

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, 22nd June, 2017.

PRESENT: Mr G Cooke (Chairman), Mrs A D Allen, MBE, Mrs C Bell (Substitute for Mr R C Love), Mrs R Binks, Mr R H Bird (Substitute for Mrs T Dean, MBE), Mrs S Chandler, Mrs P T Cole, Mrs L Game, Mrs S Gent, Ida Linfield, Mr D Murphy, Mr M J Northey, Mrs S Prendergast and Dr L Sullivan

OTHER MEMBERS: Roger Gough

OFFICERS: Patrick Leeson (Corporate Director Children, Young People and Education), Philip Segurola (Director of Specialist Children's Services) and Ann Hunter (Principal Democratic Services Officer)

UNRESTRICTED ITEMS

2. **Apologies and Substitutes** (Item 2)

Apologies for absence were received from Mr Brunning, Mr R C Love, Mrs T Dean, Mr Manion and Mr Roper.

Mrs Bell and Mr Bird attended as substitutes for Mr Love and Mrs Dean respectively.

3. **Election of Vice-Chairman** (Item 3)

(1) It was proposed by Mrs Game and seconded by Mrs Prendergast that Mrs Allen be elected as Vice-Chairman of the Cabinet Committee.

(2) Resolved that Mrs Allen be elected as Vice-Chairman of the Cabinet Committee.

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

Mrs Cole made a declaration of interest as she was a governor at Stone St Mary's Church of England Primary School. Mrs Game also made a declaration of interest as her grand-daughter attended a pupil referral unit and was receiving early years' intervention.

5. **Minutes of the meetings of the former EYPS Cabinet Committee held on 30 March 2017 and the former CSCH Cabinet Committee held on 23 March 2017, and of the first meeting of this committee held on 25 May 2017** (Item 5)

Resolved that the minutes of the meetings of the former Education and Young People's Services Cabinet Committee held on 30 March 2017, the former Children's Social Care and Health Cabinet Committee held on 23 March 2017 and the Children, Young People and Education Cabinet Committee held on 25 May 2017 are correctly recorded and they be signed by the Chairman.

6. Minutes of the Corporate Parenting Panel held on 20 March 2017
(Item 6)

Resolved that the minutes of the Corporate Parenting Panel held on 20 March 2017 be noted.

7. Verbal updates
(Item 7)

- (1) Mr Gough said the most important issues for consideration by the Cabinet Committee were school places, the development of an education services trading company, education for vulnerable learners and young people, and the integration of specialist children's services and education services.
- (2) Mr Gough said: the authority had a statutory responsibility to ensure every child had a school place and wanted to maintain capacity to facilitate a reasonable degree of parental choice; over the previous 5-6 years 10,000 additional school places had been created and it was predicted that demand for places would continue to rise; while the authority was not hostile to academies and free schools the funding of such schools and in particular the Wave Programme had been problematic.
- (3) Mr Gough said a decision had been made to establish an education services company in response to the changing landscape in education nationally. It was anticipated that a multi-academy trust with strong local authority input would be established to sponsor new academies and support existing schools that wished to become academies.
- (4) Mr Gough also said: schools and pupil attainment were continuing to improve but gaps in the educational attainment of vulnerable learners needed to be addressed; the demand for special education continued to increase; changes to the school funding formula had some good aspects but concerns about the "national schools block" had been raised with relevant government ministers.
- (5) Mr Leeson (Corporate Director for Children, Young People and Education) identified three key areas of work for the Directorate including building on the decision to establish an education services trading company, the integration of early help and specialist children's services in the new directorate and the positioning of the local authority so it could be more actively involved in sponsoring new schools.
- (6) In response to Members' questions and comments, Mr Leeson outlined the governance and accountability structure of the Education Services Trading Company. He said the Diocesan Education Boards were not represented on its stakeholder board but that the local authority worked with all schools and

with the Association of Kent Head Teachers. Mr Leeson said the Canterbury Diocese had established a multi-academy trust but the Rochester Diocese had not. Mr Leeson said that Kent County Council talked with Hertfordshire County Council about their experiences in sponsoring academy schools and to Leeds and Buckinghamshire Councils who were interested in doing so.

(7) Resolved that the verbal updates be noted.

