

## **CHILDREN AND YOUNG PEOPLE POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 29 November 2011

### **Present:**

Councillor Stephen Wells (Chairman)  
Councillor Diana MacMull (Vice-Chairman)  
Councillors Judi Ellis, John Getgood, Mrs Anne Manning,  
Alexa Michael, Tom Papworth, Ian F. Payne and  
Neil Reddin

Father Owen Higgs and Joan McConnell  
Dolores Bray-Ash JP and Nancy Thompson  
Alison Regester and Dr Jenny Selway

### **Also Present:**

Councillor Ernest Noad, (CYP Portfolio Holder)  
Councillor Lydia Buttinger, (CYP Portfolio Holder Executive Assistant)  
Councillor Brian Humphrys, (CYP Portfolio Holder Executive Assistant)  
Councillor Simon Fawthrop,

#### **42 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS**

Apologies for absence were received from Mr Tom Clements, Mr Brian James and Mr Michael Youlton.

#### **43 DECLARATIONS OF INTEREST**

The Chairman reminded the Committee that the Declarations of Interest made at the meeting on 14<sup>th</sup> July 2011 were taken as read.

Councillor Diana MacMull declared an interest as a new governor appointment at Langley Park School for Girls'.

Mrs Joan McConnell declared an interest as the Chairman of Governors at St Joseph's RC Primary School.

#### **44 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions were received.

#### **45 MINUTES OF THE CYP PDS COMMITTEE MEETING HELD ON 18 OCTOBER 2011 AND MATTERS ARISING**

The Director CYP provided the Committee with an update on the most recent Academy position and reported that the Local Authority had received formal notification from the DfE of the intention of Crofton Junior School to convert to academy status by 1<sup>st</sup> December 2011. The Local Authority had also received notification of the intention for Tubbenden Primary School to convert to academy status in January 2012 and St James's RC Catholic School to convert in April 2012. This would mean that 28 primary schools in the Borough had either converted or intended to convert to academy status.

**RESOLVED that the minutes from the meeting held on 18<sup>th</sup> October 2011 be agreed.**

**46 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING**

No questions were received.

**47 PORTFOLIO HOLDER'S UPDATE**

The Portfolio Holder provided the following update to the Committee:

"The focus for tonight's PDS Committee Agenda is finance and related issues. There are 3 areas that I would like to highlight as Portfolio Holder to Members of this Committee:

- (i) An overview:
- 2011/12 is a really critical year for Bromley's CYP Portfolio
  - We have needed to shape our local response to the Government's Reform Agenda for education and wider children's services. This has included:
    - Reviews of education curriculum/methodology across all phases of children's learning ie early years through to Post-16.
    - The Munro Review of children's safeguarding and child protection arrangements.
    - The Green Paper and impending legislative change governing provision for children with SEN and disabilities
    - This is not a full list of these changes but gives a flavour of the significant national agenda to which I believe we have responded positively, given that Bromley is well placed to incorporate the changes successfully.
  - The Academy Programme – which represents a major change to our local school and education landscape – and the importance of

working with schools seeking to convert, to support them with these complex processes whilst at the same time sustaining a local framework of support for the school's seeking to remain LA maintained.

- Responding to the national financial and economic position, the reduction in grant funding levels and the need to reduce service costs. A difficult balancing act and we are making every effort in protecting frontline services where possible whilst at the same time addressing increases in volume and associated costs/service pressures, maintaining standards and meeting the expectations of our local residents.
- A challenging agenda for the CYP Portfolio and Bromley Council – but one I believe we have risen to through effective partnership and shared accountability with all key partner agencies including: schools; pre-schools; health; the voluntary sector; the Police and parents. We share a common goal and that is to achieve positive outcomes for all children and young people in this borough by using efficiently and effectively all available resources - financial and people's expertise to meet this aim. The Director's report later in the agenda (7a) provides a very useful overview of CYP Services which I am sure will generate debate under that item.

