

## 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 on Tuesday, 16th January, 2024.

PRESENT: Mr M Dance (Chairman), Mr M Dendor (Vice-Chairman), Mr P Barrington-King, Mr A Brady, Mrs T Dean, MBE, Ms S Hamilton, Mr S C Manion, Mr D Ross, Mr A Sandhu, MBE, Mr P Stepto, Dr L Sullivan, Mr M Reidy and Mr Q Roper.

OTHER MEMBERS : Mrs S Chandler, Mr R Love, OBE and Mr H Rayner

OFFICERS: David Adams (Assistant Director Education (South Kent)), Sarah Hammond (Corporate Director Children, Young People and Education), Craig Chapman (Head of Fair Access), Ingrid Crisan (Director of Operations, Integrated Children's Services), Christy Holden (Head of Children's Commissioning), Kevin Kasaven (Director of Children's Countywide Services), Christine McInnes (Director of Education), Samantha Sheppard (Senior Commissioner), Claire Thomson (Children's Complaint and Customer Care Manager), Robert Veale (Assistant Director Education (East Kent)), Katherine Atkinson (Assistant Director, Management Information and Intelligence, Integrated Children's Services) and Dave Shipton (Head of Finance Policy, Planning and Strategy)

### UNRESTRICTED ITEMS

**1. Apologies and Substitutes**  
(Item 2)

Apologies were received from Mr Beaney, Mrs McArthur and Ms Hawkins.

**2. Declarations of Interest**  
(Item 3)

Mr Manion declared an interest in item 9, 23-00126 – Admission Arrangements and Scheme for 2025-26 Academic Year.

Mr Brady declared an interest in item 13, 23-00127 - Extension of Funded Early Years Entitlement and Wraparound Childcare, and the Local Funding Formula for Early Years Providers Funded Entitlement Payments for 2024-25.

**3. Minutes of the meeting held on 21 November 2023**  
(Item 4)

1) RESOLVED that the minutes of the meeting held on 21 November 2023 were a correct record.

**4. Revised Draft Revenue Budget 2024-25 and 2024-27 MTFP, Draft Capital Programme 2024-34 and Treasury Management Strategy**  
(Item 5)

*Dave Shipton, Head of Finance Policy, Planning and Strategy; Kevin Kasaven, Director of Children's Countywide Services and Sarah Hammond, Corporate Director of CYPE were in attendance for this item.*

1. Mr Rayner, Deputy Cabinet Member for Finance, Corporate and Traded Services, introduced the item and gave a general overview of the budget position. He noted that the budget deficit had been reduced by around £12,000,000, to £36,000,000 since the budget was considered at the last meeting of the Committee. Members were now presented with a balanced budget for 2024/25 that included a draw down from reserves, utilised £14,000,000 of risk reserves, and estimated £8,000,000 revenue from the sale of assets. The Budget should be seen as part of a three year plan for the future.
2. Mrs Chandler, Cabinet Member for Integrated Children's Services provided the committee with further details relating to her portfolio. The following points were noted:
  - The budget updates relating to Integrated Children's Services portfolio were relatively small, however the cost of children's placements had been revised.
  - The cost savings that were expected to result from the decisions made just before Christmas were now shown in the updated budget.
3. Further to questions and comments from Members, it was noted that:
  - There was a fall in the number of looked after children, and a fall in the number of children being referred to social work services; however, the children who were referred often had complex needs. The availability of specialist providers with the ability to meet these complex needs was very limited and led to high placement costs.
  - An assessment was underway to look at the development of an in-house set of services that would work jointly with health services.
  - The family hubs would provide a whole system approach that could identify children suffering from mental health issues and offer support at an earlier stage.
  - The use of agency social workers was expensive. KCC looked to develop, employ and retain social workers to reduce dependency on agency workers.
  - The Early Years Review looked to see how services could be delivered better in the future. The Review included some very positive proposals to take the service forward.
  - Work was underway with health partners to ensure that the cost of providing care was correctly shared.
  - There was a very strong relationship between the Early Help and Social Work teams. Audits of the Early Help team's work showed very strong performance, supported through training and development. There was confidence that the Service could accommodate an increase to the current caseloads.