8. Review of the Kent Commissioning Plan for Education 2017-2021
(Item 8)

- (1) Mr Gough (Cabinet Member for Children, Young People and Education) said that the commissioning plan for education was one of the most important items considered by this Cabinet Committee and he drew Members' attention, in particular, to pages 57-59 of the report (in the agenda pack).
- (2) Mr Leeson (Corporate Director for Children, Young People and Education) introduced the report which set out progress made in implementing the Kent Commissioning Plan for Education in delivering schools' places, SEN provision as well as post-16 education and training. He said places had been provided for all children for September 2017 with 86% of parents of primary school age children and 84% of parents of secondary school age children receiving their first or second choice of school. He said success in forecasting roll numbers required significant planning, forecasting, working with Property Services and persuading schools to expand in areas of high demand. He also referred to the uncertain climate in which forecasting had to be done and the increasingly complex government funding and support available to schools and local authorities. He said local authorities had a statutory responsibility to provide places but many decisions were taken by schools and others and were outside the control of the local authority.
- (3) Mr Abbott (Director of Education Planning and Access) said the commissioning plan was published annually in the autumn and forecasted demand for five years. In the last four years 10,000 additional school places had been provided and the point was now being reached where existing schools could not expand further and new schools would be required to meet demand for places. These new schools would require sponsors.
- (4) Mr Adams (Area Education Officer) said that places for September 2017 had been delivered broadly in accordance with the plan including 800 places in the specialist education sector. The forecast aimed to be accurate to plus/minus 1% (which was considered an excellent standard nationally); however the report also provided information about the accuracy of forecasting by primary and secondary level schools and by area. The current surplus places at secondary level were expected to disappear as the demand for secondary school places increased.
- (5) In response to Members' questions, Mr Adams said the capacity of schools in Dartford to expand further was extremely limited and pressure on places arose from migration into the town and an increase in new housing development.

- (6) Mr Nehra (Area Education Officer – West Kent), provided additional information about the pressure on places in Maidstone including the impact of new housing development at Lenham. He also said that a new free school near Junction 7 of the M20 was being planned.
- (7) Mr Abbott undertook to talk to Mrs Cole about the particular issues in Dartford outside the meeting. He explained that a number of free school projects across the county that had been factored into the commissioning plan were now unlikely to come forward and those that did come forward were unlikely to do so in the required timescales which in turn generated significant budgetary pressures. He said the authority had raised concerns with the ESFA about: funding; the delivery of building projects; the revised policy in relation to future projects; the implications of Wave 12 announcements; and the delay of Wave 13. He also said that where sponsors were not selected by the ESFA, the onus would be on the local authority to run a competition outside of the Wave process and this would take at least eight months.
- (8) In response to a question about SEN provision, Mr Leeson said the SEND Strategy would be considered by Cabinet on 26 June 2017. The revised strategy included the provision of specialist places within mainstream schools as well as increasing places in specialist schools; however increasing demand for places was contributing to increasing costs of transport. Mr Leeson said the transport costs were reviewed monthly and that a report could be presented to the Cabinet Committee in the autumn.
- (9) Mr Adam and Mrs White (Area Education Officer – East Kent) provided some additional information about the school places in Dover and Canterbury respectively.
- (10) Resolved that the progress achieved and the issues identified for further development be noted.

9. 17/00059 - Allocation of additional funding for Oakley (Special) School nursery project due to unforeseen cost pressures
(Item 9)

- (1) Jared Nehra (Area Education Officer – West Kent) introduced the report which advised Members of unforeseen cost pressures with the establishment of nursery provision at Oakley (Special School) and sought additional funding of £114,000 from the Basic Need Capital Programme Budget.
- (2) Mr Nehra said the additional costs became apparent as a result of detailed site surveys and related to essential additional ground and drainage works.
- (3) In response to Members' questions and comments, Mr Nehra said the costs originally presented to the Cabinet Committee were based on initial surveys; the revised proposed expenditure was still considered to be value for money and he was confident there would be no further additional costs.

- (4) In response to a further question, Mr Cooke (Chairman) said that providing a contingency fund for each individual project was not practicable, however, a general contingency was made in the Basic Need Capital Programme.
- (5) Resolved that the Cabinet Committee endorsed the proposed decision by the Cabinet Member for Children, Young People and Education to:
 - (i) Allocate £114,000 from the Basic Need Capital Programme Budget to fund the establishment of nursery provision at Oakley School;
 - (ii) Authorise the Director of Infrastructure, in consultation with General Counsel, to enter into any necessary contracts/ agreements on behalf of the County Council;
 - (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.

