

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 Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 6th March, 2024.

PRESENT: Mr M C Dance (Chairman), Mr M Dendor (Vice-Chairman), Mr P V Barrington-King, Mr A Brady, Mrs T Dean, MBE, Ms S Hamilton, Mr M A J Hood (Substitute for Ms J Hawkins), Mr S C Manion, Mrs M McArthur, Mr A Sandhu, MBE, Mr P Stepto, Dr L Sullivan, Mr M Reidy and Mr D Ross.

OTHER MEMBERS: Sue Chandler and Rory Love, OBE.

OFFICERS: David Adams (Assistant Director Education (South Kent)), Sarah Hammond (Corporate Director Children, Young People and Education), Ingrid Crisan (Director of Operations, Integrated Children's Services), Christy Holden (Head of Children's Commissioning), Ian Watts (Assistant Director Education, North), Karen Stone (Revenue Finance Manager (0 - 25 services)), Katherine Atkinson (Assistant Director, Management Information and Intelligence, Integrated Children's Services), Emma Hanson (Senior Commissioning Manager), Kevin Kasaven (Director of Children's Countywide Services), Christine McInnes (Director of Education), Mark Scrivener (Head of Risk and Delivery Assurance) and Joanne Taylor (Head of Capital Works).

UNRESTRICTED ITEMS

1. Apologies and Substitutes
(Item 2)

Apologies were received from Dr Roper and Ms Hawkins for whom Mr Hood was present as substitute.

2. Declarations of Interest
(Item 3)

Mr Brady declared an interest in item 15, 24-00016 Extended Early Years Entitlement and Wraparound Childcare - Revenue and Capital Criteria.

3. Minutes of the meeting held on 16 January 2024
(Item 4)

1) During the meeting Mr Brady had requested that his abstention on the vote for item 13, 23-00127 - Extension of Funded Early Years Entitlement and Wraparound Childcare, and the Local Funding Formula for Early Years Providers Funded Entitlement Payments for 2024-25, be recorded in the minutes. Subject to this amendment, it was RESOLVED that the minutes of the meeting held on 16 January 2024 were a correct record.

4. Verbal Update by Cabinet Members
(Item 5)

1. Mr Love provided his Cabinet Member verbal update as follows:

1.1 Secondary School Offer Day

Friday 1 March was secondary school offer day. 96% of applicants received an offer from one of their four preferred schools, which was the highest proportion of the cohort in the last five years. Just under 79% of Kent pupils were offered a place at their first-preference school.

Parents and carers were asked to accept or decline their offered school by 15 March however, those offered places at the Oasis academies on the Isle of Sheppey had more time. They would receive further information from KCC once the Department for Education (DfE) had made its final decision regarding the Oasis academies.

Thanks were offered to admissions team who had allocated school places to more than 22,000 pupils.

Mr Love wished pupils every success for the remainder of the year and wished them well as they prepared for the move to secondary school.

1.2 Phase Transfer Deadline

15 February was the phase transfer deadline for children and young people with an Education, Health and Care Plan (EHCP). An up to date EHCP had been issued for around 92% of placements this year, and the remaining 8% of children had bespoke arrangements being prepared. All parents had been contacted by email or post to provide updates when the deadline was missed. In most cases the delay was due to school capacity issues.

KCC's internal processes were now significantly more robust than they were in the past and further improvements were planned for next year. It remained the highest priority to ensure that any outstanding placements were assigned as soon as possible, so that parents and pupils could plan for the new school year.

1.3 NEET Statistics

The most recent data from the DfE's National Client Caseload Information System showed that Kent had outperformed England and the South East in terms of the number of young people with an EHCP who were identified as Not in Education, Employment or Training (NEET). Kent had 4.6% of those with an EHCP identified as NEET, compared to 6.9% in the South East, and 8.3% across the whole of England. This demonstrated the impact of the new SEND Post 16 team, and new ways of working with The Education People's NEET Support Service.