(ii) Local Authority Central Spend Equivalent Grant (LACSEG) agenda:

- Currently Bromley has a RSG LACSEG reduction of 800k in 2011/12 and a further 640k in 2012/13 amounting to £1.44m. These figures were based on a general top slice across all local authorities regardless of academy conversion.
- In August DfE consulted on an alternative mechanism which looked at academy conversions, national averages and historical S251 data. Using this assumption and assuming all secondary schools and fourteen primary schools in Bromley convert the potential amount that could be top sliced from the Authority is in the order of £6.25m.
- Bromley has made strong representations to DfE and the Portfolio Holder and Director have gone to DfE to put the case forward that Bromley should not be overly affected by these changes and that the calculations themselves are flawed. S251 was never intended as a mechanism for removing funding from Authorities and is too crude and subjective a tool to be used for this purpose.
- Bromley have done their own calculations using up to date S251 data and the figures arrive at £2.6m. This is spread across the Authority but around 50% is within CYP. Many of the areas it would notionally effect have already taken cuts and reduced services so

there is a potential to double count the savings that Bromley have made.

- It was hoped that there would be clarity on this issue in early December at the latest and there would be an announcement part of any updates on the Local Government financial settlement for 2012/13. However DfE have advised that no date has been set yet for the outcome and it will not necessarily be linked with the Local Government financial settlement date.

(iii) Planning and Provision of School Places

- The planning and provision of school places is a statutory duty for the Council. The pressure on primary school places to meet increasing demand is a major issue for all London boroughs.
- A previous briefing covered this issue, but for Bromley, the demand for Primary School Places has continued to increase significantly, particularly in central Bromley, the North of the Borough and the Beckenham, Penge and Crystal Palace areas.
- Since 2009 the Council has established an additional 75 permanent reception places and 150 temporary reception places; providing a total of 3725 reception places in the current year, compared with 3500 in 2009. This has involved negotiating additional places at 8 schools including 1 academy.
- It is projected that Bromley will need at least the same number of places for 2012 onwards, which means that temporary places will need to be consolidated or replaced with provision elsewhere. Consideration will also need to be given to the most appropriate schools for permanent expansions.
- For 2012, nearly all the schools that accommodated a temporary additional form in 2011 have the capacity to admit a further temporary form in 2012. This will require some additional capital works. The matter is under active consideration currently and has been the subject of a briefing for the Portfolio Holder.
- Bromley was allocated capital funding of £4.2m for 2011/12 to assist with the provision of additional places. In addition, recent announcements from DfE about future capital funding streams will allocate an additional £1.277 for Bromley.
- It is proposed that the Member / Officer working party for strategic school place planning should be reconvened for one meeting to develop recommendations for further temporary and permanent expansions of primary schools with recommendations being considered by the CYP PH early in 2012.”

The Committee considered the need to reconvene the Place Planning Working Party and the Director CYP emphasised that place planning was usually a three year cycle but due to a significant amount of turbulence in a number of London Boroughs there had been a need to review the number of available primary places on an annual basis. The Director reported that the Council would have to negotiate with schools to make permanent the temporary measures that had been put in place in meet increased demand.

A Member sought assurances that there was sufficient funding to meet the needs of the additional pupils. In response the Director reassured the Committee that following representations that had been made to Ministers which had highlighted the shortage of places, two essential releases of funding had been triggered.

The Director CYP also highlighted to the Committee that the Local Authority would face similar challenges with secondary schools in the future and negotiations would have to take place with secondary schools in order to ensure that enough secondary places were available to meet demand. Over the coming year the Council would have to make representations to Ministers regarding additional capital funding to meet the future demand for secondary school places.

**RESOLVED that the Primary Place Planning working Group be reconvened for one meeting to develop recommendations for further temporary and permanent expansions of primary schools with recommendations being considered by the CYP Portfolio Holder early in 2012.**

The Committee also noted decisions taken by the Portfolio Holder since the meeting held on 18<sup>th</sup> October 2011.

**48 PRE-DECISION SCRUTINY OF REPORTS TO THE CHILDREN AND YOUNG PEOPLE PORTFOLIO HOLDER**

**A) CHILDREN AND YOUNG PEOPLE SERVICES: STAFFING BUSINESS FUNCTIONS AND FUNDING  
Report DCYP11130**

The Portfolio Holder introduced a report, submitted by the Director of Children and Young People Services, which provided an overview of the CYP Department's service provision, staffing numbers, organisational structure, funding arrangements and performance as at Autumn 2011.

