

KENT COUNTY COUNCIL

CHILDREN'S, YOUNG PEOPLE AND EDUCATION CABINET COMMITTEE

MINUTES of a meeting of the Children's, Young People and Education Cabinet Committee held at Council Chamber on Tuesday, 18th July, 2023.

PRESENT: Mr M C Dance (Chairman), Mr M Dendor (Vice-Chairman), Mr D Ross (Substitute for Mr D Beaney), Mr A Brady, Mrs B Bruneau, Mr S R Campkin, Mr R G Streatfeild, MBE (Substitute for Mrs T Dean, MBE), Ms S Hamilton, Mr D Jeffrey, Mrs M McArthur, Mr A Sandhu, MBE, Mr P Stepto, Dr L Sullivan, Mr M Reidy and Mr Q Roper.

OTHER MEMBERS: Sue Chandler and Rory Love, OBE.

OFFICERS: Sarah Hammond (Corporate Director Children, Young People and Education), Stuart Collins (Director of Integrated Children's Services (West Kent and Early Help and Preventative Services Lead)), Craig Chapman (Head of Fair Access), Nick Abrahams (Area Education Officer – West Kent), Karen Stone (CYPE Finance Business Partner), Katherine Atkinson (Assistant Director, Management Information and Intelligence, Integrated Children's Services), James Clapson (Democratic Services Officer), Kevin Kasaven (Assistant Director, Safeguarding, Professional Standards and Quality Assurance, Integrated Children's Services), Christine McInnes (Director of Education), Rachel Westlake (Senior Commissioner) and Florah Shiringo (Assistant Director - Area Lead South).

UNRESTRICTED ITEMS

1. Apologies and Substitutes
(Item 2)

Apologies were received from Mr Barrington-King, Mr Manion, Ms Carter, Mr Beaney, for whom Mr Ross was present, and Mrs Dean, for whom Mr Streatfeild was present.

2. Declarations of Interest
(Item 3)

Mr Brady and Mr Streatfeild declared interests in agenda item 8 (4-16 Home to School Transport Policy 2024-25), and agenda item 9 (Post 16 Transport Policy Statement and Post 19 Transport Policy 2024/25).

Mr Jeffrey declared an interest in agenda item 5 (Verbal Update by Cabinet Members).

3. Minutes of the meeting held on 16 May 2023
(Item 4)

1) RESOLVED that the minutes of the meeting held on 16 May 2023 were correctly recorded and that they be signed by the Chairman.

4. Verbal Update by Cabinet Members *(Item 5)*

1) Mr Love provided his Cabinet Member Verbal Update as follows:

1.1 Local Government and Social Care Ombudsman.

The Ombudsman's findings (published on 6 July) were being taken very seriously. Measures had been put in place to improve the way enquiries and complaints were handled. The Ombudsman's recommendations would be actioned, and families would receive written apologies for the delays experienced.

1.2 Special Educational Needs and Disability (SEND) Staffing Update.

Since the new SEND staffing structure went live at the end of April, significant work had taken place to fill over 100 vacant posts. The recruitment to permanent posts had gone well, and the service would be nearly fully staffed when these new employees started work. Additional temporary staff would help tackle the back log of work that had built up.

A professional development programme had been put in place for SEND staff to ensure staff had the skills and knowledge to undertake their roles, this would also help retain staff. There were no quick fixes to the challenges the service faced, but the right steps were being taken to get the service where it should be as soon as practically possible.

1.3 Countywide Approach to Inclusive Education (CATIE) Feedback.

Mr Love shared some of the positive feedback that had been received from parents and carers. A mother and grandmother of a child attending Westmeads Community Infant School in Whitstable reported that they had seen significant improvements over the year in his wellbeing and learning. The school took a 'team around the child' approach that offered tailored support from the teaching staff rather than using a one-to-one approach. The school's ethos of 'parents as partners', and 'everyone is welcome' helped to build inclusion and ensure full engagement with parents.

1.4 Reticulated Aerated Autoclaved Concrete (RAAC).

KCC temporarily closed four primary schools at very short notice in response to a recent change in the Department for Education's (DfE) risk assessment criteria relating to RAAC. CYPE officers worked with schools to provide alternative education provision within a couple of days of the closures. Two additional primary schools were also partially shut to allow works to be carried out. Thanks were offered to the officers involved who dealt with the situation quickly and minimised the disruption to the education of the children involved.

