

KENT COUNTY COUNCIL

EDUCATION AND YOUNG PEOPLE'S SERVICES CABINET COMMITTEE

MINUTES of a meeting of the Education and Young People's Services Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 15 April 2015.

PRESENT: Mr L B Ridings, MBE (Chairman), Mrs P T Cole (Vice-Chairman), Mr D L Brazier, Mr D Brunning, Mr L Burgess, Mr G Cowan, Mrs M E Crabtree, Mr M J Northey, Mr J M Ozog, Mr C R Pearman, Mr W Scobie, Mr T L Shonk and Mr M J Vye

ALSO PRESENT: Mr R W Gough, Mr P M Hill, OBE and Mrs J Whittle

IN ATTENDANCE: Mr P Leeson (Corporate Director Education and Young People Services), Mrs A Hunter (Principal Democratic Services Officer) and Mr A Saul (Democratic Services Officer)

UNRESTRICTED ITEMS

58. Membership
(Item A2)

It was noted that Mr Brazier had replaced Mr Balfour as a member of this cabinet committee.

59. Apologies and Substitutes
(Item A3)

- (1) Apologies for absence were received from Mr Oakford (Cabinet Member for Specialist Children's Services), Mr Manion, Mr Roper and Mr Tear.
- (2) Mrs Whittle attended as substitute for Mr Oakford.

60. Declarations of Interest by Members in items on the Agenda
(Item A4)

- (1) Mrs Crabtree made a declaration of interest as she was a trustee of the New School at West Heath and Mrs Cole made a declaration of interest as her daughter was in receipt of a 16+ Travel Card.
- (2) During discussion Mr Scobie made a declaration of interest as his wife worked at the Marlowe Academy. Mr Cowan also made a declaration of interest as he and his wife were foster parents.

61. Minutes of the meeting held on 13 January 2015
(Item A5)

Resolved that the minutes of the meeting held on 13 January 2015 are a correct record and that they be signed by the Chairman subject to the correction of some minor typographical errors and the inclusion of Mr Roper on the list of those who had attended the meeting.

62. Verbal updates
(Item A6)

- (1) Mr Gough (Cabinet Member for Education and Health Reform) said primary school places would be offered on Thursday and he was pleased to say that of 17,400 places required, there had been an increase in the number of those getting their first choice to 85% and 95% of parents had received one of their choices. He said that: the number of parents who had not received one of their preferences had fallen by 0.5%; overall performance was good especially as there had been an increase in the number of reception class places required; some parents would nevertheless be disappointed and would need to use the appeals or re-allocation processes.
- (2) Mr Gough said that the Marlowe Academy would merge with the Ellington and Hereson School with effect from the 1 September. The new school would be managed by the Coastal Academies Trust which already managed Dane Court, King Ethelred, Hartsdown Academy and Cliftonville Primary. In the longer term it was proposed that the new merged school be renamed the Augustus Pugin Academy.
- (3) Mr Gough commended the House of Commons Education Select Committee report on academies published in January 2015 to the cabinet committee.
- (4) Mrs Whittle (representing Mr Oakford, Cabinet Member for Specialist Children's Services) said that a new division encompassing disabled children's services, adult mental health services and adult learning disabilities headed by Penny Southern had been in place since the 1 April 2015. One of the key priorities of the new division was to improve support for young people making the transition from children's services to adult services.
- (5) Mrs Whittle said she was a member of the Corporate Parenting Select Committee which intended to present a report on its findings to the County Council meeting on 16 July 2015. She said hearing from young people in care, social workers and a range of other interested parties had been fascinating and demonstrated how much more needed to be done to reduce the number of placement breakdowns and improve the educational attainment of young people in care. She commended the work done by Tony Doran and the Virtual School for Kent to narrow the gap in attainment between children in care and others.
- (6) Mr Hill (Cabinet Member for Communities) said that 2014 had been the best year ever for Kent County Council, as a licensed Duke of Edinburgh Award organisation with 5,066 new enrolments and 2,502 completed awards of which 185 were gold. He recalled feeling very pleased several years ago when Kent had achieved 100 gold awards and this year the Earl of Wessex had commented favourably on the number of Kent girls achieving gold.

