

# CHILDREN AND YOUNG PEOPLE'S SCRUTINY COMMITTEE

25 JULY 2023

## PRESENT

Councillor D. Western (in the Chair).

Councillors R. Duncan (Vice-Chair), J. Bennett, Z.C. Deakin, S. G. Ennis, E.L. Hirst, E.R. Parker, S. Procter, O. Sutton, D. Acton (ex-Officio) and D. Butt (ex-Officio)

## In attendance

Jill McGregor	Corporate Director for Children's Services
Sally Atkinson	Specialist Commissioner – Children's Clinical Commissioning
Pamela Wharton	Director for Early Help and Children's Social Care
Karen Samples	Director of Education Standards, Quality, and Performance
Sally Smith	Head of SEND & Inclusion
Alexander Murray	Governance Officer
Harry Callaghan	Governance Officer

## APOLOGIES

Apologies for absence were received from Councillors S. J. Haughey and R. Paul

### 9. MEMBERSHIP OF THE COMMITTEE 2023/24

RESOLVED: That the Membership of the Committee be noted.

### 10. COMMITTEE TERMS OF REFERENCE 2023-24

RESOLVED: That the Committee's Terms of Reference be noted.

### 11. DECLARATIONS OF INTEREST

No declarations were made.

### 12. MINUTES

RESOLVED: That the minutes of the meeting held 7<sup>th</sup> March 2023 be approved as an accurate record and signed by the Chair.

### 13. QUESTIONS FROM THE PUBLIC

Questions from Elizabeth Stanley

1. How many tribunals appeals were there in 2022, including numbers that went to a hearing and cost to the council including staff time in defending those tribunals?

*11 appeals were lodged, with Council's position being upheld at 0.*

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Written response sent by the Director of Education Standards, Quality, and Performance

*We pay legal £15,000 a year for advice on all cases which would include Tribunals. Staff time would need to be calculated on a case-by-case basis.*

2. How of those tribunals in 2022 was the outcome that the tribunal agreed with the Local Authority?

Verbal response from the Director of Education Standards, Quality, and Performance

*0*

3. How many tribunal appeals have been submitted in 2023 so far?

Verbal response from the Director of Education Standard, Quality, and Performance

*Five from January*

4. Number of complaints about the EHCP Team and process to date in 2023?

Written Response from the Director of Education Standard, Quality, and Performance

*There have been 12 complaints.*

5. Number of EHCP case managers and their current case load?

Verbal Response from the Director of Education Standard, Quality, and Performance

*One Service Manager, One Senior EHC coordinator, and 11.49 coordinators, with their case loads are roughly between 220 to 280 EHC Plans.*

6. Number of vacancies in the team?

Verbal Response from the Director of Education Standard, Quality, and Performance.

*None at this time, with temporary additionality in place at this time and looking to continue.*

7. How many EHCP needs assessment requests are there per month, (average)?

Verbal Response from the Director of Education Standard, Quality, and Performance.

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*Data taken from 2022 as this was a complete year. The lowest number was 28 during the summer holidays. 62 was the highest in June and July, with the average being around 40.*

8. Number of children and young people with EHCP's without a school place for September?

Written Response provided by the Director of Education Standards, Quality, and Performance.

*For Year 6 transition placements, we named 94% prior to the February statutory deadline and all of the remaining 6% had placements named for September 23. Year 11 placements are currently going through the enrolment process and as such, the team are working through these to establish confirmed placements and any that will be deemed as NEET.*

9. Number of children and young people who do not have an EHCP naming their new school/college placement for September?

Written Response provided by the Director of Education Standard, Quality, and Performance.

*All CYP have either a named provision or establishment type.*

10. How long are the wait times for health assessments, occupational therapy, autism assessments, mental health assessments, Physiotherapy assessments, are they completed in time for draft EHCP's to be sent to families?

Written Response provided by the Director of Education Standard, Quality, and Performance.

