

EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 30 January 2014

Present:

Councillor Nicholas Bennett J.P. (Chairman)
Councillor Neil Reddin FCCA (Vice-Chairman)
Councillors Kathy Bance MBE, Peter Fortune,
Julian Grainger, David McBride, Alexa Michael and
Sarah Phillips

Dolores Bray-Ash JP, Jo Brinkley, Darren Jenkins, Joan
McConnell and Alison Regester

Also Present:

Councillor Stephen Wells, Portfolio Holder for Education
Councillor Peter Fookes
Derec Craig, Ross Stanford and Abdulla Zaman

44 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Julian Benington.

Apologies were also received from Father Owen Higgs and Rachel Opadiran.

Apologies were received from Councillor Douglas Auld and Councillor Kate Lymer in relation to Item 5: Not in Education, Employment or Training – Strategies for Improving Participation.

45 DECLARATIONS OF INTEREST

The Chairman reminded the Committee that the Declarations of Interest made at the meeting on 2nd July 2013 and 17th September 2013 were taken as read.

Councillor Peter Fortune declared that his wife was currently undertaking teacher training at Perry Hall Primary School.

46 MINUTES OF THE EDUCATION PDS COMMITTEE MEETING HELD ON 12TH NOVEMBER 2013 AND MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

The minutes of the meeting held on 12th November 2013 were agreed.

In considering matters outstanding from previous meetings, the Chairman noted that following representations made to London Councils to extend the use of 'The Hub' to support availability online of evidence needed for admission applications, the Local Authority had been advised that 'The Hub'

verified information through National Insurance numbers and the Local Authority was not legally allowed to request this as part of the admissions process. The Department for Education had also confirmed that there was no central admissions 'hub' for checking addresses and that there were no plans to implement one.

The Portfolio Holder was pleased to inform Members of the Committee that 95% of applications for primary school admissions had been submitted online for the 2014/15 school year.

Following a request at a previous meeting for Bromley Adult Education College to be included as part of the review of the Costs, Charges and Recharges Working Group, the Chairman confirmed that a draft charging template and accompanying guidance had been drawn up which were designed to support service managers as part of the budget setting process and would be considered by the Council's Executive at its meeting on 12th February 2014 for ratification.

RESOLVED that the minutes of the meeting held on 12th November 2013 be agreed and that matters outstanding be noted.

47 QUESTIONS TO THE PDS CHAIRMAN FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

No questions had been received.

48 NOT IN EDUCATION EMPLOYMENT OR TRAINING - STRATEGIES FOR IMPROVING PARTICIPATION

Report ED14016

The Committee considered a report providing background on the statutory context and performance reporting arrangements for the participation and non-participation of young people in education, employment or training in Bromley. The report also outlined the Borough's performance relating to the identification of young people at risk of not participating in education, employment or training and the full range of strategies in place to improve participation by young people who had been identified as being not in education, employment or training (NEET).

The Head of Bromley Youth Support Programme advised Members of the Committee that there was a focus on early intervention with young people at risk of being NEET. Regular telephone contact was made with these young people to give them information on the support and services available, and referrals could also be made to support organisations such as local children and family centres where appropriate. A Member queried the support that was given to parents and carers, and was advised that information, advice and guidance surgeries were available to both young people and their parents and carers, including drop-in sessions at local youth centres as well as through family events such as the Bromley Youth Activities Summer Programme. The

Bromley Children Project provided information to parents on the wide range of support available, and worklessness continued to be a key area targeted as part of the Tackling Troubled Families Project.

The Vice-Chairman noted the wide range of projects and services available for young people at risk of being NEET and was concerned that some services might be duplicated. The Head of Bromley Youth Support Programme confirmed that work was currently being undertaken with schools to identify the scope of information, advice and guidance services available to their pupils with a view to ensuring services were not duplicated into the future.

A Member highlighted the impact of low self confidence or poor literacy skills on young people in accessing education, employment or training. The Head of Bromley Youth Support Programme advised Members that poor literacy levels continued to be targeted. A key factor which also contributed to young people at risk of being NEET also included poor attendance following transition to secondary school. Work was being undertaken with primary schools to support identified pupils through this transition, and a range of panels operated in the Borough that worked to identify the support needs of children and young people identified as being at risk of exclusion or having other difficulties.

