

## **KENT COUNTY COUNCIL**

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### **CHILDREN'S, YOUNG PEOPLE AND EDUCATION CABINET COMMITTEE**

MINUTES of a meeting of the Children's, Young People and Education Cabinet Committee held at Online on Wednesday, 30th June, 2021.

PRESENT: Mr M C Dance (Chairman), Mr D Beaney, Mr C Beart, Mr A Brady, Mrs B Bruneau, Mr G Cooke, Mr D Crow-Brown, Mrs T Dean, MBE, Mr M Dendor, Ms S Hamilton, Mr Lehmann, Mr R C Love, OBE, Mr S C Manion, Ms M McArthur and Dr L Sullivan

OTHER MEMBERS: Shellina Prendergast, Sue Chandler and Simon Webb,

OFFICERS: David Adams (Director of Education), Sarah Hammond (Director of Integrated Children's Services, East), Jamie Brooks (Senior Commissioner), Katy Reynolds (Democratic Services Officer) and Ann Hunter (Principal Democratic Services Officer)

#### **UNRESTRICTED ITEMS**

**2. Introduction/Webcast announcement**  
*(Item 1)*

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

Apologies for absence were received from Mr Constanti and Mr Dunkley.

**4. Election of Vice Chair**  
*(Item 3)*

It was proposed and seconded that Mr Dendor be elected Vice Chairman of the Committee.

RESOLVED that Mr Dendor be elected Vice Chairman of the Committee.

**5. Declarations of Interest**  
*(Item 4)*

Dr Sullivan declared an interest as her husband worked as an Early Help Worker for Kent County Council.

Mr Brady declared an interest as his partner worked as a lecturer in The Tizard Centre at the University of Kent.

**6. Minutes of the meeting held on 9 March 2021**  
*(Item 5)*

RESOLVED that the minutes of the meeting of the Children's, Young People and Education Cabinet Committee held on 9 March 2021 were correctly recorded and that they be signed by the Chairman.

**7. Minutes of the meeting held on 27 May 2021**  
*(Item 6)*

RESOLVED that the minutes of the meeting of the Children's, Young People and Education Cabinet Committee held on 27 May 2021 were correctly recorded and that they be signed by the Chairman.

**8. Verbal Update by Cabinet Members**  
*(Item 7)*

Mrs Chandler (Cabinet Member for Integrated Children's Services) gave a verbal update on the following issues:

**Inspection for youth offending starting on 21st June:**

Her Majesty's Inspectorate of Probation (HMIP) conducted a 5-day full inspection of the Youth Offending Service between 21st and 25th June. The Inspection is a graded inspection although the Council will not have a published report until the week of 4th October. The service will prepare a feedback report for CYPE Cabinet Committee on 17th November.

**Virtual School Kent Awards 2021 nominations are now open**

Mrs Chandler highlighted that nominations were open for the 2020-21 Virtual School Kent awards for Kent Children and Young People in Care. The deadline for Early Years nominations and those in Year R to Year 11 is Friday 30th July and for those in Year 12, Year 13 and Kent Care Leavers, the deadline is Friday 27 August. The service remains hopeful that it will be possible to celebrate the achievements of Kent's children and young people in person this year.

**The Care Review**

Mrs Chandler said the independent review of children's social care, had now reached its first major milestone and had published its Case for Change which sets out what the review has heard so far and where they think the system needs to change. More information can be found online at: [The Case for Change - The Independent Review of Children's Social Care \(independent-review.org\)](https://www.independent-review.org/)

**Care leavers**

Mrs Chandler highlighted the achievement of Kent Care Leavers who had worked with the Applied Research Collaboration for Kent, Surrey and Sussex (ARC KSS) on a project called 'Beyond Lockdown.' The research team worked with Kent Care Leavers to co-produce the key messages and videos for both care leavers and services working with care leavers to enable them to provide effective support during the pandemic. This work was presented in May to the National Benchmarking Care Leavers Forum and again on 10th June, to practitioners from

all local authorities. A press release from ARC KSS will shortly appear to congratulate Kent and Kent Care Leavers for their contribution to the research piece which will be circulated on publication. Further information is available online at: <https://kssahsn.net/beyond-lockdown-impact-of-covid-19-on-care-leavers/>

### **Mental health briefing**

Mrs Chandler said that invitations to an all-member briefing on mental health to explain KCC's role in the commissioning and provision of mental health services would be sent shortly.

### **Children's Assurance Board**

Mrs Chandler said that she would advise the Cabinet Committee of the membership of the Children's Assurance Board in due course.

