

SCRUTINY COMMITTEE

Wednesday, 29th November, 2017

11.00 am

**Darent Room, Sessions House, County Hall,
Maidstone**





AGENDA

SCRUTINY COMMITTEE

Wednesday, 29th November, 2017, at 11.00 am
Darent Room, Sessions House, County Hall, Maidstone

Ask for: **Joel Cook/Anna Taylor**
Telephone: **03000 416892/416478**

Membership

Conservative (9): Mr P W A Lake (Chairman), Mr A M Ridgers (Vice-Chairman), Mrs C Bell, Mr A Booth, Mr G Cooke, Mr R C Love, Mr J P McInroy, Mr B J Sweetland and Mr J Wright

Liberal Democrat (2): Mr R H Bird and Mrs T Dean, MBE

Labour (2) Mr D Farrell and Dr L Sullivan

Church Representatives (3): Mr D Brunning, Mr J Constanti and Mr Q Roper

Parent Governor (2): Mr K Garsed and Mr A Roy

Tea/coffee will be available 15 minutes before the start of the meeting

County Councillors who are not Members of the Committee but who wish to ask questions at the meeting are asked to notify the Chairman of their questions in advance.

Webcasting Notice

Please note: this meeting may be filmed for the live or subsequent broadcast via the Council's internet site or by any member of the public or press present. The Chairman will confirm if all or part of the meeting is to be filmed by the Council

By entering into this room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

A - Committee Business

- A1 Introduction/Webcast Announcement
- A2 Substitutes
- A3 Declarations of Interests by Members in items on the Agenda for this Meeting
- A4 Minutes of the meeting held on 5 October 2017 (Pages 5 - 8)
- A5 Minutes of meeting held on 16 October 2017 (Pages 9 - 14)
- A6 Minutes of the meeting held on 7 November 2017 (Pages 15 - 16)
- A7 Grammar School and Social Mobility Select Committee - Progress update (Pages 17 - 28)
- A8 Energy Security Select Committee - Presentation on progress of recommendations
- A9 Motion to exclude the Press and Public

RESOLVED that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of part 1 of Schedule 12A of the Act.

EXEMPT

(During this item the meeting is likely NOT to be open to the public)

- A10 Exempt Minute - 7 November 2017 (Pages 29 - 34)

John Lynch
Head of Democratic Services
03000 410466

Tuesday, 21 November 2017

KENT COUNTY COUNCIL

SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Thursday, 5 October 2017.

PRESENT: Mr P W A Lake (Chairman), Mr A M Ridgers (Vice-Chairman), Mrs C Bell, Mr A Booth, Mr G Cooke, Mrs T Dean, MBE, Mr D Farrell, Mr R C Love, Mr J P McInroy, Dr L Sullivan, Mr B J Sweetland, Mr J Wright and Mr I S Chittenden (Substitute for Mr R H Bird)

ALSO PRESENT: Mr M A C Balfour

IN ATTENDANCE: Mrs B Cooper (Corporate Director of Growth, Environment and Transport), Mr P Lightowler (Head of Public Transport) and Mr J Cook (Scrutiny Research Officer)

UNRESTRICTED ITEMS**140. Minutes of the meeting held on 6 September 2017**
(Item A4)

RESOLVED that the minutes of the meeting held of 6 September were an accurate record and that they be signed by the Chairman.

141. Bus Transport and Public Subsidy Select Committee - 3 Months on
(Item B1)

1. Mr Balfour, Cabinet Member for Planning, Highways, Transport and Waste, provided an introduction and overview of the progress made with the Select Committee recommendations. He commented that the report represented an excellent piece of work and that he hoped the review of progress by the Scrutiny Committee would help increase Member involvement with some of the future plans, such as the development of a Member Panel for Bus Transport.
2. Mr Balfour confirmed that, as per recommendation 17 of the Select Committee report, he had written to Government regarding extending the option of Bus Franchising as part of the Bus Services Bill but he noted that the government had not made further progress with the bill.
3. Mr Balfour commented that, in relation to recommendation 4, Stagecoach had announced that all Young Persons Travel Pass holders would be allowed to use their passes outside the standard terms of use, meaning additional free transport available for young people at weekends and during school holidays. He commented that this was a very positive step and that it was hoped that other large bus providers would follow suit, in recognition of the significant benefit to the users.
4. Mr Balfour highlighted some of the positive work being done in relation to Community Transport, noting that this had been recognised within the Select

Committee's recommendations. He cited examples in Stockbury and Detling where the Community Transport Project had brought the community together, in addition to providing key transport provision. Assistance with local activities, such as transport for the football team, demonstrated the wider community benefit of these schemes. Mr Balfour advised the Committee that Phil Lightowler, Head of Public Transport at KCC, was due to have further meetings with providers and other organisations about progressing and expanding community transport.