1.5 Exam Results Day.

A Level results would be announced on 17 August and GCSE results would be announced on 24 August. Mr Love wished everyone who would be receiving results good luck.

1.6 School Visit.

Mr Love attended the Simon Langton Girls' Science, Technology, Engineering, and Mathematics (STEM) Encompass Festival at the end of June. The event was very well received, students spoke about their projects and there was a performance by the School's Soul and Funk Band.

1.7 In response to comments and questions from Members, Mr Love confirmed the following:

- The importance of women studying STEM subjects was very important, the profile should be promoted and encouraged whenever possible.
- When Members brought incidents of poor performance to Mr Love's attention, it would often trigger further investigation, he felt that he had always been honest about areas of poor performance and what was being done to put things right.
- Ms McInnes would provide Members with a written response detailing the allocation of staff following the SEND restructure, it would show that there had not been a reduction in the overall number of staff positions within the service.
- A detailed improvement plan would be prepared in the Autumn, when the full capacity of the service would be known and the newly recruited employees would be in post.
- KCC had undertaken an RAAC assessment of KCC maintained schools to identify which schools were high, medium, and low priority. Remediation works were complete at all the high priority schools, and work was currently underway at the medium priority schools. KCC had also liaised with the non-maintained schools to ensure they were aware of the new technical standards introduced by the DfE.
- The CATIE reinforced KCC's position on inclusion within schools, and officers would continue to work with schools to support and encourage inclusive practices.

2) Mrs Chandler provided her Cabinet Member Verbal Update as follows:

2.1 Family Hubs.

The consultation process would run from 19 July 2023 until 13 September 2023, and there would be face-to-face events throughout July and August 2023. The aim was to engage with as many people as possible. Full details of the consultation and engagement events were available on www.kent.gov.uk.

Two pilot family hub sites launched on 13 July. The sites were Seashells Children's Centre in Sheppey and Millmead Children's Centre, Margate. They provided services up to the age of 19, and SEND support for people up to the age of 25. They would be good test models for the family hub programme.

2.2 Start for Life.

The Start for Life Programme was recently considered at Health Reform and Public Health Cabinet Committee. The programme was a key part of the Family Hubs model and focused on the time from conception to the age of two; the goal was to reduce inequalities in health and education for babies, children and families.

A multi-agency Start for Life Board had been set up and would work in conjunction with the Family Hubs Board to oversee and monitor progress, more information was available on the website: www.kent.gov.uk/startforlife.

2.3 Unaccompanied Asylum Seeking Children (UASC).

A report was considered at the County Council meeting on 13 July 2023, it provided Members with an update from the Monitoring Officer on the challenges faced by KCC in meeting its statutory duty.

KCC has continued to take children into care through the Safe Care and Reception Service. There had been a rise in children originally from Turkey; it was believed that this was mainly due to a recent earthquake in the region but could also be because of a change in the political framework within the country.

The Safe Care and Reception Service often went beyond the basic requirement of caring for children. A recent example of this involved children taking part in a cricket event hosted by Tonbridge School that was very well received.

2.4 County Councils Newsletter – Childrens Services Article.

The article gave a very good national perspective on the challenges faced by children's services. These national challenges mirrored those faced by KCC and many of the initiatives identified to help mitigate the challenges were in place within the Kent.

2.5. Try Angle Awards.

Mrs Chandler presented the final award at the Spirit of Try Angle Awards, held on 2 July at Port Lympne. The award recognised young people's personal achievements, overcoming adversity and contributions to the community. This year there were 420 nominations. Congratulations were offered to the winners and nominees, and thanks were offered to everyone involved in making the awards a success.

2.6 In response to comments and questions from Members, Mrs Chandler confirmed the following:

- The Try Angle Award was a fantastic event and should not be politicised. The heats for the award were held during the pre-election restriction period (purdah) however, Mrs Chandler would look at how invitations were issued to Members.
- All Members had received an email in connection to the Family Hub Consultation that tried to clarify the amount spent on Universal Open Access. An additional email would be circulated to Members with further information.
- An academy for Social Workers was one of the initiatives detailed in the County Council Newsletter. KCC had an academy and it helped manage the challenges faced by the service.
- The Family Hubs Consultation made its relationship with the Community Assets Consultation clear, it also provided time scales for both projects.
- The Local Childrens Partnerships were an excellent forum to encourage effective engagement with the Family Hub Consultation.

