

## KENT COUNTY COUNCIL

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### **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, 23 November 2016.

PRESENT: Mr L B Ridings, MBE (Chairman), Mrs P T Cole (Vice-Chairman), Mr G Cowan, Mr S C Manion, Mr J M Ozog, Mr C R Pearman, Mrs P A V Stockell, Mr R Truelove, Mr T L Shonk and Mr M J Vye

ALSO PRESENT: Mr P J Oakford, Mr R W Gough, Mr P M Hill, OBE and Dr Bamford

IN ATTENDANCE: Mr P Leeson (Corporate Director Education and Young People's Services) and Ms Jemma West (Democratic Services Officer)

#### **UNRESTRICTED ITEMS**

##### **219. Apologies and Substitutes**

*(Item A2)*

Apologies for absence had been received from Mr Northey, Mr Burgess, Mr Roper and Mr Tear.

##### **220. Declarations of Interest by Members in items on the Agenda**

*(Item A3)*

There were no declarations.

##### **221. Minutes of the meeting held on 22 September 2016**

*(Item A4)*

RESOLVED that the minutes of the meeting held on 22 September 2016 were correctly recorded and that they be signed by the Chairman.

##### **222. Verbal updates**

*(Item A5)*

1. Mr Gough, Cabinet Member for Education and Health Reform, gave the following update:
  - (a) There were three funding related issues, which were potentially coming to a head. The first of which related to overall Social Care funding and the National funding formula. KCC was part of the F40 group of relatively underfunded local authorities. There had been a campaign over a period, to address some rebalances nationally. This was something which was taken up by Government in a consultation paper earlier in the year. Emerging from this were a set of proposals, which were of some concern. Although from the point of view of Kent Schools, funding formula changes

were likely to be helpful, at the same time, the degree of separation away from high needs funding was a cause for concern. The government did have a number of proposals as to how the risks associated with high needs funding might be dealt with, but it was not seen at this time to be substantial. There was a large scale consultation. The new Education secretary took the view that she needed time in her new role to digest the information, and therefore deferred the decision, which has caused concern for schools. It was hoped that information would be available before Christmas.

- (b) Secondly, in relation to the Education Services Grant (ESG), the Government had sent out proposals in a consultation document on academisation, that local authorities should remove their duty on school improvement, and take a step back in the summer of 2017. With that, the ESG, which was set to be phased out anyway, would function for a few months in 17/18 then disappear completely. This would leave KCC with a £4million funding shortfall, growing in the following financial year. It seemed a strange way to rush things even if it took seriously the Governments proposals to have full academisation of the system by 2022. This proposal had now gone, the legislation was not at the moment being brought forward any time soon to remove the local authority statutory duty around school improvement, and yet the funding was set to go by the summer of 2017. The Leader of the Council had raised this at Ministerial level.
- (c) The final financial element was the Early Years Funding consultation. KCC had responded a couple of months ago. Concerns were that the government has brought proposals which would in theory modularise funding across the country. In fact, the changes proposed had relatively little to do with modularisation and would not be favourable to Kent. There would be an effect on Kent providers. There were particular concerns about proposals for withdrawing quality premium, which would affect a number of provisions. It was not in the interests of Kent providers, and did not tackle government concerns.

All three of the above issues were a cause for concern.

- 2. Mr Oakford, Cabinet Member for Specialist Children's Services, then gave the following update:
  - (a) He had recently attended a day out with the Social Work team in Maidstone, looking at the work they do.
  - (b) He had also met with Children in Care and Care Leavers Council which was a very interesting meeting, looking at the challenges they had been facing.
  - (c) He also attended a UASC summit on 13 November, which had been followed up earlier in the month with a meeting with the Immigration Minister, talking about some of the challenges faced in Kent around UASC, in particular, the dispersal scheme and financial support. From that meeting, KCC were invited to bid for some DCLG funds which had been

made available, which would be instrumental in supporting the application for grants, in order to help off-set some of the money being spent on services around UASC. The government had committed to help with the dispersal programme. There were 245 young people through the arrival season last summer, who had been dispersed outside the borders of Kent. These young people were now in other local authority areas, with independent fostering agencies, and surely those local authorities should take on this responsibility for the young people. The Government had agreed to help Kent address this.

