

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 on Friday, 28th June, 2019.

PRESENT: Mr G Cooke (Chairman), Mrs L Game (Vice-Chairman), Mr R H Bird (Substitute for Mrs T Dean, MBE), Mr D Brunning, Mrs S Chandler, Mrs P T Cole, Mr D S Daley (Substitute for Ida Linfield), Miss E Dawson, Ms S Hamilton, Mr R C Love, OBE, Mr S C Manion, Mr D Murphy, Mr M J Northey, Mrs S Prendergast and Dr L Sullivan

OTHER MEMBERS: Roger Gough

OFFICERS: Keith Abbott (Director of Education Planning and Access), David Adams (Area Education Officer - South Kent), Akua Agyepong (Corporate Lead - Equalities and Diversity), Katherine Atkinson (Assistant Director, Management Information and Intelligence, Integrated Children's Services), Rachel Britt (Senior Commissioning Manager - Children's Services), Celia Buxton (Principal Adviser for Secondary, PRUs and Special Schools), Matt Dunkley CBE (Corporate Director for Children Young People and Education), Stephen Fitzgerald (Assistant Director, East, Integrated Children's Services), Vincent Godfrey (Strategic Commissioner), Sarah Skinner (Head of Adoption Service), Caroline Smith (Assistant Director, Corporate Parenting, Integrated Children's Services), Mark Thorn (Assistant Director, North, Integrated Children's Services), Ian Watts (Area Education Officer – North Kent) and Emma West (Democratic Services Officer)

UNRESTRICTED ITEMS

112. Apologies and Substitutes (Item 2)

Apologies had been received from Mrs Dean and Ida Linfield. Mr Bird attended as a substitute for Mrs Dean and Mr Daley attended as a substitute for Ida Linfield respectively.

113. Election of Vice-Chairman (Item 3)

1. Mr Cooke proposed, and Mr Manion seconded that Mrs Game be elected Vice-Chairman of the Committee.

Agreed without a formal vote

2. RESOLVED that Mrs Game be elected Vice-Chairman of the Committee.

114. Declarations of Interest by Members in items on the Agenda (Item 4)

Dr L Sullivan made a declaration of interest as her husband worked as an Early Help Worker for Kent County Council. Dr L Sullivan also declared that she was the

Gravesham Representative on the Ebbsfleet Development Corporation Planning Committee.

Mr S Manion made a declaration of interest in relation to item 16 on the agenda, as his partner worked at a school listed within the update.

Mr R Love made a declaration of interest in relation to item 8 on the agenda, as his wife worked for CXK.

115. Minutes of the meeting held on 7 May 2019

(Item 5)

1. Mr Abbott confirmed that the guidance relating to Kent County Council's Post 16 Transport Policy referred to in the minutes of the meeting held on 7 May 2019 would be circulated to Committee Members after the meeting.
2. RESOLVED that the minutes of the meeting of the Children's, Young People and Education Cabinet Committee held on 7 May 2019 are correctly recorded and that they be signed by the Chairman.

116. Verbal Update by Cabinet Member and Corporate Director

(Item 6)

1. Mr Gough (Cabinet Member for Children, Young People and Education) gave a verbal update on the following issues:

a) Alkerden School in Ebbsfleet

Aletheia Anglican Academies Trust had launched plans to create the 'all through' institution in June 2019. A consultation into the Ebbsfleet proposal began on 12th June 2019 and would run until 9th July 2019. If plans were approved, Alkerden School in Ebbsfleet would cater for children aged two to 19, there would also be 26 nursery school places and 15 primary places in a Specialist Resource Provision.

b) Unaccompanied Asylum-Seeking Children (UASC) Update

A report had been submitted to Cabinet on 24th June which addressed the most recent changes in relation to UASC funding. Mr Gough referred to a previous UASC funding consultation which had been launched by government and talked about the outcomes from the consultation, particularly the significant rise in rates for 16- and 17-year olds, which Kent County Council had lobbied hard for.

c) Ofsted and Care Quality Commission (CQC) Special Educational Needs and Disability (SEND) report

In relation to the actions which had taken place in response to the Kent SEND Local Area Inspection by Ofsted/CQC, the Written Statement of Action had been submitted on 28th June 2019. Further updates on the matter would be submitted to the Children's, Young People and Education Cabinet Committee when appropriate.

