

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 Tuesday, 9th July, 2024.

PRESENT: Mr M C Dance (Chairman), Mr M Dendor (Vice-Chairman), Mr P V Barrington-King, Mr D Beaney, Mr A Brady, Mrs L Game, Ms S Hamilton, Mrs M McArthur, Mr A Sandhu, MBE, Mr P Stepto, Mr M Reidy and Mr R G Streatfeild, MBE

OTHER MEMBERS: Sue Chandler and Rory Love, OBE

OFFICERS: Craig Chapman (Head of Fair Access), Nick Abrahams (Area Education Officer – West Kent), Christy Holden (Head of Children's Commissioning), Christine McInnes (Director of Education), Hayley Savage (Democratic Services Officer), Jude Farrell (Interim Head of Service), Kevin Kasaven (Director of Children's Countywide Services) and Steve Lusk (Senior Commissioner)

UNRESTRICTED ITEMS

1. Apologies and Substitutes
(Item 2)

Apologies were received from Mrs Dean, Ms Hawkins, Dr Roper and Dr Sullivan. Mr Streatfeild was present as substitute for Mrs Dean.

Mrs Game and Mr Beaney were present virtually.

The Chair took the opportunity to congratulate Dr Sullivan on her success at the recent General Election.

2. Declarations of Interest
(Item 3)

There were no declarations of interest.

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

RESOLVED that the minutes of the meeting held on 16 May 2024 were a correct record.

4. Verbal Update by Cabinet Members
(Item 5)

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

- Mr Love congratulated Mrs Hammond, Corporate Director for Children, Young People and Education, who was awarded a highly commended certificate at the MJ's Corporate Director of the Year Awards.
- The CEO of the Endeavour Multi-Academy Trust, Mr Charlie Guthrie, had been appointed as Chair of the Pathways for Post-16 Board and was leading on an initiative across Kent to address gaps in provision.
- Performance of SEND statutory services were continuing to make significant improvements. In June 32.3% of EHCPs were completed within 20 weeks compared with 2.3% in August 2023 when processes were being overhauled. In August 2023 there were 577 children and young people who had waited over 30 weeks and 164 who had waited over 52 weeks to have agreed plans issued. The teams were now on target for no child or young person waiting over 30 weeks by the end of September 2024.
- The Council had commissioned an experienced practitioner to work with the SEND sector to co-construct a framework and develop a shared language. This would support decision making for placements, funding and professional development.
- Since the last meeting Mr Love had visited several schools and educational provisions of all types in North Kent and there was impressive teaching and learning at all the sites, reinforcing why Kent schools continued to outperform the national average.

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

- The Order following the UASC Judicial Review was likely to be determined in August 2024. How the DfE and Home Office would respond to the Judgment on the National Transfer Scheme (NTS) remained outstanding, particularly regarding the 10 day referral starting point and agreeing the response plan.
- Mrs Chandler referred to the recent media release on the country's largest local authority fostering partnership which the Council was part of. The partnership provided the largest virtual fostering hub in the UK and 20 Councils in the Southeast were participating.
- An extensive range of summer holiday provision would be provided across the county for all ages and as soon as the information was available it would be shared with Members.
- Mrs Chandler had recently attended two conferences including the first in a series of staff conferences which focused on inclusive practice and, secondly, had opened the Care Leaver Progression Partnership Conference at University of Greenwich in Chatham.

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

- The Performance Monitoring report would be circulated to Members of the committee.
- Support was commissioned from Dr Alison Ekins, Director of SEND for the Valley Invicta Academy Trust in relation to the terminology feedback received. Dr Ekins carried out research and a series of workshops were attended by 415 Kent Schools. Work would continue over the next academic year.

4. The verbal updates were noted.

5. Special Education Needs transformation and the role of the Specialist Teaching and Learning Service
(Item 6)

1. Mr Love and Ms Christy Holden (Head of Children's Commissioning) introduced the report which provided a background and current position of the Specialist Teaching and Learning Service (STLS) and included options for the future of the service. Ms Holden highlighted an error in the report at paragraph 3.1 and clarified that the service level agreement for STLS would end on 31 August 2025 not 31 August 2024.

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

- The non-statutory service was going out to consultation in September 2024 and was part of a series of transformational changes within SEND. Assistant Directors and the Council's Consultation Team would be involved in crafting the questions to ensure meaningful responses from the public.
- Members raised concern about the level of coherence across the five consultations and whether improvements would be made.
- Members also expressed concern that consultations caused uncertainty amongst the public and staff and many schools and families did not understand the structure of the locality model.
- Options had been considered if a school did not accept the SLA in August.
- Early engagement consultation was important and a clear line between consultation responses and how decisions were made needed to be demonstrated.