5. Performance Monitoring (Item 6)

Katherine Atkinson, Assistant Director, Management Information & Intelligence CYPE and Christine McInnes, Director of Education and SEN were in attendance for this item.

1) Ms Atkinson introduced the report and highlighted that since the agenda had been published, the number of vacant posts within the SEND department had continued to be filled by permanent staff.

2) Further to questions and comments from Members, it was noted that:

- The performance for completion of EHCP assessments needed to improve, the priority was to clear the back log of cases and get EHCP's to children who have had to wait too long.
- There had been a small rise in the number of children with a Kent EHCP placed in an independent or out-of-county special school. Annual EHCP reviews were prioritised for these children to ensure that they were in the most suitable placement for their needs.
- Some officers would be specifically designated to work on the back log of EHCP assessment cases.
- It would be for the Monitoring Officer to issue a Section 5 notice to Government if he felt it was an appropriate response to the failure to meet the EHCP assessment target. Around 50% of EHCP assessments at other Local Authorities also failed to meet the target. Significant work was underway within the SEND team to meet the challenge and reach a sustainable position.
- A written answer would be circulated to Members providing a breakdown of the cost of placing children at independent and out-of-country special schools.

3) RESOLVED to note the report.

6. Ofsted Update

(Item 7)

Katherine Atkinson, Assistant Director, Management Information & Intelligence CYPE and Christine McInnes, Director of Education and SEN were in attendance for this item.

1) Ms Atkinson introduced the report.

2) Further to questions and comments from Members, it was noted that:

- There was a national shortage of teachers, and Ofsted inspections could be a stressful experience for teachers.
- Schools needed to demonstrate inclusive practices in order to achieve a good or outstanding Ofsted rating. When KCC staff met with Ofsted and the DfE representatives, a focus of the discussions was SEND inclusion in schools.
- 12 Inclusion Leaders from schools who have demonstrated outstanding inclusive practices, would be working part time to support schools who were struggling to implement inclusive practices from September 2023.

3) RESOLVED to note the report.

7. 4-16 Home to School Transport Policy 2024-25

(Item 8)

Craig Chapman, Assistant Director, Fair Access and (Interim) SEN Processes, and Christine McInnes, Director of Education and SEN were in attendance for this item.

1) Mr Love introduced the item advising that there were no changes to the eligibility criteria and that the policy looked to streamline the current scheme.

2) Mr Chapman advised that there was a typographical error in the printed version of the agenda; row D of table 9.1 in the report should reference policy paragraph 5.22 instead of 5.19.

3) Further to questions and comments from Members, it was noted that:

- The transportation entitlement for children aged 4-16 was set out in legislation and was centrally funded.
- Although 6,748 people visited the consultation webpage, only 261 responded to the consultation.
- The provision of a cycle bursary needed further investigation however, it would be the parent or guardian who decided if cycling was an appropriate means by which to travel to school.
- The cost of taxi fares fell outside the remit of the policy although a review was underway into the tendering process.
- There were some trials of school led transportation provision taking place, a report would be considered at a future meeting with further details.
- The word 'suitable' had replaced 'appropriate' within the policy, this was to match the terminology used in latest statutory guidance, the intended meaning remained unchanged.
- Legislation required consideration of the shortest available route to be used in the assessment of transportation eligibility, this could cause confusion as the straight-line distance was used for school admissions. Work was underway to develop a technological system that families could use to find out transport and school admission information.
- Families with SEN children were advised of their nearest appropriate primary school for transport purposes before the submission of their school preferences.
- The statutory guidance on maximum journey times, and the classification of verges as not hazardous were used as starting positions for assessment. All decisions could be subject to Member review to help reach the right outcome for individual specific circumstances.

4) RESOLVED to endorse the proposed decision; to agree the transport policy for Children and Young People aged 4 to 16 with effect from 2024/25 academic year.

8. Post 16 Transport Policy Statement and Post 19 Transport Policy 2024/25 *(Item 9)*

Craig Chapman, Assistant Director, Fair Access and (Interim) SEN Processes, and Christine McInnes, Director of Education and SEN were in attendance for this item.

