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DATE: 22 September 2014

To: Members of the  
**EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Councillor Nicholas Bennett J.P. (Chairman)  
Councillor Neil Reddin FCCA (Vice-Chairman)  
Councillors Teresa Ball, Kathy Bance MBE, Alan Collins, Mary Cooke, Judi Ellis,  
Alexa Michael and Keith Onslow

Church Representatives with Voting Rights  
Mary Capon and Joan McConnell

Parent Governor Members with Voting Rights  
Darren Jenkins, Mylene Williams and Tony Wright-Jones

Non-Voting Co-opted Members  
Jo Brinkley, (Head Teacher Representative)  
Adil Ghani, (Young People's Representative)  
Alison Regester, (Pre-school Settings and Early Years Representative)

A meeting of the Education Policy Development and Scrutiny Committee will be held  
at Committee Rooms, Bromley Civic Centre on **TUESDAY 30 SEPTEMBER 2014**  
**AT 7.00 PM**

MARK BOWEN  
Director of Corporate Services

**Paper copies of this agenda will not be provided at the meeting. Copies can be printed off at <http://cde.bromley.gov.uk/>. Any member of the public requiring a paper copy of the agenda may request one in advance of the meeting by contacting the Clerk to the Committee, giving 24 hours notice before the meeting.**

**Items marked for information only will not be debated unless a member of the Committee requests a discussion be held, in which case please inform the Clerk 24 hours in advance indicating the aspects of the information item you wish to discuss**

# A G E N D A

## **PART 1 (PUBLIC) AGENDA**

**Note for Members:** Members are reminded that Officer contact details are shown on each report and Members are welcome to raise questions in advance of the meeting.

### **STANDARD ITEMS**

**1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

**2 DECLARATIONS OF INTEREST**

**3 MINUTES OF THE EDUCATION PDS COMMITTEE MEETING HELD ON 2ND JULY 2014 AND MATTERS OUTSTANDING FROM PREVIOUS MEETINGS (Pages 5 - 28)**

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

To hear questions to the Committee received in writing by the Democratic Services Team by 5.00pm on Wednesday 24<sup>th</sup> September 2014 and to respond. Questions must relate to the work of the scrutiny committee.

### **PORTFOLIO PRESENTATIONS AND DECISIONS**

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

To hear questions to the Portfolio Holder received in writing by the Democratic Services Team by 5.00pm on Wednesday 24<sup>th</sup> September 2014 and to respond. Questions must relate to the work of the Portfolio.

**6 PORTFOLIO HOLDER UPDATE**

**a UPDATE ON UNDER PERFORMING SCHOOLS (Pages 29 - 44)**

**7 PORTFOLIO HOLDER PROPOSED DECISIONS**

The Education Portfolio Holder to present scheduled reports for pre-decision scrutiny on matters where he is minded to make decisions.

**a BASIC NEED PROGRAMME UPDATE**

To Follow.

**b SPECIAL EDUCATIONAL NEEDS TRANSPORT STRATEGY (Pages 45 - 82)**

**c DAY NURSERY PROVISION: PROPOSAL TO MARKET TEST (Pages 83 - 94)**

**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 (Pages 95 - 104)**

**8 EDUCATION INFORMATION ITEMS**

The items comprise:

- Minutes of the Education Budget Sub-Committee held on 9<sup>th</sup> 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

Members and Co-opted Members have been provided with advance copies of the briefing via e-mail. The briefing is also available on the Council's Website at the following link: <http://cds.bromley.gov.uk/ieListMeetings.aspx?CId=559&Year=0>

**POLICY DEVELOPMENT AND OTHER ITEMS**

**9 EDUCATION PROGRAMME 2014/15 (Pages 105 - 112)**

**PART 2 (CLOSED) AGENDA**

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

The Chairman to move 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.

**Items of Business**

**Schedule 12A Description**

**11 EXEMPT MINUTES OF THE EDUCATION PDS COMMITTEE MEETING HELD ON 2ND JULY 2014 (Pages 113 - 114)**

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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

**a AUTHORISATION OF CONTRACT WITH NACRO FOR PROVISION OF INTENSIVE SUPERVISION AND SURVEILLANCE SERVICES (Pages 115 - 120)**

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

**b AWARD OF CONTRACT FOR PROVISION OF POST-16 LEARNER PARTICIPATION TRACKING SERVICES (Pages 121 - 124)**

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

**DATES OF FUTURE EDUCATION PDS COMMITTEE MEETINGS**

Wednesday 5<sup>th</sup> November 2014

Tuesday 27<sup>th</sup> January 2015

Tuesday 10<sup>th</sup> March 2015

A joint meeting will also be held with Care Services PDS Committee to consider child safeguarding issues on Thursday 26<sup>th</sup> February 2015.

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## EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 2 July 2014

### Present:

Councillor Nicholas Bennett J.P. (Chairman)  
Councillor Neil Reddin FCCA (Vice-Chairman)  
Councillors Teresa Ball, Kathy Bance MBE, Alan Collins,  
Mary Cooke, Alexa Michael and Keith Onslow

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

### Also Present:

Councillor Stephen Wells, Portfolio Holder for Education

## 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Judi Ellis.

The Chairman was pleased to welcome a number of new committee members and offered his thanks to Members and Co-opted Members who had now left the Education PDS Committee.

## 2 CO-OPTIONS TO THE EDUCATION PDS COMMITTEE 2014/15

### Report CSD14081

The Committee considered a report outlining Co-opted Membership appointments to the Education PDS Committee for 2014/15.

### RESOLVED that:

- 1) **The following Parent Governor Representative appointments be made to the Education PDS Committee for 2014/15 with voting rights:**
  - Mrs Mylene Williams, Primary Parent Governor
  - Mr Tony Wright-Jones, Secondary Parent Governor
  - Mr Darren Jenkins, Special School Parent Governor
  
- 2) **Mrs Mary Capon representing the Church of England and Mrs Joan McConnell representing the Roman Catholic Church be**

**appointed as Co-opted Members to the Education PDS Committee for 2014/15 with voting rights;**

**3) The following Education PDS Co-opted Membership appointments be made to the Education PDS Committee for 2014/15 without voting rights:**

- **Mrs Jo Brinkley as Head Teacher Representative**
- **Mrs Alison Regester as Pre-School Settings Representative**
- **Mr Adil Ghani as Young Peoples Representative**

### **3 DECLARATIONS OF INTEREST**

Councillor Teresa Ball declared that she was a Governor at Bromley Adult Education College and that she was employed by the Professional Association for Childcare and Early Years (PACEY).

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

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

Councillor Alexa Michael declared that she was a Governor at Bromley Adult Education College representing the Local Authority and that she lived near the proposed permanent site of Harris Primary Academy Shortlands.

Councillor Keith Onslow declared that he had a grandson attending Pickhurst Infant Academy.