5. Mr Lightowler advised the Committee that there were two workshops / events planned in November (2nd / 9th) around Community Transport. These offered an opportunity to showcase the benefits of Community Transport to potential users, as well as taking them through the practicalities to ensure the details of grant provision, costings etc. were fully understood by the relevant groups. He explained that a Community Transport Toolkit had been developed and was due to launch in support of these events. This toolkit would provide groups with all the information they would need to start the process of setting up a Community Transport scheme. Mr Lightowler explained that his colleague, Carol Valentine, would be taking the information to Parish Councils in the future to help promote the schemes.
6. A member highlighted the positive contribution that Community Bus Services had made around the county, referencing the historic support for this work from former County Councillor, Keith Ferrin. The Member noted the development of bus 'click & collect' services, which were demand led rather than scheduled.
7. Mr Lightowler provided an overview of 'click & collect' services, explaining that a trial was being run by Arriva. The scheme was responsive to demand, with flexible registration for the providers. He advised the service was not considered as private hire, for the purposes of licencing, as the buses could travel anywhere within a designated area but not beyond these boundaries. This maintained the scheme's status as a bus service. Mr Lightowler explained that Arriva had invested in technology from the USA to support this scheme, which he advised was positive so far but that further data was needed to fully assess usage and long term demand.
8. Mr Lightowler explained that demand led services were being considered by the industry and partners under the broad umbrella of Mass Mobility as a Service. This approach was aimed at bringing a huge range of transport options for non-drivers together into an easily accessible package. Use of Apps and online connectivity to enable the service was a key part of the larger project. Mr Lightowler advised that KCC had worked on a similar project for the Department for Transport called Total Transport, focusing on demand led services. He explained that this progressed past the study phase and was moving towards the pilot stage. Services such as non-emergency patient transport were being considered as part of the trial. He explained that there was still potential for upgrades with the software to further develop its capabilities, although it was already 'semi-intelligent', meaning that it had pattern recognition capacity to tailor the service to anticipated user demand.
9. Responding to Member questions and comments regarding rural bus services and transport provision for older people in relation to technology and demand led service development, Mr Lightowler advised that the needs of these users groups

were always a consideration and featured in discussions with providers. He also confirmed that appropriate contact methods and accessibility needs for older people were considered as part of ongoing service development. Mr Balfour commented that he recognised that ongoing engagement with Parishes, rural organisations and other relevant groups was important but advised that this had to be balanced against the need to develop and improve things for the wider user groups. Barbara Cooper, Corporate Director for Growth, Environment and Transport, advised the committee that GET had signed up to Government standards of accessibility in relation to the introduction of any new technology, which would minimise any negative impact as services developed. She also reassured the committee that the social isolation issues related to rural transport and provision for older people was recognised as a serious issue and that joint work with Adult Social Care was being undertaken in this area. Ms Cooper also noted that research showed that cars were being used only 6% of the day, which meant that there was significant scope for improved use of transport resources providing that innovative options were considered.

10. Members discussed further the implications of developments in technology and how this has great potential to positively influence the provision of public transport. It was emphasised by several members that it was important to maintain consideration of the particular needs of rural areas and vulnerable transport users.
11. Responding to questions, Mr Lightowler explained that his team were seeking further clarification regarding recommendation 6 of the Select Committee, which related to demand management around road use with a view to encouraging greater bus use where appropriate.
12. Mr Lightowler, in response to questions about recommendation 4, commented that it was positive that bus service operators were encouraging greater use of buses by young people as they represented the future customer base. He noted that it was important demonstrate the viability of these services to this customer group at an early stage.
13. A Member commented that as part of recommendation 5, they would like to see greater involvement of the Quality Bus Partnerships looking at how services could be made more efficient. The Member also highlighted the benefits of integrating bus and rail scheduling.
14. Responding to comments around recommendation 9, Mr Lightowler explained that s.106 contributions had been considered for 'clean vehicles' (Low CO2 emission vehicle). He advised that this was an ongoing piece of work and that viability of fully electric buses had yet to be evidenced and this meant a full transition could not yet be implemented. He explained that a showcase in Manchester around electric vehicles had recently been held in Manchester. The event had demonstrated positive progress but also showed that electric was not yet a viable option for big fleets of bus services. He cited a problem in that electricity supply would involve large substations at every depot which would not be practical or economical. In terms of s.106 funding, Mr Lightowler clarified that while all funding was welcomed, it was important that the money was provided in a usable way, with limited restrictions and in sufficient quantity to support relevant

work. Summarising, Mr Lightowler advised the committee that he expected diesel buses would probably be replaced by electric buses in around 20 years.