- (7) Mr Hill said the Kent Mountain Centre had achieved a gold star quality rating for its learning outside the classroom activities. He specifically mentioned the positive effect engaging in such activities had on some of the most disadvantaged young people.
- (8) Mr Leeson (Corporate Director of Education and Young People's Services) said the Marlowe Academy had been underperforming for several years and had the worst GCSE results in Kent. He said he was pleased that the Regional Schools' Commissioner and the DfE had approved the Kent proposal to merge the Marlowe with the Ellington and Hereson School which would improve educational opportunities for all pupils, improve outcomes for pupils at the Marlowe Academy and strengthen one of the good academy trust arrangements in Kent.
- (9) Mr Leeson said that a written report on Ofsted results would be presented at the next meeting of the cabinet committee. He said there had been a good upward trend in results with 79% of schools now being assessed as good or outstanding from 75% in July 2014 and 55% in July 2011. He said he was confident that this would increase to 82% of schools by July 2015. As of July 2014, 72% of primary schools, 83% of secondary schools and special schools and 91% of pupil referral units and early years' provision had been assessed as good or outstanding and this equated to 81% of pupils receiving a good or outstanding quality of education. He said progress had been made to narrow the gap between the districts with the highest Ofsted assessments such as Ashford at 90% and Dover at 95% and those with the lowest such as Gravesham and Maidstone at 65% but addressing this variation continued to be a priority.
- (10) In response to a question, Mr Gough said that a briefing on developments at the Marlowe Academy would have been provided on request and that efforts were being made to provide information about school closures to Members at an early stage in the process. He also said that ultimately the decision to support the merger of the Marlowe with Ellington and Hereson School would be taken by him as Cabinet Member.
- (11) In response to a question about PFI contracts, Mr Leeson said the local authority was clear it should not retain responsibility for the whole debt when schools with PFI contracts converted to academies but as the DfE did not agree with this approach, issues were debated in each case. An agreement had been reached in relation to the Marlowe and Ellington and Hereson School merger. Mr Gough said negotiations were continuing in relation to the restructure of both schools and he was confident that the local authority would not retain sole responsibility for the PFI debt.
- (12) It was suggested that central government should be pressed to ensure that local authorities were not required to meet the costs of schools converting to academies. The achievements in relation to the Duke of Edinburgh Award, school improvements and the educational attainment of children in care were noted, however, attention was drawn to the need to avoid putting undue pressure on vulnerable children in order to achieve targets.
- (13) Resolved that the verbal updates be noted.

63. The Future of Furness School
(Item B1)

Kevin Shovelton (Director of Education Planning and Access) and Ian Watts (Area Education Officer – North Kent) were in attendance for this item

- (1) Mr Leeson (Corporate Director of Education and Young People's Services) introduced the report which asked the cabinet committee to consider and endorse or make recommendation on the proposed decision to issue a public notice to discontinue Furness School and, subject to no objections not already considered, implement the proposal to close the school with effect from 31 August 2015 and initiate the statutory consultation proposal process to establish a satellite provision of Broomhill Bank School on the Furness site from 1 September 2015.
- (2) Mr Leeson said the school had capacity for 60 pupils but was only 52% full; had failed an Ofsted inspection and had accumulated a budget deficit of £1.6m which would continue to increase should it remain open. He explained how KCC would make alternative provision for pupils with ASD including special units within mainstream schools and the expansion of special schools. This included a proposal to expand Broomhill Bank School utilising the Furness School site and buildings and to transfer the existing Furness pupils onto the roll of Broomhill Bank from 1 September 2015 as well as the establishment of a Specialist Resource Base Provision for SEN and ASD students at Hugh Christie Technology College which would be considered at Item B3 of the agenda.
- (3) Mr Shovelton (Director of Education Planning and Access) said that school governors and the head teacher had informed parents at Broomhill Bank School of the proposed plans and emphasised KCCs appreciation of the Kent Association of Special Schools' support in facilitating active consideration of an alternative solution should Furness School close.
- (4) In response to questions, Mr Leeson said that attempts had been made to improve the school following its Ofsted inspection including a new management structure and support from the Lilac Sky Schools Trust and that regardless of whether a school changed its name and was rebranded it was very difficult to change parental and community impressions and understanding of it. He also said that none of the children at Furness School were inappropriately placed; no child would be placed in a mainstream school if a special school place was more appropriate and that the school had improved under the management of the Lilac Sky Schools Trust.
- (5) Resolved that the proposed decision to be taken by the Cabinet Member for Education and Health Reform to:
 - (a) Issue a public notice to discontinue Furness School;
 - (b) Subject to no objections not already considered, implement the proposal to close the School with effect from 31 August 2015;

- (c) Initiate the statutory consultation proposal process to establish a satellite provision of Broomhill Bank School on the Furness site from 1 September 2015; be endorsed.

