking place. Officers were satisfied that a broad range of organisations had participated in the responses and that they had found it to be meaningful and useful and were happy with the way that the questions were posed. Officers were mindful of the need to track where the responses were coming from geographically to see if promotional activity needed increasing in certain places. This was a significant consultation response compared to the usual consultation responses.
- The responses by demographic and age and geography were shown in the report.
- In a budget consultation, people were more likely to respond if it affected them financially.
- The Chair referred to the costs of the consultation exercise which included officer time that had not been fully costed.
- MEWG would be kept in the consultation loop so Councillors could understand the implications and how this impacted on the LEP.
- Legal Services were satisfied that the consultation was appropriately worded and had been carried out correctly.
- In reply to questions, the Leader said that discussions were continuing with the Districts following the District elections to take account of any change of political view.
- Officers were reviewing what the results meant for issues other than the county deal (for example issues that had been raised about public transport) and these were being evaluated with a view to seeing if there were any possible changes in Council policy for Cabinet to consider.
- On the question of whether Full Council should have early sight of the results of the consultation it was pointed out that Council would always have the final say on whether to move to a directly elected leader. The public

consultation had involved no decision making. The final shape of the governance model was not in the original deal and there would be many opportunities to look at this at Full Council in December.

- It was noted that the internal Members Engagement Working Group (MEWG) were also continuing to explore the issues surrounding the devolution deal. This included councillors from opposition parties. If appropriate this issue could be brought back to Scrutiny Committee before December.

The Committee **RESOLVED** to make no recommendations to Cabinet but to pass on the comments made in these minutes.

## **9 Local First Inclusion Programme**

**9.1** The annexed report (9) was received.

**9.2** Members of the Committee discussed the report with Cllr Karen Vincent (Deputy Cabinet Member for Children's Services), Sara Tough (Executive Director, Children's Services), James Wilson (Director of Sufficiency, Planning & Education Strategy) and Michael Bateman (Assistant Director SEND Strategic Improvement & Partnerships)

**9.3** The Committee also heard from Cllr Maxine Webb, who with the approval of the Chair during the debate of this item asked the following question:

"Since the legal rights of families will remain exactly as they are now, there is a risk of disruption to the Local First Inclusion plan by the SEND Tribunal directing specialist placements and parental requests for EHCP needs assessments. What work is the council going to do with families to restore trust and confidence, and to ensure they do experience the changes in practice and culture that are needed?"

**9.4** In reply, Michael Bateman (Assistant Director SEND Strategic Improvement & Partnerships) gave the following reply:

The Local First Inclusion programme had been built on the previous work with parents/carers and professionals within our Area SEND Strategy and Written Statement of Action SEND improvement work and set out an ambition to both increase local mainstream inclusion whilst also continuing to develop more state-funded specialist provision. This programme of work also aligned directly with the government's new plan for SEND nationally within the SEND & AP Improvement Plan. Whilst it was true that the current primary legislation and associated SEND Code of Practice would remain, within the current parliament, both the DfE and NCC had set a very clear expectation within the Local First Inclusion programme that investment within mainstream schools in particular would ensure that the vast majority of support could be made available at SEN Support.

The LA would continue to work with parents/carers and professionals to set out plans to work together on implementation and to regularly assess our progress over

the six-year programme. However, it was equally important that everyone within the 'SEND System' in Norfolk helped with this programme of work as the LA could not achieve these improvements alone. Early Years Settings, Schools and Colleges would need to play their part, as would parent/carer groups and all with an interest in making a reality of this unique opportunity in Norfolk through this new programme of work.

- 9.5** Officers added that Local First Inclusion built on existing improvement work with parent carer groups and was about ensuring officers became more aware of what families and young people needed over and above what the data from project working with partners showed to be the case. Local First inclusion was about going further and doing things faster, co-production with parent carer groups, celebrating improvements that had been made and recognising those improvements that needed to be made. It was important to let families know their needs could be met in local mainstream provision where that was appropriate and that there was enough specialist provision available for those that needed this
- 9.6** Cllr Maxine Webb referred to a statement on page 238 of the agenda that spoke about how the SEND system was not a positive experience for many young children and their families and how the intention of meeting their needs at the lowest tariff of costs possible could be a positive message for parents.
- 9.7** In reply officers said that this was about trying to strike a balance between managing public finances correctly and meeting children's needs in the most appropriate way through working more at individual family level and with parent carer groups to improve confidence in the SEND system.
- 9.8** During debate of the report the following points were made:
- The report set out a major new programme of transformational change which over the next 6 years would transform support for children and their families with SEND and financially benefit the Council by reducing reliance on the independent sector and providing more quality local specialist provision that was recognised by Ofsted as Good and Outstanding and proving to be 'value for money'.
  - Members recognised that the changes set out in report would mean that some children had less distance to travel to reach school.
  - In reply to questions, the Director of Strategic Finance explained the complex process for the repayment of the dedicated schools grant which was set out on page 259 of the report and remained subject to detailed discussions with the DFE. The DFE wanted Councils to own this issue from both a financial point of view and a service prospective: in part, this involved all mainstream schools essentially contributing annual transfers of money from the Schools Block to the High Needs Block and for this to be signed off by the Secretary of State. The Government had put more money into the High Needs bBlock following the Autumn Statement and more was expected in future years. In addition the Local First Inclusion programme was designed to ensure that a far great amount of investment found its way back to mainstream schools than the amount transferred across
  - In reply to further questions, it was pointed out that additional staffing resources would be made available to schools to oversee the Local First Inclusion Programme and that an executive board had been set up to