15. Responding to questions about bus scheme costs, Mr Balfour explained that there was no set financing structure and that it was often more practical for KCC to provide successful applicants with a suitable vehicle and equipment to operate the scheme, effectively providing the necessary start up. Responding to comments on the use of s.106 funding in relation to bus service provision, with examples of poor co-ordination being cited by the questioning Member, Mr Balfour advised the committee that KCC has some influence via discussion around how the funds are divided but that all decisions were matters for the developers and the planning authority to make.
16. Responding to questions regarding bus service consultations, Mr Lightowler advised the committee that some operators were better than others in terms of communication and consultation with their service users. He noted that Stagecoach had undertaken more consultation in response to the Select Committee recommendations and had shown evidence of learning from past and more recent mistakes throughout the process. He commented that he hoped that Arriva would take a similar approach in the future.
17. Providing further clarification on funding for Community Transport schemes, Mr Lightowler advised that a small amount of funding had been secured by his KCC department to provide grants to support the purchase of vehicles for relevant schemes. He emphasised that the funding was not significant and it was important that these schemes received ongoing local support to ensure their success and sustainability following KCC's assistance in the start-up phase. Mr Lightowler noted that while KCC did have a role to play in the discussion around s.106 money at the pre-planning stage and that he was confident that KCC did consult with local Members on developments and s.106 activities.
18. Members articulated their support for the progression of a Member Bus Panel, as put forward in the recommendations. They also commented positively on the expanded use of the Young Persons Travel Pass that was being provided by Stagecoach. A Member also commented that they would like to see updates from the Quality Bus Partnerships being considered at Joint Transportation Boards. The Member also highlighted that all future service reviews around bus provision had to take account of accurate usage figures to ensure efficient delivery of the important transport services.
19. Responding to questions, Mr Lightowler explained that communication between KCC Highways District Managers and operators varied depending on the operator and details of the service requirements or activity levels in the relevant area. He did highlight an example of good practice by Go Coach, in Sevenoaks, which conducted extensive engagement with community groups, schools and other partners. Mr Lightowler confirmed that regardless of location in Kent, KCC did always provide feedback to operators on their services.

RESOLVED that the progress report on the Bus Transport and Public Subsidy Select Committee recommendations be noted and that the guests be thanked for attending and answering questions.

KENT COUNTY COUNCIL**SCRUTINY COMMITTEE**

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 16 October 2017.

PRESENT: Mr P W A Lake (Chairman), Mrs C Bell, Mr R H Bird, Mr A Booth, Mr G Cooke, Mrs T Dean, MBE, Mr D Farrell, Mr R C Love, Mr J P McInroy, Dr L Sullivan, Mr B J Sweetland and Mr J Wright

ALSO PRESENT: Mr G K Gibbens and Ms D Marsh

IN ATTENDANCE: Ms A Singh (Corporate Director, Adult Social Care and Health), Ms E Hanson (Policy Manager), Ms M Anthony (Commissioning and Development Manager) and Mrs A Taylor (Scrutiny Research Officer)

UNRESTRICTED ITEMS**1. Decision 16/00137 - Changes to funding arrangements of housing related support and community alarms in sheltered housing.**

(Item B1)

1. The Chairman welcomed everyone to the meeting and explained that a call-in request had been received from Mrs Dean, supported by Mr Farrell which the Committee would now consider. Mr Lake offered Mrs Dean the opportunity to expand on her reasons for call-in.
2. Mrs Dean explained that she felt that Members had not been given enough information in relation to this decision. She had requested an officer briefing which had been refused, although comprehensive written answers had been given to the questions she had asked. Had there been opportunity for an officer briefing this call in meeting may not have been necessary. The main reasons behind the call-in related to the process and principles of decision making.
3. Mrs Dean considered that the principles of decision making had not been fully delivered; there was confusion over costing which should have been clearly set out in the papers submitted to the Cabinet Committee.
4. Mrs Dean explained that there was a variance of opinion between some local members and East Kent Housing figures of the age and dependency of clients. There were concerns over the people affected who were still to be engaged in discussions and whether the County Council was working with partial information. There were concerns that the Equality Impact Assessment (EqIA) had not been fully completed before members were asked to support the decision. Guidance stated that the EqIA must be completed before any decision was made. Mrs Dean requested more information to reassure her that the decision proposed to be taken was firmly placed. In addition to these points Mrs Dean explained that, she would have been reassured if Mr Gibbens had stated that he would report back once the issues had been worked through in further detail, however on this occasion this was not offered.

5. The Chairman then asked Mr Farrell if he had anything to add to Mrs Dean's comments. He also had concerns over the processes followed prior to this decision being taken. He stressed the renewed importance of information being available to Cabinet Committees in light of the paper due to be submitted to the meeting of the County Council on Thursday regarding the role of the Cabinet Committees in relation to budget reductions. Full information was needed before decisions were made.
6. A Member confirmed that Cabinet Committees did not make decisions, they were able to endorse or note before decisions were made by the Executive. It was apparent from the agenda pack that the required information was in place by the time the decision was made by the Cabinet Member rather than by the time the decision was discussed by the Cabinet Committee.
7. Mr Gibbens confirmed that if he had been asked for a briefing he would have willingly obliged and he repeated his offer to meet with the opposition groups.
8. The Cabinet Committee met on 20 July 2017 and Mr Gibbens took the decision on 26 September 2017 around the proposed changes to funding arrangements of housing related support and community alarms in sheltered housing. Mr Gibbens' priority was to ensure that the Council met its obligations under the Care Act. The Government had consulted on future funding arrangements for all supported housing nationally and it was important that KCC had the proposed changes in place by 31 March 2018, to ensure proper measurements were made through 2018/19. Mr Gibbens responded to the 6 issues referred to in the call-in.
9. Referring to financial implications Mr Gibbens explained that, at Cabinet Committee Members referred to the savings target for 2017/18 set out in the Medium Term Financial Plan (MTFP) of £1.7million. That target would not be met, that figure was in the MTFP for the current year and the annualised saving was £2.78million. Mr Gibbens apologised if this was not made clear. Ms Singh confirmed that she accepted the point about the need for clear and consistent paperwork.
10. Mr Gibbens referred to the data supplied by contract holders and East Kent Housing Association (for Canterbury, Dover and Shepway District Council); this was set out on page 11 of the agenda pack. Meetings had been held between July and September and these meetings were all recorded on the Record of Decision which was signed and published on 26 September. Mr Gibbens explained that as this fell over holiday period the decision was taken later than he had hoped.
11. In relation to the incomplete EqIA Mr Gibbens confirmed that the version submitted to the Cabinet Committee was the final version. It had an action plan attached and the actions in relation to the plan had been fully completed. As part of the EqIA action plan the council had been able to demonstrate that the project could progress to enable it to be where KCC wanted to be by March 2018. The data collection had shown that some of KCC's money had not been used to satisfy requirements of Care Act. Ms Singh confirmed that through the EqIA and the act of carrying out the assessment had driven some of the activity to go