64. The Future of Stansted CEP School
(Item B2)

Kevin Shovelton (Director of Education Planning and Access) and Jared Nehra (Area Education Officer – West Kent) were in attendance for this item

- (1) Mr Leeson (Corporate Director of Education and Young People's Services) introduced the report which set out details of a proposed decision to issue a public notice to discontinue Stansted Church of England Primary School and, subject to no objections not already considered, implement the proposal to close the school with effect from 31 August 2015.
- (2) He said the school had been confirmed as a rural school under the Designation of Rural Primary Schools (England) Order, and had a total capacity of 105 pupils. Since the report had been published, the number of pupils that would be on the roll after the Easter break was expected to reduce to two as parents had taken up offers of places at other local schools. He also said parents had lost confidence in the school over some time and numbers had been low for the last three years. The school had not seen sufficient improvement despite being placed into Special Measures and having received significant support since.
- (3) Mr Leeson outlined some of the alternatives to closure that had been considered including federation with another school or becoming a sponsored academy as part of a multi-academy trust.
- (4) In response to a question, Mr Leeson said an interim head teacher had been in place throughout the improvement period.
- (5) Resolved, with regret, that the proposed decision to be taken by the Cabinet Member to:
- (a) Issue a public notice to discontinue Stansted Church of England Primary School; and
 - (b) Subject to no objections not already considered, implement the proposal to close the School with effect from 31 August 2015; be endorsed.

65. Proposal to establish a Specialist Resource Base Provision for students with a Statement of Special Educational Needs or Education and Health Care Plan equivalent for Autistic Spectrum Disorder at Hugh Christie Technology College.
(Item B3)

Kevin Shovelton (Director of Education Planning and Access) and Jared Nehra (Area Education Officer – West Kent) were in attendance for this item

- (1) Mr Leeson (Corporate Director of Education and Young People's Services) introduced the report which set out the results of the public consultation on the proposal to

establish a Specialist Resource Base Provision (SRBP) at Hugh Christie Technology College, White Cottage Road, Tonbridge, for students with a statement of Special Educational Needs (SEN) or Education, Health and Care Plan (EHCP) equivalent for Autistic Spectrum Disorder (ASD).

- (2) Mr Leeson emphasised the importance of Hugh Christie Technology College to the Tonbridge area and said the SRBP would make provision for up to 20 pupils with a statement of SEN or EHCP equivalent for ASD for September 2015 with an eventual capacity for up to 50 pupils.
- (3) Resolved that the proposed decision to be taken by the Cabinet Member for Education and Health Reform to:
 - (a) Issue a public notice to establish a new Specialist Resource Base Provision within Hugh Christie Technology College, White Cottage Road, Tonbridge, Kent TN10 4PU for pupils with a statement of Special Educational Needs or Education, Health and Care Plan equivalent for Autistic Spectrum Disorder for September 2015; and
 - (b) Subject to no objections not already considered, implement the proposal for September 2015; be endorsed.

66. Oasis Academy, Hextable: closure
(Item B4)

Kevin Shovelton (Director of Education Planning and Access) and Ian Watts (Area Education Officer – North Kent) were in attendance for this item

- (1) Mr Gough (Cabinet Member for Education) introduced the report which set out: the circumstances of a decision by the Secretary of State for Education to approve the closure of Oasis Academy, Hextable, the consequences for KCC including the challenge of providing sufficient places for pupils in Sevenoaks and Dartford and the arrangements to be put in place for pupils currently attending the Hextable Academy.
- (2) He said the Oasis Community Learning Trust had proposed that the school was closed on the basis of falling pupil numbers and the decision to close the school had subsequently been made by the Secretary of State for Education. KCC had opposed the decision because of the future demand for secondary school places in the area and had met its statutory duty to provide alternative places in other local schools for the students of the Oasis Academy. He also said that the site would return to KCC and options for this site would be explored, in particular how the site might be used to meet the need for future school spaces.
- (3) Mr Leeson (Corporate Director of Education and Young People Services) said it was an unusual decision for the Secretary of State for Education to close a school against a local authority's wishes and where a clear need for future places had been demonstrated. He said he was also surprised that the Oasis Academy Trust, having previously undertaken due diligence, had decided so quickly that the school was no longer viable.

