

Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP

Telephone 01572 722577 Email: governance@rutland.gov.uk

Ladies and Gentlemen,

A meeting of the **CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE** will be held Via Zoom - <https://us06web.zoom.us/j/97894599669> on **Thursday, 21st April, 2022** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Mark Andrews
Chief Executive

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/my-council/have-your-say/

SUPPLEMENTARY

6) PETITIONS, DEPUTATIONS AND QUESTIONS

To receive any petitions, deputations and questions received from Members of the Public in accordance with the provisions of Procedure Rules 28 and 216.

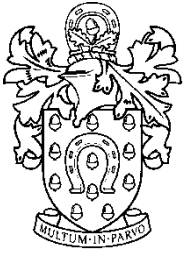
The total time allowed for this item shall be 30 minutes. Petitions, declarations and questions shall be dealt with in the order in which they are received. Questions may also be submitted at short notice by giving a written copy to the Committee Administrator 15 minutes before the start of the meeting.

The total time allowed for questions at short notice is 15 minutes out of the total time of 30 minutes. Any petitions, deputations and questions that have been submitted with prior formal notice will take precedence over questions submitted at short notice. Any questions that are not considered within the time limit shall receive a written response after the meeting and be the subject of a report to the next meeting.

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PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

MEETING: Children and Young People Scrutiny Committee

MEETING DATE: 21 April 2022

No.	Petition, deputation or question	Name of Speaker	On Behalf Of
1	DEPUTATION	Mrs Tree Gillions	SEND Action Rutland c/o 88 Derwent Drive Oakham LE15 6SA

DETAILS

We are SEND Action Rutland. This deputation represents the views of 62 anonymous parent carers about the SEND service and Children’s services.

In March, RPCV hosted a conference with RCC children’s services. RCC acknowledged that one of the most fundamental problems parents and carers face is lack of communication from the SEND department. Many parents and carers were not informed of vital changes to staffing structure etc, and even details about the RPCV conference itself. RCC have now created a single point of contact for the SEND service and we hope that this will be a positive and effective change.

We hear of many problems with the EHCP process. Issues such as timeframes not being kept, poorly written individual plans and using inadequate evidence. Refusal to assess and issue has been identified as a problem. There are also issues around refusal to follow tribunal orders and failure to obtain up to date health advice at annual reviews. Rutland is one of a handful of LAs who use barristers at tribunal against undefended parents. Parents have said this makes them feel intimidated and frightened.

Parents feel that an overall dismissive attitude towards them from RCC. We feel that this has led to a culture of parent blame and subsequently, poor parental mental health. We have seen that parent’s individual experiences with the system are inconsistent with others and feel that their concerns are often invalidated by staff response. We feel that children and their families are being repeatedly failed by an outdated system.

Parents have found accessing valuable support for their children difficult and for themselves, almost impossible. Very few parent carers have had carer’s assessments and those that have, have found them to be inconsequential. Parents feel unsupported and isolated.

SEND Action Rutland genuinely hope for change for all children with SEND and look forward to working together with Rutland County Council to find ways forward.

No.	Petition, deputation or question	Name of Speaker	On Behalf Of
2	DEPUTATION	Mr George Toseland	1 Coleridge Way Oakham Rutland LE15 6GA

DETAILS

This deputation is in response to the SEND Performance Update. In particular, it is a response to the points in Report No. 77/2022; 5.1, 11.2, 11.3, 11.4.

The specific points in the report have only heightened my concerns about Children's Service and the SEND Department.

I am presenting this so that the Scrutiny Committee are aware of why appeals and complaints are submitted, and they are not vexatious in nature.

I am aware that a number of parents, carers and young people have submitted SEND Tribunal Appeals and complaints against Rutland County Council.

When people submit EHCP appeals this can be to challenge the contents of the plan, or the placement. Occasionally, people will submit what are known as 'Refusal to Assess' and 'Refusal to Issue' appeals as well.

During the appeals process changes will continue to be made to documents, from both sides, right up until the day of the tribunal hearing.

As part of the process above, parents, carers and young people are often advised by external organisations and charities to submit FOI and SAR requests. This is a way for people to get what they believe is necessary information for the appeal. This is their legal right.

People who formally complain usually do so as the result of a perceived injustice or wrongdoing, which needs rectifying. For the majority of people this is not their first choice, and they do so as they feel they have no option but to formally complain. It is not perceived as an enjoyable experience.

The majority of people do not like submitting complaints and appeals but would argue that they do so in order to get the right support, for them or their family.

People may escalate certain complaints beyond the Local Authority to the Local Government & Social Care Ombudsman, if there has been any maladministration, which could have led to an injustice. These are only investigated if there has been maladministration. Without any maladministration issues, these escalations and investigations to complaints, would not happen.

As a result of what is written within the SEND document for Scrutiny, of which points I highlighted above, it unfortunately reads that there is an attitude that people only do so because they are unhappy with decisions made and are trying to point score and be petty. The majority of people are good people and only complain because they are left with no choice, and because the matters are serious.

I do want to highlight that it is the public's right to complain about matters they wish, and to escalate these as they feel appropriate. Similar can be said for appeals.

SEND Tribunal appeals cannot be lodged by parents just because they hold a legal right to this. They do have to prove their case. The SEND Tribunal read the appeals and decide whether they are lawful, correct and have merit. It is not in a parents or young perrons remit to decide. If there was no good reason, the tribunal service would not allow the appeal to continue.

I make this deputation in the hope that a dialogue will be opened and would ask the Committee to look at establishing a communication improvement plan, as well as any recommendations and actions they deem necessary.

No.	Petition, deputation or question	Name of Speaker	On Behalf Of
3	DEPUTATION	Mrs Fabienne Rose	Millbank Turnpike Road Ryhall PE9 4HD

DETAILS

I would like to make a deputation to the scrutiny meeting to highlight some issues that I see with RCC.

RCC's stance on not having a special school is concerning. The reason given at the recent RPCV meeting was that it isn't cost effective, but it isn't cost effective for any county, it is a provision that is necessary. Lincolnshire have recently invested more than £40 million into their special schools. This is to meet the needs of the population in their county. Something that Rutland seems unwilling to do. I hope this is not a reflection of Rutland's approach to education and special needs which would appear to rely on the foresight and industry of others.

How effective is it for the county in the long term, being completely reliant on other LAs to accommodate Rutland children? Is this in the best interests of Rutland children when you consider that LAs will always prioritise their own children over out of county placements, and the travel time is well above recommended for many children.

The social care provision is incredibly limited right now, I appreciate that this is in some cases out of their control, however, this is a concern for those who require social care support, namely a social worker. The department is understandably small but there seems to be no contingency for staff leaving or absence and illness. Does this compromise the county's ability to maintain statutory duties and be effective into the long term and not just a few months ahead?

There are absolutely no after school clubs or holiday clubs for children with significant needs. The respite is limited, the shortage of care agencies and PAs is huge. For parents who are working this is an almost impossible situation over the holidays, putting yet more strain on families and children.

Whilst we don't expect RCC to have a magic wand and provide us with immediate solutions to every scenario, we do hope that there will be a level of understanding, and dialogue, in order to work together to support some of the most vulnerable residents of the county.

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