1.4 Additional SEND Investment

It was announced at the Budget Council meeting on 19 February that, despite severe financial challenge for the Council, there would be an additional £2,000,000 investment to increase capacity within SEN services. The funds would be targeted to address backlogs in assessments and annual reviews, and to increase management capacity to support robust and appropriate decision-making. Over time this would provide a positive impact for families, help to address the three areas of weakness identified in the Improvement Plan,

and support KCC in playing its part to improve outcomes for children and young people.

2. Mrs Chandler provided her Cabinet Member verbal update as follows:

2.1 Kent Intake Unit

On 22 February Mrs Chandler, alongside the Leader and Corporate Director, met with Michael Tomlinson the Minister for Countering Illegal Migration, at the Kent Intake Unit in Dover.

They discussed the challenges Kent faced from the arrival of large numbers of Unaccompanied Asylum Seeking Children (UASC), and how KCC would meet its statutory obligations through measures such as the opening of new reception centres across the county. Minister Tomlinson welcomed the progress Kent had made. There was a desire from KCC and the Home Office to continue close cooperation to ensure there was robust safeguarding in place for children who came into the county.

KCC continued to make the case for fair distribution of UASC, via the National Transfer Scheme, to avoid an unfair burden on Kent. This would ensure KCC could continue to meet its legal responsibilities for what was a national issue.

2.2 UASC Update

There had been 87 UASC arrivals during February and the total number of arrivals for 2024 was 246. By comparison, there had been 191 arrivals in the first two months of 2023.

Given the expected pressure of UASC arrivals throughout 2024, preparations were underway to open new reception centres at nine locations around the county. Mrs Chandler had met with local Members of Parliament and Councillors in areas where these new centres were planned, to help provide reassurance to residents around the nature of the sites. All reception centre placements would be on a temporary basis and that there would be staff on site 24 hours a day.

All UASC residents would have a schedule of activities including English language lessons and lessons about life in the UK. This would ensure that all of the young people passing through Kent were best equipped to living in a new country, as they prepared for longer-term placements elsewhere.

2.3 Ofsted Inspection

Ofsted carried out a focused visit inspection of Kent at the end of January. The inspection was carried out under the Inspecting Local Authority Children's Services (ILACS) Framework and covered Canterbury and Folkestone and Hythe. The inspection focused on the child in need, child protection, children's entry into care, and 16 and 17 year old young people who presented as homeless.

Ofsted's findings were published on 27 February 2024 and concluded that KCC provided a high quality of service, with only minor areas of improvement identified. Thanks were offered to all the staff for their hard work in preparing for the visit and helping to achieve a positive outcome.

2.4 Sector-Led Improvement Programme

Following the recent bid to become a Children's Social Care Sector-Led Improvement Partner for 2024-25, which would see KCC working closely with other local authorities to help them improve their children's services, confirmation had been received that KCC had been successful. Mrs Chandler read an extract of the feedback from the bid as follows:

'Your bid exceeded our expectations by providing good evidence regarding the strength of your children's social care services and demonstrating how your Quality Assurance Framework will be applied to support other local authorities. Your bid clearly demonstrated the quality of your contextual safeguarding offer and suicide prevention expertise, as well as providing strong evidence to support the impact and outcomes of your work.'

Your bid met our expectations by demonstrating your commitment to continuous improvement alongside the stability of your leadership. You also provided a satisfactory list of support activities you would expect to offer and demonstrated understanding of the risks you might need to manage in delivering SLI support.'

The action plan and exact amount of funding would be confirmed shortly, and thanks went to the all the officers involved in preparing the successful bid.

2.5 Staff Consultation on the Open Access Review

The consultation concluded on 22 February and staff received the final documentation on 1 March. The distribution of documentation did not go as planned however, all documents were available by the end of the day. Staff were thanked for the professional way they had engaged with the consultation. Apologies were offered to the staff members who experienced difficulties accessing documents on the Oracle system. All the questions raised by members of staff had been answered.