2. Mr Dunkley (Corporate Director of Children, Young People and Education) gave a verbal update on the following issues:

a) Ofsted CQC letter

Mr Dunkley reiterated Mr Gough's comments in relation to the Ofsted and CQC SEND report outcome and confirmed that a Member oversight group would be set up for Children's, Young People and Education Cabinet Committee Member's to attend to comment on the improvement plan.

b) Kent County Council's Corporate Parenting Panel Takeover Day

Kent County Council's Corporate Parenting Panel Takeover Day took place on 29th May and allowed children in care, care leavers and adopted or fostered young people to take charge of the Corporate Parenting Panel and have their voices heard. Mr Dunkley said that the experience was very positive and valuable for Members, officers and young people and he hoped that similar events would take place in the future to strengthen Member's relationships as corporate parents with the young people that they look after. Mr Dunkley commended the positive leadership skills that had been demonstrated by Chelsea, a Virtual Schools Kent apprentice and care leaver, who had proposed a motion on banning social media from young people due to its harmful effects on their mental health. Chelsea and Mr Dunkley attended an event which took place at the House of Commons with Nadhim Zahawi (Secretary of State for Children and Families) to celebrate the first two years of the Lifelong Links project.

c) Hadlow College placed into educational administration

Hadlow College were the first of its kind to have gone into administration. Further Education (FE) commissioners were engaged in a process of inviting bids from other FE providers to take over parts of an interim group which had been created to take over the management of the college. The interim group invited FE providers within a 20-mile radius to bid for parts, or the entirety of the group, a land-based provider from London was invited to bid and take over the land-based element of the group. Kent County Council were awaiting the news in relation to the conclusion of the bidding process and a further update would be submitted to the Committee once more information on the matter had been received.

3. In response to a question relating to Hadlow College, Mr Dunkley said that he and Barbara Cooper (Corporate Director of Growth, Environment and Transport) were in discussion with FE commissioners regarding the process of the competition and the options that were available. He talked briefly about the challenges in relation to travel arrangements for pupils attending the college and how these challenges were being addressed through the interim engagement group with FE commissioners. He added that based on recent discussions, he did not believe that FE commissioners wished to change the land-based element of Hadlow College.
4. In response to a question relating to the processing of UASC applications, Mr Gough said that whilst processing issues were being addressed, there was still much work to be done with the Home Office in regard to clearing the current UASC application backlog.
5. In response to a question relating to Hadlow College, Mr Dunkley said that FE commissioners were committed to ensuring that course offers for September 2019 would be honoured to ensure that there was no immediate impact on learners, FE commissioners were also aware of the fact that Hadlow College

catered for and had a significant offer for vulnerable learners. He added that Kent County Council's relationship with FE principles was very strong.

6. RESOLVED that the verbal updates be noted.

117. Elective Home Education and Children out of School
(Item 7)

1. Mr Abbott introduced the report which updated Members on the significant developments that had been undertaken by Fair Access since the introduction of the County Elective Home Education (EHE) Policy in 2015. The report highlighted the growing demands on the service, the proposed changes in national policy and how Kent County Council had been instrumental in driving change that would help to ensure that every Kent child received a suitable education.

Mr Abbott then responded to comments and questions from Members, including the following: -

- a) Mr Gough (Cabinet Member for Children, Young People and Education) talked about the increase in the number of Kent children being home educated and the factors that had led to the increase. He talked about the positive changes to national policies in relation to off-rolling in schools and said that the former Secretary of State for Children and Families, Nadhim Zahawi, and the Ofsted Chief Inspector, Amanda Spielman, had taken a proactive approach in relation to tackling off-rolling issues within schools and focusing on inclusiveness within the new Ofsted framework.
- b) Mr Abbott explained the reasoning behind the significant increase in families choosing to education their children from home and the challenges that Kent faced in relation to school capacity. He added that the online system had improved significantly and Kent County Council received notifications from schools immediately after a child had been off rolled. Within five working days of receiving the off-rolling notification, Kent County Council could get in touch with the child's family to start getting behind the reasons as to why and offer support. In addition to the support provided, Kent County Council would also ensure that families who were educating a child from home had access to Kent tests and examination papers from schools.
- c) Mr Dunkley confirmed that no uncontested national information was available in relation to the outcomes of children that had been educated from home in terms of attainment.
- d) Mr Abbott confirmed that he would provide more information to Committee Members outside of the meeting in relation to religion and culture within the EHE statistics.
- e) Mr Abbott said that a team within the South East were dedicated to scrutinising unregistered schools and SEN provision within schools.