### **Unaccompanied Asylum-Seeking Children (UASC)**

Mrs Chandler said that KCC would no longer be accepting Unaccompanied Asylum-Seeking Children (UASC) arriving in the port of Dover from 14th June to ensure the safe care of those children and young people already in the Council's care. She said that during 2021 the Council had 422 under 18 UASC in its care and was also supporting 1100 Care Leavers. This meant that Kent social workers and independent review officers had caseloads considerably above the Department for Education recommended guidelines. Of the 242 UASC arriving in Kent between 1st January and 1st June this year, only 52 had been transferred to other local authorities under the voluntary National Transfer Scheme. KCC continued to lobby the government to introduce a mandatory National Transfer Scheme. Mrs Chandler said the Home Secretary had responded to KCC's letter which was the first step towards a Judicial Review.

In response to questions Mrs Chandler said: the Council had legal responsibility for UASC children placed outside of Kent and that quarantine rules had added additional pressure to the system

Mrs Prendergast (Cabinet Member for Education and Skills) gave a verbal update on the following issues:

#### **2021-22 Kent Test**

Mrs Prendergast said that the guidance for the 2021-22 Kent Test and exams had been issued by the Department for Education and circulated to schools in May. The guidance advised Local Authorities to carry out selection testing in September to ensure that parents received their child's results before the statutory national closing date of 31 October 2021 for secondary school applications. The guidance removed support from the Department for Education for authorities who elected to delay the assessment.

Mrs Prendergast said there was a strong focus on the interests of children from disadvantaged backgrounds, whose learning was likely to have suffered the most during lockdown periods. Schools had been asked to support parents applying for

the Kent Test and to ensure that they were aware of the free materials accessible through the Kent Test pages on the Council's website. She also said that officers had worked closely with schools on the Head Teacher Assessment referral process and would continue to do so.

### **Educational Support**

Mrs Prendergast said that she had written to the Secretary of State for Education on 14<sup>th</sup> June 2021 to express the Council's concern regarding educational support for disadvantaged pupils, particularly those eligible for Free School Meals. A copy of the letter had been shared with all schools and the Kent Members of Parliament.

Mrs Prendergast explained that the Department for Education had announced changes to the calculation of the pupil premium for the financial year 2021- 22 which could result in a loss of over £4 million to Kent schools during this year. She said that this loss was coupled with an increasing number of families meeting the threshold as a result of Covid-19.

Mrs Prendergast said the National Audit Office had recently announced that less than half of pupils benefitting from the existing tuition support fund were eligible for free school meals. Evidence from various studies suggested that schools with high levels of disadvantaged children had experienced higher levels of learning loss than other schools – particularly in secondary schools. Mrs Prendergast said that the recent funding for post Covid learning catch up would not be sufficient to address the learning gap. She said that the Council had plans to invest over £10m in the post Covid Reconnect Programme for children and young people. Ministers had given some indication that additional funding might be forthcoming.

### **16-19 Sector Collaborative Review**

Mrs Prendergast explained that the Council was conducting a collaborative review of the 16-19 Sector as part of its strategic plan. The review aimed to improve the options and life chances of Kent's young people by enhancing the education, skills, and training opportunities available to them. The call-for-evidence could be accessed via the Kelsi website and would be open until July 2021. Mrs Prendergast encouraged those involved in the 16-19 sector to participate in the call-for evidence.

### **Kent Mental Health and Wellbeing Awards**

Mrs Prendergast reminded Members that nominations for the Kent Mental Health and Wellbeing Awards could be submitted until noon on Wednesday 1 September.

In response to questions, Mrs Prendergast said that a report on the work being done to narrow the achievement gap between children from different backgrounds could be provided at a future meeting of the cabinet committee.

**9. Performance Monitoring**  
*(Item 8)*

*Katherine Atkinson (Assistant Director of Management Information and Intelligence) was in attendance for this item.*

Ms Atkinson introduced the Performance Monitoring scorecard and reported that some indicators were not collected due to examinations not taking place. She said there had been an increase in referrals for early help and SEND statutory assessments, with peaks in September 2020 and March 2021. Ms Atkinson said the underperforming Education indicators, particularly the timescales for Education and Health Care Plans (EHCP), could be attributed to the service addressing the backlog of requests.

In response to questions from Members, the following was noted:

- The time taken to complete EHCPs varied across Kent and there had been improvement over the last six weeks despite the increase in the number of referrals received. Ms Chandler undertook to circulate a detailed management response to the underperformance and variance in performance to the Committee.

RESOLVED that the Committee noted the performance report.

**10. Review of the Commissioning Plan for Education Provision in Kent 2021-25**  
*(Item 9)*

*Christine McInnes (Director of Education) and Lee Round (Governor Support Officer) were in attendance for this item.*

Mrs Prendergast introduced the Commissioning Plan for Education Provision in Kent 2021-2025. She said the plan was updated on a yearly basis and the 2021-25 plan has taken the impact of Covid-19 into consideration. Ms McInnes drew Members' attention to paragraph 1.3 of the report.

