

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 Wednesday, 22nd November, 2017.

PRESENT: Mr G Cooke (Chairman), Mrs A D Allen, MBE (Vice-Chairman), Mrs R Binks, Mr R H Bird (Substitute for Mrs T Dean, MBE), Mr D Brunning, Mrs S Chandler, Mrs L Game, Mrs S Gent, Ms S Hamilton (Substitute for Mr R C Love), Ida Linfield, Mr S C Manion, Mr D Murphy, Mr M J Northey, Mrs S Prendergast, Mr K Pugh (Substitute for Mrs P T Cole), Mr Q Roper and Dr L Sullivan

OTHER MEMBERS: Roger Gough

OFFICERS: Keith Abbott (Director of Education Planning and Access), David Adams (Area Education Officer - South Kent), Stuart Collins (Interim Director, Early Help), Helen Cook (Commissioning Manager), Naintara Khosla (Assistant Director, Corporate Parenting), Patrick Leeson (Corporate Director Children, Young People and Education), Jennifer Maiden-Brooks, Karen Mills (Commissioning Manager), Jared Nehra (Area Education Officer - West Kent), Marisa White (Area Education Officer - East Kent) and Emma West (Democratic Services Officer)

UNRESTRICTED ITEMS

42. Apologies and Substitutes
(Item 2)

Apologies for absence were received from Mrs P Cole, Mrs T Dean and Mr R Love.

Mr K Pugh, Mr R Bird and Ms S Hamilton attended as substitutes for Mrs P Cole, Mrs T Dean and Mr R Love respectively.

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

1. Dr Sullivan made a declaration of interest as her husband worked as an Early Help Worker for Kent County Council.

44. Minutes of the meeting held on 13 October 2017
(Item 4)

1. Resolved that the minutes of the meeting of the Children's, Young People and Education Cabinet Committee held on 13 October 2017 are correctly recorded and that they be signed by the Chairman.

45. Minutes of Corporate Parenting Panel held on 18 September 2017
(Item 5)

1. Resolved that the minutes of the Corporate Parenting Panel held on 18 September 2017 be noted.

46. Verbal Update by Cabinet Member and Corporate Directors
(Item 6)

1. The Chairman proposed to adjourn the High Needs Funding Update item, the School Funding Arrangements for 2018-2019 including the introduction of a National Funding Formula item and any other business that proved impossible to cover in the meeting due to the lengthy agenda until the extraordinary meeting of the Children's Young People and Education Cabinet Committee, which would take place on 5 December 2017, this was agreed by the Committee.
2. Mr Gough (Cabinet Member for Children, Young People and Education) registered thanks to Andrew Ireland (Corporate Director of Social Care, Health and Wellbeing) and Patrick Leeson (Corporate Director of Children, Young People and Education) for the hard work that they had done for the Council and for the Committee over the years.
3. Andrew Ireland discussed changes in Senior Personnel and said that Sarah Hammond was acting as the Director of Specialist Children's Services, and said that Naintara Khosla had changed roles temporarily to cover Sarah Hammond's substantive post.
4. Andrew Ireland referred to a presentation he had seen by the Children and Family Court Advisory and Support Service which set out national data regarding the increase in the numbers of care proceedings being taken before the courts, he said that there was work to be done nationally to ensure that the numbers decreased.
5. Andrew Ireland said that the numbers of arrivals for asylum seeking young people remained low.
6. Andrew Ireland said that the awards ceremony organised by Virtual Schools for 16+ was inspiring and commended the work of school apprentices. He said that it was good to see the asylum seeking young people in Kent receiving awards for their achievements.
7. The Chairman placed on record his personal thanks to Andrew Ireland and Patrick Leeson for the contribution that they had made to the Committee and Members of the Committee supported these comments.

