

KENT COUNTY COUNCIL

CHILDREN'S, YOUNG PEOPLE AND EDUCATION CABINET COMMITTEE

MINUTES of a meeting of the Children's, Young People and Education Cabinet Committee held at Darent Room, Sessions House, County Hall, Maidstone on Thursday, 18th January, 2018.

PRESENT: Mr G Cooke (Chairman), Mrs R Binks, Mr D Brunning, Mrs S Chandler, Mrs P T Cole, Mr P C Cooper (Substitute for Mrs S Prendergast), Mrs T Dean, MBE, Ida Linfield, Mr R C Love, Mr S C Manion, Mr D Murphy, Mr M J Northey, Mr Q Roper, Mrs P A V Stockell (Substitute for Mrs A D Allen, MBE) and Dr L Sullivan

OTHER MEMBERS: Roger Gough

OFFICERS: Matt Dunkley (Corporate Director for Children Young People and Education), Keith Abbott (Director of Education Planning and Access), David Adams (Area Education Officer - South Kent), Scott Bagshaw (Head of Fair Access), Stuart Collins (Interim Director, Early Help), Sarah Hammond (Interim Director of Specialist Children's Services), Simon Pleace (Finance Business Partner for Children, Young People and Education), Marisa White (Area Education Officer - East Kent), Graham Willett (Interim Chief Executive, KCC Education Services Company - The Education People) and Emma West (Democratic Services Officer)

UNRESTRICTED ITEMS

66. Apologies and Substitutes
(Item 2)

Apologies were received from Mrs A Allen, Mrs L Game and Mrs S Prendergast.

Mr P Cooper and Mrs P Stockell attended as substitutes for Mrs A Allen and Mrs S Prendergast respectively.

67. Declarations of Interest by Members in items on the Agenda
(Item 3)

1. Mr Murphy made a declaration of interest as he was a Chair of Governors at Deal Parochial School.
2. Dr Sullivan made a declaration of interest as her husband worked as an Early Help Worker for Kent County Council.

68. Minutes of the meeting held on 22 November 2017 and 5 December 2017
(Item 4)

1. Resolved that the minutes of the meetings of the Children's, Young People and Education Cabinet Committee held on 22 November 2017 and 5 December 2017 are correctly recorded and that they be signed by the Chairman.

69. Verbal Update by Cabinet Member and Corporate Director
(Item 5)

1. Roger Gough (Cabinet Member for Children, Young People and Education) highlighted several areas in which there were significant financial pressures across children's services. He said that the Local Government Association had expected a £2billion funding gap within children's services nationally and therefore the pressures were not unique to Kent. He said that pressures continued to grow for children's social care and that this was an area in which Kent County Council had been willing to invest in and support, therefore expenditure had increased. He discussed current pressures on school places and said that the number of children who were moving from primary school to secondary school was ever-increasing. He said that the pressures around delivering school places was due to the National Free School Programme not delivering in several key areas of the County and the need to find funding to support school budgets for the National Funding Formula. He discussed growth in mainstream High Needs Funding and the changes that had been put in place for mainstream High Needs Funding which was agreed by the Funding Forum at the end of last year. He said that these changes would be effective from Spring 2018, but the underlying pressures and demands would remain. He said that the total funding gap in this financial year for Unaccompanied Asylum-Seeking Children was £4.6million. He said that the most significant element regarding the funding gap was the gap between what Kent must continue to spend to support care leavers and Kent's income from the Government. Mr Gough said that he and the Leader of Kent County Council, Mr Carter, had met with the Minister of State for Immigration in November 2017 to discuss a funding review and said that Kent's views were presented to the Government at this time. He said that whilst pressures remained, Kent were making a significant amount of effort to bring together Children's Social Services, Early Help and the changes that had been made to High Needs Funding. The structural measures had been put in place to respond to those pressures.
2. Matt Dunkley (Corporate Director of Children, Young People and Education) said that Kent were in the middle of many extreme changes in demand and need and said that Kent were experiencing several challenges relating to demographic movement, inward migration and managing education responses. Children's Services had aimed to group together current services that support schools in a new form with new freedoms which would allow a degree of co-production with schools. This in turn would secure those services and the relationship that Kent had with schools. He said that he was impressed by the teams he had visited working throughout the Council and said that colleagues had responded to challenges well. He added that the staff working within Kent County Council worked in such a way that allowed targets and challenges to be met.