3. RESOLVED to note:

- A. the content of the report
- B. the proposal to undertake a public consultation in relation to the service, to understand in more detail what gaps in provision it may fill within the new ways of working.
- C. a report will be presented to this Committee on the outcome of the consultation at the earliest opportunity.

6. 24-00059 Expansion of New Line Learning Academy, Maidstone
(Item 7)

1. Mr Nick Abrahams (Assistant Director Education – West Kent) introduced the report which set out the proposed expansion of New Line Learning Academy, Boughton Lane, Maidstone.

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

- New Line Learning Academy is a local school in terms of its cohort.
- The junction with the schools and car parks on site had been reconfigured to ease congestion and the Council was working with the school to look at a travel plan to encourage sustainable routes.

- Bus usage may increase, and additional capacity would be responded to by bus providers.
3. RESOLVED to endorse the proposed decision by the Cabinet Member for Education to:
- a) authorise the allocation of £6,900,000 from the Children Young People and Education Services Basic Need Capital Budget to fund the permanent expansion of New Line Learning Academy by 1FE, increasing its Published Admission Number (PAN) from 180 to 210 from September 2025.
 - b) authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council with The Future Schools Trust.
 - c) authorise the Director of Infrastructure, Strategic and Corporate Services 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.

7. 24-00060 Increase of a Designated Number of Nexus Foundation Special School
(Item 8)

1. Mr Nick Abrahams (Assistant Director Education – West Kent) introduced the report which set out the proposed increase of the Designated Number of places at Nexus Foundation School in Tonbridge. He explained that an informal consultation had run from 17 May 2024 to 21 June 2024 and consulted with parents, carers and other stakeholders. 11 responses were received with 8 in agreement to the proposed increase and 2 who disagreed. The 2 disagreements were from parents over class size increases and insufficient accommodation. The proposal was to introduce additional accommodation so that the class sizes would not have to increase.
2. Further to questions and comments from Members, it was noted that there would be a marginal increase in traffic use and safety improvements would be looked at along with additional parking and drop off space.
3. RESOLVED to endorse the proposed decision by the Cabinet Member for Education and Skills to:
 - a) increase the Designated Number of places at Nexus Foundation Special School, Upper Haysden Lane, Tonbridge, Kent TN11, from 228 to 330 from September 2024.
 - b) authorise the allocation of £1,260,000 in funding from the Children Young People and Education Services Basic Need Capital Budget to fund the first phase of works to permanently expand Nexus Foundation Special School.

- c) authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council with Nexus Foundation Special School.
- d) authorise the Director of Infrastructure, Strategic and Corporate Services 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.

8. 24-00062 Implementation of Standardised School Led Home to School Transport Offer for all Home to School Transport
(Item 9)

1. Mr Craig Chapman (Assistant Director – Fair Access and (Interim) SEN Processes) introduced the report which set out the development of a standardised approach for School Led Home to School Transport to facilitate direct provision of school transport to entitled pupils via their school, setting or other independent third party support agencies, at a reduced cost to the KCC arranged alternatives.
2. Further to questions and comments from Members, it was noted that:
 - The scheme intended to create a more flexible offer than was currently utilised by the pilot scheme and the pupil needs were paramount.
 - The schools currently use their own vehicles, lease vehicles and in smaller circumstances, individual taxis where necessary. The scheme would allow for a child to transition between different means of transport and provide flexibility.
 - The scheme would identify the best provision for children and could therefore reduce the need for appeals.
3. RESOLVED to endorse the proposed decision by the Cabinet Member for Education and Skills to:
 - a) Approve the implementation of a standardised School Led Transport arrangement for schools, settings and other independent third party support agencies.
 - b) Delegate authority to the Corporate Director for Children, Young People and Education, to assess the viability of any proposed school led transport arrangements and to enter into and manage the arrangements and associated agreements wherever they are found to provide a financial benefit to the Council; and
 - c) Delegate authority to the Corporate Director for Children, Young People and Education, to enter into relevant contracts or other legal agreements, as required including Service Level agreements (SLAs), and ensure sufficient administrative capacity, as necessary to implement this decision.