In response to questions from Members, Ms McInnes and Mr Round said:

- The additional costs had arisen due to the increased costs of materials, the need for temporary modular units and the delay to intended opening times.
- The forecast was based on current numbers in schools, the national birthrate and live birth data, however additional unforeseen pressures could arise.
- The Council is working with developers to utilise Section 106 payments and to alleviate financial pressures, however there was balance to be struck between capital pressures and the timelines for development.
- Guidance, support and leadership programs for capacity building in mainstream schools to accommodate children with EHCPs were being developed.

RESOLVED to note:

- A) the progress achieved and to consider a further report prior to the next version of the Commissioning Plan published in November 2021
- B) the need to review planned capital expenditure on school places

**11. 21/00049 - Non-Maintained and Independent Special School Commissioning Strategy**  
(Item 10)

*Christy Holden (Head of Strategic Commissioning – Children’s) and Mark Walker (Director of SEND) were in attendance for this item.*

Ms Holden introduced the report which set out a proposal for a more co-ordinated approach to securing placements for children in Non-Maintained Independent Special Schools and asked the cabinet committee to consider and endorse or make recommendations to the Cabinet Member for Integrated Children’s Services.

In response to questions from Members, Ms Holden said that soft market engagement had been conducted to explore the relationship with the providers and work was being done to develop a predictive modelling tool to enhance the relationship with those providers.

RESOLVED to endorse the proposed decision of the Cabinet Member for Integrated Children’s Services to:

- A) Implement a Dynamic Purchasing System to procure Non-maintained and Independent Special School (NMISS) placements; and
- B) Delegate decisions about the establishment of the new arrangements to the Corporate Director for Children, Young People and Education (CYPE), or another Officer as instructed by the Corporate Director for CYPE

Mr Brady and Dr Sullivan asked for it to be recorded that they did not support the proposed decision

**12. 21/00052 - Increasing capacity within The Education Programme to fulfil SENs (Special Educational Needs Service) responsibilities for tuition when required**  
(Item 11)

*Christy Holden (Head of Strategic Commissioning – Children’s) and Mark Walker (Director of SEND) were in attendance for this item.*

Ms Holden introduced the report which outlined the rationale for increasing capacity for the delivery of one-to-one tuition from The Education Programme, within the Education Directorate, in order to support the majority of 16-year-olds who are referred by the SEND Service as a temporary education provision prior to receiving a special school or other place. The Committee was asked to consider and endorse, or make recommendations to the Cabinet Member for Integrated Children’s Services on the proposed decision.

In response to questions Ms Holden said:

- that one of the potential benefits of formalising the SEN arrangement was that a Service Level Agreement could be put in place.
- The temporary arrangement was being set up to meet current demand whilst acknowledging that longer term additional capacity is required.
- The proposed actions were intended to provide the Council and Members with greater oversight of this area of work. Working with a provider with a

larger cohort, rather than individual purchases, was expected to aid the Council in fulfilling its statutory duty with regard to EHCP and education provision.

RESOLVED to endorse, subject to a review in twelve months, the proposed decision for the Cabinet Member for Integrated Children's Services in consultation with the Cabinet Member for Education and Skills to:

- A) Increase the capacity within The Education Programme to fulfil the SEND (Special Educational Needs and Disabilities) Service's responsibilities to provide education provision for children and young people (CYP) with Education, Health and Care Plans (EHC Plans) who are not attending school; and
- B) Delegate decisions about the establishment of the new arrangements to the Corporate Director for CYPE, or another Officer as instructed by the Corporate Director for CYPE.

**13. 21/00053 - SEN Therapies Commissioning Strategy**  
(Item 12)

*Christy Holden (Head of Strategic Commissioning – Children's) and Mark Walker (Director of SEND) were in attendance for this item.*

Ms Holden introduced the report that outlined the background and rationale for establishing a contractual arrangement for Special Educational Needs provision for Therapies. The Committee was asked to consider and endorse, or make recommendations to the Cabinet Member for Integrated Children's Services on the proposed decision.

In response to questions from Members, it was noted that:

- The Commission will work with providers and health colleagues to ensure that appropriate standards are in place. The Commission will refer the question regarding shared DBS checks back to SEN service for clarification.
- The performance indicators for the service will be developed through market engagement to avoid the duplication of performance indicators. It was agreed that the Committee would have sight of these indicators and the opportunity to scrutinize performance once a provider list had been implemented.

RESOLVED to endorse the proposed decision of the Cabinet Member for Integrated Children's Services to:

- A) Implement a Qualified Provider List for Special Educational Needs Therapies provision to fulfil the Council's responsibilities in meeting the needs identified in a child's Education, Health and Care Plan.
- B) Delegate decisions about the establishment of the new arrangements 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

Mr Brady and Dr Sullivan asked for it to be recorded that they did not support the proposed decision.