Councillor Neil Reddin declared that he was a Governor at St Olave's School, that he had children who attended Warren Road Primary School and that his wife was a Governor at two primary schools in the Borough.

Mrs Jo Brinkley, Head Teacher representative, declared that she was the Head Teacher of Hayes Primary School and the Acting Head Teacher of St Mary Cray Primary School.

Mrs Mary Capon, Church representative, declared that she was an employee of the Aquinas Trust and that she had a daughter attending St James Primary School.

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

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

Mrs Alison Regester, Pre-School Settings and Early Years representative, declared that she ran a private day nursery in the Borough.

**4 MINUTES OF THE EDUCATION PDS COMMITTEE MEETINGS  
HELD ON 18TH MARCH 2014 AND 4TH JUNE 2014 AND  
MATTERS OUTSTANDING FROM PREVIOUS MEETINGS**

**RESOLVED** that the minutes of the meeting held on 18<sup>th</sup> March 2014 be agreed and that matters outstanding be noted.

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

No questions had been received.

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

Six oral questions were received from Rosalind Luff, Chair – Parent Bromley Voice and David Strawson and are attached at **Appendix A**.

Four written questions were received from Malcolm Wood, on behalf of Bromley Mencap and Roger Vincent-Townend, Bromley Chain and are attached at **Appendix B**.

**7 PORTFOLIO HOLDER UPDATE**

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

Work continued to support the conversion of the Grovelands and Kingswood Pupil Referral Units to academy status as the Bromley Alternative Provision Academy from September 2014, with Bromley College of Further and Higher Education as the sponsor. The interim Executive Board would shortly be replaced by a new Governing Body for the academy.

The need to create additional primary and secondary school places in the Borough had been identified as a priority, and a number of free schools were seeking to establish in the Borough. This included three proposed secondary provisions in the Bromley, Chislehurst and Beckenham areas, and three proposed primary provisions in the Beckenham and Shortlands areas. Other proposed free school provisions were seeking to establish in neighbouring boroughs which could benefit a number of Bromley children. Of the free schools opening in September 2014, the Bromley Bilingual School, re-named 'La Fontaine Academy', would be accommodated at the Educational Development Centre, Bromley Common for its first year of operation. The Harris Primary Academy Shortlands would be accommodated at 1 Westmoreland Road, Bromley for its first year of operation before moving to its permanent site at Kingswood Road, Shortlands from September 2015.

Bromley Youth Music Trust was currently seeking sponsorship as a music hub and to further develop outreach programmes in Bromley schools, as well as working to assist schools in delivering the music element of the Primary curriculum. Bromley Youth Music Trust's current lease would expire in 2017, and the Portfolio Holder assured Members that Bromley Youth Music Trust would continue to be accommodated within the Borough.

An increased emphasis had been placed on the recruitment and training of Local Authority Governors, and Local Authority Officers had recently been approached to consider volunteering as Local Authority Governors in Bromley schools. A number of academy schools were now seeking to appoint Local Authority Governors, which would support closer working links between academy schools and the Local Authority.

The attainment of Looked After Children would be a key priority for the Education Portfolio for 2014/15. It was important to ensure that Looked After Children were encouraged to access a range of education and extra curricular provision, as well as to aspire to further and higher education opportunities.

**RESOLVED that the Portfolio Holder update be noted.**

**A) UPDATE ON UNDER PERFORMING SCHOOLS**

**Report ED15057**

The Portfolio Holder introduced a report that provided an update of recent Ofsted and school improvement activity across the Borough. Since March 2014, there had been five Ofsted Inspections and no Ofsted monitoring visits. St Olave's and St Saviour's Grammar School had been judged as 'Outstanding' in its Ofsted inspection. Bickley Primary School and Edgebury Primary School had been judged as 'Good' in their Ofsted Inspections. Oaklands Primary School and Southborough had been judged as 'Requires Improvement' in their Ofsted Inspections.

In considering the report, a Member highlighted that the most recent Ofsted Inspections for Bromley academy schools rated 'Outstanding' were often several years out of date, and underlined the need to ensure that these schools maintained the quality of their provision. The Head of Schools, Early Years Commissioning and Quality Assurance Education confirmed that the Local Authority's school improvement activity was concentrated on Local Authority Maintained schools, but that work was undertaken by the Local Authority to gather information on academy school performance where possible, with concerns raised with the Secretary of State. Most academies still used the Local Authority to undertake their statutory moderation, which provided some information about a school's performance and the soundness of their judgement. The Local Authority charged academies for accessing this service. A regional commissioner had recently been appointed by the Department for Education to oversee academy and free school provision, and the Local Authority would be working closely with the regional commissioner



to support the highest standard of provision across all Bromley schools into the future.

The Chairman requested that a further update be reported to the meeting of Education PDS Committee on 5<sup>th</sup> November 2014 once the regional commissioner was in post.

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

## **8 PORTFOLIO HOLDER PROPOSED DECISIONS**

### **A) SPEECH & LANGUAGE THERAPY FOR CHILDREN WITH SEN - CONTRACT EXTENSION**

#### **Report ED15068**

The Portfolio Holder introduced a report requesting the extension of the current contracting arrangements that the Local Authority had in place with Bromley Healthcare CIC for speech and language therapy and occupational therapy for a period of one academic year from 1<sup>st</sup> September 2014 to 31<sup>st</sup> July 2015.

The Local Authority had, for a number of years, commissioned Bromley Healthcare CIC to provide an element of the speech and language therapy and occupational therapy provision for pupils in special schools and schools with unit provision. The main contract for this therapy was held by Bromley Clinical Commissioning Group with the Local Authority holding a separate, smaller value contract. The existing Local Authority contract with Bromley Healthcare would expire on 31<sup>st</sup> August 2014, having previously been awarded by contract extension and exemption. Following scrutiny by Education PDS Committee on 12<sup>th</sup> November 2014, the Portfolio Holder for Education agreed to pass the Local Authority funding directly to the relevant schools from 1<sup>st</sup> September 2014 to enable them to commission services directly. However, following changes to funding legislation for schools, it had since been identified that further detailed work was required to establish the new funding model before changes could be implemented. It was therefore proposed to extend the current contract with Bromley Healthcare CIC for a period of one academic year from 1<sup>st</sup> September 2014 to 31<sup>st</sup> July 2015, allowing a further period for this detailed work to be undertaken.

**RESOLVED that the Portfolio Holder be recommended to agree to a waiver of Financial Regulations to enable a new contract for speech and language therapy and occupational therapy to be put in place for a period of one academic year from 1<sup>st</sup> September 2014 to 31<sup>st</sup> July 2015.**

### **B) FREE SCHOOL MEALS UPDATE**

#### **Report ED15067**

The Portfolio Holder introduced a report outlining progress made within Bromley Schools to implement the Free School Meals for Infants Programme.