The Chairman underlined the additional challenges faced by young people who were homeless. The Youth Programme Manager confirmed that young people who were homeless were supported into suitable accommodation, such as a homeless persons unit, and that they were provided with information, advice and guidance to move into education, employment or training.

A Member was concerned that the internship element of the Bromley Youth Employment Project, delivered by Bromley College of Further and Higher Education on behalf of the Local Authority was currently being reviewed. The Chairman reported that there had been low take-up of the internship programme by young people and businesses, and that the Executive and Resources PDS Committee would consider the future delivery of the project at its meeting on 5th February 2014.

A Co-opted Member of the Public Protection and Safety PDS Committee highlighted the categories in the level of need analysis within the report. The Youth Programme Manager confirmed that categorisation of young people supported statistical analysis but that all young people received the same level of assessment, regardless of categorisation, and their individual needs were targeted to assist them in moving into education, employment or training. A Co-opted Member of the Renewal and Recreation PDS Committee noted that some young people would choose not to engage in education, employment or training.

Additional information providing comparative data for Bromley against neighbouring boroughs to put the number of young people who were at risk of

not participating in education, employment or training into context would be provided to Members when it became available, as would information on whether the average duration a young person was classified as NEET had reduced from previous years. A Member requested that information also be provided on the proportion of young people at risk of not participating in education, employment or training who had statements against other young people with statements.

The Chairman commended Officers for an excellent report and thanked Councillor Peter Fookes and Co-opted Members, Derec Craig and Abdulla Zaman of Public Protection and Safety PDS Committee, and Ross Stanford, Co-opted Member of Renewal and Recreation PDS Committee for attending the meeting for consideration of this item.

RESOLVED that strategies to improve participation by young people identified as being not in education, employment or training (NEET) be noted, and that additional information requested by Members be circulated by email as soon as it was available.

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

Five oral questions were received from Andrea Asbury, Richard Asbury, Marjorie Ouvry, Consultant in Early Years Education and Author, and Rosalind Luff, Chair – Parent Bromley Voice and are attached at **Appendix A**.

50 PORTFOLIO HOLDER UPDATE

The Portfolio Holder for Education gave an update to Members on work being undertaken across the Education Portfolio.

An interim Executive Board had been put in place to support the Grovelands and Kingswood Pupil Referral Units. Work was being undertaken with the Department for Education and Local Authority to support the conversion of the units to academy status from September 2014, with Bromley College of Further and Higher Education as the sponsor.

The need to create additional primary school places in the Borough had been identified as a priority. The Bromley Bilingual Primary School had full approval and would open in September 2014. Additional secondary school places would also be needed in the Borough from 2015/16, and the Local Authority continued to work with the Archdiocese of Southwark around the feasibility of establishing a new Catholic secondary school in the Borough.

Work continued to strengthen governance in schools, and Local Authority Officers had recently been approached to consider volunteering as Local Authority Governors in Bromley schools.

RESOLVED that the Portfolio Holder update be noted.

**A) OFSTED REPORTS AND FOLLOW-UP ITEMS ON
UNDERPERFORMING SCHOOLS**

Report ED14008

The Portfolio Holder introduced a report that provided an update of recent Ofsted and school improvement activity across the Borough. Since October 2013, there had been five Ofsted Inspections and four Ofsted monitoring visits. The report on the Ofsted Inspection of Holy Innocents RC Primary School in September 2013 had also been published. Wickham Common Primary School had been judged as 'Good' in its Ofsted Inspection. Churchfields Primary School, St Anthony's RC Primary School, Holy Innocents RC Primary School, St Paul's Cray CE Primary School and St Peter and St Paul RC Primary School had been judged as 'Requires Improvement' in their Ofsted Inspections. Ofsted monitoring visits had been held at Scotts Park Primary School, St John's CE Primary School, Holy Innocents RC Primary School and Edgebury Primary School. Following the monitoring visits, St John's CE Primary School had been assessed as making reasonable progress towards the removal of special measures, but the assessment of Scotts Park Primary School highlighted that senior leaders and governors were not taking effective action to tackle the areas requiring improvement identified during the inspection. The outcome of the Ofsted monitoring visits to Edgebury Primary School and Holy Innocents RC Primary School had not been published at the time of the report.