- (d) He had also visited the team at Polton's Family Centre at Dover, spent half a day there, listening to some of the challenges they faced.
- (e) The following day was the Children's Commissioner Take-over challenge day, where children would be coming in to take his job over for a day. He felt it would be an interesting day for them. It would be run as a day that Mr Oakford would have, and so the service had put together a paper on Accommodation for Care Leavers and the children could question and challenge officers. The same would be done for fostering, and they would then be spending time with the management of Early Help prevention, and going through a score card. He stated he was very much looking forward to the day.
- (f) He advised that a letter had been sent to the Children's Minister regarding outside placements, where other local authorities were placing in Kent. The joint letter had been signed by himself, plus the Chief Constable, the Police and Crime Commissioner, and the Leader of the council. Some weeks ago he had sent a letter on the same subject to the Children's Commissioner. A response had now been received, and Mr Segurola and himself would be meeting with the Commissioner to discuss what could be done about other Local Authorities placing children in Kent. It had increased by about 60 in the last 12 months, and it was becoming a major problem in some areas in Kent. It was a particular problem for the Police as a lot of the vulnerable young people from other authorities didn't have the support they needed.
- (g) UASC – there had been 16 arrivals in the last six weeks, so numbers were dropping off substantially. Last October there had been 2012 arrivals, and only 20 this October. With regard to the dismantling of the Calais jungle, none of those young children had come into Kent, but had been dispersed around the country via the detention centre at Croydon. The only ones who had come back into Kent were those who already had families established in the county. There were four young people who had family members living here, and were reunited with their families. The Dubs amendment children had gone straight through Croydon and been dispersed. The UASC population had dipped and gone down to 1,311. The reason for this was that a lot of young people were reaching 18, and leaving the area of responsibility that KCC had for them. There were 710 under 18's and 600 over 18's. Around 140 would turn 18 on 1 January, meaning that care leavers would become the major cohort for UASC. The grant from government did not cover care leavers, and the shortfall this year was £2.5million. Further conversations were taking place with the minister regarding this.

3. Mr Hill, Cabinet Member for Community Services, then gave the following update:

(a) On 5 November, there had been a celebration for the Duke of Edinburgh awards 60<sup>th</sup> Anniversary. Kent is one of the largest and most successful license holders in the Country. A year ago, he had been lucky enough to go to St James's Palace to see a room full of Kent award winners. The awards event had been held at the Detling Showground, attended by over 200 volunteers. The purpose of the event was to thank everyone for the effort that had been put in. The Lord Lieutenant had also been present.

(b) On 22 November, he had attended the annual Spirit of Try Angle Awards in its 22<sup>nd</sup> year. The awards were to celebrate the achievements of young people who had tackled adversity. There was one particularly moving story about a young carer. The overall winner was announced by the Lord Warden of the Cinque Ports.

4. Mr Leeson, Corporate Director for Education and Young People's Services, then gave the following update:

(a) The Ofsted inspections for schools in Kent were approaching 91% for good and better outcomes, this included 91% in Primary schools, 85% in Secondary schools and nearly 100% in Special schools. This was a good foundation for further improvement.

(b) NEETS (Not Employed or in Education or Training)– enormous work had taken place over the last few months and the latest figures showed the NEET figure had reduced to only 2.5% which was a very good improvement from where Kent was previously, at around 5%. The destination figure was 94%, which was a high figure of young people going on to another destination such as college, sixth form or apprenticeships. In terms of the participation figure post 16, 88% participated at age 16 plus, which was 2% above national average. However, this was only at 80% for Year 13 (17 year olds), where the drop-out rate was an ongoing challenge. It was a good improvement from the previous year.

5. Mr Oakford then responded to questions by members and made points including the following:

(a) The dispersal programme should be made mandatory, but the government did not have any plans to do this at present. In the last four months, there had been 125 young people dispersed around the country through the programme since the voluntary scheme had been introduced. This had not eaten into legacy cases, and these children had established a life in the area, such as friendships, schools, accommodation making it difficult to move them at this point. This was why the focus was now on the 245 already outside of the county. It was important to get other local authorities to take financial responsibility and support for these young people. Next year, Kent would be expecting over 1,000 care leavers, which was a huge budgetary burden.