On 17<sup>th</sup> September 2013, the Government announced that every child in Reception, Year 1 and Year 2 in state funded schools would receive a free school meal from September 2014, for which revenue funding of £2.30 would be provided for each meal taken by pupils who were newly eligible for free school meals as a result of the policy. Meals for pupils who were eligible for free school meals under the current criteria would continue to be funded through existing arrangements.

The Local Authority had been allocated £386,780 capital funding for Local Authority Maintained schools and £30,824 for Voluntary Aided schools for 2014/15 to ensure they were able to deliver this new requirement. As all Bromley primary schools had kitchens capable of providing a hot meal, the capital funding would be utilised to address significant issues with school kitchen sufficiency and infrastructure across the Borough. The Local Authority had employed a consultant to undertake a sufficiency audit of the kitchen provision in Local Authority Maintained and Voluntary Aided schools across the Borough to identify and prioritise kitchens that required capital investment. The outcome of this audit was received in June 2014, and Officers were working with the Bromley Primary Consortium Group and individual schools to agree capital allocations. Schools permanently expanding as part of the Borough's Basic Need Programme that were both accommodating additional pupils and having to comply with the Free School Meals for Infants Programme would receive additional support through the Basic Need Programme.

In considering the report, a Member queried if Bromley schools were on track to deliver the Free School Meals for Infants Programme from September 2014. The Head of Strategic Place Planning confirmed that the sufficiency audit of the kitchen provision in Local Authority Maintained and Voluntary Aided schools across the Borough had identified a range of equipment needs for schools, but that all Local Authority Maintained and Voluntary Aided schools were expected to be able to deliver the Free School Meals for Infants Programme from September 2014.

Another Member asked whether there would be a need for additional staff in some schools to support the delivery of the Free School Meals for Infants Programme. The Head of Strategic Pupil Place Planning confirmed that school meals were delivered in a range of ways at schools across the Borough, but the average cost of school meal in Bromley was £2.05 per meal. The Government had allowed a funding envelope of £2.30 per meal which would provide schools with additional funding to support delivery of the programme through additional staff or equipment. Many schools would also benefit from the opportunity to purchase kitchen equipment through their catering providers.

A Co-opted Member underlined a range of difficulties that some Reception-age children might experience with accessing free school meals, as they might be unfamiliar with the food served or the use of cutlery, and noted that some schools might consider providing additional support for these children.

The Head of Strategic Place Planning advised Members that the Bromley Primary Consortium Group was working to share best practice on the management of the lunchtime period, and that schools should ensure the right support was in place for children who might experience difficulties.

A Co-opted Member was concerned that the funding process for academies and free schools in Bromley was different to Local Authority and Voluntary Aided schools, with assistance provided by the Academies Capital Maintenance Fund, and that children attending these schools might be disadvantaged through the funding formula.

**RESOLVED that the Portfolio Holder be recommended to agree the allocation of £386,780 Universal Infant Free School Meal Capital Grant to schools based on the outcome of the specialist consultant's reports on school kitchen sufficiency.**

## **9 EDUCATION INFORMATION ITEMS**

The Information Briefing comprised four reports:

- Minutes of the Education Budget Sub-Committee held on 24<sup>th</sup> June 2014
- Bromley Youth Council Manifesto: 2013/14 Campaign Update and 2014/15 Campaign Priorities
- Early Years Update
- Education Portfolio Plan 2014 June Update
- Mentoring End of Year Report 2013/14
- Annual Report on the Work of the Virtual School April 2014
- Bromley Academy Programme and Free School Update
- Education Contract Monitoring Report 2014/15

**RESOLVED that the Information Briefing be noted.**

## **10 TRANSPORT GATEWAY REVIEW**

### **Report ES14062**

The Committee considered a report outlining the outcome of the Transport Gateway review.

The Transport Gateway review focused on transport activities undertaken or commissioned by Education, Care and Health Services Department, predominantly comprising Passenger Transport Services for adults and the Special Educational Needs Transport team for children. The existing Passenger Transport Framework Agreement, utilised by Bromley for the delivery of transport was due to expire in August 2015, and the vehicle hire agreement for the delivery of Passenger Transport Services was due to expire in November 2015. There was potential to combine delivery of these two services after August 2015 to identify if significant cost savings could be

realised by contracting either element or through delivering these services in an alternate way.

As part of the review, these transport services had been soft market tested, which included discussions with service managers, and permission was being sought to formally go to market to determine the best value option for delivery of these services into the future. The proposed contracts had a potential value of £5.8m per annum and therefore there was a requirement to follow European Union public procurement regulations with the placement of a Contract Notice advertisement in the Official Journal of the European Union seeking expressions of interest from organisations wishing to tender.

**RESOLVED that the Executive be recommended to approve the tendering of contracts for the provision of transport services for adults and children as outlined in Paragraphs 3.28 - 3.30 of Report ES14062, and to agree to the placement of any required Notice of Advertisement in the Official Journal of the European Union, seeking expressions of interest from organisations wishing to tender.**

**11 INVEST TO SAVE - TRAINING STATEMENTED PUPILS TO TRAVEL INDEPENDENTLY**

**Report ED15060**

The Committee considered a report providing an update on the travel training programme for pupils with special educational needs, and seeking the agreement of the Council's Executive to continue the travel training programme for a period of three years and to exempt the programme from tendering for a maximum period of three years to allow the existing service provider to continue to deliver the programme, building on the networks formed with parents, schools and key stakeholders over the past year.

The Local Authority had a statutory duty to provide transport assistance to pupils with a statement of special educational needs to access their specialist provision. Dependent on the level of need and ability, transport assistance was provided in a range of vehicles, with a limited number of pupils using public transport. Currently 825 pupils were eligible to receive transport assistance.

In April 2013, the Council's Executive approved invest to save funding for a travel training programme for a period of one year. Bexley Accessible Transport was awarded the contract in June 2013, which had a target of enabling 28 pupils to travel independently by the end of the programme. During the course of the travel training programme, 33 pupils had been trained to travel independently, four pupils had partly passed the training, nine pupils would revisit the training and four pupils had not completed it. It was proposed that travel training should become an integral part of the 'menu' of transport assistance offers into the future. Following an initial comprehensive assessment of need for each pupil, continuation of transport assistance needs would feature in the regular reviews at the key stages in a pupil's education

timeline and where appropriate, young people would be supported through the travel training programme to gain the skills and confidence to become independent travellers and reduce their dependency on transport assistance provided by the Local Authority.

In considering the report, the Chairman was pleased to note the success of the travel training programme for pupils with special educational needs.

It was proposed to continue the travel training programme for a period of three years with at least 20 pupils trained to travel independently per annum. A Co-opted Member noted the benefits of the travel training programme to young people and in reducing the costs of transport assistance to Local Authority, and underlined the potential to roll out the travel training programme to a larger number of young people. The Chairman requested that the Portfolio Holder for Education provide details to all Members of the Education PDS Committee on the maximum number of pupils across the Borough who might be able to benefit from the travel training programme following the meeting.