Two schools with a 'Good' Ofsted rating were currently causing concern due to their data and were receiving targeted support. These were Princes Plain Primary School and Southborough Primary School. A further ten primary schools would receive a review in early 2014 due to anomalies in their data, and would receive targeted support should the review identify underlying issues.

In considering the report, the Chairman noted the role of the Governing Body in driving high standards in schools. A Member highlighted the need for Governing Bodies to have a Constitution which would support Governors in providing rigorous challenge to school operation and improvement.

A Co-opted Member was concerned at the number of schools judged as 'Requires Improvement'. A Member also noted that the role the Local Authority had taken in school improvement had been criticised in a number of recent Ofsted reports, including Holy Innocents RC Primary School, and it was important to ensure that targeted support was provided at an early stage where concerns were identified with a school's performance. Another Co-opted Member underlined the perceived loss of expertise available to schools from the Local Authority following the closure of the Education Development Centre. The Portfolio Holder confirmed that targeted support was provided based on the categorisation of schools, and that high performing schools were increasingly offering support to schools where concerns had been identified. Bromley benefitted from one of the highest numbers of National Leaders of

Education across all London Boroughs, and another Co-opted Member informed Members that to be judged as 'Outstanding', schools were now required to work across the schools system.

The Co-opted Member noted that small schools often did not have the same opportunity as larger schools to network or undertake visits to other schools, but that schools were now being encouraged to convert to academy status as multi-academy trusts which could support increased cross-school working.

RESOLVED that recent Ofsted and school improvement activity across the Borough be noted.

51 PORTFOLIO HOLDER PROPOSED DECISIONS

A) DAY NURSERY PROVISION: OPTIONS FOR FUTURE DELIVERY

Report ED14009

The Portfolio Holder introduced a report outlining options for the future delivery of day nursery provision at the Community Vision and Blenheim nurseries. The Education PDS Committee had considered a report at its meeting on 19th March 2013 which proposed that both nurseries be placed on a trading account basis to gain a better understanding of the operating costs to the Local Authority of the direct provision of nursery places, and that an options appraisal be undertaken around how this nursery provision could best be delivered into the future.

The two nurseries had been moved onto a trading account basis from April 2013 with separate budgets established. The options appraisal for the future delivery of the Community Vision and Blenheim nurseries had also been completed which had explored a range of options which comprised making no change to the existing service, the closure of both nurseries and market testing of nursery provision.

In considering the report, the Chairman noted that the proposal was to undertake market testing to explore the options for future delivery of the nurseries and that there was no intention to close the provision. It was possible that the outcome of any market testing process would recommend the existing service be retained as an in-house provision. The Head of Schools, Early Years Commissioning and Quality Assurance confirmed that parents and staff at the nurseries had been notified of the proposal, but that a full consultation and equality impact assessment could not be undertaken until it was agreed to proceed with market testing.

Councillor Kathy Bance MBE underlined that the move to a trading account had indicated that nursery provision covered its controllable costs and operated at a surplus, based on income from free early education and private fees, together with the recharges from the social Care purchasing budget for the provision of nursery places for Social Care referrals. The surplus also

covered the majority of non-controllable corporate recharges, which would be present regardless of the provision being in place. Non-controllable corporate recharges comprised central support costs to the Local Authority of the provision, including human resources, information technology and finance support. The Portfolio Holder noted that a significant number of the places were funded by Children's Social Care as part of early intervention support to prevent family breakdown, and there was also a need to review whether this arrangement was appropriate.

A Co-opted Member advised Members of the Committee that over 90% of Early Years provision in the Borough was delivered by the private and voluntary sector and that the majority of settings were rated as 'Good' or 'Outstanding'.