- The data for the number of Early Help Unit referrals and showed an increasing trend up to October. Officers advised that the latest figures suggested that the trend was now decreasing.
  - Each line of the budget had been given very careful consideration before it was included.
4. RESOLVED to note the updated Revenue Budget, the Medium Term Financial Plan, the Draft Capital Strategy and Programme, and draft Treasury Management Strategy
  5. In accordance with paragraph 16.31 of the Constitution, Dr Sullivan, wished for it to be recorded in the minutes that she voted against the motion.

## **5. Verbal Update by Cabinet Members** *(Item 6)*

*Sarah Hammond, Corporate Director of CYPE and Christine McInnes, Director of Education were in attendance for this item*

1. Mr Love provided his Cabinet Member verbal update as follows:

### 1.1 Accelerated Progress Plan (APP) Update

The first progress review of the APP had taken place. NHS England and the Department for Education (DfE) examined the steps taken to improve SEN services in Kent and found strong governance processes in place, appropriate oversight of SEN and strengthening relationships with schools. There were clear signs of improvement, but there was more to be done and another review would take place in six months to monitor progress. A written briefing would be circulated to Members to outline the position in more detail.

### 1.2 SEND Roadshows

Following on from a series of successful SEND Roadshows so in 2023, the next session would be in Dover on Thursday 18 January. The details were shared with subscribers to the SEND parent newsletter and were available on the KCC website. Further sessions were planned throughout 2024 as part of the ongoing commitment to improve SEND services for Kent families.

### 1.3 Zayed Sustainability Prize

Congratulations were offered to students at Northfleet Technology College. They were among 11 winners worldwide to be awarded the Zayed Sustainability Prize at COP28, for their school beehive business. The school received £118,000 for the accolade that would be spent on a wind turbine and spreading their message about sustainability to other schools.

### 1.4 Christmas Card Competition

Mr Love held a Christmas card competition for local Kent primary schools. Six year old Sarrinah from St Stephen's Infant School won the competition and her design featured on front of Mr Love's annual Christmas card. On 12 December Mr Love visited the school and was given a tour from Sarrinah before meeting with the headteacher Alice Edgington, and the CEO of the Inspira Academy Trust, Dean Jones, to discuss a range of educational matters.

2. Mrs Chandler provided her Cabinet Member verbal update as follows:

### 2.1 New Director Appointment

Mrs Chandler welcomed Ingrid Crisan the new Director of Operational Integrated Children's Services and offered thanks to Carolann James who her work as Interim Director. Ms James would continue to oversee the family hubs project to help ensure that the rollout went as smoothly as possible.

### 2.2 Unaccompanied Asylum Seeking Children (UASC) High Court Decision

On 29 November 2023 the High Court determined that the Home Secretary had acted unlawfully and vindicated the actions that KCC had taken. The ruling found that the National Transfer Scheme and its management was inadequate, and for large periods unlawful. It was acknowledged that the NTS had been unreasonably slow and unlawful during the period December 2021 to 27 July 2023. The Home Office must resolve the issues and ensure that it worked fairly and sustainably in the future.

KCC was working with the Home Office to ensure funding would be in place to provide sufficient temporary accommodation for all expected new UASC arrivals moving forward. Several possible sites across the county had been identified and local residents had been informed.

### 2.3 UASC Update

The total number of UASC arrivals during 2023 was 2,226. This was a significant increase over the number of arrivals in 2022 that reached 1,403. 2,226 was the highest number of arrivals ever recorded in a single calendar year.

### 2.4 Kinship Care

From April 2024 KCC there would be a new Kinship Care Service, that utilised existing staff within the fostering and district teams. This was in line with the Government's recently published National Kinship Care Strategy. Kinship carers were family and friends who care for children when they cannot stay at home.

The service would meet and assess potential carers, deal with urgent entries into care, and provide wider support to identify alternative measures of care that mitigated against the need for extensive child protection measures and legal interventions. Section 17 funding would be utilised to support the arrangements, and the outcomes for vulnerable children and young people would be monitored.

### 2.5 'Any of Us' Fostering Film Project

KCC, part funded a short film project entitled "Any of Us" which was awarded two prestigious awards in December. The film was intended to encourage people from all backgrounds to consider becoming a foster carer for their local authority. The fostering film won the "Best Collaboration" and "Best Creative Comms" categories at the comms2point0 UnAwards.