**RESOLVED that the Executive be recommended to:**

- 1) Consider the outcomes of the Invest to Save Travel Training Initiative that was approved at Executive at its meeting on 3<sup>rd</sup> April 2013;**
- 2) Agree the investment of £60,000 per annum to continue the travel training programme for the next three years;**
- 3) Agree the award of a three year contract to the current provider, Bexley Accessible Transport Services for a programme of travel training provided:**
  - i) The forecast return on investment continues to be achieved each year in line with projected savings detailed in Report ED15060; and,**
  - ii) The quality of training is maintained.**
- 4) Agree the rollout of the travel training programme to the maximum number of pupils across the Borough who might be able to benefit from it.**

**12            SUPPORTING YOUNG PEOPLE WITH SPECIAL  
EDUCATIONAL NEEDS AND DISABILITIES (SEND) TO  
PREPARE FOR ADULT LIFE - FUNDING PROPOSAL**

**Report ED15059**

The Committee considered a report advising Members of work being undertaken to support young people with special educational needs and disabilities to prepare for adult life, and outlining proposed future

developments for young people with special educational needs and disabilities after the Children and Families Act 2014, Part 3 came into force from 1<sup>st</sup> September 2014.

In July 2013, the Education Portfolio Holder approved the Local Authority's amended Statement for Intent which had been developed in collaboration with a range of stakeholders to support young people as they moved towards Post-16 provision and transition, and had a particular focus on further education placements for young people. To support the delivery of the Statement of Intent, the Local Authority invested £153,835 in an invest to save project which aimed to increase the independence of young people with special educational needs and disabilities before leaving formal education. This funding provided additional resources to deliver a range of initiatives and support for young people, families, providers and services, including the establishment of the 'Preparing for Adulthood Team', an increase in further education opportunities available in the Borough, and work to build the confidence of young people and their parents in the post-16 offer in the Borough.

The number of young people with special educational needs and disabilities and the level of need of these young people was expected to increase in future years, with 305 young people currently due to transition to adult services in the Borough over the next ten years. In order to ensure that the progress made so far was sustainable in the longer term, it was proposed to continue investment in the programme of works for a further two years as an invest to contain project, with budget adjustments being made at the end of the relevant financial years in the light of savings achieved.

**RESOLVED that the Executive be recommended to agree the proposed investment that supports future developments for young people with special educational needs and disabilities in Bromley in order to help contain future budget pressures in adult services.**

### **13 UPDATE ON THE PROCESS FOR MARKET TESTING EDUCATION SERVICES**

#### **Report ED15073**

The Committee considered a report outlining a proposal to expand the scope of the market testing of Education Services to additional services not included in the original bundle of services agreed for market testing by the Council's Executive at its meeting on 16<sup>th</sup> October 2013.

The recommendation to commence market testing was developed following consideration of the outcomes of a commissioning review undertaken on a range of Education Services as part of the Bromley Commissioning Programme, which aimed to identify future delivery options to assist in the achievement of the Council's Target Operating Model as a '... commissioning organisation, determining who is best placed to deliver high quality services based on local priorities and value for money principles'. The commissioning

review considered the potential to deliver a range of services through either in-house or commissioned external provision as a single bundle of services including Admissions, Education Welfare, Behaviour Services (certain elements only), School Standards, Workforce Development and Governor Services, Early Years and Special Educational Needs (SEN) Inclusion Support.

It was now proposed to expand the scope of the market testing of Education Services to include strategic management functions, the residual functions of the Behaviour Service following the conversion of the Pupil Referral Unit to academy status, the Special Educational Needs service, including the Specialist Support and Disability Service and pre-school provision at the Phoenix Centre, and Bromley Adult Education (as a separate lot). Bromley Nursery Provision, Education Finance and Human Resources and Special Educational Needs Transport were not included in the proposed expansion of the scope of the market testing of Education Services.

At its meeting on 16<sup>th</sup> October 2013, the Council's Executive had also agreed the commencement of discussions with relevant schools for a contract for services for the Primary Hearing Impairment Unit and Secondary Deaf Centre. Following commencement of discussions with service managers and relevant schools, a number of issues had been identified including concerns around entering into separate management arrangements between the Primary Unit, the Secondary Unit and the Sensory Support Service, which would remove the ability to manage resources across the individual service elements in a flexible manner, as well as how the specialist service would operate as an effective service if managed by individual schools. It had also been identified that the separate management of the three elements of the service would lead to multiple management structures and duplication of costs. For these reasons it was not considered feasible to enter into separate management arrangements with the relevant schools for the Hearing Impairment Unit provision and it was recommended that the Hearing Impairment Unit provision be included as part of the overall Special Educational Needs (SEN) Inclusion Support service, to be market tested as part of a single bundle of services.

It was emphasised that in conducting a market testing exercise, no assumption was made as to the outcome. The recommendations following the market testing exercise might be that some or none of the Education service functions being market testing would best be delivered by a third party via a contract for services or similar arrangement, or through in-house provision. Appropriate engagement would take place with service users, staff and key stakeholders as part of the market testing process and in the implementation of any agreed outcomes of the process.

In considering the report, the Chairman noted that the proposal to market test further Education services as part of a single bundle of services had been developed to reduce potential fragmentation and duplication of services and maximise value for money for service users. The Chairman underlined that when evaluating the outcomes of the market testing, the Education PDS Committee would not support any proposal where the quality of provision

would not be the same or better than the current level of provision, and that service quality would be maintained through rigorous monitoring processes.

The Children and Families Bill would be implemented from September 2014. The Strategic Commissioning Manager confirmed that the principle of integrated commissioning across education, care and health services in the Children and Families Bill would be intrinsic to the provision of services in the future, and that this would be supported through a joined-up planning process and partnership working. It was possible that different mechanisms for commissioning provision would be explored in the future to support closer working of education, care and health services. Any potential provider of services would be expected to work with the Local Authority and Bromley Healthcare in planning services collectively, and the way a provider would manage this requirement was likely to form part of the market testing process.

A Co-opted Member highlighted the Local Authority's responsibility for securing high quality 'Every Child Matters' outcomes for all children in the Borough. It was key to ensure the Local Authority retained sufficient strategic capacity to monitor the achievement of 'Every Child Matters' outcomes across all schools and academies in Bromley. Another Co-opted Member was concerned at the proposal to broaden the market testing exercise to include the Early Years Special Educational Needs Support Service, and suggested that the market testing exercise be broadened to look at the impact any change in delivery mechanism of the provision would have on families and early years providers, as well as at cost and quality of provision.