- a) In response to a question, Mr Gough said that although the National Transfer Scheme had progressed well initially, there were signs that had indicated that progress was slowing due to structural issues. He said that some authorities had been reluctant to accept additional Unaccompanied Asylum-Seeking Children (UASC) due to the gap in funding. He said that Kent had experienced a very significant change relating to the turnover of children becoming care leavers. He said that 0.07% of children in Kent were UASC; this figure did not include care leavers. Sarah Hammond (Interim Director of Specialist Children's Services) said that any new arrival would remain in Kent and other children would be transferred.
- b) In response to a question, Matt Dunkley said that the number of children going into care was not increasing. He said that there had been a significant increase in the number designated as children in need and in need of a child protection plan. He said that there were combinations of things that lead to surges in demand, the better services got at recognising demand, the more it increased. A significant driver for Kent had been a changed approach by the police with regards to dealing with domestic abuse incidents, they had radically changed how they respond to the needs of children who were in a place where there was domestic violence but were not necessarily subject to violence themselves. He said that another significant driver had been the changing nature of poverty. He said that five years ago, 82% of children were from workless households, but this had decreased to 50%. This in turn meant that the remaining percentage of children were from working households. He said that families from intergenerational benefit-led backgrounds faced different challenges with regards to the changing nature of the labour economy. Roger Gough said that there was a disproportionate number of social service referrals within children's services where children and families had moved to Kent from London Boroughs, there was also a wider structural change, managed movements were also influencing pressures.
- c) In response to a question, Mr Gough said that primary schools gained the least from the outcome of the School Funding Formula and said that several schools had concerns with regards to the School Funding Formula. Matt Dunkley said that Kent did not have any direct financial exposure to Carillion apart from a very small investment into the pension fund. Although some of the firms that Kent had contracts with had sub-contractor relationships with Carillion and therefore this was being scrutinised to ensure that these relationships were not having an impact on services in Kent.
- d) In response to a question, Matt Dunkley said that he had recently met with the Executive of the Kent Association of Headteachers (KAH) to discuss High Needs Funding and School Funding Formula and the changes that had been introduced. He said that schools felt disrupted by the delay in receiving some of their High Needs Funding due to an overspend issue that Kent were

managing. He said that there were a range of underlying issues around demand for High Needs Funding which the Schools Funding Forum had not been able to resolve yet and would require a more profound look. He said that it was important to ensure that the High Needs Funding overspend did not have an impact on the Dedicated Schools Grant (DSG) or other services. Matt Dunkley had met with head teachers and agreed to introduce a dialogue at the next meeting to present ideas in relation to how the High Needs Funding expenditure could be managed, and he would work with head teachers to minimise the impact that this had on schools. Mr Gough said that it was important to look at mainstream High Needs Funding and the changes that Kent had introduced in September 2017, the changes which were agreed with the School Funding Forum in the latter part of 2017, and the wider issues with High Needs Funding and overall general levels of demand. He said that there was much more work to be done in this area.

- e) In response to a question, Mr Gough suggested a Members Briefing to look at the statistical information within the report in further detail, this was welcomed by the Committee.
- f) A Member requested further statistical information on the impact of families from London coming to Thanet who were not under the responsibility of the other Local Authorities but required Kent's services, in addition to the burden on the school places. Mr Gough and the Chairman agreed that this information should be provided to either the Local Board or the Area Board.

3. RESOLVED that the verbal updates be noted.

70. The Education People - Implementation Update *(Item 6)*

- 1. Graham Willett (Interim Chief Executive, KCC Education Services Company - The Education People) provided an update on the progress that had been made towards setting up a new Local Authority Trading Company (LATCo) for education services.
 - a) In response to a question, Graham Willett said that the business plan for the Education Services Company was being produced. He said that the document would need to be signed off by the Governance Board and that the process was in-hand. He had hoped that the document would be signed off by the end of February 2018.
 - b) The Chairman said that a Members Briefing would be arranged in February 2018 to discuss the finalised the business plan and to discuss the exempt information relating to the budget monitoring in relation to the item.