Councillor Kathy Bance MBE requested that her opposition to the proposal to undertake market testing be recorded.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Note the outcome of the options appraisal;**
- 2) Agree the proposal to undertake market testing of nursery provision; and,**
- 3) Report the outcomes of the market testing of nursery provision to a future meeting of Education PDS Committee.**

B) UPDATE ON PROPOSED SCHOOL EXPANSIONS

Report ED14010

The Portfolio Holder introduced a report providing details of the outcomes and recommendations of the School Places Working Group which had met on 25th November 2013 to consider the strategic planning of secondary school places and school organisation in Bromley. Over recent years there had been a significant increase in the number of primary school places required to ensure that every on-time applicant received a valid offer. As these pupils moved into the secondary phase, there was a need to determine how the increase in demand for places would be met, and to assess how a range of other changes would impact demand for secondary places, including raising the participation age to 17 and 18 years, and alternate education options such as University Technical Colleges and Career Colleges.

Increased demand for secondary places was expected to continue in the long term, with initial projections indicating a need for up to thirty additional forms of entry in the years to 2025 and beyond. This was due to a number of factors including migration to the Borough and increased occupancy levels of existing homes. In response to this, it was recommended that the higher Greater London Authority (GLA) alternate roll projection methodology be adopted as the basis of forecasting for 2014/15 and beyond, and that a

margin of 5% be considered above projection to provide for parental choice and improve the rate of first choice allocations. It was also recommended that a new Catholic secondary school provision in the Borough be supported in principle, and that further reviews of existing secondary capacity be carried out using the Department for Education's revised space standards to validate options for growth at existing schools as the basis of capital bids.

The Portfolio Holder was pleased to advise Members of the Committee that an additional £42,302,064 of Basic Need Capital Grant had been allocated to Bromley by the Department for Education to fund additional school places in 2015-16 and 2016-17. Work was being undertaken with secondary schools across the Borough around the potential expansion of their provision, and a number of secondary schools were also exploring the potential to establish their own primary schools to provide an all-through offer for Bromley pupils.

In response to a question from a Member, the Head of Strategic Place Planning confirmed that the review of existing secondary capacity using the Department for Education's revised space standards would support more effective use of existing school estates, as well as impacting new school developments. A Member underlined the importance of schools consulting Ward Members at the earliest stages of any potential expansion.

A Member highlighted the impact that the quality of secondary provision in other Boroughs might have on Bromley schools and requested that information be provided around the number of Bromley pupils who attended secondary schools out of Borough, as well as out of Borough pupils who attended Bromley, and what proportion this was of the total number of secondary places in the Borough. A Co-opted Member also requested that that an update on the expansion of The Glebe be provided to the next meeting of the Education PDS Committee.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Endorse the recommendations of the School Places Working Group be endorsed as set out below:**
 - **The review be accepted as the basis for secondary place planning;**
 - **The higher Greater London Authority (GLA) alternate roll projection methodology be adopted as the basis of forecasting for 2014/15 and beyond;**
 - **A margin of 5% be considered above projection to provide for parental choice in order to improve the rate of first choice allocations;**
 - **A new Catholic secondary school provision in the Borough be supported in principle; and,**
 - **Further reviews of existing secondary capacity be carried out using the Department for Education's revised space standards**

to validate options for growth at existing schools as the basis for capital bid applications.

- 2) Note the additional £42,302,064 of Basic Need Capital Grant allocated to Bromley by the Department for Education to fund additional school places in 2015-16 and 2016-17.

C) REVISED INSTRUMENT OF GOVERNANCE - JAMES DIXON PRIMARY SCHOOL

Report ED14011

The Portfolio Holder introduced a report outlining the revised Instrument of Government for James Dixon Primary School, which was seeking to change its status from Local Authority Community to Foundation Status.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Approve the revised Instrument of Government;
- 2) Instruct that the Instrument be made by the Common Seal of the London Borough of Bromley; and,
- 3) Note the change in category of James Dixon Primary School from a Local Authority Maintained School to a Foundation School from 28th February 2014.

D) 2014-15 DEDICATED SCHOOLS GRANT

Report ED14004

The Portfolio Holder introduced a report detailing the allocation for the 2014/15 Dedicated Schools Grant, which had been notified to the Local Authority as a total sum of £231,457,975. This would be allocated in three blocks comprising the Schools Block (£168,977,400), the Early Years Block (£15,507,575) and the High Needs Block (£46,973,000).

The proposed allocation had been considered at the meeting of the Schools' Forum on 23rd January 2014, and had been agreed.

RESOLVED that the Portfolio Holder be recommended to approve the Dedicated Schools Grant allocation and the changes to the funding formula for 2014/15.