straight to the people affected, the Council had employed different approaches towards people who had eligible needs under the Care Act.

12. Mr Gibbens explained that in relation to reporting back to the Cabinet Committee there was no requirement to report back and he didn't think it was necessary to do so. The decision was taken on 26 Sept which was later than intended following meetings with districts being delayed due to holidays. At the Cabinet Committee on 29 Sept Mr Gibbens reported that the decision had been taken and paused to give anyone present at the Cabinet Committee the opportunity to say anything if they wished. He did report back to the Cabinet Committee in his verbal update and Ms Anthony who was present would have answered any questions Members might have had.
13. In relation to the omission of the word final on the EqIA, Mr Gibbens believed that it was clear that it was final and everything required under the document had been achieved. It was critical that this work was progressed and that it was in place from March 2018.
14. Ms Singh offered an explanation of why this project was being undertaken. The timeline was important, the Council wanted to implement the changes by next March 2018 because at that point the Government would begin a counting exercise to measure how many clients were using their housing benefits to pay for services. The Council wanted as many of these changes to have taken place to ensure an accurate count as this would affect the amount of money Kent had in the future.
15. A Member questioned the "deep dives" planned, how many have been undertaken? Ms Anthony explained that between 6-8 deep dives had been undertaken with a broad range of providers, both large national and small organisations. This aimed to test the water with a sample of providers to see if enough information could be gathered on which to recommend a decision. Following this a questionnaire was sent to all providers which collected information including how wardens were spending their time, the age range of those spending time in services and whether they were in employment to build a comprehensive picture.
16. The Member was satisfied with the response but it indicated that the EqIA was work in progress and that the Council was continuing to learn from the information received. Ms Anthony clarified that the EqIA was final and the action plan was work in progress.
17. Following up a comment made about some money not being used under the practices of the Care Act a Member asked Mr Gibbens to expand on this. Mr Gibbens explained that following the information gathering it was clear that activities were taking place which were not in accordance with what would be eligible under the Care Act. Ms Anthony confirmed that this was discovered from activities from the EqIA action plan, overwhelmingly tasks were being undertaken under the Care Act. However in a couple of isolated cases some providers were refunding money and not providing services. In one area 1% activities not eligible in relation to supporting people with medication – the Council had spoken to the relevant providers and explained that this was not an appropriate course of action.

Officers had built up a good picture of those individuals who have had a care assessment.

18. A Member asked whether the routine report back from providers differed from the findings and issues discovered at the deep dives. Ms Anthony explained that officers had compared the profile of every organisation based on a range of data, either as a result of the action plan or routine contract information given to the Council from the provider. Where there was a disparity officers had raised queries with the providers.
19. In response to a question about the discussions had with the districts Mr Gibbens explained that discussions were focussed on how the County Council could work with the districts. The discussions highlighted new opportunities which could arise under new regulations in 2019/20. It was fairly clear that most districts were very understanding.
20. Ms Singh explained that the conversation with the districts focussed on a sustainable model.
21. A Member considered that the Committee had dealt with the justification of the call-in. Meetings had been held with districts and he was aware of a motion at Gravesham Borough Council which indicated some discontent and suggest perhaps another visit would be in order.
22. Mr Gibbens confirmed that he was very willing to meet with the districts and that this was an ongoing process. There was sometimes a resistance to change and it could be challenging but this was not a reason not to progress, he was very happy to take advice and would revisit any areas where it was deemed necessary.
23. In response to a question about potential expense to landlords and transition cost for providers. Officers confirmed that they had offered support from KCC Officers and an expert to assist providers to make the transition; many had already made the transition ahead of the Council's request. However, there were organisations which were yet to make a change and the County Council had provided a seminar and information to assist them. Disruption could be minimal and it could also be used as an opportunity to remodel.
24. A Member asked who would be affected by this decision, would it include elderly residents as well as anyone in sheltered accommodation? The Member asked for an assurance that residents who were younger and with cars etc. who were also vulnerable making them high on list to get into accommodation (special needs, ex-offenders, fostered, recovering alcoholics for example) would be individually assessed in relation to the proposed changes.
25. Concerns were raised about the EqIA and a member considered that if changes had occurred since the EqIA had been written it should be altered and updated but that hadn't happened in this case. Ms Anthony explained that in relation to those affected, this decision related solely to sheltered housing, or designated accommodation with a community alarm. No other supported housing schemes such as homeless hostels, women's refugees and ex-offenders were affected. Those residents in sheltered housing who were eligible to receive funding from

KCC (which was dependent upon housing benefit) who would be placed within the new arrangements with no change.