47. 17/00115 - The Commissioning Plan for Education Provision in Kent 2018-22
(Item 7)

1. Roger Gough (Cabinet Member for Children, Young People and Education) introduced the report which set out the Commissioning Plan for Education Provision in Kent 2018-22. He commented on the significant increase in primary school numbers to which Kent had responded very successfully over the years. He said that the number of children within the primary system in Kent would increase over the next five years from 123,000 to 129,000 and that the number of children within the secondary system in Kent would increase from 79,000 to approximately 92,000 to establish 84 forms of entry over the five year period. He said that the numbers were accelerating rapidly and that the national Free School Programme had experienced a number of difficulties in delivering what schools in Kent needed.
2. Keith Abbott (Director of Education Planning and Access) referred to the £150m gap in terms of delivering what was required for schools by September 2020. He said that a particular area of concern for special schools in Kent was the number of organisations interested in sponsoring special Free Schools which were getting ready to submit bids in the Wave 13 of the Free School Programme which should have opened in March 2017; there was no clear indication from Government regarding the Wave 13 opening date.
 - a) In response to a question, David Adams (Area Education Officer – South Kent) confirmed that there had been ongoing conversations with neighbouring authorities Bexley regarding housing plans and said that some of the pressure would be counted within Kent’s basic need allocations.
 - b) In response to a question, Patrick Leeson confirmed that the Commissioning Plan for Education Provision in Kent 2018-22 was driven through educational needs and to allow children to go to a good school to meet their needs as learners. He said that it was proving difficult in terms of take up of two year olds accessing their free early years and child care places. The highest percentage of those two year olds taking up a free place was roughly 74%. He said that all Children Centre’s in Kent were encouraging families to participate in the Free For 2 (FF2) offer. He said that although it was important for the figures to increase, it was the parents’ decision as to whether or not to take up their two year old free place.
 - c) In response to a question, Patrick Leeson said that Kent had a statutory responsibility to track all young people from age 16-19 to ensure that they were participating in ongoing learning and training, and added that the young people would be described as NEET (Not in Education, Employment of Training) if they were not. He said that the number of NEET young people in Kent had reduced from over 6% to 2.9% over the last 18 months.

3. Keith Abbott said there were ongoing conversations with each district council's Leader and Senior Managers to ensure that the Commissioning Plan was up to date and in line with the information that Kent had.
 - a) In response to a question, David Adams confirmed that although the 'Guidance on Developer Contributions' document in the report was dated 2008, the charging rates and latest information around costs was updated regularly.
 - b) In response to a question, Patrick Leeson said there had been a significant increase in SEN requirements, particularly the Autism Spectrum and said that the number of children diagnosed was higher in Kent than the national figures. He said that Autism was a continual need and said that children with significant and severe characteristic issues around social interaction, changes to environment or routine changes was not predictable. He said that it was possible to ensure that children with autism could be taught in mainstream schools as Autism Spectrum Disorder (ASD) was not exceptional, there were varied needs for all children in a school. He said Kent had a statutory responsibility to provide school places for all children. He said there were a number of schools that should have been in operation from September 2017, but temporary arrangements had to be put in place as a result.
4. Andrew Ireland said that due to the increasing numbers of high needs young people with ASD, consideration was being given towards Kent County Council becoming an Academy sponsor itself.
5. The Chairman said that Kent as an authority had performed and met statutory duties very well and were mindful of the challenges that the Education Funding Agency (EFA) and Free Schools had presented.
 - a) In response to a comment about migration and London Borough's rehousing families in Kent, David Adams said Kent needed to have the surplus capacity that was set within the policy to ensure flexibility to manage such situations in the short term. He said that it was not always possible to ensure the surplus capacity and said it may not be efficient in terms of the immediate locality to deal with all of the pressures. He said that officers needed to have good relationships with individual schools to be able to work with those schools to find the solutions to problems. Patrick Leeson said that this was a recurring issue and that Kent had to work closely with schools in the local area to find places for families.
 - b) In response to questions, Marisa White (Area Education Officer – East Kent) said that funding was provided to schools experiencing wider issues and said they receive information around the packages for integration for children and young people. She said bespoke teams were being formed and

sent to schools to help them get back on track to work with normal day to day services. She said that with regards to housing pressures, there were sufficient places in Canterbury, but believed the location of these houses could be better situated.