(b) There had been excellent support from Kent MPs, two of whom had raised questions in the House of Commons. They had also given lots of support in lobbying.

6. Mr Leeson also responded to questions by members and stated that there had been an improvement on NEET figures across the board. He stated that he would circulate the numbers by district to Members.

7. Mr Gough then responded to questions by members and made points including the following:

(a) In terms of the formula for Early Years funding, the government proposals did seek to address availability of school places. However, the deliverability of such a scheme was up for grabs.

(b) There had been lots of work into apprenticeships, such as the introduction of an apprenticeship levy, and there were quite significant developments.

(c) There had not been a brief from the Secretary of State, but it was hoped to see the results of the national funding consultation soon.

8. RESOLVED that the verbal updates be noted.

### **223. Meeting dates 2017/18**

*(Item A6)*

RESOLVED – that the Committee meeting dates for 2017/18 be agreed.

### **224. 16/00099 Proposed changes to Oakley (Special) School - Tunbridge Wells**

*(Item B1)*

*(Mr J Nehra, Area Education Officer – West Kent attended the meeting for this item).*

1. Mr Nehra introduced the report which set out the results of the public consultation on the proposed changes to Oakley (Special) School, Pembury Road, Tunbridge Wells.

2. RESOLVED – That the proposed decision of the Cabinet Member for Education and Health Reform to:

Issue a public notice to:

(i) increase the designated number of places from 218 to 242

(ii) extend the lower age range at Oakley (Special) School to age 2 for 1st September 2017 in order to develop an observation and assessment nursery provision

And, subject to no new objections to the public notice

(iii) Implement the proposals for 1 September 2017.

(iv) Allocate £586,000 from the Education and Young People's Services Capital Budget

- (v) Authorise the Director of Infrastructure in consultation with the General Counsel (Interim) to enter into any necessary contracts/ agreements on behalf of the County Council.
- (vi) 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, be endorsed.

**225. 16/00100 Proposal to expand Harrietsham CEP School**

*(Item B2)*

*(Mr J Nehra, Area Education Officer – West Kent attended the meeting for this item).*

1. Mr Nehra introduced the report which set out the results of the public consultation on the proposed changes to Harrietsham CEP School, Maidstone.
2. Mr Nehra advised that there was a risk in terms of the additional land which needed to be acquired to provide appropriate facilities. He suggested that the recommendation in the report be amended to include the wording 'subject to planning approval'. The Committee agreed to this amendment.
3. RESOLVED – That the proposed decision of the Cabinet Member for Education and Health Reform to:

Issue a public notice to:

- (i) Expand Harrietsham CEP School, West Street, Harrietsham, Kent ME17 1JZ from 210 to 420 increasing the published admission number (PAN) from 30 to 60 for Year R entry for 1 September 2018, subject to planning approval.

And, subject to no new objections to the public notice

- (ii) Implement the proposals for 1 September 2018.
- (iii) Allocate £3 million from the Basic Needs budget, which over a period of time will be offset by approximately £1 million from developer contributions.
- (iv) Authorise the Director of Infrastructure in consultation with the General Counsel (Interim) to enter into any necessary contracts/ agreements on behalf of the County Council
- (v) 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, be endorsed.

**226. 16/00070 The Commissioning Plan for Education Provision in Kent 2017-2021**

*(Item B3)*

*(Mr K Abbott, Director of Education Planning and Access, and Mr D Adams, Area Education Officer – South Kent, attended the meeting for this item).*

1. Mr Gough, Cabinet Member for Education and Health Reform introduced the report which set out the Commissioning Plan for Education Provision in Kent 2017-21. He extended his thanks to Mr Adams and Mr Abbott for their work.

2. Mr Leeson then added that the plan had been successful to date, and always delivered the required number of places. He asked thanks to be recorded to the schools who had helped in delivering the plan, as well as property colleagues.

