

EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

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

Present:

Councillor Nicholas Bennett J.P. (Chairman)
Councillor Neil Reddin FCCA (Vice-Chairman)
Councillors Kathy Bance MBE, Alan Collins, Mary Cooke,
Peter Dean, Judi Ellis, William Huntington-Thresher and
Alexa Michael

Mary Capon, Adil Ghani, Darren Jenkins, Joan McConnell,
Mylene Williams, Alison Register and Tony Wright-Jones

Also Present:

Councillor Stephen Wells, Portfolio Holder for Education
Councillor Robert Evans

17 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Teresa Ball and Councillor Keith Onslow. Councillor Peter Dean and Councillor William Huntington-Thresher attended as their respective substitutes.

18 DECLARATIONS OF INTEREST

The Chairman reminded the Committee that the Declarations of Interest made at the meeting on 2nd July 2014 were taken as read.

Councillor Peter Dean declared that he was employed by the Department for Work and Pensions.

A number of Members and Co-opted Members made Declarations of Interest in relation to Item 7a: Basic Need Programme Update:

Councillor Nicholas Bennett JP declared that he was a Governor at Princes Plain Primary School.

Councillor Mary Cooke declared that she was the Chair of Governors at Blenheim Primary School.

Councillor Judi Ellis declared that she was a Governor at Riverside School and Midfield Primary School, and that her son was the Head Teacher of Biggin Hill Primary School.

Mrs Mary Capon, Church representative, declared that she was an employee of the Aquinas Trust.

Mr Darren Jenkins, Parent Governor representative, declared that he was a Governor at Riverside School and Wickham Common Primary School.

Mrs Joan McConnell, Church representative, declared that she was a Governor at St Joseph's Catholic Primary School.

**19 MINUTES OF THE EDUCATION PDS COMMITTEE MEETING
HELD ON 2ND JULY 2014 AND MATTERS OUTSTANDING
FROM PREVIOUS MEETINGS**

The minutes were agreed subject to the fifth sentence of the third paragraph of Item 7: Portfolio Holder Update being amended to read:

"The Harris Primary Academy Shortlands would be accommodated at 1 Westmoreland Road, Bromley for its first year of operation before moving to its proposed permanent site at Kingswood Road, Shortlands from September 2015."

RESOLVED that the minutes of the meeting held on 2nd July 2014 be agreed, subject to the above amendment and that matters outstanding be noted.

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

No questions had been received.

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

No questions had been received.

22 PORTFOLIO HOLDER UPDATE

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

The demand for pupil places continued to be high. Since the start of the 2014/15 academic year, over 500 'in year' applications had been received, including 180 applications from children new to the Borough. This had placed considerable strain on the availability of school places in Bromley and might result in the provision of in-year bulge classes. A further issue had been identified around a number of junior schools that had chosen to become primary schools following conversion to academy status, with some infant schools no longer having an associated junior school. Work was being

undertaken to address this issue and it was hoped that new junior schools would be established to meet the demand for places.

It had been identified that a significant increase in secondary provision would be required across the Borough in future years. The Portfolio Holder was pleased to announce that the E21 bid to establish a new secondary academy in the Elmers End area of the Borough had been successful. Work continued with secondary providers across the Borough to promote expansion of existing secondary schools as well as the potential for new free schools. A meeting of the School Places Working Group would be held on 14th October 2014 to consider both primary and secondary place planning across the Borough.

The Bromley Trust Alternative Provision Academy had opened in September 2014 and was working well. A new academy uniform, including the wearing of ties, had been launched and pupils were being encouraged to apply for the role of academy prefects.

Free school meals for pupils at Key Stage 1 had been successfully introduced across all Bromley schools from September 2014, and hot meals were now available at all schools.

Work to attract high quality candidates to apply to become Local Authority Governors continued. A highly successful Governors' Conference had been held on Saturday 27th September 2014, which had been attended by over 50 Bromley Governors. At the Conference, it had been proposed that a Bromley Governor Association be established to support the development of strong governance across the Borough into the future. It had also been announced that a new recruitment process had been introduced for Local Authority Governors which would include a panel interview. Members and Co-opted Members of the Education PDS Committee would be eligible to join these panels, and a Co-opted Member requested that young people also be involved in the panel interviews. Mr Tony Wright-Jones, Parent Governor representative, expressed his thanks to the Portfolio Holder and those Officers involved for delivering an excellent event. The Committee endorsed the Chairman's concern that the Members of the Education PDS Committee had not been invited to contribute to the agenda or attend the Governors' Conference.