- c) In response to a question, Graham Willett said that Key Performance Indicators (KPI) were an ongoing piece of work with regards to the formalisation of the contract. Keith Abbott (Director of Education Planning and Access) said that he had been working towards the finalisation of the KPI's to finalise the specification.
 - d) In response to a question, Graham Willett said that there were 4 stakeholder non-executive directors which would represent Kent's special schools and head teachers of primary and secondary schools. He said that there were two KCC non-executive directors which were part of the board.
 - e) In response to a question, Keith Abbott confirmed that the draft KPI's would be brought to the next meeting of the CYPE Cabinet Committee.
 - f) In response to a question, Graham Willett said that ICT and HR would be bought into the Education Services Company, it was a contractual requirement to buy ICT and HR services from KCC for a minimum of one year with a six-month notice period. He said that the company itself was not yet engaged with trade unions.
2. The Committee RESOLVED to note the report. Dr Sullivan stated that she was not happy to note the report and asked that this be minuted.

71. 17/00117 - Proposed Co-ordinated Schemes For Primary And Secondary Schools In Kent And Determinations of Admission Arrangements For Primary And Secondary Community And Voluntary Controlled Schools 2019/20
(Item 7)

1. Scott Bagshaw (Head of Admissions and Transport), introduced the report which updated Members of the Committee on the outcome of the consultation on the proposed scheme for transfer to Primary and Secondary schools in September 2019, including the proposed process for non-coordinated In-Year Admissions.
- a) In response a question, Scott Bagshaw said that the pupil premium allocation was allocated in a different way for each school. Each school had set their own arrangements to meet their needs as a school and also the needs of their pupils. There was no set place limit for pupil premiums. He said that staff could visit schools to find out how their pupil premium funding was allocated and the school's pupil premium statistics and bring an update back to the Committee; this was welcomed by the Chairman.
 - b) In response to a question, Scott Bagshaw said that the school census information was available each year and would highlight the measure of how many children were attending school regularly.

- c) The Chairman asked that any readily-available information be circulated to all Members of the Committee.
 - d) In response to a question, Scott Bagshaw said that although there was a requirement for schools to maintain a waiting list until the end of term for pupil premium places, schools were encouraged to do this past this time.
 - e) In response to a question, Scott Bagshaw said that a clear, good quality map was available for all schools, so parents had a better-quality copy of this.
 - f) In response to a question, Scott Bagshaw said that the school had a legal requirement to maintain their own oversubscription criteria online on their own website. Admission arrangements were checked regularly to ensure that schools were adhering to legal obligations.
2. RESOLVED that the decision proposed to be taken by the Cabinet Member for Children, Young People and Education, to accept and determine
- a) The Coordinated Primary Admissions Scheme 2019/20 incorporating the In Year admissions process.
 - b) The Co-ordinated Secondary Admissions Scheme 2019/20 incorporating the In Year admissions process.
 - c) The oversubscription criteria relating to Community and Voluntary Controlled Infant, Junior and Primary Schools in Kent 2019/20.
 - d) The oversubscription criteria relating to Community and Voluntary Controlled Secondary Schools in Kent 2019/20.
 - e) The Published Admissions Number for Community and Voluntary Controlled Infant, Junior and Primary Schools 2019/20.
 - f) The Published Admissions Number for Community and Voluntary Controlled Secondary Schools 2019/20.
 - g) The relevant statutory consultation areas for Kent Infant, Junior and Primary Schools 2019/20 as detailed in Appendix C (3) and the relevant statutory consultation areas for Kent Secondary Schools 2019/20.

be endorsed.

72. 17/00132 - Proposed changes to Meadowfield (Foundation Special) School, Sittingbourne for 1 September 2019
(Item 8)

- 1. Marisa White (Area Education Officer – East Kent) introduced the report which set out the education consultation on the proposed changes to Meadowfield (Foundation Special) School.

2. In response to a question, Marisa White said that the local Member remained objective to the proposed changes, but reflected that he understood the situation locally and was supportive of the proposal, although he remained objective as he would be declaring his interest in the Planning Applications Committee.
3. RESOLVED that the decision proposed to be taken by the Cabinet Member for Children, Young People and Education, to

Issue a public notice to

- permanently increase the designated number of the school from 209 to 348 for 1 September 2019
- alter the lower age range at Meadowfield School to formally include nursery provision for 1 September 2019.

And, subject to no new objections to the public notice

- a) Allocate £3.95 million from the Children, Young People and Education Capital budget;
- b) 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; and
- c) 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. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision,

The proposal for growth is subject to planning permission being secured for the additional accommodation. If for any reason planning consent is not achieved, KCC proposes to regularise the designated number to reflect the current number on roll. Therefore, under these circumstances, the proposed designated number would be 280.

be endorsed.