3. Mr K Abbott and Mr D Adams also added the following points:

- (a) To emphasise the scale of the task faced, over the past 4 or 5 years, colleagues in schools and in Education had put in additional provision for 15,000 new students, and over the next 5 to 6 years, they would need to do the same again for a further 23,000 students. 164 forms of entry needed to be provided in the next 4 to 5 years. Primary enrolments were not expected to peak until 2030, so substantial additional provisions were needed in primary schools due to the high birth rate.
- (b) Next week, they were meeting with the Delivery Manager for the South East for the EFA to look at the position statement on individual free school projects, looking at legal, planning, contractors and acquisitions to assess risks.
- (c) Rebecca Spore would be meeting with the EFA in early December to push the idea of Kent taking on the local delivery of free school projects.
- (d) Significant uplift was continuing, with housebuilding increasing. Migration and house building continued to be the key driver on pupil number pressures in Kent.
- (e) Additional capacity was needed in the SEN section which could only be delivered through new free schools. There was no government funding for SEN specialist provisions, so it was hoped to secure this via the free school route.

4. Mr Gough then responded to some of the questions raised, and made points including the following:

- (a) The outcome of the bid for Early Years funding was not yet known, but it was a limited pot.
- (b) The free for two scheme had been successful in boosting take up rates.
- (c) As stated in the response to Early Years consultation, the 30 hours was a desirable aspiration, but the government had clearly not been able to support this with funding to make it viable.
- (d) In terms of local insight, dialogue had taken place with District Councils, Dioceses and Archdioceses regarding the Plan, and there was also scope for Members to feed any further comments in to the Plan prior to the Cabinet Meeting on 9 January 2017.
- (e) There were no proposals presently around capacity at Edenbridge, but he was aware of the issues, particularly around transport, and was keeping a watching brief.

5. Mr Leeson then added the following points in response to Members questions:

- (a) Free school applications were required to have new schools, including SEN provisions, although it was unclear how good quality provision could

be ensured. There had been two or three new free schools started up, but unfortunately their SEN provisions were not yet operating which was a cause of concern. It was vital to ensure new free schools had specialist resource provision.

- (b) The biggest area of need was autism, speech and language, and emotional and behavioural needs. It was hoped more provision would come through the free school programme, but Kent were also working on a policy to support existing schools to have more specialist resource provision.
- (c) In terms of Early Years, most provision was made through the private and voluntary sectors who were not always in the appropriate location for some families. The team continued to work on securing provisions in the locations needed.
- (d) 84% of 3 and 4 year olds took up the free provision of 15 hours per week and 70% took up the free for two scheme which was aimed at two year olds. This was a concern that there were 30% not taking this up, and Kent should continue to push for this to increase.
- (e) Data around where the provision was, and where there were difficulties was available and he was happy to release this information to Members.

6. Mr Abbott and Mr Adams then responded to questions by Members and made the following points:

- (a) The rules had changed the previous year so that Kent could not undertake any more prudential borrowing to support the education capital programme. The table set out in 3.2 of the report showed the residual already agreed prior to this, to fund special schools.
- (b) The majority of well-established house building companies valued school builds within their developments, and were keen to have the provision there, at the expense of other bits of infrastructure. The market was strong at present, and Kent had been able to deliver 20% of the capital programme using developer contributions. It continued to be an area for monitoring.

7. RESOLVED that the recommendation to Cabinet to approve the Commissioning Plan for Education Provision in Kent 2017-21, be endorsed.

## **227. Early Years and School Performance in 2016 - National Curriculum Test and Public Examination Results**

*(Item C1)*

1. Mr Gough, Cabinet Member for Education and Health Reform introduced the report which provided a summary of the Kent Early Years Foundation Stage (EYFS) Assessments, Key Stage 1 and Key Stage 2 Standard Assessment Tests (SATs) and GCSE and post 16 results for 2016, and included comparison to national data where available. It also reported on the achievements of vulnerable groups and achievement gaps in each Key Stage. The data was not final validated data so outcomes were provisional until January 2017, and some national comparative data was still unavailable for some indicators.

2. Mr Leeson then added that the trend continued to be upwards in terms of outcomes. He expected to have more information around progress measures in

Primary. The progress data in Primary, should be available in December/January. He also highlighted that the National data on achievement gaps was not yet available.