E) GOVERNMENT PROPOSAL FOR FREE SCHOOL LUNCHES FOR KEY STAGE 1- IMPLICATIONS FOR THE LOCAL AUTHORITY AND SCHOOLS

Report ED14014

The Portfolio Holder introduced a report which provided an update on the

Government proposal for free school lunches for every child in Key Stage 1 and the implications of this for the Local Authority and schools. On 17th September 2013, the Government announced that every child in Reception, Year 1 and Year 2 in state funded school would receive a free school meal from September 2014, for which revenue funding of £2.30 per meal would be provided.

The Government had confirmed that the legal duty would be on infant and primary schools to deliver free school meals at Key Stage 1, and the Local Authority would work with schools to ensure that they were able to deliver this new requirement. To support this, the Local Authority had been allocated £386,780 capital funding for 2014/15 for Local Authority Maintained schools and £30,824 for Voluntary Aided schools. Officers were developing a targeted programme to support the distribution of these funds to Local Authority Maintained schools which would involve a review of existing premises and distribution of funds based on the suitability of premises, targeting insufficiencies in infrastructure and the capacity of school kitchens and serveries.

In considering the report, the Vice-Chairman highlighted the potential for increased take-up of schools meals by older siblings following the rollout of free school meals at Key Stage 1. A Member also noted the impact of free school meals at Key Stage 1 on small rural schools that did not have sufficient dining capacity.

The take up of Free School Meals was currently used to allocate Pupil Premium funding to schools. A Member was concerned that the provision of Free School Meals across Key Stage 1 would decrease the number of applications made by parents and carers, which would reduce the amount of Pupil Premium funding received by schools to support the most vulnerable children.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Note the Universal Free School Capital Allocation of £386,780 for Local Authority Maintained schools in the Borough; and,**
- 2) Agree the proposal to develop and deliver a targeted programme of capital investment to target insufficiencies in infrastructure and the capacity of school kitchens and serveries of Local Authority Maintained schools in Bromley be agreed.**

52 EDUCATION INFORMATION ITEMS

The Information Briefing comprised five reports:

- Minutes of the Education Budget Sub-Committee held on 7th January 2014
- Update from Member Officer Working Group for Special Educational Needs
- Annual Report from the Bromley Adult Education College

- ECS Contract Monitoring Report - Education Contracts
- Bromley Academy Programme Update

RESOLVED that the Information Briefing be noted.

53 DRAFT 2014/15 BUDGET

Report ED14017

The Committee considered a report setting out the draft Education Portfolio Budget for 2014/15, which incorporated future costs pressures and initial draft saving options reported to the Council's Executive on 15th January 2014. The draft Education Portfolio Budget for 2014/15 had also been considered at the meeting of Education Budget Sub-Committee on 7th January 2014, the minutes of which had been provided to Members of the Education PDS Committee for their information. Members were requested to provide their comments on the proposed savings and identify any further action to be taken to reduce cost pressures facing the Local Authority over the next four years.

In considering the draft Education Portfolio Budget 2014/15, the Portfolio Holder for Education confirmed that the Duke and Phoenix Youth Centres would continue to be funded for 2014/15. There was scope to discuss how the Duke of Edinburgh Award might best be administered in future, with the potential for local academy schools or the Scout Association to be licensed to administer the scheme.

RESOLVED that:

- 1) The financial forecast for 2015/16 to 2017/18 be noted;**
- 2) Members' comments on the initial draft saving options proposed by the Executive for 2014/15 be noted; and,**
- 3) Members' comments on the initial draft 2014/15 Education Portfolio Budget be provided to the meeting of the Council's Executive on 12th February 2014.**

54 ATTAINMENT OF BROMLEY LOOKED AFTER CHILDREN

Report ED14013

The Committee considered a report outlining the attainment of Bromley Looked After Children. The Education PDS Committee had considered a report at its meeting on 12th November 2014 on education outcomes for Bromley children in care and had requested further information be provided to Members on the attainment of children in care, including case studies, to support better understanding of the Local Authority's performance in this area.