A Co-opted Member noted the restructure of the Behaviour Services, which was currently in progress and, if agreed, would lead to the cessation of the Early Intervention Services (Primary) and Behaviour Support (Secondary Outreach) cost centres with several of their functions expected to be carried out by the Bromley Alternative Provision Academy. The Co-opted Member advised Members that Bromley schools placed a high value on the work of the Early Intervention Service. The Strategic Commissioning Manager confirmed work was being undertaken to explore different ways of delivering these services, which could include delivery by the Bromley Alternative Provision Academy. The Assistant Director: Education also advised Members that the Bromley Alternative Provision Academy aimed to become a hub of behaviour support services for Bromley, with an emphasis on early intervention and preventative work that would support children and young people to remain in a mainstream school setting. To support this, two primary behaviour support staff had been seconded from the Behaviour Service to the Bromley Alternative Provision Academy, and a consultant was working with the Bromley Alternative Provision Academy to look at the operation of the Fair Access Protocol and how a funding mechanism could be developed to enable Bromley schools to commission support as needed.

A Co-opted Member queried how young people with special educational needs would be involved in the market testing process. The Strategic Commissioning Manager confirmed that service users and their families would



be engaged in a number of ways depending on the level of change proposed to any service and the specific needs of service users and their families.

**RESOLVED that the Executive be recommended to:**

- 1) Expand the scope of the market testing of Education Services to include strategic management functions; the residual functions of the Behaviour Service; the Special Educational Needs service (including the Specialist Support & Disability Service); and Bromley Adult Education;**
- 2) Reject the option to explore management arrangements with relevant schools for the Hearing Impairment Units and include the Hearing Impairment Units within the SEN Inclusion Support service as part of the overall market testing process;**
- 3) Commence the market testing tendering process as per the timetable outlined in Paragraph 3.61 of Report ED15073 and that a Competitive Dialogue approach be used as outlined in Paragraphs 3.59 to 3.61 of Report ED15073; and,**
- 4) Note that a further report detailing the outcome of the market testing and recommendations be reported to a future meeting of the Council's Executive, and that this report describe how quality of service and support for children would be monitored and enforced.**

## **14 EDUCATION PROGRAMME 2014/15**

### **Report ED15069**

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 considering the work programme for 2014/15, the Chairman requested that a report on Truancy and Missing Children be considered at the meeting of Education PDS Committee on 5<sup>th</sup> November 2014. The Chairman also requested that reports on progress in strategies to target young people classified as being 'Not in Education, Employment or Training', Education of Looked After Children, and Home Education be considered at the meeting of Education PDS Committee on 27<sup>th</sup> January 2015.

The annual Education Seminar would be held later in 2014, which would give all Members of the Council and Co-opted Members of the Education PDS Committee the opportunity to explore key issues affecting education in the Borough.

A joint meeting with the Care Services PDS Committee exploring child safeguarding would be held on 26<sup>th</sup> February 2015, and Councillor Kathy

Bance MBE requested that female genital mutilation be included as a child protection issue.

The Chairman proposed that the Education Budget Sub-Committee be reconvened for 2014/15 to consider budgetary matters relating to the Education Portfolio. This was supported by the Members of the Education PDS Committee and Member nominations were confirmed as Councillors Teresa Ball, Kathy Bance MBE, Nicholas Bennett JP, Alan Collins, Judi Ellis and Neil Reddin. The draft terms of reference of the Education Budget Sub-Committee were endorsed by Members.

The Chairman highlighted the priority for primary and secondary school place planning and proposed that the School Places Working Group be convened for 2014/15. This was supported by the Members of the Education PDS Committee and Member nominations were confirmed as Councillor Judi Ellis, any four Conservative Members of the Education PDS Committee and Councillor Kathy Bance MBE.

The Chairman proposed that a joint working group be established with Care Services PDS Committee which looked at the effectiveness of Children's Centres and the Tackling Troubled Families Programme and would draw on the experience of Members and Co-opted Members of both committees. The Chairman would raise the suggestion with the Chairman of Care Services PDS Committee and report back to the next meeting.

The Chairman emphasised the importance of ensuring that schools identified as requiring improvement were making satisfactory progress and proposed that a School Improvement Panel be convened for 2014/15. This was supported by Members of the Education PDS Committee and Member nominations were confirmed as Councillor Mary Cooke, any three Conservative Members of Education PDS Committee, and Councillor Kathy Bance MBE.

The Chairman also proposed that a Progress of Academy Status Panel be convened for 2014/15 which would support schools in progressing towards academy status. This was supported by Members of the Education PDS Committee and Member nominations were confirmed as Councillor Keith Onslow (or in his absence, Councillor Alexa Michael), the Portfolio Holder for Education, the Chairman of Education PDS Committee, the Vice-Chairman of Education PDS Committee and any one Conservative Member of Education PDS Committee.

The Chairman advised 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.

All Members of the Committee were requested to contact the Chairman of Education PDS Committee if there were any additional issues they wanted to raise as part of the Education Programme 2014/15.

**RESOLVED that:**

- 1) The work programme for 2014/15 include reports on Truancy and Missing Children to the meeting of Education PDS Committee on 5<sup>th</sup> November 2014, and on progress in strategies to target young people classified as being 'Not in Education, Employment or Training', Education of Looked After Children, and Home Education to the meeting of Education PDS Committee on 27<sup>th</sup> January 2015, and that a joint meeting be held with Care Services PDS Committee on 26<sup>th</sup> February 2015 exploring child safeguarding issues;
- 2) The Education Budget Sub-Committee be reconvened for 2014/15 to consider budgetary matters relating to the Education Portfolio and for membership to comprise Councillors Teresa Ball, Kathy Bance MBE, Nicholas Bennett JP, Alan Collins, Judi Ellis and Neil Reddin, and that the draft terms of reference of the Education Budget Sub-Committee be endorsed;
- 3) The School Places Working Group be reconvened for 2014/15 to develop recommendations for further temporary and permanent expansions of primary schools and for membership to comprise Councillor Judi Ellis, any four Conservative Members of Education PDS Committee and Councillor Kathy Bance MBE;
- 4) The School Improvement Panel be convened for 2014/15 to ensure that schools identified as requiring improvement were making satisfactory progress and for membership to comprise Councillor Mary Cooke, any three Conservative Members of Education PDS Committee, and Councillor Kathy Bance MBE;
- 5) The Progress of Academy Status Panel be convened for 2014/15 to ensure that schools were supported in progressing towards academy status and for membership to comprise Councillor Keith Onslow (or in his absence, Councillor Alexa Michael), the Portfolio Holder for Education, the Chairman of Education PDS Committee, the Vice-Chairman of Education PDS Committee and any one Conservative Member of Education PDS Committee; and,
- 6) The Education Programme 2014/15 be noted.

**15 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.**

**16            PROVISION FOR CHILDREN & YOUNG PEOPLE WITH  
                 SOCIAL, EMOTIONAL AND BEHAVIOURAL DIFFICULTIES  
                 ACROSS THE BOROUGH**

The Committee considered the report and supported the recommendations.