Anyone considering becoming a foster carer was encouraged to attend one of the online information events. Full details were available on the Kent Fostering website.

## 2.6 Outcome of Christmas Appeal

KCC partnered with the Young Lives Foundation in 2023 for the annual Kent Corporate Parenting Christmas Appeal and exceeded the target to raise £20,000 in order to provide a £10 Christmas gift voucher to every care leaver in Kent. Thanks were offered to everyone who donated. The surplus money would be used to provide house warming gifts for care leavers when they move into their first homes.

## 6. Performance Monitoring

*(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 that detailed performance up to the end of October.
2. Further to questions and comments from Members, it was noted that:
  - Work was underway to review the support offered to young people who find themselves not in education, employment or training (NEET's). There was normally an annual review in Spring and there was link between permanent school exclusion and NEET's.
  - Information about Education Health and Care Plans (EHCP) complaints would be included in the report at the next meeting.
  - 2023 had seen a dip in attainment nationally which was mirrored in Kent. The targets had been set based on 2022 results where attainment had been higher, therefore there were a number of indicators with amber and red ratings during 2023. The targets for 2024 were based upon 2023 data. Attainment and progress data often saw significant fluctuation, this was currently exacerbated as it had not fully settled following disruption from the Covid 19 pandemic.
  - Additional staffing capacity had been assigned to work through the EHCP case back log, and there were signs of progress.
  - It would be unusual for a child with an EHCP to enter the Pupil Referral Unit (PRU) as they would normally have specialist education provision; however, when a child entered the PRU they might be referred for an EHCP assessment.
  - When local special schools were full, children sometimes needed to travel to neighbouring boroughs to attend a school that could meet their needs. Long travel times to school were not good for children; KCC was working to try and ensure that there was sufficient local capacity to allow children with the most need to attend a school close to their home.
  - The cost of home to school transport was a key driver of the budget overspend within SEND and impacted upon the money available to provide other Council services. A significant amount of work was underway to better understand and plan home to school transportation.
3. RESOLVED to note the report.

**7. Ofsted Update**  
*(Item 8)*

*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 advised that there were no updates from the report considered by the Committee at the last meeting due to the timelines for reporting.
2. RESOLVED to note the report.

**8. 23/00125 - Changes to the KCC Local Funding Formula for Schools 2024-25**  
*(Item 9)*

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

1. Ms Hammond introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - The KCC local funding formula was designed to closely emulate the national funding formula, therefore schools should not see a significant change when the national funding formula is fully embedded.
  - The move towards the National Funding Formula rates had led to an increase in funding for schools, however the proposed increase for 2024-25 of 3.7% was below the rate of inflation.
3. RESOLVED to endorse the proposed decision that the Cabinet Member for Education and Skills agrees to implement the proposals set out within the Kent Schools' Local Funding Formula 2024-25.

**9. 23-00126 - Admission Arrangements and Scheme for 2025-26 Academic Year**  
*(Item 10)*

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

1. Mr Chapman outlined the report.
2. RESOLVED to endorse the proposed decision to determine:
  - a. The Coordinated Primary Admissions Scheme 2025/26 incorporating the In Year admissions process as detailed in Appendix A
  - b. The Co-ordinated Secondary Admissions Scheme 2025/26 incorporating the In Year admissions process and Kent Test process as detailed in Appendix B

- c. The oversubscription criteria relating to Community and Voluntary Controlled Infant, Junior and Primary Schools in Kent 2025/26 as detailed in Appendix C (1)
- d. The oversubscription criteria relating to Community and Voluntary Controlled Secondary Schools in Kent 2025/26 as detailed in Appendix D (1)
- e. The Published Admissions Number for Community and Voluntary Controlled Infant, Junior and Primary Schools 2025/26 as set out in Appendix C (2)
- f. The Published Admissions Number for Community and Voluntary Controlled Secondary Schools 2025/26 as set out in Appendix D (2)
- g. The relevant statutory consultation areas for Kent Infant, Junior and Primary Schools 2025/26 as detailed in Appendix A (2) and the relevant statutory consultation areas for Kent Secondary Schools 2025/26 as set out in Appendix B (2)

**10. Annual Complaints Report**  
*(Item 11)*

Claire Thomson, Children's Complaint and Customer Care Manager and *Pascale Blackburn-Clarke, Delivery Manager - Engagement & Consultation* were in attendance for this item.