RESOLVED that the Portfolio Holder update be noted and that the Committee's concern that neither the Chairman or the Members of the Education PDS Committee had been consulted about the Governor's Conference or been invited to attend be recorded.

A) UPDATE ON UNDER PERFORMING SCHOOLS

Report ED15090

The Portfolio Holder introduced a report that provided an update of recent Ofsted and school improvement activity across the Borough. Since July 2014,

there had been three Ofsted Inspections and two Ofsted monitoring inspection visits. In their Ofsted inspections, Marjorie McClure School had been rated as 'Outstanding', and Hawes Down Junior School as 'Good'. The Pupil Referral Unit had been rated as 'Requires Improvement' which reflected the excellent progress made by the new Head Teacher and staff in a short period of time. In their Ofsted monitoring inspection visits, both Oaklands and Southborough Primary Schools had been judged to be taking effective action.

In considering the report, the Head of Schools, Early Years Commissioning and Quality Assurance Education confirmed that targeted support was being provided to Worsley Bridge Primary School following concerns identified around their Key Stage 2 results. Members were also advised that the Ofsted regional commissioner for South East London and England had started in post in September 2014, and that the Local Authority would seek to work closely with the regional commissioner to support the highest standards of education in all academies across the Borough.

A highly experienced executive principal had recently been appointed at Burwood School, which delivered a curriculum for male pupils aged 10-16 years who had been identified as having social, emotional and behavioural difficulties. Work to develop the alternative provision offered in the Borough for young people with social, emotional and behavioural difficulties was ongoing. The purchase of Beacon House had been approved by the Council's Executive on 10th June 2014, with the expectation of developing a provision which offered a wide variety of vocational courses at Key Stage 4 and 5 to both male and female pupils identified as having social, emotional and behavioural difficulties.

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

23 PORTFOLIO HOLDER PROPOSED DECISIONS

A) BASIC NEED PROGRAMME UPDATE

Report ED15084

The Portfolio Holder introduced a report providing an update on progress in delivering the Basic Need Programme, which supported the provision of sufficient school places through improvements to and the expansion of Bromley schools, and to set out the forward programme for the period 2014/17. The report also outlined the proposed allocation of capital funding for the extension of early learning places to an increased number of two year olds to private, voluntary and independent sector providers, feasibility for the redevelopment of Beacon House, and proposed actions identified following a health and safety audit of Bromley schools.

The updated list of schemes within the Basic Needs Programme had been developed to meet the estimated increase in the number reception age pupils in the Borough from September 2014 onwards. 'Bulge years' and permanent

expansions were planned at a number of existing local schools to provide the required pupil places, which would be delivered through a combination of modular build and internal refurbishment.

In addition to the Basic Need Programme, there was a need to undertake capital works to deliver the early years offer under which approximately 40% of all two year olds would be eligible for an early learning place. To support the implementation of this policy, the Government had provided the Local Authority with £744,903 to build capacity of statutory places for two year olds across the Borough. The Local Authority was also seeking to build alternative provision for young people with social, emotional and behavioural difficulties through the purchase of Beacon House, approved by the Council's Executive on 10th June 2014. It would be necessary to refurbish Beacon House to make it suitable for school use and to offer a wider variety of vocational courses, and to support this it had been identified that a consultant should be appointed to undertake a feasibility study to identify the necessary works and ensure that Beacon House could be used for its intended purpose.

A consultant had recently been commissioned to review the management of health and safety within schools that had yet to convert to academy status. This audit was carried out during the 2013/14 academic year at 60 Local Authority Maintained and Voluntary Aided schools across the Borough. A range of health and safety concerns had been identified during the course of this audit, and the Local Authority was now developing an action plan to work with schools to address the issues raised within the report. It was estimated that the cost of dealing with these issues and establishing a programme of training for staff and governors would cost approximately £1.8m, and it was proposed that this be funded through the Dedicated Schools Grant, with any additional funds coming from the historic underspend on the education planned maintenance programme.

