KENT COUNTY COUNCIL

EDUCATION CABINET COMMITTEE

MINUTES of a meeting of the Education Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 4 December 2013.

PRESENT: Mr L B Ridings, MBE (Chairman), Mrs P T Cole (Vice-Chairman), Mr M A C Balfour, Mr H Birkby, Mr L Burgess (Substitute for Mr A D Crowther), Mr G Cowan, Mrs M E Crabtree, Mr A J King, MBE (Substitute) (Substitute for Mrs P A V Stockell), Mr S C Manion, Mr J M Ozog, Mr W Scobie and Mr M J Vye

ALSO PRESENT: Mr R W Gough and Dr Bamford

IN ATTENDANCE: Mr P Leeson (Corporate Director Education, Learning and Skills Directorate), Mr K Abbott (ELS Director Finance Business Partner), Mr M Burrows (Director of Communications & Engagement), Mr J Nehra (Area Education Officer - West Kent), Mr J Reilly (Principal Policy Officer), Mrs S Rogers (Director Education, Quality and Standards), Mr D Shipton (Head of Financial Strategy), Mr K Shovelton (Director of Education Planning and Access) and Mrs C A Singh (Democratic Services Officer)

UNRESTRICTED ITEMS

146. Membership
(Item A2)

RESOLVED that Mr Brunning had replaced Dr Bamford as the representative of the Archdiocese of Southwark on the Education Cabinet Committee be noted.

147. Declarations of Members' Interest relating to items on today's Agenda
(Item A4)

1. Mr Balfour made a declaration regarding Item D2 advising that he was the Chairman of Governors at Grange Park School.

2. Mrs Crabtree made a declaration regarding Item B2 as her sister was a school governor at Bower Grove School, Maidstone.

3. Mr Scobie made a declaration regarding Items B3 and D2 advising that he had family members that worked at Laleham Gap (Special School), Margate; and he was a school governor at Bromstone Primary School, Broadstairs.

148. Future Meeting Dates 2014
(Item A5)

RESOLVED that the Education Cabinet Committee meeting dates for 2014 be noted as follows:

Tuesday, 14 January	Wednesday, 24 September
Friday, 14 March	Tuesday, 16 December

Wednesday, 23 July

(All Meetings will commence at 10.00 am)

149. Minutes of the meeting held on 27 September 2013
(Item A6)

1. Mr Leeson confirmed that he would forward a written reply to Mr Scobie and Mr Cowan regarding the resolution on the boundary agreements as part of the academy transfer of Cliftonville Primary School, and Laleham Gap School.

2. RESOLVED that the Minutes of the meeting held on 27 September are correctly recorded and that they be signed by the Chairman.

150. Verbal Update by Cabinet Member for Education and Health Reform and Corporate Director, Education, Learning and Skills
(Item A7)

1. The Cabinet Member, Mr Gough, and the Corporate Director, Mr Leeson, gave their verbal updates and highlighted work undertaken since the last Education Cabinet Committee meeting which included the following:

Update of Sevenoaks Grammar School Annex

- The decision on the 2 separate applications to provide Sevenoaks Grammar School annex provision by Valley Invicta Academy Trust, Maidstone and The Weald of Kent Grammar School, Tonbridge had been submitted to the Secretary of State in July and a determination on those applications had not been reached by the Secretary of State, Mr Gove. The position remained much the same despite the recently reported correspondence between the Secretary of State, Mr Gove and Mr Fallon, MP for Sevenoaks.
- The key issues to be determined by the Secretary of State were; whether this was to be considered a new grammar school, which was not allowed under the legislation or, whether this was an expansion of the existing school. Mr Gough confirmed that he too had further exchanges of correspondence with the Secretary of State when they both set out their positions again during which the Secretary of State confirmed that he had been taking evidence from the Education Funding Agency and that he hoped to reach a decision soon. Mr Gough confirmed that despite this, progress was being made on the planning applications on the Wildernesse site for the grammar school annex and the Trinity Free School. A determination on the planning applications was expected in March 2014.

Reflection on the all through schools that have an age range from 3 to 18 years

- There were 2 all through secondary schools in Kent; John Wallis Academy, Ashford and the Folkestone Academy, Folkestone. A further 14 Secondary schools in Kent had Primary schools on their sites and would operate very closely with those Primary schools and in most cases those children would progress to the Secondary school on the same site. Mr Leeson was keen to promote the idea of further links between the Secondary and Primary schools. A number of the proposals for the Cabinet Committee's consideration on this meeting's agenda involved a number of other Secondary Schools accommodating Primary schools on their school sites. Kent was also in the

process of tendering for 5 new Primary Schools as part of the Basic Need Capital Programme in Kent and some of the sponsors being put forward to the Department of Education, for those 5 new Primary schools, were Kent Secondary Schools.