1. Ms Thomson introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - It was very rare for the vexatious and unreasonably persistent procedure to be used.
  - Currently there was no funding available for additional staff within the Complaints team. Staff had recently been bought together to form a centralised team and work was underway to look at what efficiencies could be achieved.
  - The work to investigate and draft responses continued to be carried out within individual departments.
  - There were a number of actions underway to improve services, including:
    - Improvements to communications with parents through direct and indirect interactions.
    - A focus on attention to detail that would allow the Council to strongly justify its actions when cases were raised with the Ombudsman.
    - A cross portfolio review led by Mr Jeffrey to review the levels of sign off required before responses could be sent that looked to streamline the process.
    - There was a concern that cost saving changes to services could lead to more complaints, and this might lead to increased legal costs which would undermine the cost saving goal. The majority of Ombudsman cases did not require legal involvement, however

some SEN complaints that were escalated to a tribunal did incur legal costs.

3. RESOLVED to consider and note the report.

## 11. Early Years Review

*(Item 12)*

*Samantha Sheppard, Senior Commissioner (Inclusion and SEN), Christy Holden, Head of Children's Commissioning and Christine McInnes, Director of Education were in attendance for this item.*

1. Ms McInnes introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - There was a significant overlap between the Integrated Children's Services portfolio and the Education and Skills portfolio, discussions would take place between both Cabinet Members before any decision was made.
  - The sufficiency plan offered a detailed breakdown of the sufficiency across the county.
  - Value for money discussions were underway with The Education People that included benchmarking for the service.
  - There would be further key decisions that would include timelines for implementation.
  - Providers had to work within the funding available to them through the National Funding Formula (NFF). The hourly rate granted through the NFF did not always meet the cost of providing services.
  - There would be a review of the specialist nursery intervention service level agreement (SLA) following consultation. It was likely that the SLA would need to be extended in the short term to allow a period of transition for any changes.
  - The options to improve and encourage an inclusive culture were being considered.
  - There was a lot of data regarding the lack of uptake. This tended to occur more in areas of high deprivation. There was an opportunity to do more targeted work to understand why uptake was low in certain regions and to promote what was offered more.
  - Future reports should include what would be done to support areas of deprivation.
3. RESOLVED to consider and note:
  - a. the content of the report.
  - b. the services intention to undertake a public consultation on a new model of universal, targeted and specialist support for settings, including a new process to access SENIF funding.
  - c. a further decision report will be brought to the Committee on the outcomes of the consultation later this year.



**12. 23-00112 - External Fostering Placements - Re-opening the Kent and Medway Independent Fostering Services Framework Agreement**  
(Item 13)

*Christy Holden, Head of Children's Commissioning and Kevin Kasaven, Director of Children's Countywide Services were in attendance for this item.*

1. Ms Holden introduced the report.
2. RESOLVED to endorse the proposed decision that the Cabinet Member for Integrated Children's Services:
  - a) Re-open the Kent and Medway Independent Fostering Services Framework Agreement to allow new providers to join from April 2024.
  - b) Delegate decisions and necessary actions, including the award and the implementation of any contract extensions and re-openings of the tender allowable within the terms and conditions of the contract, to the Corporate Director for Children, Young People and Education or other Officer as instructed by the Corporate Director for Children, Young People and Education, in consultation with the Cabinet Member.

**13. 23-00127 - Extension of Funded Early Years Entitlement and Wraparound Childcare, and the Local Funding Formula for Early Years Providers Funded Entitlement Payments for 2024-25**  
(Item 14)

*David Adams, Assistant Director Education (South Kent) and Christine McInnes, Director of Education were in attendance for this item.*

1. Mr Adams introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - The Education People managed the support that was offered to providers.
  - The largest increase in demand was expected to be when the entitlement rose to 30 hours a week and was extended to include children from nine months old.
  - The capital funding would be insufficient to build new nurseries in areas where there was a shortage of provision, it would largely be used to pay for adaptations to existing buildings.
  - KCC took a small element of the Government's rate to cover the cost of managing the process.
  - The decision was expected to be made in February, it was important that providers and potential providers knew the details as soon as possible.
  - The wrap around funding was a short term fund that was intended to help providers develop a sustainable service.
  - The guidance did not allow filled places to be subsidised, however there was the ability to temporarily fund some unfilled places, when needed by a provider to be financially viable, until those places could be filled.