6. Patrick Leeson said that in spite of all of the challenges and significant growth that Kent had been faced with, Kent County Council had delivered all of the school places required every September for the last several years. The levels of parental satisfaction were high. He said that 89% of children from primary schools had got their first or second preference school last September, and 85% of children from secondary schools had got their first or second preference of school. He registered his thanks to Kent's Area Officers and also to Keith Abbott for the work that had been done on the provision. He also thanked the Schools in Kent who had been willing to expand and work with Kent County Council to make the provision.
7. Roger Gough (Cabinet Member for Children, Young People and Education) said that although the Leader of Kent County Council was consistently working hard to ensure that Kent had the maximum amount for developer contributions possible, there were significant constraints that needed to be looked at further.
8. RESOLVED that the Plan prior to the final version being considered and approved by Cabinet on 15 January 2018, be endorsed.

48. Early Years and School Performance in 2017
(Item 8)

1. Patrick Leeson introduced the report which provided a summary of the Kent Early Years Foundation Stage (EYFS) Assessments, Key Stage 1 and Key Stage 2 test outcomes (SATs), and GCSE and Post-16 results for 2017.
 - a) In response to comments and questions, Patrick Leeson said that 92% of the schools in Kent were good or outstanding and 93% of children in Kent went to a good school. He said that results in 2017 were positive and had improved compared to 2016. 98% of Early Years settings in Kent were good or outstanding and a good level of development had been made and was above the national figure. He discussed the gender gap and explained that nearly half of boys moving onto post-16 education did not receive good GCSE results. The new progress measure measured the progress made by pupils in all subjects, this decreased slightly in 2017 as did levels of attainment. He said that these gaps were supported by Pupil Premium and Free School Meals with a strong focus to try and close the gaps, use the Pupil Premium effectively and to ensure that children receiving Free School Meals do well and make progress. He said that although the gaps remained wide, the actual attainment of pupils on Free School Meals had improved within the last 3 years. He said the outcomes for Children in Care (CIC) had

improved greatly in the Early Years foundation stage in 2017 and that it was important that these children did well.

b) In response to comments and questions, Patrick Leeson said there was a wide range of support needed to help children develop and progress. He said that the emotional wellbeing and resilience of children needed to be addressed and said that school should not just be about passing exams. He said that one of the largest difficulties Kent faced was having too many adults that were poorly skilled and had very few qualifications. He said it was important that all children passed Maths, English and ICT to ensure they were able to get a good job when transitioning from a child to a young adult. He said that poorer children should be given the opportunity to succeed and have a better chance in life, it was critical that these children did develop these skills in school and to make sure the schools expectations are high.

2. Roger Gough (Cabinet Member for Children, Young People and Education) said that although Key Stage 2 movement had been significant and very positive, Key Stage 4 had experienced particular challenge to vulnerable pupils due to change in the assessment process. He said that there were major gaps which needed to be addressed, although overall good progress had been made.

3. Andrew Ireland said that children that were in care for any period of time would have to make up for severe early life and education experience gaps. He said that Kent were working very carefully with those vulnerable groups to help them overcome neglect and abuse.

4. Patrick Leeson said that poverty can be damaging to children's education and said it was important to look at what might be happening in a child's life. He said that the reason some children lack spoken language skills was because they may not have grown up in a family where there was lots of opportunity to develop curiosity, get involved in conversations and develop their brains in order to help them become more proficient learners.