1) Mr Chapman introduced the report and noted a typographical error on the printed version of the agenda; row C of table 9.1 in the report should reference policy paragraph 5.4 instead of 5.0.

2) Further to questions and comments from Members, it was noted that:

- Post 16 transportation was not a centrally funded entitlement and local authorities were under no obligation to provide free or subsidised transport to mainstream or SEN pupils.
- Families with a post 16 year old SEND member would need to contribute £500 a year towards the cost of transportation if they used the service, and low income families would need to contribute £250. Previously this service had been fully subsidised by KCC.
- 68% of those who responded to the consultation did not support the proposed changes.
- Over the last five years the number of people aged 16 to 25 with an EHCP had nearly doubled, and the average cost of travel rose by 40%. The proposed changes were financially sustainable and attempted to minimise the impact on those families affected by offering a heavily subsidised service.
- It would be very difficult to monitor whether the removal of fully subsidised travel for post 16 young people with SEND, had an impact on their choice to attend further education.

3) RESOLVED to endorse the proposed decision; to agree the Post 16 Transport Policy Statement including Post 19 for the 2024/25 academic year.

4) In accordance with paragraph 16.31 of the constitution, Dr Sullivan and Mr Brady wished for it to be recorded in the minutes that they voted against the endorsement of the proposed decision.

9. Early Years and School Performance 2022 (Item 10)

Christine McInnes, Director of Education and SEN was in attendance for this item.

1) Ms McInnes introduced the report and advised that the 2023 report would be brought before the Committee for consideration in the Autumn.

2) Further to questions and comments from Members, it was noted that:

- One of the headline measures of the performance of The Education People were Ofsted results. There was also monitoring of schools individually that determined the level of support provided to the school over the year.
- There was not an overlap of services provided by The Education People and the Nurturing Kent Programme.
- The achievement of Key Stage 2 (7-11 year old) pupils was in line with the national average, however, this dropped to below the national average by Key Stage 4.
- The Education People were commissioned, with school improvement funding, to work with KCC maintained schools; the vast majority of these were primary schools.
- There had been a school improvement programme available to all schools that had recently come to an end. It was in partnership with the Education Endowment Foundation, and it was expected that the impact of this program would be seen over the coming year.
- KCC worked closely with academy trust schools however the accountability for performance was not the same as KCC maintained schools. KCC would write to academy trust schools when there were concerns about performance.

- Post 16 attainment was below the national average.
- The Pathways For All transformation programme looked into what could be provided locally to meet young people's interest and needs; this included what could be offered by 6th forms for lower attaining students.
- Young people with an EHCP who attended a school 6th form were often more academically able than those who did not attend. Most young people with SEND did not attend a school 6th form.

3) RESOLVED to note the report.

10. Domestic Abuse Act Framework (Item 11)

Florah Shiringo, Assistant Director, Area Lead South, CYPE and Rachel Westlake, Senior Commissioner were in attendance for this item.

1) Mrs Chandler introduced the item noting that the Domestic Abuse Act 2021 brought new responsibilities for the Local Authority. Some of these responsibilities were in relation to the protection of children.

2) Ms Shiringo introduced the report.

3) Further to questions and comments from Members, it was noted that:

- It was unfortunate that funding could not be used for capital expenses such as the maintenance or purchase of safe spaces for use by families seeking refuge from abuse.
- KCC had invested in services for domestic abuse survivors since 2003.
- The existing funding stream ran until 2025 and work was underway to align services with the statutory provisions, in order to make them sustainable in the long term.
- The Safe Accommodation Support Service (SASS) supported young people up to the age of 18. When a young person was moved out of the area, the SASS conducted a risk assessment to establish if the existing education arrangements were appropriate for that person's circumstances.
- Ms Westlake agreed with Dr Sullivan that the framework could be updated to show the amount of funding allocated to each area.
- The Burdens Funding Steering Group was chaired by Ms Shiringo, and comprised of officers from Adult Services, Public Health, Commissioning, and the Strategic Policy team. The group supported the Local Partnership Board, in monitoring activities, considering how the funding should be spent, and in reporting to Government.

4) RESOLVED to endorse the proposed decision as set out in the Proposed Record of Decision, shown in Appendix 1 of the report.

11. Early Years Free Entitlement Funding Rates (Item 12)

Karen Stone, CYPE Finance Business Partner and Sarah Hammond, Corporate Director of CYPE were in attendance for this item.