3. RESOLVED to endorse the proposed decision, that the Cabinet Member for Integrated Children's Services:
  - 3.1. Approve acceptance of:
    - a. the new revenue grant to support the roll out of the wraparound childcare programme, and
    - b. the capital grant to support the delivery of extended early years funded entitlement and wraparound childcare;
  - 3.2. Authorise the Director of Education and SEND to take the actions required to deliver a. and b. above, in line with the relevant grant conditions, including but not limited to entering into relevant contracts, to be authorised to enter into variations as envisaged under the contracts and making payments to early providers;
  - 3.3. Approve changes to the Council's Early Years Local Funding Formula for early years providers used to calculate the early years funding rates for funded entitlements from 1st April 2024;
  - 3.4. Authorise the Corporate Director of Children, Young People and Education to make any necessary changes to the Funding Formula rates once final affordability is known and agree the payment process to early years providers.
4. In accordance with paragraph 16.31 of the Constitution, Dr Sullivan, wished for it to be recorded in the minutes that she abstained from voting on the motion.

**14. 23-00128 - Specialist Resource Provision Contracts & Service Level Agreements**  
*(Item 15)*

*David Adams, Assistant Director Education (South Kent) and Christine McInnes, Director of Education was in attendance for this item.*

1. Ms McInnes and Mr Adams introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - The contracts and service level agreements (SLA) were part of the drive to ensure value for money was being achieved.
  - Review work was underway into the pathways of provision from primary to secondary schools. The SEND Sufficiency Plan would strategically plan what was needed and where it was needed. There was not a target for every secondary school to have a specialist resource provision (SRP) contract. KCC was responsible for ensuring SRP's were in the right places for the right reasons.
  - Some schools would like the exam results from children within SRP's to be omitted from the school league tables; however, it was important to recognise that some children with SEND went on to achieve very good exam results.

3. RESOLVED to endorse the proposed decision that the Cabinet Member for Education and Skills:
  - a. Agree to enter into and seal contracts and service level agreements with mainstream primary and secondary schools to provide Specialist Resource Provisions for the period to 31 August 2026.
  - b. Authorise the Director for Education and Special Educational Needs to enter into and seal these contracts and service level agreements on behalf of Kent County Council.
  - c. Authorise the Director for Education and Special Educational Needs to be the nominated Local Authority Representative within the relevant agreements and to enter into variations as envisaged under any of these contracts and service level agreements.

**15. 23-00114 - Proposed Expansion of Snowfields Academy**  
(Item 16)

*Robert Veale, Assistant Director Education (East Kent) and Christine McInnes, Director of Education were in attendance for this item.*

1. Mr Veale introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - The revenue funding for the Academy Trust would increase in line with pupil numbers as a result of the expansion. The Trust would be responsible for all staffing matters, including how many staff would be required.
  - The average cost of an independent special school place quoted at paragraph 5.2 did not include the cost of home to school transport. The proposal offered a potential saving in home to school costs and a reduction in travel time could improve the wellbeing of the children.
3. RESOLVED to endorse the proposed decision that the Cabinet Member for Education and Skills:
  - a) Authorise the allocation of £2,545,790.41 from the High Needs Provision Capital Allocation budget to fund the permanent expansion of Snowfields Academy, by increasing the designated number from 280 to 340 places from September 2024.
  - b) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/agreements on behalf of the County Council with the Leigh Academies Trust.
  - c) Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

**16. 23-00124 - Specialist Resource Provision at Folkestone Academy**  
(Item 17)

*David Adams, Assistant Director - Education (South Kent) and Christine McInnes, Director of Education was in attendance for this item.*

1. Ms Hamilton provided a brief overview of the proposed decision.
2. Mr Adams introduced the report.
3. RESOLVED to endorse the proposed decision that the Leader of the Council:
  - a. Release £200,000 of capital funding from the Children's, Young People and Education Capital Budget to enable works to be completed to open the Specialist Resource Provision.
  - b. Authorise the Director of Education on behalf of the County Council to enter into capital and revenue funding agreements with the Turner Schools Trust.
  - c. Authorise the Director of Education to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

**17. Work Programme**  
*(Item 18)*

1. RESOLVED to agree the work programme.