3. Further to questions and comments from Members, it was noted that:

- Some staff were very distressed following the Open Access Review and the delay in receiving documentation.
- Youth provision for those with SEND would be within Family Hubs, information and guidance had been given to staff members.
- A lot of work had taken place to support NEETs and the data showed that the system was working better in Kent than elsewhere. However, there was more to be done to make the number of NEETs as low as possible.
- It was not possible to say exactly when SEND pupils awaiting school placements would have their placements allocated. Bespoke arrangements were being finalised and placements were being tailored to individuals. It was recognised that communication with parents and carers was very important during this time.

4. The verbal updates were noted.

5. Performance Monitoring (Item 6)

Katherine Atkinson, Assistant Director, Management Information & Intelligence CYPE and Christine McInnes, Director of Education and SEN were in attendance for this item.

1. Ms Atkinson introduced the report that detailed performance up to the end of December.
2. Further to questions and comments from Members, it was noted that:
 - Ms Atkinson would look into options to present Members with the most up to date Score Card data available.
 - In September there had been 1100 backlog EHCP cases, this had now been reduced to less than 400. Additional funding allowed a dedicated team to work through the remaining backlog of cases. Apologies were offered to those still awaiting completion of historic EHCP cases.
 - Mr Love offered to look into providing the Committee with a breakdown by district area of the number of EHCP assessments awaiting completion.
 - The cost of providing home to school transportation to independent or out of country schools could be made available.
 - Outreach work to encourage people to become social workers mostly took place at universities.
3. RESOLVED to note the report.

6. Ofsted Update

(Item 7)

Katherine Atkinson, Assistant Director, Management Information & Intelligence CYPE and Christine McInnes, Director of Education and SEN were in attendance for this item.

1. Ms Atkinson introduced the report and highlighted that 91.4% of schools were rated good or outstanding which was higher than the national average.
2. Further to questions and comments from Members, it was noted that:
 - The fees charged by Ofsted for inspections were not paid by KCC.
 - There were different levels of inspection, schools who had not had a full inspection for some time, may have had a light touch inspection during the period.
3. RESOLVED to note the update.

7. Presentation - An Overview of Post-16 Education

(Item 8)

This item would be considered at the 16 May 2024 CYPE Cabinet Committee meeting.

8. KCC Maintained School Estate - Condition Survey Update

(Item 9)

Emily Nicholson, Project Manager and Joanne Taylor, Head of Capital Works were in attendance for this item.

1. Ms Taylor outlined the report that included a forecast of costs over the next 10 years.
2. Further to questions and comments from Members, it was noted that:
 - The Council was not responsible for maintenance of academy schools.
 - The condition surveys were rated over nine levels, and the Forward Maintenance Plan translated these levels into three priorities for maintenance work.
 - All priority one works were completed within the year to keep schools open.
 - The budget was not sufficient to allow investment into future heating or energy saving schemes.
 - Discussions would continue with Government about the support of school maintenance. Schools had benefited from specific capita investment in the past.
 - Mr Dendor offered to look into providing Members with a breakdown of the condition of schools in their area.
 - Schools were responsible for their maintenance and received funding to carry out this duty. The maintenance thresholds had recently been updated for the first time in a number of years.
3. RESOLVED to note the report on the 10-year condition surveys carried out on Kent County Council's School Estate.

9. Risk Management: Children, Young People and Education
(Item 10)

Mark Scrivener, Head of Risk and Delivery Assurance and Sarah Hammond, Corporate Director CYPE were in attendance for this item.