The Meeting ended at 8.52 pm

Chairman

**EDUCATION PDS COMMITTEE**  
**2<sup>nd</sup> July 2014**

**ORAL QUESTIONS TO THE EDUCATION PORTFOLIO HOLDER**

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

1. During September consultation Councillor Wells suggested professionals may be TUPE transferred and still be contracted to provide support. Bromley Parent Voice questions where there is a cost saving in this strategy, as the process of commissioning contracts takes time and costs money, with providers requiring a profit? Cost over quality may prevail.

***Reply:***

*The purpose of market testing is to determine whether value for money and outcomes for children and young people could best be achieved via delivery of the services by another organisation, which could include not for profit organisations, or by the Council itself.*

*All proposals will be evaluated on a combination of cost and quality criteria.*

*The market testing process will establish whether TUPE (the Transfer of Undertakings (Protection of Employment) Regulations) would apply and the financial implications arising from this.*

**Supplementary question:**

Parents are anxious that there would be a loss of continuity in services and staff if services were contracted out. How is it value for money when it costs more to commission services?

***Reply:***

*The Local Authority has a commitment to ensuring special educational needs services are of a high quality. As these services are delivered by a range of providers, including private providers, it is reasonable that market testing should be undertaken on a regular basis to ensure that services are of a high quality.*

2. The Children & Families Act places new duties on the LA (including the joint commissioning with health) which in turn may dramatically change the workforce landscape. Such changes are yet to be fully identified so would market testing be appropriate at this time?

***Reply:***

*Market testing will take several months before a recommendation for a decision on the outcome will be considered and will need to be flexible to*

*accommodate any policy or legal statute developments that arise during that time. However services are delivered in the future, they will always need to shift and adapt to new policy and legislation.*

**Supplementary question:**

The Children and Families Act 2014 will be implemented in September 2014. As this may dramatically change the workforce landscape, is it possible to fully market test services in such a shifting landscape?

**Reply:**

*As the Children and Families Act 2014 will be implemented in September 2014, now is the best time to market test and consider how services can best be delivered into the future.*

3. *Local authorities **must** consult children with SEN or disabilities, their parents, and young people with SEN or disabilities in reviewing educational and training provision and social care provision and in preparing and reviewing the Local Offer. Please outline how members propose to include the above within this market testing.*

**Reply:**

*This duty upon the Local Authority is emphasised within the report under consideration. The process of market testing does not affect the Local Offer. If any changes to services relevant to the Local Offer are proposed in the future, either arising through the ongoing process of service review or as a proposed outcome of the market testing process, then this would be supported by appropriate engagement with stakeholders in accordance with the SEN Code of Practice. It should be noted that a change in provider does not necessarily mean that the Local Offer or the educational provision provided to children with SEN or disabilities will change.*

*In the event of delivery of Education Services by another organisation, subject to the outcome of market testing, they in turn will be expected to review the Local Offer as required by the SEN Code of Practice and engage with children and parents appropriately in doing so.*

**Supplementary question:**

Can Members provide reassurance that families receiving services will be fully involved in the consultation process around any changes to the services they receive?

**Reply:**

*The SEN Code of Practice gives provision for full consultation to be undertaken where required. There are no plans to make any changes to the Local Offer at this time.*

## **Oral Questions for the Education Portfolio Holder received from David Strawson**

1. How will the outsourcing of services (including market testing) meet the Council's legal obligations under Section 24 (education) of the Convention of people with disabilities?

### **Reply:**

*There is no proposal to outsource services being considered by the Council at this time. The proposal is to market test services, the purpose of which is to determine whether value for money and outcomes for children and young people could best be achieved and sustained via delivery of the services by another organisation or by the Council itself. Once proposals are received they will be evaluated and it is only at that stage that Members of the Council will decide how the services will be delivered in the future.*

*The process of market testing therefore has no impact on the Council's legal obligations referred to in the question.*

*The legal obligation - the right of all disabled learners to participate in mainstream and special school education with appropriate support – will continue to be met by the Council regardless of how services may be delivered in the future.*

### **Supplementary question:**

Since the key to successful integration for children with special educational needs and disabilities is for education, care and health services to work seamlessly together, how can this be evaluated if these things are not being market tested together?

### **Reply:**

*Should the decision be taken that certain services should be outsourced, it will be key for partnership arrangements to be brokered with health and care services. The proposal to market test services as a 'bundle' is expected to support the close working of education services. No decision has been taken to outsource any services at this time.*

2. What and how will the success criteria of the market testing and eventual outsourcing be agreed and how will the Local Authority ensure the needs of the children and families are met?

### **Reply:**

*As per my response to the previous question, no assumption can be made as to the outcome of market testing so outsourcing is not a predetermined outcome as the question seems to imply.*

*Proposals submitted via the market testing process are evaluated using the method identified in the CIPFA Standing Guide to the Commissioning of Local*

*Authority Work and Services 2004, which sets out a methodology that takes into account price **and** quality. At Bromley the standard split between these 2 elements is 60% price and 40% quality. Evaluation criteria are developed, supported by advice and guidance from the Education Department, with a focus on outcomes for children and young people.*

*The Local Authority aims to ensure the needs of children and families are met through a constant process of reviewing needs, reviewing service delivery and monitoring performance against a range of key performance indicators. This will continue to be the case whether the provider of services is the local authority or any other provider.*

**Supplementary question:**

How can we be sure that the success criteria of market testing are valid if education, health and care services are not being tested together?

**Reply:**

*Education, care and health services are not linked at this time and the Local Authority is not in a position to market test care and health services. The bundle being market tested includes a number of education services. There will be a need to develop partnership agreements with care and health services into the future to ensure education, care and health services work seamlessly together.*

3. How will increases in funding demands (and shortfalls in budget) be met to ensure that services and support are delivered to children and families in a timely manner (ie without **any** delays)?

**Reply:**

*Increased demand and associated cost is managed via annual budget setting, ongoing budget monitoring and service review, prioritising and allocating resources within a finite budget. This is expected to continue to be the case whatever the outcome of market testing will be.*

**Supplementary question:**

*No supplementary question was asked.*



**EDUCATION PDS COMMITTEE**  
**2<sup>nd</sup> July 2014**

**WRITTEN QUESTIONS TO THE EDUCATION PORTFOLIO HOLDER**

**Written Question for the Education Portfolio Holder received from Malcolm Wood, on behalf of Bromley Mencap**

1. Bromley Mencap has been contacted by parents who know about the planned market testing of SEN services. Parents have asked if they will be kept informed of changes and if their views will be sought directly. Therefore, will the Local Authority be engaging directly with parents or via membership and/or representative organisations?