9. 24-00051 Direct Payment Support Services for Children and Young People
(Item 10)

1. Ms Christy Holden (Head of Children's Commissioning) introduced the report which set out the background and rationale to commission a Direct Payment Support Service.
2. Further to questions and comments from Members, it was noted that:
 - In depth business plans were produced (and included make or buy assessments) as part of the development of the commissioning plan and considered by the Strategic Commissioning Planning Board.
 - Expressions of interest were requested through market engagement.
 - There was a smooth transition from direct payment support services for children to adult social care provision once education stopped.
 - There were options in the contract to terminate if it was agreed to bring the children's and adults services together.
3. RESOLVED to endorse the proposed decision by the Cabinet Member for Integrated Children's Services to:
 - a) Approve the commencement of a procurement to commission the Direct Payment Support Service for a period of 1 April 2025 to 31 March 2028, with an optional up to 24-month extension period.
 - b) Delegate authority to award the contract to the successful provider to the Corporate Director for Children, Young People and Education in consultation with the Cabinet Member for Integrated Children's Services.
 - c) Delegate authority to the Corporate Director for Children, Young People and Education to take other relevant actions, including but not limited to finalising the terms of and entering into required legal agreements, as necessary to implement the decision.

10. 24-00061 Early Years Review: Implementation of a revised model of Early Years Education in Kent
(Item 11)

1. Ms Christy Holden (Head of Children's Commissioning) introduced the report which set out the findings of a public consultation into a revised model of Early Years education in Kent and presented recommendations regarding the implementation of the outcomes.
2. Further to questions and comments from Members, it was noted that:
 - There were no proposals to close specialist nurseries. All specialist nurseries were located on specialist school sites.
 - Most children would receive support in mainstream nurseries.
 - Children would not be moved from a specialist nursery as they were currently fixed term interventions.

- The intention was that the model would be implemented from September 2025.
 - A key objective was to reduce the amount of time spent on Bureaucratic processes to build on capacity and focus on direct work with the children.
 - The majority of those who responded to the consultation supported the proposals. There were concerns around the closure of specialist nurseries and capacity and there was confidence this could be addressed.
 - There was a need to use different strategies to reach out to minority groups.
3. RESOLVED to endorse the proposed decision by the Cabinet Member for Integrated Children's Services to:
- a) Approve the implementation of a Revised Model of Early Years Education in Kent, including a revised process to apply for Special Education Needs Inclusion Funding (SENIF)
 - b) Delegate authority to the Corporate Director for Children, Young People and Education, to take relevant actions, including but not limited to entering into relevant contracts or other legal agreements as required, including Service Level agreements (SLAs), to implement this decision

11. 24-00046 KCC Community Learning and Skills - Adult Education Funding Reforms
(Item 12)

EXEMPT ITEMS
(Open Access to Minutes)

(Members resolved under Section 100A of the Local Government Act 1972 that the public be excluded for the following business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act)

1. Ms Jude Farrell (Head of Service) introduced the report and explained, following funding changes by the Education and Skills Funding Agency (ESFA), how significant reform was needed to continue to deliver vital core skills to the residents of Kent.
2. Further to questions and comments from Members, it was noted that:
 - Health and wellbeing services would continue to be supported and there would be close working with public health to support priorities within the Integrated care Strategy.
 - Options relating to staffing and property costs would be explored through the restructure.
 - There was a need to move to a more flexible delivery base.
 - There was no indication the new government would make any funding changes and the decision could not be delayed. There was flexibility to respond in the event the government made any changes.
 - The changes being made to the service were in response to the funding regime which was available.

- A range of community-based services were previously delivered in family hubs, schools, faith centres and community venues and could be used in the future. Housing associations were keen to use some of their training rooms for delivery.
3. RESOLVED to endorse the proposed decision by the Cabinet Member for Education and Skills to:
- a) Approve the alteration to the CLS delivery model to align the council's approach to fit within the ESFA funding arrangements coming into force from August 2024.
 - (b) Delegate authority to the Director of Education and SEN to design and implement the staffing and asset utilisation model to support the reforms imposed by the changes made to the ESFA funding contract.
 - (c) Delegate authority to the Director of Education and SEN to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.
 - (d) Delegate authority to the Director of Infrastructure, in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to take other necessary actions, including but not limited to entering into contracts or other legal agreements, as required to implement the decision.
4. In accordance with paragraph 16.31 of the Constitution, Mr Brady, Mr Stepto and Mr Streatfeild wished for it to be recorded in the minutes that they voted against the motion.