73. 18/00001 - Alteration of the decision to expand Deal Parochial CE Primary School by 1FE
(Item 9)

1. David Adams (Area Education Officer – South Kent) introduced report which set out the request to defer the expansion of Deal Parochial CE Primary School until September 2020 and the reasons for the request. He said that he had obtained views from the two local Members. One of the local Members said that whilst he had concerns about the deferral, he agreed providing that Kent had the agreement of schools to meet the demand. He also raised an issue regarding secondary education and whether there were sufficient places in Deal

for secondary pupils. Another local Member said he supported the expansion plans but equally agreed with the views of the head teachers that the decision to expand the school should be deferred. He had asked that potential transport and traffic implications continue to be assessed and that the Council use this opportunity to look to address issues further.

- a) In response to a question regarding the need for a bulge class, David Adams said that there were 307 first preference applications for 335 school places available in Deal. He said whilst he felt positive that this would be manageable without a bulge class, there was a risk that if a parent was refused admission to the school, an independent appeals panel, or the Schools Adjudicator, may determine whether the child should be admitted as the expansion proposal had gone through public consultation. Therefore, Kent County Council needed to be able to support Deal Parochial CE Primary School admit a bulge class if forced to do so, even if there was not a pressure on school places.
- b) In response to a question, David Adams said it was important to undertake assessments regularly to see whether the anticipated ongoing pressures were continuing to come through.
- c) In response to a question, David Adams confirmed that the proposed capital scheme for Deal Parochial CE Primary School involved a hall expansion, and the creation of a separate teaching block. The £250k referred to in the report related to an expansion of the school hall. This would create an additional space allowing the relocation of the library, which in turn would be used as the additional classroom. This solution represented better value for money than bringing on a temporary classroom, as the hall extension would be needed as part of the formal scheme.

2. RESOLVED that the decision proposed to be taken by the Cabinet Member for Children, Young People and Education, to

- i. Amend the implementation date for the expansion of Deal Parochial CE Primary School by 1FE, and the associated increase in the published admissions number to 60, until September 2020, and conditional upon the obtaining of planning permission for the school expansion; and
- ii. Agree £250,000 of the existing capital allocation be released to deliver small scale works at Deal Parochial CEPS to facilitate a bulge class if required,

be endorsed.

74. Future Arrangements for Riverside Commissioned Children's Centre
(Item 10)

1. Roger Gough (Cabinet Member for Children, Young People and Education) introduced the report which set out the future arrangements for Riverside Commissioned Children's Centres and provided an overview of the outcomes that had been agreed in a previous meeting of the Committee. He discussed the importance of taking all views on board and said that discussions were an important part of the process. He said that he had had extensive and constructive discussions with local residents and Canterbury City Council.
2. Stuart Collins (Interim Director of Early Help and Preventative Services) said he had taken many of the views from Members of the Committee into consideration and had met with Canterbury City Council on several occasions to negotiate the use of Riverside services and how residents would access the services moving forward. He said that the proposal would not affect the nursery provision, but being part of the wider Early Help offer would extend the offer across the whole of Canterbury because Riverside would be used in addition to the other centres that were in place across Canterbury. Canterbury City Council were on board with the proposal and Stuart Collins said that he felt very confident that families using Riverside would see no difference to the services and would be subject to a wider offer across the whole of the county.
 - a) In response to comments and questions, Stuart Collins said that TUPE would apply for staff that were working across the children's centre and that those TUPE negotiations had started. He said that there were no current plans to extend the lease.
3. The Chairman thanked officers for working with Canterbury City Council and said suggested reviewing future sustainability when appropriate and extending lease arrangements in a couple of years' time.
4. RESOLVED the decision proposed to be taken by the Cabinet Member for Children, Young People and Education to bring Riverside Children's Centres into KCC directly delivered provision fully within the Early Help model and re-provision the existing Early Help offer with services continuing to be delivered at the Riverside Centre through a 3-year lease agreement with Canterbury City Council, be endorsed.