***Reply:***

*As stated in the report, the Council will engage with all staff and relevant stakeholders as appropriate throughout the process.*

*The market testing of Education Services covers a wide range of services and service users and so it is likely that engagement will take different forms, including directly with parents and via membership and/or representative organisations.*

*I would like to emphasise that the market testing process itself does not have any effect on the services currently provided to parents and other service users. Should the recommended outcome of market testing involve changes to a service or service provider, then appropriate engagement will take place prior to a decision being made.*

**Written Questions for the Education Portfolio Holder received from Roger Vincent-Townend, Bromley Chain**

In relation to Item 13 (Update on Market Testing) Report No. ED15073:

For your information, Bromley Chain has noted Recommendation 2.1(ii) regarding the HIU at the Darrick Wood Schools' site.

1. Please could you confirm that the 'Savings' (i.e. VFM) under the 'Financial' heading would be the difference between the Estimated Costs and the current budget?

***Reply:***

*Value for money would include proposed costs against current budget expenditure but may include other factors.*

*Value for money does not necessarily mean cashable savings . The majority of Education Services are funded through the Dedicated Schools Grant – any reduction in Dedicated Schools Grant expenditure achieved through the*

*delivery of more efficient and effective services is not retained by the Council but is reinvested in schools and education services.*

2. The report refers in Background 3.2 halfway down, to Market Testing of a 'single bundle'. What happens if a 'function' is removed from the 'single bundle', particularly as paragraph 3.47 (Soft Market Testing) Point 3 states that "..... all the providers have a track record...of delivering all or most of the services"?

***Reply:***

*Providers will be asked to submit proposals for the delivery of education services as a single 'bundle, with the exception of Adult Education which will be arranged as a separate 'lot'. If providers submit proposals that omit a service or a function, then this may affect the evaluation of their proposal. Conversely, we will want to retain the flexibility to add or remove services or functions from the 'bundle' as appropriate. In such an event, suitable alternative delivery options for that function will be considered.*

3. In paragraph 3.14 the report states that "...Overall, senior managers...". How does this square with paragraphs 3.39 - 41 which make reference to "...expressed concern..." at the Darrick Wood site?

***Reply:***

*Paragraph 3.14 refers to Education Services overall and the senior managers within Education, Care & Health Services.*

*Paragraphs 3.39 to 3.41 refers to the the Sensory Support Service and the managers within that service.*

## Matters Outstanding from Previous Meetings

<b>Minute Number/Title</b>	<b>Decision</b>	<b>Update</b>	<b>Action</b>	<b>Completion Date</b>
<b>23<sup>rd</sup> January 2013</b>				
<b>59 (d) Effective Governance (Role of the Local Authority)</b>	That a School Governance Working Group be established to consider a range of issues around the governance arrangements of the Local Authority in the future.	Progress in implementing the recommendations of the School Governance Working Group would be reported to a future meeting of the Committee.	Assistant Director: Education	November 2014
<b>19<sup>th</sup> March 2013</b>				
<b>71 Portfolio Holder Update and Children's Champion Update</b>	That discussions continue with the RC Archdiocese of Southwark around the potential to establish a six form of entry Roman Catholic secondary school in the Borough	Progress in discussions with the RC Archdiocese of Southwark would be reported to a future meeting of the Committee.	Education Portfolio Holder	September 2014
<b>2<sup>nd</sup> July 2013</b>				
<b>4 Minutes of the Previous Meeting on 19<sup>th</sup> March 2013</b>	That Members supported work to roll out a fully online admissions process for Primary applications in September 2013 and Secondary applications in September 2014.	Progress in moving to a fully online schools admissions process would be reported to a future meeting of the Committee	Assistant Director: Education	Underway
<b>30<sup>th</sup> January 2014</b>				
<b>57 Education Programme 2013/4</b>	That a further report providing an update on progress in strategies to target young people classified as being 'Not in Education, Employment or Training' be provided to Members of the Education PDS Committee.	A further report would be reported to a future meeting of the Committee	Head of Bromley Youth Support Programme	January 2015
<b>2<sup>nd</sup> July 2014</b>				
<b>7a Update on Under Performing Schools</b>	That a further report providing an update on under performing schools be provided to the Members of the Education PDS Committee in November 2014, after the regional commissioner is in post.	A further report would be reported to a future meeting of the Committee	Head of Schools, Early Years Commissioning and Quality Assurance Education	November 2014

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Report No.  
ED15090

## London Borough of Bromley

### PART ONE - PUBLIC

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Decision Maker: **Education Policy Development and Scrutiny Committee**

Date: **30 September 2014**

Decision Type: Non-Urgent Non-Executive Non-Key

**TITLE: UPDATE ON UNDER PERFORMING SCHOOLS**

Contact Officer: Nina Newell, Head of Schools, Early Years Commissioning and Quality Assurance Education

Chief Officer: Terry Parkin, Executive Director, Education and Care Services

Ward: Boroughwide

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1. Reason for report

- 1.1 To provide an update on maintained schools identified as underperforming in the last report dated July 2014.
- 1.2 To provide an updated list of Ofsted outcomes and details from recent Ofsted visits. Plus any recent inspection activity if relevant for Local Authority Maintained schools and Academies.
- 1.3 To provide an overview of Local Authority Support and challenge to those schools considered to be underperforming.
- 1.4 To provide a RAG rating of risk

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2. **RECOMMENDATION**

- 2.1 **The Education Policy Development and Scrutiny Committee is asked to note the updated information provided in this report**

## Corporate Policy

1. Policy Status: Existing policy:
  2. BBB Priority: Children and Young People
- 

## Financial

1. Cost of proposal: N/A
  2. Ongoing costs: N/A
  3. Budget head/performance centre: School Standards
  4. Total current budget for this head: £445,350
  5. Source of funding: The approved service budget is funded from Council Revenue and Dedicated Schools Grant.
- 

## Staff

1. Number of staff (current and additional) -
  2. If from existing staff resources, number of staff hours - N/A
- 

## Legal

1. Legal Requirement: Statutory requirement: The LA has a number of statutory duties to secure school improvement and to meet the statutory targets with respect to attainment of children and young people and a duty of care to all children and young people in all Bromley schools
  2. Call-in: Not Applicable:
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected) - 47,000 children and young people in 95 schools and other education settings (e.g. PRS).
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments:

## 1. COMMENTARY

### 1.1 Ofsted Inspections

1.2 Since the last report in July 2014 there have been 3 further Ofsted Inspections and 2 Ofsted monitoring inspection visits. The judgements are as follows:-

23 June 2014 – Oaklands Primary School – Ofsted monitoring visit - taking effective action

8 July 2014 – Hawes Down Junior School - Ofsted inspection - Good

1 July 2014 – Pupil Referral Unit – Ofsted inspection - Requires Improvement

11 July 2014 – Southborough Primary School – Ofsted monitoring visit – taking effective action

15 July 2014 – Marjorie McClure School – Ofsted inspection - Outstanding

## 2. OFSTED OUTCOMES

2.1 A list of Ofsted outcomes for Bromley **Academies** is attached at **Appendix 1**.

## 3. OVERVIEW

### 3.1 LA Categorisation and Support

3.2 **Appendix 2** details all current Ofsted outcomes in Bromley **maintained schools**, detailing any subsequent visits. It also provides information in respect of the challenge and support provided to all maintained schools by the Local Authority. Risk has been assessed in line with the categorisation process outlined in a previous report together with recent inspection reports and HMI follow up visits plus local school intelligence.