*May 2023 data, wait to first contact:*

- *Autism assessment – 55 weeks*
- *Occupational Therapy – 27 weeks*
- *Physiotherapy – 21 weeks*

<i>Waiting Times / RTT (Referral to Treatment)</i>	<i>Weeks</i>
<i>Average Ref. to 1st contact / Appt (6 wks target)</i>	0.6 <b>11.</b>
<i>Average Ref to 2nd contact / Appt (12 wks target)</i>	13.7 <b>12.</b>
<i>Average 2nd to 3rd contact / Appt (6 wk target)</i>	7.9 <b>13.</b>
	<b>14.</b>
	<b>15.</b>
	<b>16.</b>

11. How does the SEND partnership board ensure it hears the voices of young people with special needs including those who are non-verbal?

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Verbal Response from Director of Education Standards, Quality, and Performance.

*This is part of the first ambition from the report provided to the Committee. Often seek views from SEND conferences that have been organised through Gorse Hill and the Youth Cabinet. There is a commitment to person-centred reviews, with any EHC plans being reviewed and SENCOs receiving training on how to make sure that the voice of the child is shared through the review. Karen made very clear that they are aware that this is something that can be improved, and that there is a commitment to getting better.*

*The Corporate Director for Children's Services added that there is a section included on each EHC plan titled 'My Plan', that helps to provide the young person with their own voice, and helps those who are non-verbal to capture their views.*

*Head of SEND & Inclusion added that there was recently a well-attended SENCO Forum, where good practice has been shared to focus on the child's voice.*

12. Why are the numbers of refusals to assess higher this year, the test for requesting an EHCP needs assessment is that the child or young person 'may' have Special needs, it's a very low bar?

Verbal Response from the Director of Education

*We had sought clarification on which part of the report the question had come from, following this, it can be seen from the table being referred to that it says the end of June, so a full data set is not available yet, and this is likely to change.*

Questions from Jayne Dillon

Regarding SEND update and Education, Health and Care Plan Quality Assurance & Timeliness

13. The EHCP caseload has dropped in 2023 compared to 2022. Why is this please?

Verbal Response from the Director of Education Standards, Quality, and Performance.

*Same point as above, that due to being part year, we don't currently have the full data.*

14. What is the current situation with annual reviews? Are changes families need being incorporated in the Plans in a timely manner (rather than just at transition stages).

Written Response from the Director of Education.

*Most changes happen at transition periods unless there has been a change in needs or placement that relates to the need for 'significant' change as outlined in the Code of Practice. Within our SEND Ambitions and service plans we have actions in regard to developing our timeliness of response to parents relating to requested change. Progress is reported to the SEND partnership board.*

**14. TASK AND FINISH GROUP REPORT - CHILDREN AND YOUNG PEOPLE'S ACCESS TO MENTAL HEALTH SERVICES**

The Chair provided some context on the Task and Finish Group. The Task and Finish Group had been a joint piece of work conducted with the Health Scrutiny Committee and the topic of mental health services for young people was something the Chair had wanted to do for a long time. The Chair highlighted her concerns with young people's mental health and the increase in the number of referrals, during and post-Covid.

The Chair presented the report to the Committee and asked the Committee to agree the recommendations within the report for submission to the Executive for a response.

The Chair moved the recommendations of the report, and they were approved.

Thanks was offered by the Chair to Councillor Whetton, who was Vice-Chair of the Task and Finish Group, as well as Councillors Haughey, Maitland, and Hartley for their support on the Task and Finish Group.

RESOLVED: That the report and its recommendations be approved for submission to the Executive.

**15. CHILDREN'S SOCIAL CARE UPDATE**

The Corporate Director for Children's Services highlighted how the organisation was now out of formal intervention and had its improvement notice lifted. The report provided an update to the committee on children's social care's improvement journey.

The Director for Early Help and Children's Social Care stated that the report had been titled 'Continuous Improvement' as the service recognised that although the service was no longer under special intervention, this was not an end point, and members were very reassured by this. The Committee were asked to acknowledge there was still a long way to go to reach a point where the organisation was confident services were consistently good. The report detailed how the service had used the Isos Research method to improve children's services.

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The Director for Early Help and Children's Social Care went on to say that, following the recent inspection, OFSTED had set out six areas for improvement, which had been built into the existing Ambitions Plan. The report provided detail of each of the eight ambition areas set out by the Council. The Director for Early Help and Children's Social Care assured the committee that each of the plans had additional plans underneath which contained a greater level of detail. Through consultation with board members and partner agencies, an Ambitions for Children Board had been established, which had had its first meeting, and was to be chaired by the leader of the Council, which signified the importance of the continuing improvement journey. The Director for Early Help and Children's Social Care highlighted how some of the ambitions, such as neglect, were linked with the strategic safeguarding partnerships, to avoid duplication of work and to be mindful of judicious use of resources.