The Director CYP provided an over of the report and outlined the current challenges facing the Department including:

- An increase in service volumes;
- A reduction in the overall cost of the service; and
- Increases in birth rates and survival rates of children with special educational needs and the pressures associated with this.

The Director CYP emphasised that the Department was facing and overcoming these challenges whilst sustaining high levels of performance as outlined in Table A of Appendix 3 of the report.

The Chairman emphasised the high proportion of statutory functions that were undertaken by the Department as well as the success of the Department in improving services that had been assessed as failing in the past.

The Chairman also highlighted an error in Appendix 1 of the report: the figures quoted for full time equivalent staff under the heading of Assistant Director (Strategic Commissioning and Performance) should have read Strategic Commissioning and Business support Manager (14.2 FTE), Performance, Research and Systems Manager (6 FTE).

In response to a question from the Chairman about the number of young carers in the Borough, the Director CYP reported that in 2011/2012 the Department had received 724 young carer referrals.

Another Member highlighted the need to recognise the excellent work that was undertaken by staff across the Department and the impact that the reductions in resources were having on the general welfare of staff across the Department.

In response to a question regarding the increase in nursery places being offered to two year olds, the Director CYP highlighted that the provision of nursery places was a statutory obligation and that Bromley had successfully delivered nursery provision through a range of settings. The Department would have to continue to work with providers to commission places.

A Co-opted Member noted that at Early Years Foundation Stage, the percentage gap between lowest achieving 20% in the Foundation Stage Profile was closing and emphasised the need to monitor the interventions put in place for the youngest children in the Borough.

Referring to page 37 of the report, the Portfolio Holder highlighted that Bromley Youth Music Trust provided music tuition and opportunity to perform to 8500 young people, and not 4000 as stated in the report.

In conclusion, the Portfolio Holder highlighted the many achievements of the Department as well as its success in improving services such as the Youth Offending Team and Youth Services. The improvements had been made in the context of diminishing resources and the Portfolio Holder and Executive Assistants extended their thanks and congratulations to the Director CYP and all the staff within the Department. This was endorsed by the Committee.

**RESOLVED that the Portfolio Holder be recommended to endorse the position of the CYP Department as outlined in the report.**

**B) CHILDREN AND YOUNG PEOPLE BUDGET MONITORING  
REPORT 2011/12  
Report DCYP11127**

The Portfolio Holder introduced a report setting out the budget monitoring position based on spending to the end of October 2011. The Schools' Budget, funded from the Dedicated Schools' and specific grants, was forecast to spend in line with budget. The Non-Schools' Budget, funded from Council Tax, Revenue Support and specific grants was forecast to overspend by £220,000.

The Chairman noted that considerable efforts had been made to reduce the costs associated with SEN Transport and questioned whether there would be any further spending reductions. The Director CYP responded that part of the overspend had been down to a very ambitious target that had been set and partially a result of issues associated with costly out-of-borough placements. The Committee recognised that work was ongoing to develop invest-to-save initiatives to address the budget pressures associated with out-of-borough placements.

A Member received assurances from the Interim Head of CYP Finance that the £250,000 contingency fund that had been set aside to support schools facing redundancy situations would be sufficient.

The Committee discussed the issue of sold services at length and highlighted the importance of identifying opportunities and priorities in developing the model for shared services. A report would be presented to the Committee early in the New Year and this would outline the work being undertaken by the Department to pursue sold services. The Director CYP highlighted that LB Bromley had been able to sustain a strong framework for sold services and that this framework could be maintained in the future.

A Co-opted Member expressed appreciation for the excellent quality of the sold services that were made available by the Borough to schools.

**RESOLVED that the Portfolio Holder be recommended to note the projections and budget pressures, and endorse the action to reduce the overspending.**

**C) MEMBERSHIP OF SCHOOL GOVERNING BODIES  
Report DCYP11126**

The Portfolio Holder introduced a report outlining LA Governor Appointments to five schools and academies in the Borough. The report also sought confirmation of appointment of LA representatives to three academies in the Borough.