"Narrowing the Gap"

- There had been a welcome improvement in terms of; the number of Kent schools achieving an Ofsted judgement of either good or outstanding and in particular the overall attainment of pupils. This however, highlighted the achievement gaps for children in receipt of Free School Meals, SEN and Disability and Children in Care. The narrowing of the gap remained a major priority for the Education, Learning and Skills Directorate. The Cabinet Committee would have the opportunity to discuss what was being done to narrow the gap in more depth at a future meeting.
  Kent had a number of projects and programmes happening around this issue including the promotion of the best uses of the Pupil Premium, which gave additional national funding to schools to support those children on Free School meals in a more targeted way on their progress.
  Members noted the following points that were drawn out from reports on the agenda;
  - Free School Meals attainment gap in Kent did not narrow in 2013.
  - There had been a significant 5% narrowing of the gap in Primary Schools pupils in 2012 but no reduction in 2013 at Key Stage 2.
  - The Free school meal attainment gap in Kent for the end of Primary School was 22%, compared to a national gap of 17% in 2012; the figures for 2013 would be published in January 2014.
  - At Key Stage 4 the Free School Meal attainment gap had not closed for 3 years. The gap was 33% in Kent compared with the national gap which was 26%. The conclusion was that there was not enough progress in narrowing the gap. Drilling down beneath those figures there were some interesting trends and differences between schools.
  - 177 primary schools narrowed the Free School Meals attainment gap at KS2 in 2013.
  - 43 secondary schools narrowed the Free School Meals attainment gap at KS4 in 2013.
  - 95 primary schools achieved better attainment results for Free School Meals pupils than they did in the previous year. 46 secondary schools improved their attainment results for Free School Meals pupils compared to the previous year. It is possible to improve the outcomes of these pupils and at the same time for the gap not to close. If the results improved overall at a very fast rate in some schools we may find that outcomes would improve but the gap may not close or may even get wider. There were two things that had to be borne in mind; both the actual outcomes, (i) are more Free School meals pupils at primary school achieving level 4 in reading writing and mathematics? (ii) Are more Free School Meal pupils in secondary schools gaining 5 good GCSEs with English and mathematics? And are the gaps closing for those pupils.
  - It was key that more pupils had a better chance of achieving the levels expected especially when they were in those key vulnerable groups. There were other groups mentioned by the Cabinet Member including SEN and particularly the outcomes for Children in Care which had the biggest achievement gap although there was some improvement in 2013.

- As a key priority a number of things were being done. This was top of the agenda for the School Improvement Advisors in terms of school improvement and the quality of teaching and the impact that teaching had on accelerating progress for different groups of pupils.
- A set of case studies of the best practice in Kent would be published in January on those schools that are succeeding in closing the gap for pupils on Free School Meals and were achieving better or the same rates of progress than the rates of progress for other pupils.
- There was now a set of expectations that were understood by Kent schools that between Key Stage 1 and Key Stage 2 in primary schools the rates of progress in Free School meals have to be three levels of progress and not two if those children were to catch up and between the end of primary school and Key Stage 4 it had to be four levels of progress for Free School meal pupils and not the expected three levels.

2. The Chairman advised that it would be appropriate for the Members at the Education Cabinet Committee agenda setting meeting to discussion when a report on "narrowing the gap" should be submitted to a future meeting.

3. Mr Gough and Mr Leeson responded to comments and questions regarding information given in their verbal updates by Members which included the following:

a) Mr Gough advised that the decision on the Sevenoaks Annex was being watched outside the county as well as locally. He explained that Mr Gove's decision was key and rested on whether this was a new school or whether this was an expansion. Mr Gove has been even handed and held a neutral position on this matter. He reminded Members that the request for additional selective school places in Sevenoaks came from a very large petition presented to the County Council which was debated and voted on and carried by a large majority cross party to take this forward. Following discussions with schools and eventually Valley Invicta Academy Trust and then The Weald Grammar School coming forward, it was right that KCC pursued this. There were significant pressures on secondary and selective places particularly in the West Kent area, which needed to be addressed. Legal advice was sought from outside KCC's Governance and Law Department and this had an impact on the proposal being taken forward.

b) Mr Gough advised that to date, in response to a "Freedom of Information" request, none of the legal advice had been made public. Mr Gough advised that he would have to check back on what information he would be able to disclose to Members.

c) Mr Gough stated that this proposal would not have been pursued had the legal advice been to the contrary. He understood that the cost of the legal advice had been made public.

d) A comment was made that there had been much improvement in the attainment in the all through primary schools in Canterbury and Dover. The forthcoming promotion of all through schools was welcomed.

e) Mr Gough advised that the relocation of Barton Court Grammar School, Canterbury, [Barton Court Grammar is an academy] to the coast was a different proposal to the Sevenoaks annex as the negotiations were with a developer. He explained that there had been significant correspondence exchanged with local Members, which Mr Gough would share with Mr Vye. A

balanced view had been taken that there would be some merit in the idea of coastal grammar provision. Mr Gough stated that the money available was for Basic Need and the evidence he had viewed to date regarding the relocation of Barton Court Grammar School did not persuade him that there was a Basic Need in this proposal. Mr Gough assured Members that detailed work had been carried out on this to allow a fully balanced response to be given.

4. RESOLVED that:-

a) the responses to comments and questions by Members as detailed in paragraph 3 above be noted;

b) the Education Cabinet Committee agenda setting meeting representatives discuss when a report on "narrowing the gap" can be submitted to a future meeting;

c) advice be sought on whether the legal advice on Sevenoaks annex can be shared with Members and the cost of that legal advice be made available;

d) the correspondence regarding the relocation of Barton Grammar School, Canterbury be shared with Mr Vye; and

e) the information given in the verbal update be noted with thanks.