26. Officers offered to look at the suggestions made around the EqIA and update it however other Members considered that the EqIA and Action Plan were separate documents and updating the EqIA was unnecessary when the action plan was a 'living document'.
27. A Member commented that it was unfortunate that the EqIA paper had been marked draft and not final. However Mr Gibbens worked with an open door policy and he could have been questioned about that. The Council was working well with partner organisations and there were discussions with districts to come to a solution in an ever changing political/policy world. The Member understood the reasons for calling in the decision however he considered that these might also relate to a policy disagreement.
28. Mr Gibbens explained that he had had discussions with Swale around the process. The EqIA was taken very seriously, all decisions within adult social care were not easy decisions and the Cabinet Member looked very carefully at the EqIA and it was important to pick up any issues learned.
29. A Member commented that all questions had been answered to his satisfaction, and to the satisfaction of the Cabinet Member when he took the decision. He considered that no new information had come out of the Scrutiny Committee's discussion.
30. Mr Love proposed that the Scrutiny Committee make no comment, this was seconded by Mr Sweetland and the motion was carried.
31. The Chairman considered that all Members of the Committee had had the opportunity to look at the process; there was a greater understanding of the process and the decision.
32. Mrs Dean asked if she could explain her decision to vote against the proposal of no comment however the Chairman considered that the meeting had discussed the issue to everyone's satisfaction and Mr Gibbens offered any further discussion at any time.

RESOLVED that the Scrutiny Committee:

- Thank the Cabinet Member, Deputy Cabinet Member and Officers for attending the meeting and giving comprehensive answers to Members' questions,
- Make no comment on the call-in of decision 16/00137.

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KENT COUNTY COUNCIL

SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 7 November 2017.

PRESENT: Mr P W A Lake (Chairman), Mr A M Ridgers (Vice-Chairman), Mr R H Bird, Mr A Booth, Mr G Cooke, Mr P C Cooper (Substitute for Mr J P McInroy), Mrs T Dean, MBE, Mr D Farrell, Mr R C Love, Mr C Simkins (Substitute for Mrs C Bell), Dr L Sullivan, Mr B J Sweetland and Mr J Wright

ALSO PRESENT: Mr R W Gough

IN ATTENDANCE: Mr P Leeson (Corporate Director Children, Young People and Education), Mr B Watts (General Counsel), Mr A Wood (Corporate Director of Finance), Ms P Pemberton (Delivery Manager) and Mrs A Taylor (Scrutiny Research Officer)

UNRESTRICTED ITEMS

2. Education Services Company - Briefing *(Item A4)*

Open minute of exempt discussion

(1) The Chairman welcomed Mr Gough, Mr Leeson, Mr Watts, Mr Wood and Ms Pemberton to the meeting. He invited Mr Gough to introduce and then Mr Leeson presented his report. The guests responded to questions from members of the Scrutiny Committee.

RESOLVED that the Scrutiny Committee thank Mr Leeson for his clear and concise presentation, and thank all the guests for attending the Committee and for answering Members' questions. The Chairman wished Mr Gough/Mr Leeson and his team luck with Education Services Company.

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By: Matt Dunkley, Corporate Director for Children, Young People and Education Services

To: Scrutiny Committee – 29 November 2017

Subject: Select Committee on Grammar Schools and Social Mobility Update on Action Plan

Classification: Unrestricted

Summary: This report sets out the actions plan and progress following County Council approval of the Select Committee Grammar Schools and Social Mobility recommendations and follows the three months update presented to this committee on 9 November 2016

Introduction

1.
 - (a) The remit of the Select Committee (June 2016) was to identify what could be done to improve the representation of children from disadvantaged backgrounds in grammar schools in Kent, so that they can benefit from a selective education if it is suitable for them.
 - (b) In its findings the committee acknowledged the rapidly changing educational landscape which, with an increasing number of schools becoming academies, means that recommendations from this report cannot be imposed on schools.
 - (c) The County Council is the Admissions Authority for only three of the Kent grammar schools. The others are all their own admission authority.
 - (d) However, the committee was clear that in its view the County Council, primary, and grammar schools have a shared moral responsibility to ensure that the most academically able children from disadvantaged backgrounds access grammar schools in the same way other children do.

Additional Considerations

1.
 - (a) As highlighted last year it should be noted that to deliver Recommendation 13 it is anticipated KCC will need to identify in excess of £500k to meet this discretionary requirement. It should be noted that no budget is currently identified and existing Home to School transport budgets are under pressure.
 - (b) Scrutiny Committee Members are invited to consider the need to find ways to operate a new means tested system associated with the implementation of Recommendation 13. There is currently no established way to 'means test' families seeking this support and its implementation in advance of any nationally supported database could expose KCC to a significant risk of fraud. KCC currently does not have the means to police applications, or to detect and manage fraudulent activity which seeks to misrepresent income levels.
 - (c) The Scrutiny Committee is reminded that last year the Government identified working families who are 'just about managing' as a group it is keen to target with additional support. This same group would be regarded as those in a family income bracket of £16,190 to £21,000 which aligns with the ambition of the Select Committee to focus on supporting those in work but on a modest income. It is hoped that in order to provide support to this group the government will adapt the current means of identifying those families whose children are eligible for Free School Meals to also take account of those on incomes up to £21,000. This would help to remove the operational barrier and reduce the risk of fraud by allowing KCC to consult a nationally maintained data source in order to confirm eligibility. The role of education in supporting social mobility is a key agenda for the Secretary of State for Education and the DfE. If this ambition to improve social mobility is translated into national policy then it is reasonable to expect that mechanisms to identify the targeted group will support the Scrutiny Committee's recommendations.