In considering the report, the Vice-Chairman queried what action was taken to reduce the need for Looked After Children to change schools. The Head Teacher: Virtual School, confirmed that Looked After Children often frequently

changed schools and might be close to permanent exclusion before coming into the care of the Local Authority. Once a child or young person became Looked After, the core focus was on creating stability for them, including in their education. Where a child or young person was close to permanent exclusion, a decision would be made as to whether to seek to maintain their current school placement or whether they would benefit from a new school environment.

In response to a question from a Member around selective schools, the Head Teacher: Virtual School advised that Looked After Children were entered for selective school tests where appropriate. Twenty weeks of one-to-one tuition was given to all Looked After Children in Year 6, and if necessary, a proportion of this would be focused on selection tests. Specialist tuition could also be arranged for younger Looked After Children if needed. The Member noted that selection tests for selective schools in Bromley were particularly rigorous and suggested that Looked After Children also be encouraged to apply to out of Borough selective schools.

A Member commended the Head Teacher: Virtual School for the progress made by a number of Looked After Children.

The Chairman thanked foster parents, Bromley schools and the Head Teacher and staff of the Virtual School for the excellent support they gave Looked After Children in their attainment.

RESOLVED that the attainment of Bromley Looked After Children be noted.

55 UPDATE ON THE SEN PATHFINDER PROJECT AND CHILDREN AND FAMILIES BILL

Report ED14014

The Committee considered a report outlining progress being made through the Special Educational Needs and Disability (SEND) Pathfinder Programme on testing and implementing the requirements set out in the proposed Children and Families Bill and the indicative Code of Practice, which had been released for consultation to highlight potential risks and issues presented by the changes in legislation.

The SEND Pathfinder had been developed in partnership with London Borough of Bexley to test areas within the Children and Families Bill, published on 5th February 2013, which aimed to take a more holistic approach to special educational needs and disability for children and young people in England. The Bromley and Bexley Pathfinder had been asked to test the development and application of Education, Health and Care Plans for children and young people with complex needs from birth to 25 years, as well as areas including development of personal budgets, banded funding and preparing for adulthood (transition). Work had been undertaken with parents through Pathfinder work stream activity, and a series of parent and professional

workshops had been held to develop new Plan templates and processes that would support a single multi-age assessment process for children and young people as they moved from pre-school to school and then towards transition.

In considering the indicative Code of Practice, a Co-opted Member underlined the need to focus on the improved outcomes the new approach to special educational needs and disability would have for children and young people with SEND and their families. A Member noted the length of the Code of Practice and was concerned that it would be difficult for parents and carers to identify what their child was entitled to.

The Portfolio Holder highlighted the key role of the Clinical Commissioning Group in working with the Local Authority to develop joint commissioning arrangements, clear responsibilities, ownership and accountability across commissioning of SEND services. The Health and Wellbeing Board was also working to seek input and information from all key stakeholders to contribute to the development of the strategy.

RESOLVED that:

- 1) The implications of the new legislation be noted; and,**
- 2) Further reports be presented to the Education PDS Committee on specific changes arising from the new legislation.**

56 ROLE OF THE LOCAL AUTHORITY WITH ACADEMIES

Report ED14006

The Committee considered a report outlining the role of the Local Authority with academy schools.

The Bromley Education Covenant was approved by Full Council on 21st January 2013 and set out the Local Authority's commitment to ensuring that the quality of education in the Borough continued to be of the highest standard. To support this, the Local Authority had been working to encourage all schools to become academies to benefit from the freedoms and independence which support schools in delivering an outstanding education for all children and young people, whilst continuing to work with schools to fulfil its statutory responsibilities for education performance and children's general wellbeing and safeguarding across the Borough.

In considering the report, the Chairman noted that the Local Authority was coordinating a conference for all Bromley schools and academies during Summer 2014 which would focus on the development of a strategy for future partnership and collaborative working between both academy and Local Authority Maintained schools and the Local Authority.

RESOLVED that the role of the Local Authority with academies be noted.

57 EDUCATION PROGRAMME 2013/14

Report ED14019

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

The Chairman requested that a number of additional reports be considered at the next meeting of the Education PDS Committee to be held on 18th March 2014.