The Director for Early Help and Children's Social Care followed up with several recommendations for Committee Members to know regarding the reconfiguration of the Ambitions board. These included detail of the improvement activity within the plan; to note the enhanced role of some of the ambitions leads jointly with the TSSP; also, to receive updates on progress against key areas of activity; and for the committee to supply constructive challenge to ensure the board continues to make a difference to the children and young people of Trafford.

The Chair asked if there were any questions regarding the report.

Councillor Parker asked a question regarding ambition 6 on domestic abuse. The Corporate Director for Children's Services answered that there was a dedicated domestic abuse board, which responded to changes in legislation. The board had responsibility over the commissioning of resources and sat under the auspices of the Council's community safety partnerships. Further to this, the Corporate Director for Children's Services underlined that there was a costed plan, with commissioning resources in place. Two examples were highlighted, being that in Trafford, the council has opened a male domestic abuse refuge, and the council had also commissioned services dedicated for children. The Corporate Director for Children's Services finished that there was always more the Council would like to do, and the team would always seek to gain more funding to set up further preventative services.

Councillor Hirst asked what the plans were for the participation and engagement service. The Director for Early Help and Children's Social Care responded to the question, firstly mentioning that the participation and engagement service had been moved into the wider youth engagement service to make better use of resources. The service was hoping to increase engagement with children to make sure the service was providing support to a wider footprint of children. The service wanted to work with organisations to ensure that children's voices would be central and listened to, which would make the service more effective. The Corporate Director for Children's Services provided examples of how the organisation was engaging with children, by taking the ambitions plan into schools and meeting with school councils, as well as the children in care council and the aftercare forum, who had provided really good questions and ideas. The service planned to meet again with these groups of young people, and to present to them

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what had been done and how their advice had been put into action. The Specialist Commissioner in Children's Clinical Commissioning spoke passionately about the recently commissioned provider Youth Focus Northwest which had launched two groups. One of those would provide operational support, looking at how the service should be delivered, whilst the other would carry out more strategic work, feeding into GM strategies around some of the region's health services. The groups had identified two key areas for review, the first being the Greater Manchester CAMHs offer, and the other looking into children presenting in crisis to hospitals.

Councillor Procter asked why annual reviews and assessments were done for those on an EHC plan if their needs had not changed. The Corporate Director for Children's Services responded that the council had a statutory duty to conduct annual reviews, and while some Children's needs might not change, some would. The Director of Education also responded that it was a review aimed at ensuring the plan was still relevant for the young person rather than a reassessment. Councillor Procter said that this was an important distinction, so children do not lose their support, which had happened when complete reassessments had taken place in the past.

Councillor Procter asked how the council would achieve Ambitions 2 and 3 so that children received the help they needed when they needed it and ensuring that a child in every area of the borough had access to the same quality of service. The Director for Early Help and Children's Social Care responded saying that the family help offer and co-production within the different communities was pivotal to ensuring that the right help was offered at the right time. In response to the second question the Director for Early Help and Children's Social Care assured the Committee that it was important for the quality of services in Trafford to be consistent across the borough, however, she noted that there were different service users with different needs within different areas of the borough. The Director for Education mentioned that the needs assessment and data informed the service that it was important to start in the North of the borough, however, the council fully intended to offer opportunities to areas in central and south Trafford as well, with a clear recruitment drive ongoing. The Corporate Director for Children's Services also answered that the council had worked hard over the last few years to ensure that people in social care received the right support at the right time. The Committee were assured that the Council was working hard to understand the needs of the people in Trafford and see what was working well and what was a challenge to some of the young people in the borough.

Councillor Ennis asked how high turnover within the social care workforce impacted strategic planning. The Director for Early Help and Children's Social Care mentioned that high turnover did have an impact on the work the council was trying to achieve. However, there was a relentless focus within Trafford social care to be an attractive place to work, both corporately and within the services. The Committee were assured that the services recognised the importance of a sustainable workforce for the children and families who used the service, and to enable continuous improvement. The Corporate Director for Children's Services said that if the conditions were in place to look after people in the right way, offer shared values and visions, and inform the workforce of the difference they made,

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they would act as key enablers in building a consistent approach. The Committee were asked to note that it was tough nationally to maintain a low turnover within the public sector.