151. Decision number 13/00091: Proposal to expand Slade Primary School
(Item B1)

(Report by Mr P Leeson, Corporate Director for Education, Learning and Skills)

(Mr Shovelton, Director of Education Planning and Access and Mr J Nehra, Area Education Officer, West Kent, were present for this item)

1. Further to Minute:135/2013, the Cabinet Committee considered a report that sets out the results of the public consultation on the proposal to commission the expansion of Slade Primary School, Tonbridge from 1.5 FE to 2FE for September 2014.

2. Mr Shovelton advised that there had been a public consultation for which a public meeting had been held and written responses received. The Local County Councillor, Headteacher and governing body for Slade Primary School were all in favour of this proposed expansion proceeding.

3. Mr Nehra advised that since this report was written and before the closing date of the consultation a further 22 written responses had been received. The total was 46 responses; 17 in support of the proposal, 26 against and 3 undecided. He shared the content of the responses which included; a statement of support from Tonbridge Borough Council which highlighted the need to mitigate the impact of parking at drop off and pick up times, and the Local Residence Association indicating a minority in numbers of those opposing the proposal.

4. Mr Shovelton and Mr Nehra responded to questions by Members as follows:

a) Kent County Council's acquisition of the neighbouring site to Slade Primary School, Deacon House would be concluded by the end of December 2013.

b) A comment was made that although there were concerns raised the proposed expansion was necessary and 30 children in primary school classes and 2 form entry were standard.

5. The Chairman then put the recommendations to the vote, which was carried.

6. RESOLVED that:-

a) the responses to questions by Members in paragraph 4 above be noted; and

b) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education and Health Reform to:

i. issue a public notice to expand Slade Primary School, The Slade, Tonbridge by 15 places from 1.5FE to 2FE;

and subject to no objections being received to the public notice

ii. expand the school; and

iii. Allocate £1.5 million from the Education, Learning and Skills Capital Budget.

152. Decision Number: 13/00092 - Proposed Transfer of the Bower Grove secondary satellite provision and change of designated number of Bower Grove School, Maidstone
(Item B2)

(Report by Mr P Leeson, Corporate Director, Education, Learning and Skills)

(Mr Shovelton, Director of Education Planning and Access and Mr J Nehra – Area Education Officer, West Kent, were present for this item)

1. Further to Minute: 139/2013, Mr Shovelton introduced a report that sets out the results of the public consultation on a proposal to transfer the Bower Grove secondary, Maidstone satellite provision to St Augustine Academy, and redesignate the number of pupils admitted to Bower Grove Secondary School, Maidstone to 183 if the proposal was agreed.

2. Mr Leeson advised that this proposal was integral to the SEN and Disability Strategy to expand the places in Kent's Special Schools especially for children with autism and emotional, social and behavioural needs. This proposal would support the ambitions for those additional places.

3. The Chairman then put the recommendation to the vote, which was unanimous.

4. RESOLVED that the Education Cabinet Committee endorsed the decision to be taken by the Cabinet Member for Education and Health Reform on the decision to issue a public notice to:

   i. transfer the Bower Grove secondary satellite provision to St Augustine Academy, subject to the agreement of the Secretary of State for Education; and
   ii. change the designated number of Bower Grove School to 183 (if the proposal to transfer the secondary satellite to St Augustine Academy was agreed) or 195 (if the transfer was not agreed).

153. Decision Number: 13/00084 School Expansions - Detailed Plans and Allocation of Basic Need Funding
(Item B3)

(Report by Mr P Leeson, Corporate Director, Education, Learning and Skills)

(Mr K Shovelton, Director of Education Planning and Access, was present for this item)

1. The Cabinet Committee considered a report that provided details of the planned expansions and proposed decisions for the Cabinet Member for Education and Health Reform to allocate the capital funds from the Basic Need budget and secured delegated authority for the agreement of individual terms and conditions for each contract awarded to ensure the necessary expansions were completed in a timely and cost efficient manner.

2. Mr Shovelton gave his assurance that each of the schools expansions had an individual timetable and planning applications and consultations had been factored in and he was confident that the works would meet their deadlines

3. The Chairman then put all the recommendations to the vote, which was carried. Mr Scobie requested that his abstention to the vote be noted.