1. Mr Scrivener introduced the report that was presented the Committee annually.
2. Further to questions and comments from Members, it was noted that:
 - Safeguarding carried risks to the Council and had assurance around it. Ofsted recently published a letter from their inspection of front door services that highlighted the Council's strengths and weaknesses.
 - The Ofsted inspection found that things had improved since their last inspection in 2022. The letter and inspection framework would be circulated to Members of the Committee for information.
 - Mitigation actions to address the availability of specialist providers for disabled children and children with complex needs included:
 - A redesign of services that reduced the number of social worker roles and increased the number of early help roles. This increased access to community resources.
 - Improvements in practices that led to a reduction in Section 17 payments and care centre access, as a result of increased family work.
 - A review of short break options.

3. RESOLVED to consider and note the risk presented in the report.

10. Local Authority Designated Officer (LADO) Annual Report 2022/23
(Item 11)

Kevin Kasaven, Director of Children's Countywide Services was in attendance for this item.

1. Mr Kasaven introduced the report.
2. Further to questions and comments from Members, it was noted that:
 - An additional LADO had been recruited into the service, so there were now six LADO.
 - The majority of the actions identified in the report were now complete. The report was written in the summer of 2023, it was intended that reporting process would be streamlined in future so the annual report would be brought before the Committee earlier.
 - Thanks were offered to staff for carrying out their roles under challenging circumstances.
 - During an investigation the LADO would enquire about the support offered to the worker involved.
 - The vast majority of LADO investigations involved workers outside of KCC.
3. RESOLVED to note the report.

11. Contract Register
(Item 12)

Christy Holden, Head of Children's Commissioning and Sarah Hammond, Corporate Director CYPE were in attendance for this item.

1. Ms Holden introduced the report.
2. Further to questions and comments from Members, it was noted that:
 - Everything on the register had been strategically commissioned.
 - Spot purchase contracts were not always more expensive, they would be looked into further in the future.
 - Service reviews and commissioning dates were included in the register.
 - Some in house services were being developed that would reduce the need to procure services externally.
 - Prevention services were very important; however, it was often difficult to demonstrate the benefit of prevention services numerically.
 - The Placement Service team had full access to providers across the United Kingdom. The number of children placed in the area from other authorities exacerbated the shortage of available placements in Kent.
3. RESOLVED to note the report.

12. 24/00008 Special Educational Needs - Therapy Contracts
(Item 13)

Emma Hanson, Senior Commissioning Manager, Christy Holden, Head of Children's Commissioning and Christine McInnes, Director of Education were in attendance for this item.

1. Ms Holden introduced the report.
2. Further to questions and comments from Members, it was noted that:
 - The long term goal was to jointly commission community services with the NHS, this would help to align the quality of provision and the workforce.
 - Upskilling would take place in schools to ensure schools were able to offer preventative support. KCC would work with the NHS to establish what could be offered to support schools to become more therapeutic.
 - There needed to be more staff and resources within schools, as the existing staff were already working at full capacity.
 - New contracts would include a system of reporting the benefit generated for those with SEND. There would need to be a period of transformation which could involve the movement of resources around the county.
 - The alternative options detailed within the report were limited and could have included what other councils were doing.
3. RESOLVED to endorse the proposed decision by the Cabinet Member for Education and Skills to:
 - a) Retrospectively contract with the East Kent Hospitals Trust and the Kent Community Health Foundation Trust for 1 April 2023 to 31 March 2024 for the provision of SEN Therapies.
 - b) Contract with the East Kent Hospitals Trust and the Kent Community Health Foundation Trust for 1 April 2024 to 31 August 2025 for the provision of SEN Therapies.
 - c) Agree to the review the Kent and Medway Communication and Assistive Technology service and to incorporate into the wider re-commissioning of SEN Therapies.
 - d) Agree for the exploration of joint commissioning with the NHS for the wider provision of SEN Therapies to include in the re-procurement of NHS Community Services.
 - e) Delegate authority to the Corporate Director of Children, Young People and Education, or other appropriate Officer, to implement the decision, in consultation with the Cabinet Member.
4. In accordance with paragraph 16.31 of the Constitution, Mr Brady and Dr Sullivan, wished for it to be recorded in the minutes that they abstained from voting on the motion.