5. RESOLVED that the report be noted.

49. Children, Young People and Education Strategic Vision and Priorities for Improvement 2018-2021
(Item 9)

1. Patrick Leeson introduced the report which set out headline priorities and targets for the CYPE directorate for 2017-2018 onwards and an annual evaluation of how well the CYPE directorate have done, challenges overcome and future priorities and future targets. He said that the targets set were very ambitious and would continue to be in the future.

2. Lesley Game made a declaration of interest as her Granddaughter was at a Pupil Referral Unit (PRU).
 - a) In response to questions and comments, Patrick Leeson said that although Social Care and Early Help teams in Kent worked closely together, the degree to which they did varied from district to district, this was being addressed.
3. Andrew Ireland said a significant challenge in Specialist Services and Early Help in Kent was system pressure.
 - a) In response to questions and comments, Patrick Leeson said that Early Help were monitoring attendance issues for all children very closely. He said that it was important to recognise cases where children were experiencing family problems at home and said that this was to be addressed through Early Help and support would be put into the family home. He said that it was also important to be robust with regards to penalty notices for parents allowing their children to be absent from school without a sufficient excuse.
 - b) In response to a question, Patrick Leeson said that it was the statutory responsibility of Social Care to take care of an individual child and support that child's family. There was a family-based approach in Early Help, so that when children were stepped down, Early Help would work with the child and their family.
4. Andrew Ireland said that Child Protection Plans were for the child only and not for the whole family.
 - a) In response to questions and comments. Patrick Leeson said that the draft Strategic Vision and Priorities document was produced online and although a large document, the main points were summed up in the first few pages. He talked about the schools in Kent that had a large number of Gypsy Roma Traveller (GRT) children and said that the draft document was an advisory function for schools. He said that GRT children were a very low performance group and the Elective Home Education team were trying to help to advise the GRT families to ensure that the groups of children were still learning.
5. RESOLVED that:
 - i. The refreshed draft CYPE Strategic Vision and Priorities for Improvement 2018-2021 be noted, and
 - ii. The progress made in delivering CYPE priorities for 2016-2017 and the proposed priorities and targets for 2017-2018 and beyond, be noted and endorsed.

50. a) Children and Social Work Act 2017: Consultation on Draft Statutory Guidance, Sections 1-3 and b) Children and Social Work Act 2017: Consultation Changes to Working Together Statutory Guidance
(Item 10)

1. Jennifer Maiden-Brooks (Policy Adviser) introduced the reports which set out the draft guidance to accompany Sections 1-3 of the Children and Social Work Act 2017 and aligned consultation response and the significant revisions to 'Working Together to Safeguard Children 2015' - the statutory guidance which set out expectations of organisations, both individually and jointly, to safeguard and promote the welfare of children, and the consultation response.
 - a) In response to comments and questions, Andrew Ireland said that the implications of the new guidance and regulation in relation to the high numbers of former Unaccompanied Asylum Seeking Children (UASC) residing in Kent was particularly prescient. The voice and views of Kent's young people and apprentices were also crucial in Kent's implementation of the new requirements – particularly in relation to the development of the 'local offer'.
2. Andrew Ireland said that if it was part of the care plan for a child placed in Kent to continue to reside where they have a local connection and if they were applying a 'staying put' policy, their access to education, training and health services would continue.
3. Jennifer Maiden-Brooks said that the regulations set out in the report required parliamentary approval expected the regulations to receive Assent in Spring 2018.
4. Mr Gough said that once the regulations had been approved, the given timeline of 15 months would allow Kent to look at how the process could be driven forward in the best possible way. He suggested bringing the item back to the Committee early next year to look at progress made.
5. RESOLVED that the content of the report and changes proposed be noted and that the draft KCC response to the consultation questions be reviewed.

High Needs Funding Update

The Chairman proposed to adjourn this item until the extraordinary meeting of the Children's Young People and Education Cabinet committee on 5 December 2017.

School Funding Arrangements for 2018-2019 including the introduction of a National Funding Formula

The Chairman proposed to adjourn this item until the extraordinary meeting of the Children's Young People and Education Cabinet committee on 5 December 2017.