4. RESOLVED that:-

   (1) the response to a question by a Member in paragraph 2 above be noted; and

   (2a) the Education Cabinet Committee endorses the decisions to be taken by the Cabinet Member for Education and Health Reform to allocate the capital funds from the Basic Need budget for the implementation of the following decisions:

      i. Decision 12/02007/2 - Proposal to expand St Botolph's Church of England Primary School (Aided), Gravesham allocate ££3,035,500;
      ii. Decision 12/02008/2 - Proposal to expand Lady Boswell's Church of England Primary School (Aided), Sevenoaks allocate £1,500,000;
      iii. Decision 12/02011/2 - Proposal to expand Stone, St Mary's Church of England Primary School, Dartford allocate £1,500,000;
      iv. Decision 12/02016 - Proposal to expand Oakfield Community Primary School, Dartford allocate £2,350,000;

v. Decision 12/02021 - Proposal to expand Maypole Primary School, Dartford allocate £1,716,000:
vi. Decision 12/02010/2 - Proposal to expand St Mark's Church of England Primary School, Tunbridge Wells allocate £2,500,000;
vii. Decision 12/02009 - Proposal to expand Southborough Church of England Primary School, Tunbridge Wells allocate £3,300,000;
viii. Decision 12/02015 - Proposal to expand Langton Green Primary School, Tunbridge Wells allocate £2,400,000;
ix. Decision 13/00070 - Proposal to expand Lamberhurst St Mary's Church of England Primary School, Tunbridge Wells allocate £703,813;
x. Decision 12/01962/2 - Proposal to expand The Discovery School, Kings Hill allocate £299,975;
xi. Decision 13/00002 - Proposal to expand Bromstone Primary School, Broadstairs allocate £2,800,000;
xii. Decision 13/00008 - Proposal to expand Ospringe CE (Voluntary Controlled) Primary School, Ospringe, Faversham allocate £650,000;
xiii. Decision 12/01976 - Proposal to expand St John's Church of England Primary School, Maidstone allocate £1,717,985
xiv. Proposal to expand Westlands Primary School (Academy), Sittingbourne allocate £450,000 (the Academy completed its own consultation process in accordance with the law).

(2b) the Director of Property and Infrastructure, in consultation with the Director of Governance and Law, be authorised to enter into any necessary contracts/agreements on behalf of the County Council.

(2c) the Director of Property and Infrastructure be authorised to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

(2d) in relation to other required officer actions not specifically delegated above, the Executive Scheme of Delegation for Officers as set out in Appendix 2 Part 4 of the Constitution (and the directorate schemes of sub-delegation made thereunder) provide the governance pathway for implementation by officers be noted.

154. Education, Learning and Skills Performance Scorecard
(Item C1)

(Report by Mr R Gough, Cabinet Member for Education and Health Reform and Mr P Leeson, Corporate Director for Education Learning and Skills)

1. The Corporate Director, Mr Leeson, introduced a report on the Education, Learning and Skills Performance Management Framework, which was the monitoring tool for the targets and the milestones set out in Bold Steps for Education.

2. Mr Leeson highlighted that there had been an increase in the rate in which the SEN statutory assessments and statementing of pupils were completed. The statutory timescales were an important indicator to get the right results and responses for pupils with Special Educational Needs and Disabilities quickly enough. This had increased to over 90% which was a significant improvement to the position a year ago.

3. Mr Leeson stated that there was also a good reduction in those people aged 18-24 in Kent who were unemployed and this continued to reduce and was currently down to 5% this month and there had also been an increase in young people entering the apprenticeship programme. The Not in Education Employment or Training (NEET) figures in the report were particularly high for this time of year and were not part of the usual trend. The trend was downwards overall from 6% of NEET young people in 2012 to 5% at the end of the last school year in 2013. The blip indicated in the report was the process of settling numbers down during late August /September, October/November as more young people were followed up for a guaranteed destination of learning or employment with training past the age of 16. Mr Leeson assured Members that when those NEET figures were presented again they would have reduced to 5% or less.

4. Mr Leeson then highlighted the continuing downward trend of permanent exclusions in Kent from 209 last year down to 143 at the end of the last school year. This was achieved as a result of many initiatives including; the review of the Pupil Referral Units (PRU), the development of an Integrated Adolescent Support Service, a commitment of secondary schools that had formed management committees of the reformed PRUs, not to permanently exclude when alternatives were available and the development of a better alternative curriculum offer, which provided a different pathway for pupils that might be at risk of exclusion. The downward trend was expected to continue to achieve the Bold Steps target of 40 in 2015/16.

5. Mr Leeson responded to comments and questions by Members which included the following:

a) A comment was made that the achievements of the Early Years and Foundation Key stages were excellent.
b) A request was made for a breakdown of the GSCE results as figures rather than percentages.
c) Mr Leeson advised that the following response to the Members question was to be his opening statement on Item C2 on the agenda. There had been continuous improvement in all Key Stages every year. The narrowing of the gap for Kent's Early Years Foundation was the third best in the country. This progress would need to continue at a good enough rate at Key Stage 1 and 2 (KS1and KS2) especially for children from deprived backgrounds as their attainment gap had widened.
d) Mr Leeson stated that the changes in how the attainment levels in reading, writing and mathematics were now combined and measured had presented more challenge to schools. If each pupils' attainment was not tracked to ensure that they were making good enough rates of progress and similar rates of progress in reading and writing and mathematics the school would not reach a particular level of outcome at the end of KS2 combined. The results in Kent were a 2% improvement on the same measure the previous year. 74% of children achieved a level 4 in reading, writing and mathematics, which is 1% below the national average although the trend was up from what was being achieved in the last several years in Kent. Just below 200 Kent primary schools improved their results at KS2 out of 450 Kent primary schools, therefore more primary schools had to improve their results year on year.