- School Improvement and Risk Analysis for Schools
- Update on Pupil Referral Unit Alternative Provision
- Summer Born Children (to include legal guidance)
- Basic Need Report (to include update on The Glebe expansion)

The Chairman also requested a further report giving an update to Members on progress in strategies to target young people at risk of not being in education, employment or training be provided to Education PDS Committee in March 2015.

A Member requested that the regular report on 'Ofsted Reports and Follow-up Items on Underperforming Schools' include details of the support being given to schools working to improve and this was agreed by the Committee.

The Chairman highlighted the priority to strengthen school governance and proposed that the School Governance Working Group be reconstituted prior to the next meeting of Education PDS Committee. This was supported by the PDS Committee and Member nominations were received from Councillors Nicholas Bennett JP, Kathy Bance MBE, Peter Fortune, Julian Grainger and Neil Reddin and Co-opted Members, Darren Jenkins and Joan McConnell

The Chairman noted that the Schedule of Visits for the Spring Term 2014 had now been arranged and encouraged Members and Co-opted Members to attend visits to schools where possible.

RESOLVED that the Education Programme 2013/14 be noted.

**58 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 was 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.

**59 EXEMPT MINUTES OF THE EDUCATION PDS COMMITTEE
MEETING HELD ON 12TH NOVEMBER 2013**

RESOLVED that the exempt minutes of the Education PDS meeting held on 12th November 2013 be agreed.

**60 PORTFOLIO HOLDER PROPOSED PART 2 (EXEMPT)
DECISIONS**

**A) VARIATION AND EXTENSION OF CONTRACT FOR
CONSULTANT HEAD TEACHER OF THE PUPIL REFERRAL
UNIT**

The Committee considered the report and supported the recommendations.

The Meeting ended at 10.22 pm

Chairman

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Minute Annex

EDUCATION PDS COMMITTEE

30th January 2014

QUESTIONS TO THE EDUCATION PORTFOLIO HOLDER

Oral Question for the Education Portfolio Holder received from Andrea Asbury

I want my summer-born son to begin school at the compulsory school age of 5, to experience the critical Reception foundation year AND have access to 7 years of primary school education, as is his right. Flexibility to begin Reception aged 5 exists in law - why is this so difficult to negotiate with admissions authorities?

Reply:

*Existing school policies for 2014 have already been determined and are in line with the current admission code that states that parents have the right to *defer *a start in the current academic year, with the opportunity for the child to join the year group that they are assigned according to their date of birth at a later date. The existing Code states that parents of gifted and talented children, or those who have experienced problems or missed part of a year, for example due to ill health, can seek places outside their normal age group.*

Bromley Council's interpretation of this statement is that it does not include children who are young for their year group. This interpretation is uniform across all Bromley Primary Schools.

The current admission arrangements for admission to Bromley Community and Voluntary Controlled Schools for 2014 has been set in line with the mandatory requirements of the existing Admission Code. As there are no proposed changes for 2015, this Authority is not consulting. This is in line with the admission code that states admission authorities do not have to consult for 7 years if there are no changes.

This Authority provides the opportunity for all reception age children to receive 7 full years of education by following legislative guidance, the Rose Report of 2009, to enable children to attend school from the September following their 4th birthday. It is a parent of a summer-born child's decision whether they take up this available option. This will continue until, if or when, legislation changes to enforce a change to the Admission Code guidance on the admission of summer-born children.

Supplementary question:

Elizabeth Truss, Parliamentary Under Secretary of State for Education and Childcare has stated, "We are absolutely clear that parents should be able to say to a school, 'We want our child, who is aged five, to enter Reception', if they feel that that is in the best interests of their child." However it does not feel like there is genuine flexibility for parents, and that they must chose between taking up a place for their child before he is ready for school or giving up their child's Reception year.

Reply:

The statement made by Elizabeth Truss is not backed by legislation and the Local Authority will continue to work within the bounds of existing legislation.

Oral Question for the Education Portfolio Holder received from Richard Asbury

Given the now incontrovertible evidence that summer-born children are more likely to experience additional social, emotional and academic challenges, could you comment on campaigners calls for more flexibility around school entry for summer-born children, as highlighted in the media earlier this month?

Reply:

I appreciate the views of campaigners for flexible school admissions for summer-born children and cannot dispute the research that demonstrates that summer-born children can perform less well than their peers.