RESOLVED that:

- 1) Progress in expanding the vocational offer to pupils with social, emotional or behaviour difficulties through the proposed purchase and refurbishment of Beacon House be noted;**
- 2) The outcomes from the schools' health and safety audit and recommended response be noted; and,**
- 3) The Portfolio Holder be recommended to:**
 - i) Approve the updated list of schemes within the Basic Need Capital Programme;**
 - ii) Agree the procurement and award of contract of schemes within the Basic Need Programme through traditional procurement, the Lewisham Modular Buildings Framework or through devolution of the Basic Need Capital Grant to schools;**

- iii) **Agree the proposed allocation of capital funding for two year olds as set out in Report ED15084;**
- iv) **Agree the proposed devolution of capital funding for two year olds to private, voluntary and independent sector providers; and,**
- v) **Agree to the procurement of consultants to undertake the feasibility of refurbishing Beacon House.**

B) SPECIAL EDUCATIONAL NEEDS TRANSPORT STRATEGY

Report ED15085

The Portfolio Holder introduced a report outlining the results of a review of the Local Authority's Transport Assistance policy for children and young people, undertaken to ensure that service provision continued to be fit for purpose following a range of reforms recently made to education and special education and the introduction of Education, Health and Care Plans through the Children and Families Act 2014. The review considered a wide menu of transport assistance service offers which aimed to support the individual assessed needs of children and young people, whilst meeting the Local Authority's statutory duties to provide suitable travel arrangements for eligible children and young people resident in Bromley to access their education or special education provision.

In considering the draft Special Educational Needs Transport policy, Members discussed the potential benefits and associated costs of introducing muster points, and underlined the importance of supporting children and young people to develop better travel awareness, which could also help them develop skills in preparation for the travel training programme where appropriate. The Business and Planning Manager, Education, Care and Health Services advised Members that in introducing muster points, there would be a need to assess the health and safety aspects of individual user's routes to the muster point from their home. The business case had identified 283 potential users and 61 proposed muster points. In delivering the muster point scheme, there would also be a requirement to undertake a number of new health and safety assessments in consideration of annual route planning, as well as conducting health and safety risk assessments for new users or users whose requirements had changed. Members of the Committee expressed doubts about the need for a full-time officer to undertake this work and it was agreed that the Portfolio Holder for Education be recommended not to defer the introduction of muster points as recommended in the report.

A Co-opted Member underlined the importance of consulting with service users and their parents or carers before introducing any changes to the current Special Educational Needs Transport strategy. A Member was also concerned that young people who used wheelchairs were currently excluded from the data used in the business case for the introduction of muster points,

but was advised that wheelchair users would be considered in the event that muster points were introduced.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Note the information relating to Special Educational Needs reforms, the introduction of Education, Health and Care Plans and the impact upon the provision of Special Educational Needs transport;**
- 2) Consider the contents of the business case and agree:**
 - i) To progress the introduction of muster points into Bromley;**
 - ii) To progress the offer of personal budgets to all parents of children who are in receipt of sole transport and, in a very limited number of cases, where the offer of personal budgets to individual parents is in the interests of both the Council and the parent; and,**
 - iii) To increase the mileage rate offer to 50 pence per mile**
- 3) Agree that the revised draft Special Educational Needs Transport Policy be progressed to the consultation stage with Special Educational Needs stakeholders, with a view to enabling its introduction with effect from the start of the 2015/16 academic year.**

C) DAY NURSERY PROVISION: PROPOSAL TO MARKET TEST

Report CS14073

The Portfolio Holder introduced a report providing further detail on the preferred option for the future delivery of day nursery provision at the Community Vision and Blenheim nurseries and seeking Members' comments as to whether to proceed with market testing of the service.

Work had been undertaken in recent years to increase fees for nursery places at Community Vision and Blenheim nurseries to bring them in line with other local providers and to move towards operating a full cost recovery service. To support this, the two nurseries had been moved onto a trading account basis from April 2013 with separate budgets established. An options appraisal for the future delivery of the nurseries had then been undertaken which had been reported to the meeting of Education PDS Committee on 30th January 2014, following which it had been agreed to further develop the business case for market testing of the nursery provision.