e) At KS4 the results improved significantly to 63% in pupils achieving 5 good GCSEs including English and Mathematics which was up 2% from the year before and was 4% above the national average. 75 of the 101 secondary schools in Kent improved or sustained their GCSE performance or declined by less than 1% which was a strong upward tend.
f) There was a minimal improvement in the "A" level results in Kent; the trend was a very slight improvement year on year on some measures.
g) Although there was careful tracking of pupils' progress and most schools were clear on what they needed to achieve and came close to the targets that they set out to achieve. The more effective the school was the more predictability there was on their assessments of pupil attainment and progress. The local authority would hold its usual checks with the schools on their expectations and progress rates for pupils in Kent in January on what should be achieved in the Summer but there could be surprises. Even the best schools can have a certain level of confidence but a pupil may not achieve in line with expectations on the day set for level 4 in reading writing and mathematics. Those disappointments were usually marginal. The schools where there were the biggest surprises were not good enough yet at assessing progress and tracking the progress of individual pupils and also carrying out the kind of analysis of the learning and the content of the curriculum that needed to be covered and addressed in order to ensure that young people achieved level 4 in reading, writing and mathematics and good GCSEs in English and Mathematics eventually. That combination of assessment was used to inform teachers on what was needed to accelerate and maintain good rates of progress for individual pupils.
h) Mr Leeson stated that there was still too much of a mixed picture in Primary schools in Kent and although the number of good schools had increased in Kent significantly, there were still not enough good schools and we continue to be below the national average.

6. RESOLVED that:-

a) the responses to comments and questions by Members be noted; and

b) the development of the Education, Learning and Skills performance management framework and the current performance on key indicators be noted.

155. School Performance 2013 - National Curriculum Test and Public Examination Results
(Item C2)

(Report by Mr R Gough, Cabinet Member for Education and Health Reform and Mr Leeson, Corporate Director, Education, Learning and Skills)

(Mrs S Rogers, Director of Standards and Improvement was present for this item)

1. The Cabinet Committee considered a report that provided a summary of the Kent Early Years Foundation Stage (EYFS) Assessments, KS1 and KS2 Standards Assessment Tests (SATs), GCSE and A Level results for 2013.

2. The Director of Standards and Improvement, Mrs Rogers highlighted the work of the School Improvement Team explaining that although the Early Years attainment was strong at 64% this meant that 36% of five year olds entered Year 1 without a good level of development. In Key Stage 1 there had been continued improvement, 78% of 7 year olds achieved a level 2 (b) at Key Stage 1. The focus of the School Improvement Team was to support and challenge schools with the data and to ask what the school was doing to ensure that those children made rapid progress in Year 3 so that it was not left at the end of Key Stage 2 to rapidly improve results when the pupils were thought to be unable to make Level 4.

3. Case studies, on best practise in Kent and nationally in narrowing the gap, were being produced and would be shared with schools in January 2014.

4. Mrs Rogers explained that the Progress and Impact meetings were held every 6 weeks with all of the schools judged to be requiring improvement and those schools that were good and outstanding where there was concern with them retaining their good or outstanding standard.

5. The School Improvement Team was working closely with the Diocesan colleagues and with the nine Teaching Schools across Kent and Medway [4 or 5 additional Teaching School were expected to be approved] to enhance the capacity of the School Improvement Team has to support schools.

6. Members noted that a new Primary curriculum was being introduced in September 2014. The School Improvement Team was working with schools to ensure that they were prepared.

7. There had been good development at Key Stage 4 with 63% with 5 A* to C including English and mathematics but this meant that there were 37% leaving Year 11 without that English and mathematics qualification and 5 good GCSEs which was a concern.

8. Mrs Rogers advised that 65 Kent secondary schools were academies and Kent had a good working relationship with the vast majority of those academies. The School Improvement Team was working with them as well as maintained schools.

9. The School Improvement Team was clear on the priorities that needed to be worked on throughout all the Key Stages and work was being undertaken with:

- the Skills and Employability Team.
- the Early Years Teams that support schools and more than 760 private voluntary and independent providers in Kent.
- Children Centres to ensure that there were cohesive picture to ensure that children had the right support.

10. Mrs Rogers stated that there were still too many children appearing at school at 4 years old who were not ready for school. Work needed to continue with Early Years Providers and Children Centres to accelerate those children's progress so that they arrived at school better prepared in their early learning development.

11. Mr Leeson and Mrs Rogers responded to comments and questions by Members which included the following:

a) Mr Leeson agreed to the percentages of children in future reports being translated as numbers of children. He explained that the secondary cohort was between fifteen and sixteen thousand pupils so if 63% of the cohort gained 5 GCSEs A* to C including English and Mathematics it was equal to 6000 pupils going on to post 16 education that did not have the level 2 qualification. This was an issue both nationally and in Kent although Kent was above the GCSE national average. The participation rate in Kent was reasonably good at age 16+ at 89% to 90% which needed to be raised but there was a falling off at age 17 years down to 73% participation, this was based on last years figures.