13. Local Government Social Care Ombudsman - Case 22 017 780 Public Report Actions
(Item 14)

Christine McInnes, Director of Education was in attendance for this item.

1. Ms McInnes introduced the item and advised that the report was brought to the Committee upon the request of the Ombudsman in order to update Members on the actions taken as a result of a complaint about access to occupational therapy services.
2. Further to questions and comments from Members, it was noted that:
 - There were a number of actions for the Council to take however, there was also national shortage of occupational therapists which was mirrored within Kent.
 - Discussions were underway with Democratic Services about how best to streamline reporting this kind of information to the Committee when it fell outside of the standard committee cycle.
 - The Action Plan would be circulated to Members following the meeting for comment.
3. RESOLVED to note the report.

14. 24-00016 Extended Early Years Entitlement and Wraparound Childcare - Revenue and Capital Criteria
(Item 15)

David Adams, Assistant Director - Education (South Kent) and Christine McInnes, Director of Education was in attendance for this item.

1. Mr Adams introduced the report.
2. Further to questions and comments from Members, it was noted that:
 - At this stage the Council did not know how many providers would sign up. Providers would need to opt into the service, and they seemed generally optimistic about the rates offered.
 - Poorly performing providers could claim for existing pupils but could not take on new pupils. There were very few providers who fell into this category.
 - Child population and locality were used to provide an indicative distribution of funding across the county.
 - Providers could apply for capital support if required and were encouraged to do so in areas where there was under provision.
 - Work was to be done to establish the demand for wrap around child care. It would not necessarily be located on school sites.
 - Revenue funding would be initially reserved for areas where there was a shortage of provision.
3. RESOLVED to endorse the proposed decision that the Cabinet Member for Education and Skills:

- a) Approve the process set out in paragraphs 2.1 to 2.4 of the report for the management and awarding of capital funding related to delivery of the extended early years funded entitlements.
 - b) Approve the process set out in paragraph 2.5 of the report for the management and awarding of capital funding and revenue monies related to delivery of the wraparound childcare aspiration.
 - c) Authorise the Director of Education and SEND to adapt these processes, in consultation with the Cabinet Members for Education and Skills and Integrated Children's Services, as necessary to ensure effective delivery.
4. In accordance with paragraph 16.31 of the Constitution, Mr Brady and Dr Sullivan, wished for it to be recorded in the minutes that they abstained from voting on the motion.

15. 24/00011 KCC's Contribution to the Children and Young People's Mental Health Service (CYPMHS)
(Item 16)

Christy Holden, Head of Children's Commissioning and Ingrid Crisan, Director of Operational Integrated Children's Services were in attendance for this item.

1. Ms Holden introduced the report.
2. Further to questions and comments from Members, it was noted that:
 - The contract had a target for assessment within four weeks.
 - A saving had been identified and options were being explored to use some of the money differently.
 - Timing for interventions was not included in the contract because delays were usually caused during the assessment process rather than during interventions. There was a drive to expedite assessments, and this would lead to faster interventions.
3. RESOLVED to endorse the proposed decision that the Cabinet Member for Integrated Children's Services:
 - a) Provide five months' notice on 1 April 2024 to the Kent and Medway Integrated Care Board (ICB) of the withdrawal of investment for fast-tracked assessments for Looked After Children and Harmful Sexual Abuse from 1 September 2024.
 - b) Continue to contribute the £150,000 annual funding for services to the Pupil Referral Units and Post Sexual Abuse.
 - c) Delegate decisions and necessary actions to the Corporate Director for Children, Young People and Education, or other Officer as instructed by the Corporate Director for Children, Young People and Education, in consultation with the Cabinet Member, to implement the decision.