10. 17/00058 - Langley Park Primary Academy (phase 2)
(Item 10)

- (1) Jared Nehra (Area Education Officer – West Kent) introduced the report which asked the Cabinet Committee to consider and endorse or make recommendations to the Cabinet Member on a proposed decision to allocate funding for building the second phase of the Langley Park Primary Academy.
- (2) Mr Nehra said the school had opened in September 2016 with 420 pupils. The plans for the new school building were designed to be delivered in two phases and it was now important to progress the second phase for September 2018 to ensure the school could admit up to its pupil admission number.
- (3) Resolved that the Cabinet Committee endorsed the proposed decision of the Cabinet Member for Children, Young People and Education to:
 - (i) Allocate £2.6 million from the Basic Need Capital Programme Budget to fund the phased build of Langley Park Primary School;
 - (ii) Authorise the Director of Infrastructure, in consultation with General Counsel, to enter into any necessary contracts/ agreements on behalf of the County Council;
 - (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.

11. 17/00049 - Proposal to permanently change the age range of Herne Bay (Community) Infant School from 3-7 years to 2-7 years from September 2017
(Item 11)

- (1) Marissa White (Area Education Officer – East Kent) introduced the report which set out the results of a public consultation on a proposal to change the age range of Herne Bay Infant School from the current 3-7 years to 2-7

years from September 2017 and asked the Cabinet Committee to consider and endorse, or make recommendations to the Cabinet Member on a proposed decision.

- (2) Mrs White referred, in particular, to the consultation process and to the views expressed.
- (3) In response to Members' questions, Mrs White confirmed that: Seashells was the name of the nursery attached to Herne Bay Infant School; between 70-80% of eligible two-year olds took up free nursery places; and that, while the free places were not ring-fenced, every effort was made to ensure children, who would benefit from a free place, got one.
- (4) Resolved that the proposed decision of the Cabinet Member for Children, Young People and Education to authorise the Corporate Director - Children, Young People and Education to issue a Public Notice to permanently change the age range of Herne Bay Infant School from 3-7 years to 2-7 years from September 2017 be endorsed.

(Should objections, not already considered by the Cabinet Member when taking this decision be received during the public notice period, a separate decision would be required in order to continue with the proposal, to allow for proper consideration of the points raised).

12. 17/00052 - Revision to Term Dates for the School Years 2018/19 and 2019/20
(Item 12)

- (1) Patrick Leeson (Corporate Director, Children, Young People and Education) introduced the report which asked the Cabinet Committee to consider and endorse or make recommendations on a proposed decision to revise the school term dates for the years 2018-19 and 2019-20 as set out in sections 2.4 and 2.5 of the report.
- (2) Mr Leeson said the revision was necessary following the publication of further information about dates of secondary school examinations in 2018/19 and 2019/20.
- (3) Resolved that the Cabinet Committee endorsed the proposed decision to revise the school term dates for the years 2018-19 and 2019-20 as set out in sections 2.4 and 2.5 of the report.

13. Ofsted inspection outcome, to present inspection report and recommendations
(Item 13)

- (1) Mr Gough (Cabinet Member for Children, Young People and Education) said the Ofsted inspection demonstrated that the authority was now in the top 28% nationally and the progress made since the last inspection in 2010 was particularly gratifying as it had been made against the background of responding to the needs of unaccompanied asylum seeking minors entering the country through Kent ports.

- (2) Mr Segurola (Director of Specialist Children's Services) said that since November 2013, Ofsted had been assessing local authorities under the Single Assessment Framework and the focus of the inspection had been on the practice of the workforce and outcomes. An Ofsted Practice Development Plan was being compiled to address actions arising from the ten recommendations made in the Ofsted report.
- (3) Mrs Denney (Assistant Director for Safeguarding and Quality Assurance) spoke about the recommendations made by Ofsted and the drafting of the Practice Development Plan.
- (4) Members generally welcomed the report and thanked officers for their work in preparing for the Ofsted inspection.
- (5) Mr Segurola said that the issue of children from other local authorities being placed in care in Kent had been raised with Ofsted as requested by the Corporate Parenting Panel. Ofsted had recognised that Kent was pro-active in ensuring that other authorities complied with the regulations and drew attention to Ofsted's comment about senior and political leaders being proud to be corporate parents of Kent's looked after children and care leavers.
- (6) In response to comments officers said: work was underway with district councils to ensure adequate accommodation was available to young people presenting as homeless; the Ofsted report would be discussed at the Joint Chief Executives meeting; and work was underway with partners to share best practice and ensure a consistent response to children at risk of sexual exploitation. Officers also said it was disappointing that the adoption service had been assessed as "good" rather than "outstanding" however this might be attributable to the sibling placement which was sometimes lengthy compared with other authorities.
- (7) In response to further comments, officers said the draft Practice Development Plan contained clear proposals to develop staff supervision; social workers' caseloads were being reviewed in light of the increase in the number of referrals; Kent County Council was represented on the Kent Safeguarding Children Board and was its biggest financial contributor but was not responsible for it. It was suggested that the Kent Safeguarding Children Board's improvement plan be considered by the Cabinet Committee.
- (8) Resolved that:
 - (i) The Ofsted assessment and report be welcomed;
 - (ii) Officers be thanked for the progress made to date;
 - (iii) The work still to be done be noted; and
 - (iv) The importance of continuous improvement to ensure good outcomes for children in care be noted.