b) Mr Leeson advised that there were nearly 37% of children on Free School Meals achieved five good GCSEs including English and Mathematics which was equivalent to 1500 to 1600 pupils, which was approximately 1000 pupils on Free School Meals moving on to post 16+ education or employment with training. The expectation by the government was that every pupil, by the age of 19 years, would have achieved the equivalent of an A to C in English and Mathematics, which was needed for most employment.

c) Mr Leeson explained that the gap between the KS2 national average and Kent in 2013 equated to Kent ensuring that 480 additional Primary school pupils in Kent achieved Level 4 in reading, writing and mathematics for Kent to equal the national average figure. Currently in Year 6 to achieve the national figure by closing those achievement gaps, for pupils on Free School Meals would be 1000 pupils doing better.

d) Mr Leeson then spoke about the ongoing significant gender gap. There was an acute gender gap at the Early Years Foundation Stage which continues at every key stage. By age 16, in Kent 58% of boys and 67% of girls get 5 good GCSEs including English and mathematics so that nearly half of boys in Kent move to Post 16 education without the Level 2 qualification. This meant paying more attention to the progress and achievement of boys in the system was key. He advised that some schools had no gender difference in the achievement of boys and girls and other schools had a very wide gap between the achievement of boys and girls. Mr Leeson stated that there was no need for there to be a wide attainment gap between boys and girls and stressed the need for teaching to be attentive enough to the differing needs of boys and girls in such a way that it helped them make good enough rates of progress.

e) Mr Leeson explained that a lot of work had been carried out with schools on how the Pupil Premium was being used. This had been carried out through; significant training and discussion over the past year to highlight the most effective interventions for closing the gap based on the work of organisations such as the Sutton Trust and the Education Endowment Foundation. There were a number of evidence based approaches that had proven impact in narrowing the gap than others. Most schools were putting the money into; providing small focused teaching groups for English and maths, providing mentoring, providing more opportunities to use IT, providing support for pupils to

do their homework at school, and providing support beyond the school day. The schools were also reminded that the government expected the school's website to state how they were using the Pupil Premium. Members were advised that Ofsted carried out a survey and of those Kent schools they surveyed only 40% of the websites had the correct information on their use of the Pupil Premium. Part of the Ofsted inspection included the schools being clear on their strategies on closing the attainment gap through using the Pupil Premium and how it was making improvements.

f) At the Headteacher briefing meetings there had been presentations from schools about this issue and schools were trying to ensure that they use the Pupil Premium resource carefully.

12. RESOLVED that:-

a) the responses to comments and questions by Members detailed in paragraph 11 above be noted;

b) the significant improvement in many areas of school performance in 2013 be noted; and

c) the areas that still require significant improvement and the priorities for action to ensure that improvement was achieved be noted.

156. Education Learning & Skills Directorate Half Yearly Financial Monitoring 2013/14
(Item C3)

(Report by Mr R Gough, Cabinet Member for Education and Health Reform and Mr P Leeson, Corporate Director, Education Learning and Skills)

(Mr K Abbott, ELS Director Finance Business Partner, was present for this item)

1. The Cabinet Committee received a report on the second quarter's full budget monitoring report for 2013/14 for the Education, Learning and Skills Directorate which was reported to Cabinet on 2 December 2013.

2. The Education, Learning and Skills Director of Finance Business Partner, Mr Abbott introduced the report and highlighted the following:

Revenue

- the ELS Directorate Revenue Budget was forecasting an underspend of £1.95 million and that included an underspend of £1.37 million on the Kent Youth Employment Programme Placement and that money would fund those placements until 2015/16. Therefore that money would need to be rolled forward and spent in future years. The genuine underspend being forecast was £½ million.
- There were significant pressures with the Dedicated Schools Grant particularly coming through independent non maintained and on Early Years Foundation.
- There were also pressures on SEN Transport.

- The forecast position for schools reserves was £1.8 to £1.9 million on the assumption that 24 schools would convert to academy status and 2 school closures.
- Three schools were predicting a deficit at the end of year 1 of their 3 year plans.

Capital

- The Education, Learning and Skills Directorate had a working budget (excluding schools) for 2013/2014 of £149.868k. The forecast outturn against the 2013/14 budget was £135,527k giving a variance of £14,341k. The variance of £14,341 was made up of two elements (1) £2.7 million was genuine underspend; and (2) £11.7 million was the rephrasing on the Basic Need projects for Special Schools and Early Years, the funding would be rolled forward.

3. Mr Abbott responded to comments and questions by Members which included the following:

a) Mr Abbott advised that the income figure within the table under the heading "Attendance & Behaviour of £3,833.9 million was correct. It would be generated from a predicted underspend in the penalty notice income, which was generated from the increase in the penalty notices to parents for pupils being absent from school. A growing issue was parents choosing to take their children out of school during term time for cheap holidays and preferring to pay the penalty notice.

b) Mr Abbott advised that part of the process of setting next year's budget was looking at all the services that were trading to cover their costs. The services had a number of plans to expand and increase the services they can charge for and this would close the gap between the higher costs for the provision of training and development courses and the income generated.

c) Mr Abbott explained that local authorities were given no extra funding when a school converted to academy status. He confirmed that Kent had spent approximately £1 million of its own budget on schools converting to academy status. This cost was unavoidable and covered the small team of staff, legal costs, and staff time from Human Resources, Property, and Finance etc. He advised that Kent and other local authorities had lobbied government regarding this.

d) Concern was expressed about the large cost that the local authority had to bear from its own budget in schools converting to academy status.

e) Mr Gough explained that the local authority was the issuer of the penalty charges and the collector of them but there were some elements that were at the discretion of the school.