**14. 21/00054 - School Term Dates 2022-23**  
*(Item 13)*

*Ian Watts (Area Education Officer – North Kent) and Christine McInnes (Director of Education) were in attendance for this item.*

Mr Watts introduced the report which asked the Committee to consider and endorse or make recommendations to the Cabinet Member for Education and Skills on the decision to agree the school term dates for KCC community and voluntary controlled schools for the school years 2022-23. Mr Watts said the Council had undertaken a public consultation and the results of this were set out in the report, as well as the proposed term dates.

In response to questions from Members, it was noted:

- The additional bank holiday for the Queen's Jubilee celebrations falls into the 2021-22 year. The published dates are being amended to reflect this, although it falls into Kent schools' half term dates.
- The consultation was accessible online and was also distributed to schools. There was a bigger response to the public consultation than in previous years.

RESOLVED to endorse the proposed decision of the Cabinet Member for Integrated Children's Services to agree the school term dates for KCC community and voluntary controlled schools for the school years 2022-23.

**15. 21/00058 - Updated 2021-22 and 2022-23 Admissions Arrangements for Community and Voluntary Controlled schools**  
*(Item 14)*

*Craig Chapman (Interim Head of Fair Access) and Christine McInnes (Director of Education) were in attendance for this item.*

Mr Chapman introduced the report that updated the determined 2021-22 and 2022-23 admission arrangements for Kent community and voluntary controlled primary schools and Kent community and voluntary controlled secondary schools to accommodate new legal requirements in the forthcoming 2021 School Admissions Code. Mr Chapman said that the new admissions code would add regulations for children adopted from abroad and that local authority regulations needed to be broadly in line with the new code.

RESOLVED to endorse the recommendation that the Cabinet Member for Education and Skills should DETERMINE:

- A) Updated admission arrangements for Kent community and voluntary controlled primary schools for 2021-22.
- B) Updated admission arrangements for Kent community and voluntary controlled primary schools for 2022-23.

- C) Updated admission arrangements for Kent community and voluntary controlled secondary schools for 2021-22.
- D) Updated admission arrangements for Kent community and voluntary controlled secondary schools for 2022-23.

Dr Sullivan asked that it be recorded that she had abstained from voting.

**16. 21/00057 - Proposal to expand school sports facilities on the Wilderness Campus**  
*(Item 15)*

*Ian Watts (Area Education Officer – North Kent) and Christine McInnes (Director of Education) were in attendance for this item.*

The chairman read a statement from Mr Streatfeild in support of the proposal. Mr Watts introduced the report which followed up decision number 20/00009 (proposal to expand Tunbridge Wells Grammar School for Boys onto a satellite site) and decision number 20/00045 (purchase of land south of Seal Drive, Sevenoaks), and provided details of the project and funding to extend the sports offer to the three schools on the Wilderness Campus and the local community.

RESOLVED to endorse the proposed decision of the Cabinet Member for Integrated Children's Services to:

- A) endorse the addition of £1.5m of Community Infrastructure Levy funding to total the project budget for the expansion of Tunbridge Wells Grammar School for Boys onto a satellite, to provide enhanced sporting facilities on the Wilderness Campus. The total budget allocated for the expansion will increase to £17.4m.
- B) delegate authority to the Director of Infrastructure, in consultation with the Cabinet Member for Education and Skills, to approve necessary development works required to develop the land into usable playing fields and to finalise the terms of and enter into relevant contracts or other legal agreements as required to implement this decision.
- C) delegate authority to the Director of Infrastructure in consultation with the General Counsel and Director of Education to enter into any necessary contracts / agreements on behalf of the County Council.
- D) authorise the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

**17. Reconnect Programme Update**  
*(Item 16)*

Mrs Chandler introduced the report and outlined the decision which had been taken by Cabinet on 24 June 2021. She said the Reconnect Programme was a response to the impact of the pandemic on children and young people and was intended to address the intended to address the negative impacts of Covid on children and young people.

In response to questions Mr Adams said that contributions to the programme were anticipated from other organisations and that while the programme was scheduled to end in August 2022, the nature of the partnership agreement meant there was potential to extend work beyond this date.

RESOLVED that the Cabinet Committee noted the update and supported the programme and the decision of Cabinet. Mr Brady and Dr Sullivan asked for it to be recorded that they did not support the approach to the delivery of the programme.

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

In response to a question, it was confirmed that regular agenda setting meetings, attended by the chairman, vice-chairman, spokes-people from each of the political groups on the committee and senior officers to agree the agenda for meetings.

RESOLVED that the Work Programme for 2020/21 be noted subject to the inclusion of the following items:

- A) Feedback report on the inspection of the Youth Offending Service for CYPE Cabinet Committee on 17th November.
- B) Report on the work being done to narrow the achievement gap between children from different backgrounds.