Councillor Ennis also asked how the role of third sector factored in at a strategic level. The Director for Early Help and Children's Social Care responded that the Council's former DfE (Department for Education) advisor saw this as a key strength within Trafford. There was a representative from the third sector on the improvement board, and they were to be a key partner in the Ambitions for Children board. The Committee were informed of the integral role played by the third sector across the services available to children and families within the borough. The Corporate Director for Children's Services referred to the needs assessment within the report which encouraged the Council's third sector partners to think creatively about how they would meet the needs of young people in the borough, and what they, as a vital part of the service, could do to support the social care improvement journey the Council was on. Finally, the Corporate Director for Children's Services outlined that as a Council Trafford were already seeing some of the positive effects of working collaboratively with third sector partners.

Councillor Parker asked a question regarding the rollout of the Trafford Team Together (TTT) service to the centre of the borough. The Corporate Director for Children's Services responded that this was expected to be rolled out by autumn 2023, which was a delay from the original Spring 2023 target. The Committee's attention was then drawn to an event which was expected to be held in Autumn to showcase the benefits of the TTT model.

Councillor Acton enquired how the council planned to measure the success and outcomes of the eight key targets. The Director for Early Help and Children's Social Care replied that there was a performance framework in place, which she would share with the Committee post meeting. Each of the ambitions had a series of measures which contained both quantitative and qualitative methods of measuring success. She also mentioned some stretch targets were being set to ensure that the service remained ambitious. The Corporate for Children's Services said that the ultimate test for success was to receive feedback from the families and those who used the service, and that they felt the service and the council had been helpful to them. Councillor Acton felt it would be useful to hold a review periodically to manage performance. The Chair asked if they would be happy to come back in six months with a progress update. The Director for Early Help and Children's Social Care confirmed that they would.

RESOLVED:

- 1) That the report be noted.
- 2) That a further update be submitted in six months time.

**16. SEND UPDATE AND EDUCATION, HEALTH AND CARE PLAN QUALITY ASSURANCE AND TIMELINESS**



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The Director for Education Standards, Quality, and Performance opened by lifting some of the highlights of the report and the vision for the Special Educational Needs and Disability (SEND) system. The Council was committed to improving the experience and outcomes for all who used the service. The Director for Education Standards, Quality, and Performance informed the Committee that more needed to be done to ensure the system providing as much support to service users as possible, with areas for improvement being identified by listening to the lived experience of those service users.

The Committee were provided with an outline of the renewed governance arrangements. The governance arrangements had been reviewed in response to changing needs post-pandemic and system wide pressures within the education sector. An independent chair had been appointed to the SEND strategic board, who brought a wealth of knowledge and experience to the role. The board wanted to establish a co-chairing arrangement, which could involve the families and parents. As part of the SEND approach the service wanted to make sure that children received the right support at the right time.

The Director for Education Standards, Quality, and Performance then went on to highlight the Ambitions for Children plan, how the SEND approach fitted into the plan and would be held to account against the plan. The Committee's attention was drawn to the data within the update around growth plans and how there had been a rise in requests for very young children post-COVID. The data showed that the areas of deprivation were where the Council saw the highest SEND need. The Committee were informed that 20 weeks was the statutory time for a plan to be issued and the frustrations of families when plans were not completed in a timely manner, "There is a no 21<sup>st</sup> week" was the mantra of the team. However, there were some cases where it was beneficial to take extra time to formulate to ensure it was as effective and robust as possible. The service also aimed to have the highest quality assurance mechanisms in place to guarantee every plan produced was effective and high quality.

The Chair thanked the Director for Education Standards, Quality, and Performance, highlighting that a former Task and Finish Group's recommendations have been implemented.

Councillor Sutton questioned why the proportion of plans issued in 2022 was much higher. The Head of SEND and Inclusion responded that it was due to an overlap of years. Councillor Sutton asked another question regarding EHC plans and how the report suggested an increase from years 4 to 5, and a reduction in years 3 and year 4. The head of SEND and Inclusion responded that the report showed a peak in year 2 as well and added that EHC plans tended to come at different key stages as schools focused on submitting referrals at the end of Key Stage 1 and Key Stage 2.