4. RESOLVED that:-

a) the responses to comments and questions by Members set out in paragraph 3 above be noted; and

b) the revenue and capital forecast variances from the budget for 2013/14 for the Education, Learning and Skills Directorate based on the second quarter's full monitoring to Cabinet be noted.

157. Ofsted Inspection Outcome Up-date
(Item C4)

(Report by Mr R Gough, Cabinet Member for Education and Health Reform and Mr P Leeson, Corporate Director, Education, Learning and Skills)

(Mrs S Rogers, Director of Education, Quality and Standards was present for this item)

1. The Cabinet Member, Mr Gough, introduced a report that summarised the performance of Kent schools in Ofsted inspections during the 2012-2013 school year following the full report that was presented to this Cabinet Committee in September 2013 and a review of the Ofsted inspections for the period 4 September to 25 October 2013.

2. Mr Gough highlighted that Kent's percentage improvement in the number of good and outstanding schools in the academic year 2012-2013 was 11% which was better than the national rate of improvement of 9% and that this was very encouraging. However too many schools were in category (23 schools having failed an inspection) which the School Improvement Team were tracking closely.

3. Mr Gough referred to paragraph 2.1 stating that 50% (17 schools) of those schools inspected between September and October 2013 achieved good or outstanding judgements. There was concern about the number of schools that received a requiring improvement judgement: 12 of the 13 schools that were previously satisfactory schools and one school which was outstanding which was disappointing, it was essential that those schools had effective Improvement Plans.

4. Mr Leeson and Mrs Rogers responded to comments and questions by Members which included the following:

a) Mr Leeson advised that paragraph 2.5 bullet point 2 needed to be reworded to read that there was a need for good leadership, good teachers and robust assessment processes. Mrs Rogers explained that there were still too many teachers who, when observed were judged "requiring improvement". The Schools Improvement Team had developed a six week development programme for teachers called "Every Lesson Counts" to raise their practice to a good level. This programme had made a significant difference to the percentage of good teaching in Kent schools. There were now a suite of programmes rolled out across the county that not only raised teachers' performance in the classroom from requiring improvement to good but from good to outstanding, as well as programmes for teaching assistants and teachers in secondary schools.
b) A comment was made that the quality of standard of improvement that had been made from a few years ago was a significant achievement.
c) Mr Leeson stated that very few governors would defend the indefensible. However, there had been a small number of cases when governors and the leadership of the school had not accepted an Ofsted result because they had not assessed carefully enough their school's current performance and in a few cases they have not responded well enough to advice and

support from the local authority. Mr Leeson advised that it was the governors responsibility to bring in an external view on how well their school was doing. The governance in Kent schools was in most cases good but governors need to not only support the school but challenge too. Support available to governors included a self review programme and collaboration with other governing bodies to gain best practise.

5. RESOLVED that the responses to comments and questions detailed in paragraph 4 above by Members and the information contained in the report be noted.

158. Budget 2014/15 and Medium Term Financial Plan 2014/17 Consultation
(Item D1)

(Report by Mr J Simmonds, Cabinet Member for Finance & Procurement and Deputy Leader and Mr A Wood, Corporate Director, Finance & Procurement)

(Mr D Shipton, Head of Financial Strategy, and Mr M Burrows, Director of Communications and Engagement, were present for this item)

1. The Head of Financial Strategy, Mr Shipton, introduced a report that gave background details on the public consultation that was launched on 8 November on the forthcoming Budget and Medium Term Financial Plan, followed by a brief presentation by Mr M Burrows on the public consultation on the KCC website.

2. Mr Shipton and Mr Burrows responded to comments and questions by Members which included the following:

a) Mr Burrows advised that it was possible to separate out repeat submissions to the consultation on the website through the unique number of page visits. He explained that a limited amount of personal information was requested so as not to put people of responding. Mr Shipton advised that BMG Consultants was running; public workshops, designed the online tool on KCC's website, an email survey of 1000 Kent residence and a KCC staff survey. The results of the consultation would be submitted to the January Cabinet Committee meetings before it is considered by the Cabinet Meeting on 22 January 2014.
b) Mr Shipton advised that there was always the option of having either multiple budgets or one budget with amendments for consideration. Work was still taking place on the most efficient way of managing that process.
c) A suggestion was made that the person's electoral district may be included in future consultations to show opinions in certain areas.
d) Mr Burrows advised that the printing costs had been greatly reduced on the consultation by using on digital and online methods but there was great awareness of those areas and age demographics that do not have access and there were many ways they could participate including; public focus groups, consultation leaflets at libraries and gateways and face to face public engagement forums.
e) Members noted that all of the data including the total number of responses to the consultation would be made available in January.