- (4) He said following the Secretary of State's decision, the local authority had fulfilled its responsibility to find alternative places for pupils and paid tribute to the Oasis Academy and to other schools for their assistance in finding these places. He also said the closure of the Oasis Hextable Academy had already led to a shortfall in year 7 places for September 2015 in the maintained schools and academies in north Kent and Sevenoaks.
- (5) A view was expressed that a message should be sent to central government saying that a local authority should not incur costs relating to the establishment or closure of academies. The efforts of the authority in securing the site, the re-location of the speech and language unit to the Leigh Academy and the pressure on places were acknowledged.
- (6) Resolved that the following be noted:
 - (a) the action in relation to the closure of the Oasis Academy Hextable;
 - (b) the relocation of the Speech and Language Unit to the Leigh Academy;
 - (c) the need to review pupil place planning for the secondary phase in the Hextable, Swanley and Dartford area; and
 - (d) the need to determine the future of the Hextable site.

67. Post 16 Transport Policy
(Item C1)

- (1) Scott Bagshaw (Head of Fair Access) introduced the report which asked the cabinet committee to note the proposed Post 16 Transport Policy which was out to consultation and remained unchanged from 2014/15. Mr Bagshaw said that, although no changes were proposed, there was a statutory requirement to consult on and publish a policy statement annually. He also said that learning providers could provide further subsidies with discretionary bursaries and previous consultations had shown that parents and students would like rail travel to be included but rail operators were unwilling to be involved.
- (2) Views were expressed that the 16+ Travel Card was good value for money and it was not generally understood that it exceeded statutory requirements.
- (3) In response to questions, Mr Bagshaw said that additional support for children in care was provided through bursaries where appropriate. Need for further support would be considered on a case by case basis but there was no evidence of an increase in such requests; the number of cards had increased from 4,000 to about 6,500 following the reduction in cost from £520 to £400 and had cost the authority about £340,000 in 2014-15. He also undertook to provide further information about the numbers of children in care in receipt of the 16+ Travel Card.

(Post meeting note: Mr Bagshaw has since confirmed that because the passes are ordered by the education providers, KCC does not currently capture the status of children in receipt of the 16+ Travel Card. He also wished to remind Members that the Young Persons' Travel Pass had been extended to aged 18 for children in care and those fostered from care and provided free. At present 469 children over 16 receive these free travel passes under the YPTP scheme)

- (4) Resolved that the proposed Post 16+ Transport Policy which was out to consultation and remained unchanged from 2014/15 be endorsed subject to any feedback from the consultation.

68. Basic Need Funding Allocation

(Item C2)

- (1) Mr Gough (Cabinet Member for Education and Health Reform) introduced the report which set out the annual schools capital funding Basic Need Funding Allocation, announced by the Department of Education in February 2015. He drew attention to the comparison between it and the Basic Need Funding Allocation announced in February 2014 and said it was excellent news that would enable the authority to deliver the necessary growth in school places set out in the Education Commissioning Plan.
- (2) Resolved that the report be noted.

69. Adult Learning, Skills and Employment Strategy 2015 - 2018

(Item C3)

- (1) Mr Leeson (Corporate Director of Education and Young People's Services), Allan Baillie (Skills and Employability Manager (Adults)) and Sue Dunn (Head of Skills and Employability) introduced the report and answered Members' questions.
- (2) Mr Leeson said there were concerns nationally that the adult population was insufficiently skilled to deliver the economic growth expected as well as recognition of the need to improve the skills of adults. He said that the Department of Business Innovation and Skills had published its own consultation on the future of adult skills which emphasised the need for inclusive programmes for adults with no or low level skills and this was consistent with the proposals in the Adult Learning, Skills and Employment Strategy. He drew attention to the 24% reduction nationally in the budget for Adult Skills, the move towards replacing grants with loans and changes to apprenticeships.
- (3) Comments were made about the number of 16-19 year olds without the skills necessary to enter the job market; the need to moderate competition between training providers; the unwillingness of providers to meet the needs of some specific groups such as unaccompanied asylum seeking minors; the likely increase in those seeking employment following anticipated army redundancies in June 2015 and the excellent quality of the strategy.
- (4) In response to questions, Mrs Dunn confirmed that sources of funding to provide apprenticeships for vulnerable people was constantly reviewed and that KCC was participating in two nationally funded schemes, one of which provided traineeships that would lead to apprenticeships and the second which provided supported internships leading to specialist skills. She also said that a key target was to increase the number of people undertaking pre-apprenticeship programmes.

- (5) It was agreed to consider a report on these programmes in the autumn.
- (6) Mr Leeson thanked Allan Baillie for his work on developing the strategy and in particular on the careful and comprehensive consultation process.
- (7) Resolved that the amended Adult Learning, Skills and Employment Strategy 2015-2018 be endorsed and that a recommendation to approve it be made to Cabinet.