Recommendations

1. Members of the Scrutiny Committee are asked to acknowledge the completed actions and stated approach to delivering the Select Committee recommendations set out in Appendix 1.

Appendices

- Appendix 1: Progress on Select Committee recommendations

Lead Officer:

Keith Abbott
Director of Education,
Planning and Access

Email: Keith.Abbott@kent.gov.uk

Tel: 03000 417008

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Appendix 1: Progress on Select Committee recommendations

Viewing grammar school as a potential option

Securing a grammar school place

Recommendation 1: As the champion of pupils, parents and families, KCC will work with all primary school Headteachers to identify those most academically able pupils and discuss with parents the opportunity to put their child forward for the Kent Test.

Recommendation 8: KCC to monitor and challenge the proportion of pupils supported by the Pupil Premium (PP) who go on to grammar school.

Recommendation 9: KCC School Improvement Advisers to work with Primary Headteachers to consider how the most academically able pupils supported by the Pupil Premium are being identified and assisted to progress.

Lead Officers: Celia Buxton
Principal Adviser Secondary PRU and Special School
Standards and School Improvement

Linda Pickles
Principal Adviser, Primary

Deadline for completion of work: Recommendations 1 and 9 – actioned September 2016
Recommendation 8 – actioned July 2017

Deadline for assessment of impact: September 2018

Actions:

These recommendations are being addressed through the visit programme of School Improvement Advisers in primary schools. Advisers are using data to identify more able vulnerable learners, in particular those in receipt of free school meals, with school leaders (including governors) and challenge attainment and rates of progress. They will additionally discuss the numbers of disadvantaged pupils who go on to grammar school. Where appropriate, advisers will recommend Pupil Premium reviews where performance gaps are not closing rapidly. The proportion of pupils in receipt of Pupil Premium who attend grammar schools rose marginally from 7.3% in 2015 to 7.7% in 2016 but the 2017 data which should begin to show the impact of the work will not be available until January 2018.

In addition a Senior Improvement Adviser for Closing Gaps was appointed in June 2016 to provide a strategic lead across the county in reducing the attainment gap for all vulnerable learners. A priority in this role is to identify and promote effective practice in closing attainment gaps and this includes more able pupils in receipt of Free School Meals. Dissemination of effective practice continues through

headteacher briefings, conferences and the Vulnerable Learners' Strategy website. In addition, an online toolkit aimed at schools and promoting effective approaches for raising the attainment of Pupil Premium pupils has been launched.

Securing a grammar school place

Recommendation 6: Identify a dedicated education professional in the Virtual School Kent to provide support and guidance to foster carers on appropriate secondary school destinations, as well as support through the secondary schools appeal process for children in their care, to be tracked through their Personal Education Plan.

Recommendation 7: Publish information on Pupil Premium spend for children in care on the Virtual School Kent website, including support for pupils from Key Stage 1 through to Key Stage 2, and detail on the type of secondary school destinations for these children.

Lead Officer: Tony Doran
Head of Virtual School Kent (VSK)

Deadline for completion of work: Recommendation 6 – actioned July 2016
Recommendation 7 – actioned July-October 2016

Deadline for assessment of impact: September 2018

Action being taken:

In July 2016 the lead member of the VSK team was identified to lead the actions in this area. The role has a responsibility to liaise with the School Improvement Team and facilitate a training programme for foster carers, liaise with fostering teams to promote this training and raise awareness of the support available from VSK particularly in relation to appeal processes. The role provides a point of contact for foster carers and social workers to provide information related to Grammar school applications and appeals and will establish a register of Children in Care attending Grammar schools to ensure they are receiving appropriate support via their Personal Education Plans.

The role also provides advice and training as necessary for Grammar school staff to ensure Children in Care have any additional support required. In addition, Children in Care currently in Key Stage 2 will be reviewed to identify pupils who have the academic ability to be considered for Grammar school provision.

The post holder will review Pupil Premium information published on the VSK website to ensure that details of all support offered to Children in Care in the primary phase is detailed on the site. They will also ensure that data is published on the site to show how many Kent Children in Care attend grammar schools and the support offered to professionals when a Grammar school destination for a Year 7 pupil is being considered. The role will also ensure that VSK staff members

promote applications to grammar schools where this is judged to be the appropriate destination school. The latest data is due to be published by VSK on the website by the end of November 2017.

Securing a grammar school place

Recommendation 10: If not already in place, schools should follow best practice and nominate a lead governor for the Pupil Premium and how children in receipt of this are being supported to apply for the school most appropriate for them.