2. Members of the Committee commended the report and thanked Mr Bagshaw (Head of Fair Access) for the work he had undertaken in obtaining the EHE figures.
3. The Chairman suggested that an update in relation to Elective Home Education in Kent be brought back to the Committee annually, Members of the Committee generally supported this.
4. RESOLVED that the report be noted.

(Mr R Love asked that his vote against the recommendation be recorded in the minutes)

118. Annual Equality and Diversity Report for Children, Young People and Education 2018-19
(Item 8)

Ms Agyepong (Corporate Lead for Equality and Diversity) was in attendance for this item.

1. Ms Agyepong introduced the report which provided a position statement for services within the Children, Young People and Education Directorate regarding equality and diversity work, including an update on progress in delivering Kent County Council's Equality Objectives for 2018-19.

Ms Agyepong then responded to comments and questions from Members, including the following: -

- a) Ms Agyepong talked about the changing and dynamic demographic in Kent and the broad economic challenges that existed across the county.
- b) Mr Dunkley said that the attainment gap within schools was a national issue between the outcomes for children in care and the rest of the population. He added that children in care often experienced traumatic events which affected all aspects of their life, particularly educational outcomes. He talked about the advantages of virtual schools and the importance of the strategies that were in place to target attainment gaps and to sufficiently support schools and children in care.
- c) Mr Dunkley confirmed that the majority of Kent's children in care lived in foster homes, not care homes. He added that foster carers should support and assist children in their care with completing homework in the same way that any child's parent should.
- d) Mr Dunkley talked about nursery provision for two-year olds in Kent and the challenges that Kent County Council were faced with in relation to funding services for two-year olds. Ms Agyepong said that the adoption of the new model through the Change for Kent Children project would focus on having a much more integrated approach with regard to supporting children and young people in Kent and building relationships within communities.

- e) Ms Agyepong said that senior officers within Kent County Council's Children, Young People and Education directorate had met with Public Health and Growth, Environment and Transport teams to review plans and identify current strengths and future developments. She added that communities within Kent were also involved in the conversations relating to future developments to explore educational attainment and aspirations.
 - f) Ms Agyepong emphasised the importance in data analysis and knowledge-based research in relation to prompting and sculpting business plans to suit all aspects of learning for schools, school staff, children and communities.
2. The Chairman suggested that a more in-depth analysis of the Equality and Diversity data be provided to Members of the Committee.
 3. RESOLVED that the report be noted.

119. Review of the Commissioning Plan for Education Provision in Kent 2019-23
(Item 9)

Mr Adams (Area Education Officer – South Kent) was in attendance for this item.

1. The report informed Members of the progress made in implementing the Commissioning Plan for Education Provision in Kent 2019-23 since its adoption by Cabinet in February 2019.

Mr Adams then responded to comments and questions from Members, including the following: -

- a) Mr Adams said that when additional capacity was added in an area adjoining a pressure point, rather than the area of pressure itself, it did not necessarily mean that children had to travel long distances to school, as catchment areas changed and rippled across the locality.
 - b) Mr Gough (Cabinet Member for Children, Young People and Education) referred to the International Baccalaureate and confirmed that Kent County Council had responded to the government in relation to their consultation on Post-16 and had made sure that Kent's representations were made very strongly.
 - c) Mr Gough talked about the figures within the report which related to Dartford and the pressures related to planned housing in Dartford.
 - d) Mr Adams said that due to changes in diagnosis patterns and capacity levels, forecasting Special Education Need and Disability (SEND) for specific areas of the county was complex. He added that the funding stream that had been provided to Kent County Council by government to support SEND activity was welcomed.
2. RESOLVED that the report be noted.

120. 19/00047 - Kent, Bexley and Medway Regional Adoption Agency
(Item 10)

Ms Skinner (Head of Adoption) and Ms Smith (Assistant Director – Corporate Parenting) were in attendance for this item.

1. Ms Smith introduced the report which set out the proposed decision to create a new Regional Adoption Agency (RAA) through combining the adoption services for the three authorities of Kent, Bexley and Medway.