1) Ms stone introduced the report and advised that following the publication of the agenda, the DfE had confirmed the amount of funding that individual Local Authorities would receive. In Kent providers would receive the following increases:

- The rate per hour for two year olds would rise by 32.5% (£1.93).
- The rate for per hour for three and four year olds would rise by 8.9% (45p).
- The rate increase for the KCC maintained nursery would rise by 21p per hour.
- Early Years Pupil Premium and the Disabled Access Fund would both rise by 6.4% in line with inflation.

2) RESOLVED to agree the recommendations as outlined in the report.

12. 0-5 Strategy Task and Finish

(Item 13)

Stuart Collins, Director of Integrated Childrens Services was in attendance for this item.

1) Mrs Chandler introduced the item, noting that the Task and Finish Group had done a lot of work, and that it had been reported in full in the agenda. She offered her thanks to Ms Hamilton for chairing the group and thanked the officers who had supported it.

2) Ms Hamilton, as Chair of the Task and Finish Group, expressed her thanks to everyone involved. A lot of work had taken place; the Group had considered a lot of information and had identified areas of strength, areas for development and areas for further exploration. She added that Start for Life programme was a pillar for integrated care.

3) Mr Collins introduced the report.

4) Further to questions and comments from Members, it was noted that:

- There was some further work to be done to investigate the reasons for the rise in number of EHCP requests for children under 5 years of age. There was evidence that some were as a result of the restrictions in place during the Covid 19 pandemic; for example, some children were experiencing speech and language challenges brought about from a lack of interaction with others. It was expected that over time the number of EHPC requests would fall as the impact of the pandemic diminished.
- Some Members of the Task and Finish Group would have liked to have had the opportunity to comment on the report before it was brought before the Committee for consideration.
- The understanding and provision of appropriate services for a child at an early age could help avoid an escalation of care needs, and associated cost, as the child got older.
- The continuation of focus groups would be very valuable. They would enable tracking of the situation though analysis of up-to-date data.
- No parents or careers were invited to attend the Task and Finish Group sessions; although their voice was captured through the collation of feedback from 100's of families.
- The offer of support for new parents, similar to the National Childbirth Trust service, was not specifically referenced in the report, but the provision of

perinatal mental health support would form a key part of the Family Hub model and would link with GP networks.

- There was a significant variance between each district or borough in the number of Healthy Child Clinics on offer. These clinics were run by Midwives and Health Visitors.
- It would be good to consider an updated report in a year's time to monitor progress against the baseline data that has been gathered.

5) RESOLVED to note the work of the Task and Finish Group.

13. Kent Commissioning Plan - Update

(Item 14)

Nick Abrahams, Area Education Officer – West Kent and Christine McInnes Director of Education and SEN were in attendance for this item.

1) Mr Abrahams introduced the report.

2) Further to questions and comments from Members, it was noted that:

- The forecast had been very accurate, with an overall over prediction of 0.3% against the actual school role. The forecasting was not as accurate for SEND pupils.
- It was important that places were commissioned on the basis of need. 16 additional places for SEND pupils were commissioned in Special Schools across Thanet and Dover in order to meet demand for reception year places.
- The Committee considered the Kent Commissioning Plan (KCP) in the Autumn of 2022, before the safety valve process was in place. The forecasting for children with an EHCP was broader than for mainstream children. This would improve over time as the forecasting became more refined. KCC was required to undertake reviews of the forecasting system as part of the safety valve process.
- The age group categories were specified in statutory guidelines. The reporting of years 7 to 11 as a group could be broken down by year upon request.
- More children attended Special Schools in Kent than in any other Local Authority. A team had looked at SEND pupil projections in light of increasing demand for places, and their work generated the evidence base that would be used to inform the commissioning of future school places. There would be public consultation on this in the Autumn 2023. Over time this would be integrated into the KCP.
- The Pathways for All review highlighted that there were some gaps in the provision of education services for young people not taking A or T level qualifications. KCC supported providers where possible however a number had gone out of business. Officers also regularly met with the Chief Executives of Kent's three further education colleges and discuss what alternatives to the mainstream offer could be made available to young people.

3) RESOLVED to note the report.

14. Work Programme

(Item 15)

1) RESOLVED to agree the work programme.