51. Tunbridge Wells Secondary Pressures: Proposed expansions of schools in West Kent

(Item 11)

1. Jared Nehra introduced the report which set out proposals to expand 5 Secondary schools in order to meet the significant demand for places in the Tunbridge Wells urban area.
 - a) In response to questions, Jared Nehra said that Kent had anticipated the pressures and challenges faced around the funding position and the Free School programme which had led to shortage of school places and would continue to respond to these pressures. He said that one of the challenges being addressed was relating to congestion that the expansion of the schools may cause, he highlighted that the proposed funding allocation set up for each scheme in the report included the provision for mitigation measures. He said that the team would continue to work with each of the schools in question to ensure travel plans were in place. He registered his thanks to the schools that had worked with Kent to ensure that school places were available to children.
2. Roger Gough (Cabinet Member for Children, Young People and Education) said that further measures would be looked at in the future. He said it was important to look at the current agreement and ensure that the most important aspects were prioritised before looking at other options.
3. RESOLVED that the decision proposed to be taken by the Cabinet Member for Children, Young People and Education, to
 - i. Allocate £25.3 million from the Basic Need Capital Programme Budget, broken down as follows:
 - Bennett Memorial Diocesan School – £6.5m
 - The Skinners' School – £3.0m
 - St Gregory's Catholic School – £6.6m
 - The Judd School – £1.5m
 - Tunbridge Wells Grammar School for Boys – £7.7m
 - 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,
- iv. The Cabinet Member's decision on each individual project will be conditional upon planning permission being granted,

be endorsed.

52. Inspections of Local Authority Children's Services (ILAC) Framework
(Item 12)

1. Andrew Ireland introduced the report which set out the overview of the new inspection framework, Inspection of Local Authority Children's Services which replaced the Single Inspection Framework first used in 2013. He said that the inspection framework focused on continuous engagement between Ofsted and the Local Authorities and would involve an inspection which would be much shorter. He said that pilot tests had been undertaken in which Local Authorities had volunteered to be inspected and feedback was being collated in preparation for the launch in the New Year.
2. RESOLVED that the report be noted.

53. 17/00102 - New contract for the delivery of Supported Accommodation for Older Children In Care, Care Leavers and Homeless 16 and 17 year olds
(Item 13)

1. Karen Mills (Commissioning Manager) introduced the report which set out the new contract for the delivery of supported accommodation for older children in care, care leavers and homeless 16 and 17 year olds.
2. Naintara Khosla (Assistant Director, Corporate Parenting) registered her thanks to Kent's district council partners who had delivered the 16 and 17 year old homeless pathway and were welcoming of the new framework in terms of supported accommodation.
 - a) In response to a question, Naintara confirmed that all district councils were on board and had signed the revised protocol.
 - b) In response to a question, Karen Mills said that an officer met with Swale district regularly to support joint panels.
 - c) In response to a question, Karen Mills said that the efficiencies that needed to be made next year had already been identified or delivered. She said that Kent had been working very closely with existing providers to either reduce the hours of support or to reduce the hourly rate. She added that Kent were also hoping to make efficiencies through smarter procurement. She

confirmed that an update would be brought back to the CYPE meeting in March 2018 to review progress.

1. RESOLVED that the decision proposed to be taken by the Cabinet Member for Children, Young People and Education, to:
 - i. Award short-term interim contracts to continue to deliver Housing Related Support Services for vulnerable young people from 1 April 2018 to 30 September 2018
 - ii. Award a new contract for a Supported Accommodation Service from 1 October 2018 to September 2023; and
 - iii. Delegate authority to the Corporate Director for Children, Young People and Education, or other nominated officer to undertake the necessary actions to implement the decision,

be endorsed.