Councillor Sutton asked about transition to secondary schools, and if there was an issue with limited school resources being focused on getting EHCPs in place before SATs. The head of SEND and Inclusion responded that transition to secondary school was an area of concern, however, both primary and secondary SENCOs were working together, and looking at what needed to be done within

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secondary sector to ensure that children's needs are met. The Director for Education Standards, Quality, and Performance did not believe the trend Councillor Sutton was looking related to SATs but rather the fact that secondary school was a very different environment. It was therefore important for support to be in place to ensure a child was able to move seamlessly from Primary to Secondary School.

Councillor Sutton asked a question in relation to 'SEN rates by gender', would be better titled, 'SEN diagnosis rates by gender'. The Director for Education Standards, Quality, and Performance replied that the data covered children with an EHC plan and those who have had SEND support. Councillor Sutton was informed that the data could be looked at in relation to primary need, but it would require a significant breakdown identify any trends of males and females against specific need. Councillor Sutton responded that it would be interesting to see that breakdown as there was a known issue of gender bias and diagnosis. The Director for Education Standards, Quality, and Performance responded that they were aware there was a higher proportion of girls who were neurodivergent that may mask the symptoms. The head of SEND and Inclusion followed this by saying that with special needs they tended to talk about it as presenting need, rather than diagnosis, as those who were neurodivergent may need different levels of support. The head of SEND and Inclusion also informed the Committee that there was lot of work going on in schools around identification and girls with autism.

Councillor Sutton asked whether alternative methods of engagement had been considered to provide non-verbal children the opportunity to engage, and whether audio and visual evidence was used as well as physical evidence. The Head of SEND and Inclusion responded that this had been considered and SENCOs were encouraged to think about how they could gather information from those children. Methods such as the emotionally based school non-attendance toolkit were used to encourage young people who did not want to use their voice to use cards to represent how they felt.

Councillor Deakin asked about the status of the communication strategy, whether it had been implemented, and what it looked like. The Head of SEND and Inclusion responded that it was incorporated within the ambitions plan, although it was at an early stage. Two different models had been identified, and a decision would be made once a new member of the EHC team started. The Director for Education Standards, Quality, and Performance responded that several forums and providers were being involved in the development of the strategy including the communication engagement group, who were leading on it. The Corporate Director for Children's Services added that a development day was due to take place with the EHCP team to evaluate best practice from other authorities, for when contact was made, to ensure service was responsive as possible. The Head of SEND & Inclusion reiterated that the communication strategy needed to be clear and as bespoke as possible for every service user, including those who did not have EHC plans accepted.

Councillor Parker what was being done to support boys with SEN in low-income families. The Director for Education Standards, Quality, and Performance responded that the organisation working to address during the early years stage.

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The service was aware that boys did not perform as well as girls. The team was working hard to make sure there was provision of support for the most disadvantaged children. The Head of SEND and Inclusion noted that work by the TTT was also focused on picking up the most disadvantaged families. The Director for Education Standards, Quality, and Performance highlighted how the handling of data by the team had improved, allowing the council to identify trends easier, through more regular reports from the performance team. Some of the best SENCO teams at schools in Trafford were providing good data and aiding the Council to support schools that were of greater concern through bespoke peer to peer support. The Corporate Director for Children's Services highlighted how ongoing work with the service's partners was important to get a richness of data captured and then understanding the data to ensure that the council was data intelligent, not just data rich.

Councillor Ennis asked what the financial impact of the government's recent pay deal for support workers was upon SEND schools. The Director for Education Standards, Quality, and Performance responded that Trafford was within the lowest forty funded boroughs in the country and financial pressures were having an impact. Schools were finding it challenging to recruit people who could support children with additional needs, however, the council was working with schools to empower them and develop their capacity to meet those needs, without additional staffing. The Corporate Director for Children's Services mentioned that strategic planning was being done to look at how the council could offer additional resource to schools. The Director for Education Standards, Quality, and Performance ended by saying that some schools were saying they could not meet need and that this was a challenge for the council, as it was an ambition to ensure children with additional needs could be educated at their local school.