Lead Officer: Celia Buxton
Principal Adviser Secondary PRU and Special School
Standards and School Improvement

Linda Pickles
Principal Adviser, Primary

Deadline for completion of work: September 2016 and ongoing

Deadline for assessment of impact: September 2018

Action being taken:

Area Governance Officers check and where necessary challenge schools to ensure that Governing Bodies have a lead governor for Pupil Premium. As well as monitoring the use of Pupil Premium funding in the school, the lead governor's role is to challenge the Governing Body to ensure that all Pupil Premium pupils achieve their full potential, including the most able.

The Governance team provide training for Pupil Premium governors to enable them to understand outcomes data and hold to school leaders to account on the performance of disadvantaged learners. The Governance team is also offering Pupil Premium reviews where schools require further support in identifying where improvements can be made.

This academic year 2016/17 the Area Governance Officers will be monitoring school websites regularly and providing reminders to schools to ensure that all schools publish their Pupil Premium Strategy, in line with legal requirements.

Removing financial barriers to grammar schools

Recommendation 12: KCC to extend the existing entitlement for children on Free School Meals to free school transport to their nearest appropriate school to all children in receipt of Pupil Premium.

Recommendation 13: KCC should raise the low income threshold to £21k to enable pupils from low income families but not entitled to Free School Meals to access free transport to their nearest appropriate secondary school

Recommendation 14: KCC to create a schools focused supplementary transport bursary, that would enable grammar schools and other types of schools where appropriate, to provide bespoke transport solutions especially for children from rural areas without bus services to enable better access to grammar schools

Lead Officer: Scott Bagshaw
Head of Fair Access

Deadline for completion of work: April 2017

Deadline for assessment of impact: From September 2017

Recommendation 12:

This recommendation has been incorporated into a revised Home to School Transport Policy which is in its final stages of drafting before being formally consulted upon. It is anticipated consultation will be initiated in early 2018 following Member approval of the proposed changes and acceptance of the financial implications.

Recommendation 12, 13 and 14:

These recommendations all require changes to transport policy, which can only be put into effect following an equality impact assessment and a public consultation. The full review of KCC's current transport policy is in progress and the recommendation will be included in the proposals consulted on following the review. Officers continue to seek a fair and reliable way to identify families with a household income below £21k. As already indicated It is anticipated that consultation will be initiated in early 2018 following Member approval.

Recommendation 14:

As previously reported, while the principle of this recommendation is approved there are very limited prospects of delivering it at a time of significant budgetary constraint. Notwithstanding the significant efforts taken to manage and reduce existing transport costs, expenditure on SEN transport continues to exceed the allocated budget, restricting scope for financial support for other projects. Maintaining the availability of bus services in rural areas also continues to be a challenge. The previous update set

out the invitation extended to schools to present any concise business case they could make individually or as a collective for a transport initiative demonstrating savings potential, so that these could be evaluated and approved as appropriate by the Transport Regulation Committee. To date there have been no such proposals presented by schools.

Viewing grammar school as a potential option

Securing a grammar school place

Recommendation 3: KCC should target all children eligible for Pupil Premium and children from areas of low registration for the Kent Test, providing detailed information on the Kent Test process and their transport entitlements.

Recommendation 4: All grammar schools should provide more outreach to primary schools including after school classes in English and mathematics, mentoring and preparation for the Kent Test for primary aged pupils in Yrs 4-6 including those most academically able children in receipt of the Pupil Premium.

Recommendation 5: Urge all Primary Headteachers to utilise Headteacher Assessment Panels within the Kent Test process to advocate for those most academically able children supported by the Pupil Premium.

Lead Officer:	Scott Bagshaw Head of Fair Access
Deadline for completion of work:	Recommendation 3 & 4 – Spring 2017 Recommendation 5 – Completed October 2016
Deadline for assessment of impact:	September 2018

Action being taken:

Recommendation 3 was implemented in April 2017, prior to Kent test registration opening. The specific advice sent to the Heads of primary schools (“Instructions for Procedure for Entrance to Secondary Education”) was expanded to support the recommendation, and a further letter which went to schools with the initial results for their pupils reminded Heads to have particular regard to the situation of potential grammar school candidates from disadvantaged groups, including children in care and those eligible for free school meals. They were also advised to look at the admission arrangements for their local grammar schools to ensure that their knowledge of which grammar schools gave priority to pupils in receipt of Free School Meals was up to date, and reminded of the existing transport concessions available to low income families. Prior to HT Assessment Panels meeting the Panel Chairs were reminded that this advice had been sent to schools, and might increase referrals for this group. They agreed that the initiative was helpful. This is the second year in which this action has been taken. In 2016 and in 2017 Head Teacher Assessment Panels were responsible for some 39% of the grammar assessments

achieved by FSM pupils, with the other 61% achieved on scores alone. Following a change in the software provided to support online registration the opportunity was taken this year to invite parents to indicate when registering for the Kent test whether their children were eligible for Pupil Premium, which will help monitor progress in line with Recommendation 8 going forward.