3. RESOLVED that:-

a) the responses to comments and questions by Members as detailed in paragraph 2 above be noted;

b) the results of the Budget 2014/15 and the Medium Term Financial Plan 2014/17 Consultation be submitted to the 14 January Cabinet Committee meeting; and

c) the draft financial proposals outlined in the consultation for inclusion in the final draft budget to be considered by Cabinet on 22 January prior to the debate at County Council on 13 February be noted.

159. Increasing capacity: Creating SEN Provision
(Item D2)

(Report by Mr R Gough, Cabinet Member for Education and Health Reform and Mr P Leeson, Corporate Director, Education, Learning and Skills)

1. The Cabinet Committee received a report that summarised how Kent would deliver the additional Special Educational Needs (SEN) provision in Kent's maintained schools set out in the SEN & Disability (SEND) Strategy 2013 and the Commissioning Plan for Education 2013-2018. The proposals included 373 additional SEN places; 209 in special schools and 164 in mainstream by 2016, in addition to the 309 additional places that were added in Special Schools in 2013.

2. Mr Gough introduced the report highlighting that there had been particular increased pressures in Special Educational Needs with keeping pace in growing areas such as autism, behavioural, emotional and social needs, and speech and language. This impacted on Kent's finances significantly through the reliance on out of county, private and independent sector placements, which impacted on the DSG and increased the pressures on the SEN transport budget. Mr Gough highlighted the detail in the table in paragraph 2.2 in the report that showed the trajectory of reducing the number of pupils whose needs cannot be met in a local school and reducing the cost of out of county placements over the next 3 years as we build capacity in mainstream schools.

3. Mr Gough and Mr Leeson responded to comments and questions by Members which included the following:

a) Mr Leeson advised that there was some proposals for residential provision especially for those with challenging behavioural needs but it would be minimal as children should mostly be at a local school and residing at home with their parents.
b) Mr Leeson explained that it was not possible or desirable to educate all SEN children in mainstream schools as there were some SEN children that needed highly specialist provision. Kent was fortunate to have 75% of its special schools judged to be good or outstanding provision. The proportion of children in Kent with a statement in a special school was 60% (nationally this was 40%) and 40% in mainstream schools. This should be slightly adjusted because there was more scope for local mainstream schools to do more.
c) Parental preference was an important as they had to have confidence in the provision available. Parents both nationally and in Kent often had a

preference for a special school place when their child has autism or very challenging behavioural difficulties or physical disability needs because they often have more confidence that they will receive specialist resource, equipment and teaching. Kent needed to work with parents on the SEND Strategy to give parents the confidence in the provision and options available in mainstream schools. The proposals in the report stated that there would be an additional 400 places in Kent in both special and mainstream schools. This would make the provision more local, cut down on transport costs and reduce the reliance on out of county placements. The savings would be used for Kent schools.

d) Mr Gough advised that he was aware of the issues regarding Child and Adolescent Mental Health Services (CAMHs) and child assessments. The Health and Wellbeing Board, which he chairs, would be considering a report on CAMHs at its meeting in January 2014.

e) A comment was made that it was not a case of a special or mainstream school as there was a travel between the two and gave the example of a pupil from a special school attending college who continued to receive support from the special school so that they thrived at college.

4. RESOLVED that:-

a) the responses to comments and questions by Members as detailed in paragraph 3 above be noted; and

b) the Education Cabinet Committee endorsed the actions to implement key proposals set out in the SEND Strategy; and the Cabinet Member's recommendation to Cabinet to precede with these plans be noted.

160. ELS Bold Steps Business Plans Mid - Year Monitoring 2013-14 and ELS Bold Steps Business Planning 2014-15
(Item D3)

(Mr R Gough, Cabinet Member for Education and Health Reform and Mr P Leeson, Corporate Director, Education, Learning and Skills)

(Mr J Reilly, Strategic Business Advisor, was present for this item)

1. The Cabinet Committee received a report that gave an update on the progress at the mid-term point of the 2013/14 Business Plan for services within Education, Learning and Skills (ELS) Directorate and an update on the Education Bold Steps (2014-17) document which detailed the headline business planning priorities for the ELS Directorate for 2014/15 and advised on the changes to the Business Planning process 2014/15.

2. Mr Gough highlighted the following points:

- The RAG rating of red for independent and non maintained sector provision for young people with special needs was being addressed through the SEND Strategy as discussed in the last agenda item.
- The revised ELS Bold Steps Strategic Plan appended to the report provided the progress that had been made since its publication in 2012 and included the changes to the management of the Pupil Referral Units, the devolution of

the specialist teaching service, narrowing the gaps in attainment of children from poorer backgrounds, raising the participation age and the Integrated Adolescent Support Service.

- Mr Leeson advised that the ELS Bold Steps Strategic Plan was a key document indicating; how well we are doing, what the priorities were, what issues needed to be addressed, what the future expectations were and the targets set for improvement. The document was a shared accountability of Kent schools, governing bodies and the local authority.

3. RESOLVED that:-

a) the progress being made in delivering Education Bold Steps from the Mid term monitoring sheets of the 2013/14 ELS Business Plans set out in Appendix 1 of the report be noted; and

b) the refreshed Education, Learning and Skills Vision and Priorities for Improvement 2013-2017 document as set out in appendix 2 of the report be noted.