70. Update on Children's Centres
(Item C4)

- (1) Mr Leeson (Corporate Director of Education and Young People's Services) introduced the report which provided an update on children's centres and the support and advice they provided to parents. He referred: to the opportunities arising from the creation of the integrated Early Help and Preventative Services Division; the fact that 72% of children's centres had been rated good or outstanding by Ofsted compared with 67% nationally; the review and improvement of data enabling the centres to assess preparedness for inspection and provide evidence that good universal and targeted services and outcomes were being delivered; the increased management capacity in each of the 12 district hubs; and the opportunities for further integration arising from the transfer of commissioning responsibility for health visitors and the Healthy Child Programme to the local authority later in the year.
- (2) In response to comments and questions, Mr Leeson said that: a social worker should be attached to each children's centre; there was an expectation of co-ordination and co-operation between primary schools and children's centres particularly when located on the same site; and the number of children with an Early Help Plan had nearly doubled in the last year which was a good indicator that more children and families were being supported at an early stage and before there was a need for referral to Children's Social Care. He referred to the closer co-ordination with Children's Social Care particularly by bringing the referral processes together in a triage system, the increase in the numbers stepping down from social care and a positive impact on reducing the number of referrals. Mr Leeson also confirmed that, although a reduction to the budget for Early Help and Preventative Services had been agreed for 2015-16, there was no decrease in budget for children's centres.
- (3) Resolved that the proposals set out in the report and the management actions taken in regard to the future delivery of the Children's Centres' core purpose be endorsed.

71. Education and Young People's Services Directorate Business Plan for 2015/16
(Item C5)

- (1) Mr Gough (Cabinet Member for Education and Health Reform) introduced the report which set out the draft Education and Young People's Directorate Business Plan 2015-16. He referred in particular to the challenges facing the directorate and said priorities and targets were set out in more detail in other key strategy documents.

- (2) In response to questions, Mr Leeson said that: the gap in performance between schools across the county had narrowed; the target for 2015-16 was to have no more than 10 primary schools and one secondary school rated as inadequate. A number of schools previously assessed as inadequate by Ofsted were now performing well and efforts were being made to bring forward the dates of their re-inspection. Mr Leeson also said that the Troubled Families Programme was in the process of being integrated with Early Help Services and it was possible to track families that had received support.
- (3) Resolved that:
 - (a) The draft Education and Young People's Services Directorate Business Plan for 2015-16 be endorsed;
 - (b) the final directorate Business Plan to be published online in May 2015 be noted.

72. Work Programme 2015
(Item C6)

- (1) The report set out details of the proposed work programme for 2015 and asked the cabinet committee to consider and agree the programme.
- (2) Resolved that the work programme be agreed.

73. Risk Management - Strategic Risk Register
(Item D1)

- (1) Mr Gough (Cabinet Member for Education and Health Reform) introduced the report which set out the strategic risks in relation to the Education and Young People's Services Directorate; a risk on the Corporate Risk Register for which the Corporate Director was the designated joint "risk owner"; and the management process for the review of key risks. Mr Gough referred in particular to risks relating to free school meals and the Children and Families Act 2014 that had been closed out and to Risk No. EYPS 05 – School Provision Planning – capital budget pressures and Risk No. EYPS 06 – More Schools will move into a potentially deficit budget provision. He said: school funding would be closely monitored; up to 14 secondary schools might need to restructure to address deficit budgets; some primary schools were also facing budget difficulties; and that some academies had taken up an offer of financial advice from the local authority.
- (2) In response to questions Mr Leeson said that: Education and Young People's Services were working more closely with Children's Social Care; efforts were being made to rationalise the number of data systems in use and implement new ones such as the Early Help Module of Liberi system which was the same system used by Children's Social Services.
- (3) In response to a question about infant free school meals, Mr Gough said there were a number of schools without kitchens and the authority's view was that the funding provided overall was inadequate however the risk set out in the Risk Register related to delivering the statutory requirement and this had been achieved.

- (4) Mr Gough also said that the School Standards Group would continue to monitor and review the budget position of individual schools.
- (5) Resolved that the report be noted.

74. Education and Young People's Services Directorate Scorecard

(Item D2)

- (1) Mr Leeson (Corporate Director of Education and Young People's Services) introduced the report which asked the committee to review and comment on the Education and Young People's Services Directorate's performance scorecard.
- (2) In response to a question about the percentage of eligible two-year olds taking up a free early education place he said that significant work was underway to encourage parents to take up places and the provision of places was ahead of demand. He suggested that the committee considers a more detailed report on this at its next meeting.
- (3) Resolved that the report be noted.