14. 17/00046 Contract Award for Children and Young People Mental Health Service

(Item 14)

- (1) Karen Sharp (Head of Public Health Commissioning) and Clare Maynard (Procurement Category Manager, Care) introduced the report which provided an update on the contract award for future Children and Young People's Mental Health Services within Kent.
- (2) Miss Maynard said that the procurement process had been completed and that all staff affected would be notified by the following day with a formal communication period commencing the following week. She said the NHS had requested that the name of the winning provider be not announced on camera; however the Chairman said that this was a matter of public record and it was unlikely the Cabinet Committee could discuss the report without mentioning it.
- (3) Miss Maynard said the Procurement team had been commissioned by the NHS to manage the procurement of the service; it had been agreed to commission it as an integrated programme with the procurement of the school nursing and wellbeing service; the integrated service would be hosted in the Kent Community Health Foundation Trust in Maidstone; KCC would contribute £1.2 million annually through a Section 76 agreement; KCC would have an active part in the ongoing contract management; and the new service would begin on 1 September 2017.
- (4) In response to questions and comments, officers said that the Health Overview and Scrutiny Committee as well as this Cabinet Committee would be involved in monitoring key performance indicators relating to the contract; a detailed report would be provided in March 2018 (i.e. six months after the commencement of the contract); the evaluation process had been thorough; and a contract for services in relation to eating disorders was being procured separately by the NHS.
- (5) Members welcomed the contract, the integrated working and the creation of a single point of access.
- (6) Resolved that the report be noted and that an update report be received six months after the commencement of the contract.

15. 17/00056 - Proposal to approve a new two form entry Primary school with a 26 place nursery, and SEN specialist provision for pupils with Autistic Spectrum Disorder, at Chilmington Green, Ashford

(Item 15)

- (1) Mr Adams (Area Education Officer – South Kent) introduced the report which set out the need for a new two-form entry (2FE) primary school at Chilmington Green, Ashford, to open in September 2018. Mr Adam said the school would include a 26-place nursery and SEN specialist provision for pupils with Autistic Spectrum Disorder and that the new school would open off-site in the former Ashford South Primary School buildings.

- (2) Resolved that the Cabinet Committee endorsed the proposed decision of the Cabinet Member for Children, Young People and Education to:
- (i) Allocate £7.2m from the Children, Young People and Education Capital Budget;
 - (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. Variations to the contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision.

16. Performance Scorecard
(Item 16)

- (1) Mr Segurola (Director Specialist Children's Services) introduced the Kent Children's Social Care element of the Performance Management report. He referred, in particular, to the increase in the caseloads of social workers which reflected the number of referrals made during February and March 2017, and to the fact that unaccompanied asylum seeking minors who were looked after in Kent had fallen to under 500 for the first time in two years.
- (2) Chris Nunn (Senior Management Information Officer) introduced the exception report.
- (3) Comments were made about the performance relating to PI8 – Percentage of Returner Interviews completed within three working days; PI27 Percentage of adoption agreed as plan within 4 months: and the increase in caseloads.
- (4) Mr Segurola said that social worker retention had improved, additional resources were being made available in response to the short term increase in referrals that occurred in February and March; and offers of employment had been made to 45 newly qualified social workers.
- (5) It was also confirmed that the performance indicators were reviewed annually and the emphasis was always on improving outcomes rather than chasing targets.
- (6) Resolved that the scorecard for Specialist Children's Services and for Education and Early Help be noted.

17. Work Programme 2017/18
(Item 17)

- (1) It was suggested that a briefing be arranged for all members on the the spread of gang culture.

(2) Resolved that the work programme for 2017/18 be agreed subject to the inclusion of:

- An update on the Regional Adoption Agency (September 2017)
- An update on Transport Costs associated with Special Educational Needs (September 2017)
- A report on the Practice Development Plan arising from the Ofsted Inspection (September 2017)
- A report on the Kent Safeguarding Children Board Improvement Plan
- An update on the performance of the Children and Young People Mental Health Service (March 2018).