In considering the report, a Member underlined the need to ensure that ward councillors were consulted regarding the future delivery of day nursery provision at the Community Vision and Blenheim nurseries.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Proceed with the market testing of day nursery provision on a concession basis; and,**
- 2) Note that a further report detailing the outcome of the market testing of nursery provision be reported to future meetings of Education PDS Committee and the Council's Executive as appropriate.**

D) DRAWDOWN OF GOVERNMENT GRANT FUNDING HELD IN CONTINGENCY TO SUPPORT THE LOCAL AUTHORITY IN IMPLEMENTING THE SPECIAL EDUCATIONAL NEEDS REFORMS AND PATHFINDER CHAMPION SUPPORT

Report ED15082

The Portfolio Holder introduced a report seeking approval for the release of Government funding held in the 2014/15 central contingency to support the Local Authority in implementing special educational needs reforms in relation to the SEND Pathfinder which had been developed in partnership with London Borough of Bexley to test areas within the Children and Families Act 2014. The Children and Families Act 2014 aimed to deliver a more holistic approach to special educational needs and disability for children and young people in England, and as part of its introduction, the Bromley and Bexley SEND 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).

The SEND Implementation (New Burdens) Grant comprised £259,316 and had been provided by the Government to implement the wide ranging statutory reforms of the Children and Families Act 2014, which required statutory compliance from September 2014, and the transfer of Statements of Special Educational Needs and Learning Difficulty Assessments to Education, Health and Care Plans during the transition timeframe. The Bromley Pathfinder Champion Grant had been allocated to Bromley for Pathfinder Champion work undertaken with the London Boroughs of Bexley and Enfield. A total of £71,063 of the ring-fenced funding was requested to support the implementation of the new Special Educational Needs and Disability reforms in 15 non-Pathfinder London Boroughs designated as London Region 1.

RESOLVED that the Council's Executive be recommended to:

- 1) Approve the drawdown of £151,960 funding from the Council's central contingency for the 2014/15 SEND Implementation Grant, with the remaining £107,357 ring-fenced for drawdown in 2015/16; and,**

- 2) **Approve the drawdown of £71,063 funding from the Council's central contingency for the 2014/15 SEN Pathfinder Champion grant.**

24 EDUCATION INFORMATION ITEMS

The Education Briefing comprised seven reports:

- Minutes of the Education Budget Sub-Committee held on 9th September 2014
- Implications of Changes to Youth Remand Framework
- Disability Strategy
- Education Portfolio Plan - Summer Term 2014 Update
- Education Scene in Bromley
- Bromley Academy Programme Update
- Personal Budgets and Direct Payments Policy Update

RESOLVED that the Information Briefing be noted.

25 EDUCATION PROGRAMME 2014/15

Report ED150106

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

In response to a question from a Co-opted Member, the Assistant Director: Education confirmed that the market testing process for a range of education services was ongoing. An invitation for providers to make an initial application to the Local Authority would appear in the Official Journal of the European Union shortly. The applications received would then be evaluated as part of a robust review process before being reported to Education PDS Committee in Spring 2015 for Members' consideration.

The Chairman advised Members that the proposal to establish a joint working group with Care Services PDS Committee on the effectiveness of Children's Centres and the Tackling Troubled Families Programme would be considered by Care Services PDS Committee at its meeting on 2nd October 2014.

Councillor William Huntington-Thresher was pleased to announce that a public meeting would be held with public transport providers later in 2014, which would provide Members and Co-opted Members with an opportunity to highlight transport issues which affected education across the Borough, such as those experienced by young people participating in the travel training programme. The Chairman requested that the date of this meeting be provided to all Members and Co-opted Members of the Education PDS Committee.

The Chairman reminded Members that visits were regularly arranged for care homes and schools and colleges across the Borough and encouraged all Members and Co-opted Members to attend. A Co-opted Member requested that the Harris Federation be approached to become part of the school visits programme for Spring 2015.

RESOLVED that the Education Programme 2014/15 be noted.

26 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.

27 EXEMPT MINUTES OF THE EDUCATION PDS COMMITTEE MEETING HELD ON 2ND JULY 2014

RESOLVED that the exempt minutes of the Education PDS Committee meeting held on 2nd July 2014 be agreed.

28 PORTFOLIO HOLDER PART 2 (EXEMPT) UPDATE

The Portfolio Holder gave a Part 2 (Exempt) update to Members on work being undertaken across the Education Portfolio.

29 PORTFOLIO HOLDER PROPOSED PART 2 (EXEMPT) DECISIONS

A) AUTHORISATION OF CONTRACT WITH NACRO FOR PROVISION OF INTENSIVE SUPERVISION AND SURVEILLANCE SERVICES

The Committee considered the report and supported the recommendations.

B) AWARD OF CONTRACT FOR PROVISION OF POST-16 LEARNER PARTICIPATION TRACKING SERVICES

The Committee considered the report and supported the recommendations.

The Meeting ended at 8.55 pm

Chairman