However, in the context of Bromley where the Council is committed to all schools becoming academies, it must be understood that each academy will be its own admissions authority. Each authority will have to operate within the Admissions Code of Practice, although there may be some chains and academy trusts who take a more flexible view than a council that has had to oversee admissions to all schools in the Local Authority.

Meanwhile it is our intention, as the admissions authority for maintained schools, to abide by the Admissions Code of Practice, as explained in the answer to the previous question. Should the Code be amended to allow for greater flexibility in the admission of summer-born children, then our policy (should it still be relevant) will be adapted to reflect the revised guidance.

Supplementary question:

How is it that the Local Authority, that has an inherent interest in children, can ensure the best interests of children are prioritised to enable parents to exercise the right of their child to enter Reception at compulsory school age, which is the term after their fifth birthday?

Reply:

The Local Authority acts as the admissions authority for Bromley and needs to operate within the existing admissions code. It is up to individual parents to make representations to school governing bodies to gain access in this way.

Oral Question for the Education Portfolio Holder received from Marjorie Ouvry, Consultant in Early Years Education and Author

When summer-born children start school in the term after they are 5, parents are frequently told they must skip reception and go into year one for administrative purposes. How can this local authority assist state-funded schools to offer real

choice to parents of summer-born children to have their full entitlement of 7 years of primary schooling?

Reply:

It is my understanding that parents have a choice as to whether their child begins school in the term after their fourth birthday, defers entry to a later point in the reception year or skips reception and goes straight into year 1. In terms of offering even more flexibility and choice to the parents of summer-born children, there is a need for a national rather than local policy change, for reasons previously stated.

Supplementary question:

Could the Local Authority draw up a framework that firstly reminds Head Teachers and Governors of state-funded schools (including academies) of the legal age of compulsory schooling and secondly requires them to give choice to parents of summer born children, bearing in mind that only a minority of parents will choose to delay entry?

Reply:

Reception year is not a compulsory year of education, with Year 1 as the first year of compulsory education. I can see it would be useful for parents and Head Teachers of Local Authority maintained schools to make clear there is an option available for parents to delay entry and that it is likely to only be for a minority of children. Some Head Teachers may seek not to do this to avoid classes made up of children of differing age groups.

Oral Questions for the Education Portfolio Holder received from Rosalind Luff, Chair - Bromley Parent Voice

1. Bromley Parent Voice appreciates that processes cannot be finalised until the code of practice is published however, as focus should be on achieving better outcomes for all SEND families. In light of further austerity savings, how will the Local Authority ensure appropriate support is available via the Local Offer?

Reply:

Bromley is committed to achieving better outcomes for our SEND families. Appropriate support, based on individual needs continues to be high priority for our pupils with complex needs. The Bromley SEN Pathfinder is progressing with developing and delivering the Local Offer. Clear and transparent thresholds for the Local Offer for school-based educational interventions have been devised with school SENCOs, parent representatives and Bromley Officers. The Local Authority local offer in terms of "top-up funding" in schools is currently being implemented successfully in Bromley schools. Other elements of the Local Offer (such as Short Breaks Services) continue to be developed.

Supplementary question:

The Local Offer is a non-statutory offer. Please can you confirm how funding for children and young people with SEND who do not meet the threshold will be ensured?

Reply:

The Local Authority is looking closely at how it operates and is seeking to ensure the most vulnerable groups, including children and young people with SEND, are protected as far as possible from any impact. The SEND Pathfinder has been successful in bringing together Health and Social Care, and the Local Authority anticipates that the offer for SEND families will benefit as a result of the SEND Pathfinder and that it is not anticipated that any families will see a substantial reduction in their child's offer.

2. Can the figure of 850 children be clarified, i.e. does this include mainstream children within unit provision? We believe the £12K and above cohort to be a higher number than stated.

Reply:

This figure only includes pupils in specialist educational placements both in and out of borough. We expect that there will be many pupils with complex needs who currently access their education in mainstream schools or in resourced provisions attached to mainstream schools who will transition to an Education, Health and Care Plan.

Supplementary question:

Why is the figure of 850 children used?

Reply:

The figure of 850 children is an indicative figure used to support the Local Authority to analyse current statements and identify whether they are for children with more or less complex needs.