54. Performance Scorecard *(Item 14)*

1. Patrick Leeson introduced the performance scorecards for both Education and Early Help and Specialist Children's Services which provided Members with progress against targets set for key performance and activity indicators.
2. Roger Gough (Cabinet Member for Children, Young People and Education) said that the conversion of statements to Education, Health and Care Plan (EHCP) needed to be completed by March 2018 and he felt positive that this would be done. He said that quality and quantity in Kent were being addressed to ensure that targets were met and to meet statutory requirements.
 - a) In response to comments and questions, Patrick Leeson said that Kent County Council were very data rich and said it was important to assess how much of the data needed to be monitored.
 - b) In response to a question, Patrick Leeson said that the district scorecards were presented to provide a clear view of where certain processes were working better in certain places than in others. He added that the targets set were ambitious and that the red ratings did not mean that a particular district was doing badly, just that the target had not yet been met.
 - c) In response to a question, Patrick Leeson said that 19 children in 2016 were permanently excluded from primary schools in Kent. He said that although permanently excluded children may have the opportunity to take part in off-site teaching and activities, the main priority was to ensure they are placed in another school as quickly as possible.

d) In response to a comment, Patrick Leeson said that the portion of primary schools in Thanet that were good or outstanding had improved and the current percentage was 88%. He said that primary attendance issues were often related to family and parenting issues.

3. RESOLVED that both the performance scorecards for Education and Early Help and for Specialist Children's Services be noted.

55. Work Programme 2017/18
(Item 15)

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

56. 17/00120 - Proposal for the Education Services Company to commence trading on 1 April 2018
(Item 16)

1. Patrick Leeson introduced the report and provided Members with an update on progress to implement the proposals for an Education Services Company (ESC). He said that a lot of work and preparation had been done to ensure that the ESC could go live from April 2018. He said that the ESC would make a whole range of education services for a range of schools delivered by Kent.

a) In response to a question, Patrick Leeson said that all staff transferring into the ESC would keep their Kent County Council terms and conditions and pension entitlements, although the ESC would have their own pension arrangements for new staff.

b) In response to a question, Patrick Leeson said that there were arrangements between schools with regards to offering the ESC service. He said that the relationship with schools was critical; the ESC would be set up by Kent County Council to ensure that a dependable service could be provided for Kent Schools.

c) In response to a question, Patrick Leeson said that staff transferring into the ESC would keep their terms and conditions for as long as they were employed by the company.

d) In response to a question, Patrick Leeson outlined the amount of staff that would be tuped into the company.

2. The recommendation in the report was then put to the vote.

Carried (11 votes for, 1 vote against)

3. RESOLVED that the progress and updates outlined in the report be noted and that the decision by the Cabinet Member that the new company will commence trading on 1 April 2018, recommended in light of:
 - i. Further information received resulting in Cabinet Members carefully considering the benefits and risks of proceeding with the commencement of trading;
 - ii. The detailed briefing provided to Cabinet Members with an opportunity to consider the issues raised; and
 - iii. The detailed briefing provided to Scrutiny Committee with an opportunity to consider the issues raised,

be endorsed.

57. Commissioned Children's Centres and Future Arrangements
(Item 17)

(Peter Lake was in attendance for this item)

1. Stuart Collins introduced the report which outlined the business and financial case for reviewing the cost, the effectiveness and the value for money delivered by the six commissioned children's centres listed in the report. He, Mr Gough and Mr Leeson answered questions of detail from Members, including the purpose of the review, unit costs of the different centres and how best to ensure that a well targeted service was being delivered in an efficient way. However, some of the information requested was not currently available and would need to be supplied to the Committee separately.
2. During the discussion it became apparent that the Committee could not come to a conclusion and that further discussion, including the information not currently available, would be necessary.
3. RESOLVED that the current report be noted and that further discussion of the issue take place at an extraordinary meeting of the Committee which was subsequently arranged for 5 December 2017. At this additional meeting, the information not currently would be supplied so that Members could fully debate the issue and come to an informed decision.