75. Budget Monitoring *(Item 11)*

1. Simon Pleace (Finance Business Partner for Children, Young People and Education) introduced the report which provided Members of the Committee with the latest revenue and capital budget monitoring position for the 2017-18 financial year.
 - a) In response to a question, Simon Pleace said that the latest position assumed the £4million overspend would not be recovered and this was therefore reported as a pressure for the county. The Leader and Cabinet Members were having discussions with Ministers to seek additional funding

to cover the overspend, but at the moment there were no guarantees. He said that the pressure was dealt with corporately and did not have any direct effect on education. In response to a separate question regarding schools in deficit, he said that he would be able to provide additional information to Committee Members outside of the meeting with regards to the number of maintained schools that were in deficit.

b) In response to a question, Simon Pleace said that Kent undertook monitoring of school returns and received statutory returns throughout the year. He said that there had been focus specifically on schools that had an unexpected fall in their pupil numbers which would be a contributing factor to them receiving less funding, as well as schools that spend a disproportionate amount of their funding on staffing. He said that the National Funding Formula for the next year may offer some respite for some schools, but not for all schools. He said that there had been ongoing discussions with schools individually regarding the risks of going into deficit and the actions that they could take.

2. RESOLVED that the report be noted.

76. Draft 2018-19 Budget and 2018-20 Medium Term Financial Plan
(Item 12)

1. Simon Pleace introduced the report which set out the draft 2018-19 Budget and 2018-20 Medium Term Financial Plan and updated the Committee on the progress of proposals.

a) In response to a question, Matt Dunkley said that it was important to understand Kent's needs demographically and the changing nature of needs. He said that all capital challenges were focused around Kent's basic need, demand and the issues for schools. He said that Kent had been assessing ways in which the £2million saving could be made without losing vital services and bringing teams together to work in an efficient and integrated way. Mr Gough said that Kent had already started to bring services together to deliver savings.

b) In response to a question, Mr Gough said that there were a specific set of proposals that were taken to the Funding Forum at the end of last year which focused primarily on the creation of a Need Specific Top Up Funding regime and assessing how schools manage their demand driven, individual need-focused process to one which seeks more to take account of categories of need and the bands of funding that would be associated with that. He said that High Needs was a budget that had been under a significant amount of pressure for some years.

2. RESOLVED that the report be noted.

77. Performance Scorecard
(Item 13)

1. Matt Dunkley introduced the report which set out the directorate's performance management framework and the targets and milestones for each year up to 2020 to monitor performance on all key measures.
 - a) In response to comments and questions, Matt Dunkley said that there were significant issues with several looked after children who were placed by other local authorities who were not given a suitable place within schools but remain in placements in Kent. He said that Kent were seeking additional support from Ofsted regarding these children. He said that despite the large number of children in this category, it was important for Kent to find a way to support schools where planning is in place as smoothly as possible and meet those children's needs.
 - b) In response to comments and questions, Sarah Hammond said that the looked after children were children in addition to those coming into Kent from London boroughs, so there were a significant number of eastern European families coming into the county and their children could not speak English.
 - c) In response to a question relating to Social Worker caseloads, Sarah Hammond said that a number of gaps had been identified where there were additional resource needs across the whole of the county, and those areas had been staffed. This in turn put pressure on the staffing budget. She said that whilst it continued to be a challenge, Kent's social workers were working as efficiently as possible.
 - d) In response to a question, Matt Dunkley said he would ensure that a briefing note was distributed to all Members of the Committee which would provide persistent absence figures, indicators and an explanation as to why this was a high percentage.
 - e) In response to a question relating to fostering payments, Sarah Hammond said that relatives and friends of carers would automatically receive the same maintenance element as foster carers. They were given the opportunity to undertake a training programme and obtain a professional fee, but many of them did not want the professional fee element. She said that payment received would be exempt from any calculation of other welfare benefits, Kent would assist families but would not fund over and above what was paid to foster carers.
 - f) In response to a question, Mr Gough said that Kent had supported specialist support provision for mainstream schools and that demand pressures had risen to a greater extent than anticipated.
2. Matt Dunkley said that it was important to reflect on the Special Educational Needs and Disability strategy (SEND) and what had happened in Kent. He said

that the measures taken by Kent were supposed to dampen demand but had not worked. Therefore, looking at the relationship between development and demand was crucial.

3. Sarah Hammond said that the Head Start strategy was a school-based programme and was introduced on a gradual phased roll out. She said that although not all schools or areas had head start provision at present, it would be rolled-out throughout 2019.
4. RESOLVED that the report be noted.

78. Work Programme 2018/19
(Item 14)

1. RESOLVED that the Work Programme for 2018 be noted.