oversee the programme. This board included six representatives from the Schools Forum and had so far met on two occasions.

- The Local First Inclusion Programme included collaborative working with the health sector across all childrens agendas with an aspiration for health teams to grow their work within school settings in a more coherent way.
- The Chair stated that it was encouraging to note that the report set out the high level risks and mitigations for the programme but also said that “rag rated” risks and outcomes should be included in future reports on this topic.
- In reply to questions from the Chair about the impact of the proposals on the independent sector, Officers said that where there were issues for the viability of independent schools they were being encouraged to engage with the Council about the implementation of the programme and to date there had been positive engagement at individual school level from the initial meetings and this work would continue. It was stated by Officers that the majority of children would continue within their current placements and that the plan was not to move children forcibly to other schools.
- Members asked if the changes might impact on multi academy trusts. Officers said that in their experience they were not aware of any differences in SEND practice in academy or maintained schools, i.e. inclusive schools were found within both ‘sectors’ and vice versa. Following a prompt from Members regarding the authority that the council had with schools Officers did confirm that it was possible to direct schools to admit children regarding SEND when necessary, however, the majority of the Council’s work was to influence their practice and to work as a system with school leader decisions.
- The Council wanted to get to a place where schools were holding each other to account, with school leaders operating in zones where they were able to challenge each other and learn from each other. There were areas in the system where this was already happening.
- The Deputy Cabinet Member, and Members of the Committee, spoke in favour of a proposal from the Chair for setting a new task and finish group to meet on one occasion to examine this complex topic in greater detail. The creation of 15 school zones was a new way of working and the task and finish group would be a good way to delve into this matter in some detail.
- It was pointed out that most children who had to travel more than 2-3 miles to attend a state funded special school received some form of travel assistance; this would be factored in when opening new schools.
- The Chair in moving the recommendations contained in the report and asked for a one meeting task and finish working group to be set up to look at the structure for reporting back on this topic to the Scrutiny Committee and the People and Communities Select Committee, and for this group to be chaired by Cllr Daniel Elmer.

## **9.9 The Committee RESOLVED:**

- a. To note the programme of work detailed within the report, known as Local First Inclusion, including the overall strategy, and provide feedback as set out in these minutes.**
- b. To note the key risks and mitigations of this programme given the system-wide and transformative nature of it, and provide feedback as set out in these minutes.**

- c. That, in considering the proposed programme of annual reports to Scrutiny Committee and bi-annual reports to the People and Communities Select Committee, People and Communities Select Committee be asked to agree to the setting up of a one meeting Task and Finish Working Group, chaired by Cllr Daniel Elmer, to look at how this is done.

## **10 Performance Review Panels – Quarterly Update**

- 10.1 It was noted that this item had been withdrawn from the agenda.

## **11 Appointment to the Norfolk Countywide Community Safety Partnership – Scrutiny Sub Panel**

- 11.1 The Committee received a report (with the supplementary agenda) that asked Members to appoint 3 County Council members (2 Conservative and 1 Labour) to represent the County Council on the Countywide Community Safety Partnership Scrutiny Sub Panel. A copy of the terms of reference for the Sub Panel were attached at Appendix A to the report.

- 11.2 The Chair asked for a further letter to be sent to the Norfolk District Councils reminding them of the importance of the work of the Sub Panel and of their participation at its meetings.

- 11.3 It was **RESOLVED**

**That Norfolk Countywide Community Safety Partnership Scrutiny Sub Panel keep with its existing membership.**

## **12 Scrutiny Committee Forward Work Programme**

- 12.1 The annexed report (9) was received.

- 12.2 It was noted that a training session about the future work programme had been held before recent changes were made in the membership of the Committee. It was pointed out that it was possible for new members to add items to the work programme: suggestions that the forward work programme be amended to include consideration of consultation processes (considered at item 8 on this agenda), and the work of the Norfolk Integrated Domestic Abuse Service, would be examined with appropriate officers and reported back to the Committee.

- 12.3 **RESOLVED**

**That the Committee:**

**Note the current forward work programme as set out in the appendix to the report subject to the comments made above.**



The meeting concluded at 13.10 pm

**Chair**