Like all selective Admission Authorities, Kent does not endorse the coaching of pupils for the 11+ assessment tests, though it does provide a familiarisation paper on its website, following the advice of GLA, the current test provider, that a degree familiarisation is helpful for children who have not seen tests of this type before. The varying degrees of access to 11+ preparation for children from more and less privileged backgrounds is a concern which has been highlighted nationally in reports and discussions on grammar school selection and is sometimes raised locally in feedback from parents and primary schools. Unlike CEM, the other main provider of selection tests, GLA publishes commercially 11+ materials which parents can buy. This has been identified as potentially giving an unfair advantage to candidates whose parents have the means to undertake preparation at home. In response to this criticism, GLA published on its website in the Summer of 2017 a range of free resources to help parents and pupils understand the nature of selection tests. Kent's Fair Access team have discussed with GLA the positive use which has been made of these materials by grammar schools undertaking outreach in their local community, and by parents, and a direct link to these free resources on the GLA site will be placed on the website, and the attention of primary schools drawn to them.

Primary schools have already been encouraged to use their Headteacher Assessment Panels as per recommendation 5. This was completed prior to the 2016 Headteacher assessment stage of the selection process. The specific advice sent to the Heads of primary schools ("Instructions for Procedure for Entrance to Secondary Education") was expanded to support the recommendation, and a further letter which went to schools with the initial results for their pupils reminded Heads to have particular regard to the situation of potential grammar school candidates from disadvantaged groups, including children in care and those eligible for free school meals. They were also advised to look at the admission arrangements for their local grammar schools to ensure that their knowledge of which grammar schools gave priority to pupils in receipt of Free School Meals was up to date, and reminded of the existing transport concessions available to low income families. Prior to HT Assessment Panels meeting the Panel Chairs were reminded that this advice had been sent to schools, and might increase referrals for this group. They agreed that the initiative was helpful.

Viewing grammar school as a potential option

Removing financial barriers to grammar schools

<p>Recommendation 2: Grammar schools should engage fully with parents and families to address misconceptions and promote the offer grammar schools can make to all students irrespective of background</p>

Recommendation 11: Urge all grammar schools to use multiple uniform providers to minimise costs and subsidise/cover the costs of schools trips and other expenses for pupils from low income families to ensure these are not prohibitive factors to children applying for or securing a grammar school place

Lead Officer: Scott Bagshaw
Head of Fair Access

Deadline for completion of work: Spring 2017

Deadline for assessment of impact: September 2018

Action being taken:

Information was sent to all grammar schools in June 2017 which included guidance on targeted parental engagement in order to promote the grammar school offer to all children. The pack provided a list of feeder primary schools to help grammar schools target outreach activity and guidance on how to incorporate clearer information on school websites explaining the support that is available for pupils from lower income families. In addition, the pack included guidance on the specific support schools can offer on school uniform, school trips and other potentially prohibitive features that may dissuade lower income families in considering a selective school choice.

Increasing fair access to grammar schools

Recommendation 15: To invite grammar schools to fully consider the disadvantaged children eligible for Pupil Premium support face and take action within their oversubscription admissions criteria. Where this fails to happen we will expect KCC to challenge the determined admissions arrangements.

Recommendation 16: Urge all “super selective” grammar schools to allocate a number of places for pupils registered in that academic year for Pupil Premium support and who achieve an appropriate combined test score in the Kent Test. We would also invite these schools to review the impact of “super selection” on social mobility in their areas.

Lead Officer: Scott Bagshaw
Head of Fair Access

Deadline for completion of work: November 2016

Deadline for assessment of

Impact:

September 2018 – September 2019

At the time of the last update 17 out of 32 Kent Grammar schools had made provision for Pupil Premium or FSM eligible children within their admission arrangements. In addition to the Kent Grammar schools which already include priority for these groups, a further 10 consulted this year to include it in 2018 admission arrangements. This is clearly a positive move and one supported nationally by the Grammar Schools Heads Association. Some schools consider they serve poorer communities well and do not intend to make further pupil premium provision in their admissions arrangements.

The Council has asked grammar schools in Kent to consider the introduction of such a criterion to support the Committee's aim of ensuring that a grammar school education is widely accessible to all able children. This is in line with the declared intention of national Government, but it should be noted that there is as yet no legislation mandating priority for FSM pupils, so determined admission arrangements which do not include it will not meet the current terms for a challenge via the Office of the Schools Adjudicator. Schools which can demonstrate that they already admit a higher than average proportion of FSM pupils may see no reason to adopt an FSM criterion, unless to signal their willingness to admit pupils from this group.

The last update confirmed that the Skinners' School, the only grammar school in Kent still admitting pupils ranked solely according to their aggregate score, had made early provision to prioritise up to 5 applicants registered for FSM and was consulting on increasing that number.

In 2018 up to 10 places will be offered, with applicants within this category ranked by score. Consideration is being given to further changes to the school's oversubscription criteria to take effect for 2019 admissions.

Other schools identified in the last update which take account of aggregated test scores in their admission arrangements but had not adopted an FSM criterion for 2018 admissions were Dartford Grammar, Maidstone Grammar, Mayfield Grammar and the Simon Langton Grammar School for Boys. Barton Court is consulting on the inclusion of a Pupil Premium criterion for 2019. Dartford Grammar and Mayfield Grammar have responded to highlight the degree of social inclusivity already achieved within their existing criteria.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item A10

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