Ms Smith and Ms Skinner then responded to comments and questions from Members, including the following: -

- a) Ms Smith confirmed that the accountable person in relation to the Kent, Bexley and Medway RAA and the oversight of the practice within the three local authorities would be the Head of the RAA, who had not yet been appointed.
 - b) Ms Smith said that each local authority would continue to report in the same way in relation to their adoption data and equally each local authority would be expected to report back to Members within their individual local authority on their adoption data, although statutory returns would continue to be produced for the adoption data for the entire RAA as well as individually.
 - c) Ms Smith confirmed that a partnership board would hold the delivery of regional adoption services to account, underpinned by a robust risk sharing and partnership agreement. She added that Mr Dunkley would be a part of the partnership agreement between Kent, Bexley and Medway.
 - d) Ms Skinner said that RAA would be created for the purpose of building upon the success of existing services to improve performance in meeting the needs of children who required permanence through adoption.
 - e) Ms Skinner talked about the challenges faced in regard to the creation of a new RAA and the steps that were being taken to ensure that potential risks were minimised. She emphasised the importance of ensuring that the three local authorities worked in tandem and that policies and procedures were followed. Mr Dunkley reiterated comments made by Ms Skinner and expressed his views in relation to the creation of RAA's and the positive effect that they had on local authorities and support that they offered.
 - f) Mr Dunkley reiterated Ms Skinner's comments regarding the challenges that local authorities could be faced with in relation to the creation of a new RAA and talked about the strategies that were in place relating to pooling and joint appointments in order to minimise risks.
2. The Chairman confirmed that a regular report was submitted to Kent County Council's Corporate Parenting Panel in relation to RAA's.
 3. RESOLVED that the decision proposed to be taken by the Cabinet Member for Children, Young People and Education to:

- a) complete the full business case for regionalisation (for presentation and consideration by CYPE Committee in October 2019); and
- b) formulate the detailed design of the Regional Adoption Agency model (between now and October 2019) in collaboration with Medway Council and the London Borough of Bexley,

be endorsed.

121. Special Provision Capital Fund
(Item 11)

Mr Adams (Area Education Officer – South Kent) was in attendance for this item.

1. The report outlined the proposal to use the Special Provision Capital Fund to increase Autistic Spectrum Provision across the County and the outcome of the public consultation to this effect. A further decision report would be submitted to a future meeting of the Children's, Young People and Education Cabinet Committee for any individual proposal requiring a key decision.
2. RESOLVED that the report be noted.

122. National and Local Developments affecting Alternative Provision and Pupil Referral Units and KCC consultation to change the existing alternative provision funding model
(Item 12)

Ms Buxton (Principal School Improvement Adviser) was in attendance for this item.

1. Ms Buxton introduced the report which set out information relating to the national and local developments which affected alternative provision and Pupil Referral Units (PRU) in Kent, and Kent County Council's consultation to change the existing alternative provision funding model. She added that at the school funding forum meeting on 27th June, all of the changes to the PRU's funding methods outlined in the paper were approved.

Ms Buxton then responded to comments and questions from Members, including the following: -

- a) Ms Buxton confirmed that a more detailed version of the long-term strategy which focused on improving success in relation to alternative provision and PRU's in Kent would be circulated to Members of the Committee outside of the meeting.
2. The Chairman suggested that a further report relating to alternative provision and inclusion provision be added to the Work Programme.
3. RESOLVED that the report be noted.

123. Schools with deficit recovery plans
(Item 13)

1. The report provided details of the number of Kent schools in deficit during the financial year April 2018 to March 2019. Information contained within the report provided a national comparison and the underlying reasons that caused schools to go into deficit.
2. RESOLVED that the report be noted.

124. School Alterations/Expansions
(Item 14)

Mr Abrahams (Area Education Officer – West Kent) and Mr Watts (Area Education Officer – North Kent) were in attendance for this item.