3. Mr Leeson then responded to questions from Members and made points including the following:

- (a) Progress and outcomes were the top priority for schools. He welcomed new progress measures, as he felt success should be measured by the progress of all children from their starting points. Schools were increasingly being judged on acceleration of progress to match other children. The OFSTED framework had always focussed on progress rates for children and young people, and gaps. There had been a shift in expectations, and more understanding in schools that it was the job of the school to look for expected and better than expected for individual children.
- (b) Kent had a collaborative approach with schools, and this has helped the quality of leadership in schools to improve.
- (c) There were a range of new qualifications available for pre and post 16, which were more likely to encourage young people onto the next step of their education. There was a transitional period towards a more high quality vocational skills system and the Government was driving this forward. More schools were taking up the new qualifications overall in Kent, but there was still a predominantly academic A level Programme in school sixth forms, which needed to be more blended. There were still barriers to young people wanting to access the new qualifications, such as a requirement for level 2 English and Maths. There were 21 High schools in Kent now offering the International Baccalaureate Careers Related programme qualification. A conference was being held the following day focussing on these areas, attended by 60 schools in Kent to look at the different 14-19 pathways available.
- (d) 70% of High schools in Kent were academies, so comparisons between KCC maintained schools and academy schools was difficult. Capacity to deliver good progress measures had been variable this year across all types of school. It was a mixed picture, and there was no clear pattern.

4. RESOLVED that the following be noted:

- (i) The Improvements in the Early Years Foundation Stage.
- (ii) The positive outcomes at Key Stages 1, 2, 4 and A Level and technical qualifications at Post 16.
- (iii) The areas that still required improvement and the priorities for actions to ensure that further improvement was achieved in 2017.

## **228. Teacher Recruitment and Retention Activity for 2016**

*(Item C2)*

1. Mr Gough introduced the report which gave an update on Teacher Recruitment and Retention Activity for 2016 and key issues in relation to teacher recruitment and retention in Kent schools.

2. Mr Leeson then added that the supply of teachers was still an issue, and retention was key, as around 25-30% of newly qualified teachers were being lost in the first five years of teaching. He then responded to questions of Members and made points including the following:

- (a) There were a range of measures available to address teacher wellbeing, and more schools were looking at ways to take care of their staff. Collaboration between schools did have an impact.
- (b) Teaching engagement and enjoyment were important, and timetables included a rich diet of art and sports to increase motivation of pupils.
- (c) There had always been difficulties recruiting male teachers to primary schools.
- (d) Recognition of the achievements of all involved in the retention work was important, and credit should be spread widely.

3. RESOLVED that the report be noted.

**229. The process around identifying school sites as surplus to requirements**  
(Item C3)

*(Mark Cheverton, Senior Asset Manager, KCC, and Rod Lemerle, Disposals Surveyor, GEN2 attended the meeting to present the report).*

1. Mr Cheverton introduced the report which set out the current process around identifying school sites as surplus to requirements.

2. Mr Cheverton responded to one of the questions raised by Members and advised that options were being considered for disposal of the Gap House School in Broadstairs, including exploration of development proposals, but there was no decision as yet.

3. RESOLVED that the details of the process around identifying school sites as surplus to requirements be noted.

**230. Performance Scorecard**  
(Item D1)

1. Mr Leeson, the Corporate Director for Education and Young People's Services introduced the report which gave an update on current performance against targets and milestones, as set out in the Strategic Priority Statement, Vision and Priorities for Improvement and service business plans.

2. RESOLVED that the report be noted.

**231. Work Programme 2017**  
(Item D2)

1. RESOLVED that the work programme for 2017 be agreed.

**232. Education and Young People's Services Strategic Vision and Priorities for Improvement 2017-2020**  
(Item D3)

1. Mr Leeson, Corporate Director for Education and Young People's Services introduced the report which provided:

- (i) An updated draft Education and Young People's Service Strategic Vision and Priorities for Improvement (formerly Education Bold Steps) 2017-2020 document, which detailed the headline priorities and targets for the EYPS Directorate for 16/17 onwards;
- (ii) An assessment of progress and achievements against key targets in 15-16, supported by key service developments and improvements.

2. RESOLVED that:

- (i) The refreshed draft EYPS Strategic Vision and Priorities for Improvement 2017-20 document attached as an appendix to the report; and
- (ii) The progress made in delivering EYPS priorities for 2015-16 and the proposed priorities and targets for 16-17 and beyond, as the right focus and challenge to secure further improvements in outcomes, be noted.