4. In accordance with paragraph 16.31 of the Constitution, Mr Brady, Dr Sullivan and Mr Stepto wished for it to be recorded in the minutes that they abstained from voting on the motion.

16. 24/00020 - Proposed Revision of Rates Payable and Charges Levied by Kent County Council for Children's Social Care Services in 2024-25

(Item 17)

Karen Stone, Revenue Finance Manager (0 - 25 services) was in attendance for this item.

1. RESOLVED to endorse the proposed decision that the Cabinet Member for Integrated Children's Services:
 - a) Change the rates payable by Children's Services in 2024-25 as detailed in section 2 and Appendix 2 of the report.
 - b) Note the changes to the rates that are set by the Government/external agencies: including inter-agency charges and Essential Living Allowance.
 - c) Delegate authority to the Corporate Director of Children, Young People and Education, or other nominated officer, to undertake the necessary actions to implement the decision.

17. 24/00013 Vigo Village School Roof Replacement Project

(Item 18)

Ian Watts, Assistant Director Education, North and Christine McInnes, Director of Education and SEN were in attendance for this item.

1. RESOLVED to endorse the proposed decision that the Cabinet Member for Education and Skills:
 - a) Approve the allocation of £1,416,000 from the Children's, Young People and Education Annual Planned Enhancement Budget to permit the required repair works at Vigo Village School.
 - b) Delegate authority to the Director of Infrastructure to, in consultation with the Director of Education, enter into any necessary contracts or other legal agreements, as required to implement this decision.
 - c) Agree for the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts.

18. 24/00019 Expansion of Rosherville Church of England Academy

(Item 19)

Ian Watts, Assistant Director Education, North and Christine McInnes, Director of Education and SEN were in attendance for this item.

1. RESOLVED to endorse the proposed decision that the Cabinet Member for Education and Skills:
 - a) Agree funding of £14,900,000 from the Basic Need capital budget for the expansion of Rosherville Church of England Academy, London Road, Northfleet, Gravesend, Kent, DA11 9JQ, increasing the Published Admission Number (PAN) from 20 places per year group to 60 places per year group, facilitated by a relocation onto a new site on Crete Hall Road, Northfleet, DA11 9AA, for September 2025.
 - b) Delegate authority to the Director of Infrastructure to, in consultation with the Director of Education, enter into any necessary contracts or other legal agreements, as required to implement this decision.
 - c) Agree for the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts.

19. SACRE Annual Report
(Item 20)

1. Mr Manion, Chair of the Standing Advisory Council on Religious Education (SACRE), provided a brief overview of the report and noted his thanks to Mrs Younosi, the former Vice Chair who had retired from the SACRE. He then welcomed Mrs Paddison-Chapman into her role as Vice Chair.
2. RESOLVED to note the SACRE Annual Report.

20. Work Programme
(Item 21)

1. RESOLVED to note the work programme.

21. Motion to exclude the press and public for exempt business
(Item 22)

RESOLVED that the Press and Public be excluded from the meeting for the following business on the grounds that 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)

22. Services Provided by The Education People
(Item 23)

David Adams, Assistant Director - Education (South Kent) and Christine McInnes, Director of Education were in attendance for this item.

1. Mr Adams introduced the report.
2. Further to questions and comments from Members, it was noted that:
 - Officers had worked with The Education People (TEP) to identify where cost savings could be made in areas that were least needed.
 - There were a number of elements that would be worked through and that could lead to the development of proposals.
 - Music in schools had not been something that KCC had been involved in.
 - The potential infrastructure and management savings were significantly less than the savings identified elsewhere. Back office and overhead cost savings should be proportionate to savings elsewhere.
 - Any decisions would be made by the Cabinet Member following appropriate consultation.
3. RESOLVED that the Cabinet Committee:
 - a) Note the progress made to date.
 - b) Note that following the outcome of consultations, the Cabinet Member may take further relevant key decisions in line with the Council's decision-making procedures.