1. The Chairman set out the proposed decisions to expand or alter the following schools: Oakley School, Tunbridge Wells, Saint George's Church of England School, Northfleet, and Seal Church of England Primary School, Sevenoaks.

a) 19/00038 – Proposal to increase in the age range and the designated number at Oakley School, Tunbridge Wells

2. RESOLVED that the decision (19/00038) proposed to be taken by the Cabinet Member for Children, Young People and Education to increase the age range of Oakley School from 2-18 years to 2-19 years and increase the Designated Number from 242 to 252 places, be endorsed.

b) 19/00048 - Release funding for Phase 2 of the works to change the age range of Saint George's Church of England School to create an all-through school for pupils aged 4 to 19 from September 2019

3. Mr Gough, Cabinet Member for Children, Young People and Education, drew Member's attention to a factual inaccuracy within the Children's, Young People and Education Cabinet Committee minutes for the meeting which took place on 28th March 2019. The last sentence of minute 90, section 4, stated: *'the planning application would be dealt with by the borough council'*, whereas this should have stated *'the planning application would be dealt with by **Kent County Council**'*.
4. In response to a question, Mr Watts talked about the project funding details within the report and the significant planning issues relating to the Coldharbour development area.
5. RESOLVED that the decision (19/00048) proposed to be taken by the Cabinet Member for Children, Young People and Education to:
 - (i) Allocate £2,500,000 from the Children, Young People & Education Capital Budget to fund any necessary works or variations to accommodation for Phase 2 of the age range expansion project at St George's Church of England School;
 - (ii) Authorise the Director of Infrastructure in consultation with the General Counsel to enter into any necessary contracts/agreements on behalf of the County Council; and

- (iii) 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.

c) 19/00049 - Approve a change to the age range of Seal Church of England Primary School, Zambra Way, Seal, Sevenoaks, Kent TN15 0DJ site to include nursery provision for 2, 3 and 4-year-old children from September 2019

6. RESOLVED that the decision (19/00049) proposed to be taken by the Cabinet Member for Children, Young People and Education to approve the change of age range of Seal Church of England Primary School, Zambra Way, Seal, Sevenoaks, Kent TN15 0DJ site to include nursery provision for 2, 3 and 4 year old children from September 2019, be endorsed.

125. Performance Monitoring

(Item 15)

Ms Atkinson (Assistant Director - Management Information & Intelligence) was in attendance for this item.

1. Ms Atkinson introduced the report and confirmed that the full version of the Performance Scorecard, which contained information relating to Kent's districts, was available for Members on K-net. She added that an additional page would be included within the Performance Scorecard in Autumn 2019 which would present data relating to the different vulnerable groups in Kent.
2. RESOLVED that the report be noted.

126. Ofsted Update

(Item 16)

The information within the agenda was noted without discussion.

127. Work Programme 2019-20

(Item 17)

RESOLVED that the work programme for 2019/20 be noted, subject to the inclusion of the following items:

- Elective Home Education - annual report (June/July 2020 meeting)
- Children and Young People's Mental Health Services, funded by Kent County Council – Update (October 2019 meeting)
- Alternative/Inclusion Provision (meeting TBC at agenda setting)

128. Exclusion of the Press and Public

RESOLVED that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business as it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

Exempt Items (open access to minutes)

129. Children and Young People's Mental Health Services, funded by Kent County Council *(Item 18)*

Mr Godfrey (Strategic Commissioner) and Ms Britt (Senior Commissioning Manager – Children's Services) were in attendance for this item.

1. Mr Godfrey introduced the report which provided an update on the commissioning arrangements for the Kent County Council funded elements of the Children and Young People's Mental Health Services, and associated Section 76 agreement. The report also set out a series of actions which had been agreed with the contract lead, West Kent CCG.
2. Ms Britt talked about the review of the current Section 76 agreement and the discussions that were taking place between Kent County Council and the NHS.
3. Ms Britt emphasised the importance of data collection, performance monitoring and evidence-based research.
4. Mr Gough (Cabinet Member of Children, Young People and Education) referred to section 4 of the unrestricted report and talked briefly about the progress on the Section 76 agreement and the actions which could be implemented within the existing Section 76 agreement to allow for a strengthened position for Kent County Council.
5. Mr Gough talked about staff capacity within Mental Health services and the options that were available in relation to the contract.
6. Ms Britt talked about the ongoing work that had been undertaken in relation to reviewing the commissioning arrangements and potential changes to the Section 76 agreement.
7. Mr Godfrey emphasised the importance of ensuring that decisions were sustainable, and the importance of monitoring the way in which decisions affected overall pathways and outcomes.
8. The Chairman and Mr Gough suggested that a further report on the matter be brought back to the Cabinet Committee meeting in October 2019.
9. RESOLVED that the report be noted.