The Chairman noted that the governor appointments that had arisen as a result of academy conversions were new appointments for a full four year period.

**RESOLVED** that the Portfolio Holder be recommended to approve the following LA Governor appointments, subject to CRB checks:

<b>Highfield Junior School</b>	<b>Ms Fiona Cape (Beckenham)</b>
<b>Hillside Primary School</b>	<b>Mr Paul Iredale (Chislehurst)</b>
<b>Royston Primary School</b>	<b>Mrs Jennifer Avery (Hayes)</b>
<b>St Paul's Cray CE Primary School</b>	<b>Mr Stephen Mead (Orpington)</b>
<b>St Vincent's RC Primary School</b>	<b>Mrs Janine Caldwell (Bromley)</b>
<b>Bullers Wood School</b>	<b>Mr Arthur Johnstone JP (Chislehurst)</b>
<b>Langley Park School for Girls</b>	<b>Cllr Diana MacMull (Bromley Town)</b>
<b>Pickhurst Junior School</b>	<b>Mrs Stella Brackpool (Bromley)</b>

#### **49 QUESTIONS ON THE CYP PORTFOLIO HOLDER BRIEFING**

The Portfolio Holder congratulated staff on the excellent result of the recent Ofsted inspection which had found the service to be good with outstanding features.

#### **50 CAPITAL MONITORING QUARTER 2 Report RES11140**

On 16<sup>th</sup> November 2011, the Executive received the 2nd quarterly capital monitoring report for 2011/12 and agreed a revised Capital Programme for the four year period 2011/12 to 2014/15. the Committee considered a report highlighting the changes agreed by the Executive in respect of the Capital Programme for the Children & Young People (CYP) Portfolio.

**RESOLVED** that the changes agreed by the Executive in November 2011 be noted and that the following post-completion reports be received by the CYP PDS Committee later in the year:

**Biggin Hill Primary School – amalgamation  
Riverside ASD provision**



**Pupil Referral Unit – new facilities**  
**Mottingham Community Centre – refurbishment**

**51 CYP WORK PROGRAMME 2011/2012**  
**Report DCYP11129**

The Committee considered the forward rolling work programme for the year ahead, based on items scheduled for decision by the CYP Portfolio Holder and items for consideration by the CYP PDS Committee.

The Chairman reported that the next meeting of the Committee due to be held on 17<sup>th</sup> January 2011 would start at 6.30pm, with the first hour of the meeting being allocated to scrutiny of the 2012/2013 Budget.

The following three items would be moved to the February meeting:

- 8. School Travel Plans
- 13. Consultation on the Dedicated Schools Grant
- 7. Ofsted APA Action Plan

Officers would also review items that could be included in the Portfolio Holder's information briefing.

**RESOLVED that the forward rolling work programme be agreed.**

**52 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE**  
**LOCAL GOVERNMENT (ACCESS TO INFORMATION)**  
**(VARIATION) ORDER 2006, AND THE FREEDOM OF**  
**INFORMATION ACT 2000**

**RESOLVED that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.**

**53 EXEMPT MINUTES OF THE CYP PDS COMMITTEE MEETING**  
**HELD ON 18 OCTOBER 2011**

**RESOLVED that the exempt minutes from the CYP PDS meeting held on 18 October 2011 be agreed.**

**54 EXEMPT (PART 2) DECISIONS TAKEN BY THE PORTFOLIO**  
**HOLDER SINCE THE LAST MEETING**

The Committee noted exempt (Part 2) decisions taken by the Portfolio Holder since the last meeting.

**55            PRE-DECISION SCRUTINY OF PART 2 (EXEMPT) REPORTS  
                 TO THE CHILDREN AND YOUNG PEOPLE PORTFOLIO  
                 HOLDER**

- A)    THE PRIORY SCHOOL REQUEST FOR FUNDING TO  
         SUPPORT COSTS IN RESPECT OF SUPPORT STAFF  
         REDUNDANCIES ARISING FROM A SCHOOL BASED  
         RESTRUCTURING  
         Report DCYP11129**

The Committee considered the report and supported the recommendations.

The Meeting ended at 8.40 pm

Chairman