Councillor Hirst asked what was being done so that co-production was consistent and meaningful across the service. The Head of SEND and Inclusion responded that work had started with it being discussed at the development day and at a northwest event where co-production was a theme across local authorities. Work was being done to increase involvement from all those involved in the formation of EHC plans. The Director for Education Standards, Quality, and Performance added that the communication engagement group was clear around the co-production charter and the Council was committed to the co-production ladder. The Corporate Director for Children's Services highlighted how parents had doubts around the service in the past, but the current strategic approach was to ensure that the service was listening and acted upon the information they received. The aim was for parents and carers to be not just a stakeholder, but also a strategic decision maker.

Councillor Hirst what quality assurance was performed within the first 12 months to check if a plan was being implemented correctly. The Head of SEND and Inclusion responded that this was done on a term-by-term basis within schools, with the council's duty being the annual review.

Councillor Acton raised concerns around funding in schools and the support given to those young people who had additional needs within schools. The Corporate Director for Children's Services responded that there was a lobbying meeting at a

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national level in September and Trafford would be represented at that meeting. The Director for Education Standards, Quality, and Performance added that Trafford schools worked well with the council to support those who were most vulnerable and to enable schools to be as supportive and inclusive as possible. The Corporate Director for Children's Services mentioned that recent external assurance came out that the quality of SEND support in Trafford was positive, so whilst there were pressures around finance and class sizes, there was strong support for children.

Councillor Proctor asked whether data around the percentage of fostered children within SEN was documented. The Director for Education noted that this data was monitored, and the virtual school had a dedicated SENCO to support those children. The Corporate Director for Children's Services acknowledged the point and assured the Committee that the council went even further for children with a disadvantage in life experience and special educational needs.

RESOLVED: That the report be noted.

**17. DRAFT CHILDREN AND YOUNG PEOPLE'S SCRUTINY COMMITTEE WORK PROGRAMME**

The Chair opened item 10 and referred an online meeting at which Committee Members had outlined the work programme for the upcoming municipal year. The Chair discussed the plan for the September meeting, which was to be around transitions and split into two topics, one about transition for children in care and the other for the transition of children with EHCP's. The Chair then reminded the committee that if there was anything they would like to add to the work programme across the year the committee would try and incorporate it.

Councillor Sutton suggested that the Committee look at the ongoing impacts of the COVID Pandemic upon young people. The Corporate Director for Children's Services offered a slight nervousness to looking at this as there was not an understanding yet of post-pandemic recovery, with the national audit office saying that it was likely to take ten years to catch up. The Chair expressed that while she understood where Councillor Sutton was coming from it was too difficult a topic for the Committee to scrutinise effectively.

Councillor Ennis asked whether the growing number of migrants and refugees within the borough and the challenges that come with this, was something that could be considered over the municipal year. The Chair responded that this was something looked at in the past municipal year, and something that to committee could continue to keep a watching brief on.

Councillor Butt referred to the discussion on the COVID situation, and whether general long-term sickness among the population was a covid related issue. The Director for Education referred to Public Health as possibly being able to provide that information. The Specialist Commissioner mentioned that there was information on the pathway of children who have been diagnosed with long covid which could be shared with the committee.

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Councillor Hirst mentioned how migrant and COVID discussion could be had at the next meeting on transitions. It was agreed that Councillor Hirst was to be invited to the next agenda setting meeting to give her the opportunity to offer what she wants to be discussed.

Councillor Proctor asked whether exit interviews took place for foster carers who retired and what happened with the information. The Corporate Director for Children's Services responded that they were conducted, and the Director for Early Help and Children's Social Care added that information from the interviews was included in monthly performance meeting within her team, and in a quarterly report from the Head of Service for Fostering. The information was then considered in the development of the fostering modernisation plan and captured within annual report of the fostering service.

Councillor Proctor also asked about co-opted members and that we don't have any. A Governance Officer reported that we do advertise these positions, but they rarely get a response. Another recruitment drive would take place.

**RESOLVED:**

- 1) That the work programme be noted.
- 2) That Councillor Hirst be invited to the agenda setting meeting.
- 3) That information on the pathway of children who have been diagnosed with long covid be shared with the Committee.

The meeting commenced at 6.30 pm and finished at 8.41 pm

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