3.3 The support and challenge provided to schools is co-ordinated using a combination of the Local Authority staff team, externally commissioned consultants and brokered school to school support. Where Head teachers are reluctant to engage with the support available from the Local Authority, challenge is provided by the Head of Schools and Early Years, and where necessary the Assistant Director Education, or the Director of Education Health and Care Services.

3.4 An initial categorisation has taken place following receipt of unvalidated attainment data. This has enabled an immediate judgement to be made about those schools requiring LA support and challenge. The categories will be refined once progress data and validated data is available and at that point all LA maintained schools will be formally advised of their category and this will form part of a future report to Education PDS.

## 4. POLICY IMPLICATIONS

4.1 The Education Portfolio Plan highlights as a main aim promoting educational opportunity in the borough, ensuring all families have a choice of good and outstanding schools.

## 5. LEGAL IMPLICATIONS

5.1 The Council has a statutory duty to provide support and challenge to schools (Education and Inspection Act 2006) in order to raise attainment and to intervene in schools causing concern.

<b>Non-Applicable Sections:</b>	Personnel Implications, Financial Implications
Background Documents: (Access via Contact Officer)	Education Portfolio Plan 2013/14

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## Ofsted Inspection Outcomes for Bromley Academy Schools September 2014

School	Ofsted Outcome	Date	Comment
<b>Primary Schools</b>			
Alexandra Infant School	<b>Outstanding</b>	May-11	HT is an NLE (National Leader of Education ) and member of EYELA with Pickhurst Infants supporting 4 Bromley maintained schools . 2014 Moderation cycle - EYFS.
Alexandra Junior School	<b>Good</b>	Nov-12	
Balgowan Primary School	<b>Good</b>	Mar '13	HT is an LLE (Local Leader of Education). 2014 Moderation cycle - EYFS and KS2 Writing.
Biggin Hill Primary School	<b>Inadequate</b>	May '13	Being supported by Charles Darwin School . 2014 Moderation cycle -EYFS.
Castlecombe Primary	<b>Good</b>	Nov '11	
Crofton Infant School	<b>Good</b>	Oct '10	Ofsted Interim Assessment Statement 28/3/14 – school will not be re-inspected until at least Summer 2015. (Crofton Schools Academy Trust)
Crofton Junior School	<b>Good</b>	Nov '13	2014 Moderation cycle - KS2 Writing. (Crofton Schools Academy Trust)
Darrick Wood Infant School	<b>Outstanding</b>	Nov '09	2014 Moderation cycle - EYFS
Farnborough Primary School	<b>Outstanding</b>	Nov-12	HT is an NLE. 2014 Moderation cycle – EYFS and KS1
Grays Farm Primary School	<b>Special Measures</b>	Jun '12	Sponsored academy with Kemnal Technology College
Green St Green Primary	<b>Outstanding</b>	May '09	2014 Moderation cycle – KS2 Writing.
Harris Primary Academy, Crystal Palace (Malcolm)	<b>Special Measures</b>	Oct '12	
Harris Primary Academy, Kent House (Royston)	<b>Special Measures</b>	Mar '12	
Hayes Primary School	<b>Good</b>	Mar '13	Part of RAPT (Realise Academy Partnership Trust) supporting 1 Bromley maintained school. - St Mary Cray Primary School. 2014 Moderation cycle – EYFS
Highfield Infant School	<b>Outstanding</b>	Jan '08	
Highfield Junior School	<b>Outstanding</b>	Jan-09	Ann Golding , HT of Highfield Infants, appointed as substantive HT February 2014. 2014 Moderation cycle - KS2 Writing
Hillside Primary School	<b>Requires Improvement</b>	Jun '14	Sponsored academy with The Prioory
Keston Primary School	<b>Outstanding</b>	Jun '09	Converted to an academy 1.4.14 with Aquinas (Bishop Justus and Parish). 2014 Moderation cycle – EYFS.

School	Ofsted Outcome	Date	Comment
Leesons	Good	Feb 12	Converted to academy status on 1 September 2014. 2014 moderation of KS2 Writing.
Manor Oak Primary School	Good	Feb-13	HT is an LLE
Parish Primary School	Outstanding	Nov '11	Part of Aquinas Trust with Bishop Justus School. 2014 Moderation Cycle – EYFS and KS2 Writing.
Perry Hall Primary School	Outstanding	Nov-11	HT is an NLE
Pickhurst Infant School	Outstanding	Nov '07	HT is an NLE. Member EYELA with Alexandra Infant School supporting 4 Bromley maintained schools. Also linked to RAPT.
Pickhurst Junior School	Outstanding	Jul '11	HT is an NLE supporting Oaklands Primary School.
Raglan Primary School	Good	Jun'10	2014 Moderation Cycle – KS2.
Scotts Park Primary School	Requires Improvement	Jun '13	Converted to an academy 1.4.14 with 21 <sup>st</sup> Century Education (The Ravensbourne) . 2014 Moderation cycle – KS2 Writing.
Stewart Fleming Primary (The Pioneer Academy)	Good	Jun '11	HT is an LLE. Ofsted Interim Assessment Statement 28/3/14 – school will not be re-inspected until at least Summer 2015.
St James RC Primary	Outstanding	Sep '07	HT is an LLE supporting St Anthony's RC Primary School. 2014 Moderation cycle – KS2 Writing .
St John's CE Primary	Inadequate	Dec '12	Converted to academy 1.4.14 with Rochester Diocese. 2014 Moderation cycle – EYFS.
St Peter and St Paul	Requires Improvement	Oct-13	Converted to an academy on 1st August 2014.
Tubbenden Primary School	Good	Mar '13	New HT from September 2013. 2014 Moderation cycle – EYFS.
Valley Primary School	Outstanding	Dec '08	HT is an LLE.
Warren Road Primary School	Outstanding	Mar '08	Teaching School
<b>Secondary Schools</b>			
Beaverwood School	Good	Feb '13	HT is an NLE. Part of RAPT (Realise Academy Partnership Trust) supporting 1 Bromley maintained school
Bishop Justus School	Good	May '12	Part of Aquinas Trust . An approved academy sponsor, considering sponsorship arrangements.
Bullers Wood School	Outstanding	May '11	HT is an NLE.
Charles Darwin School	Good	Oct '13	Sponsor of Biggin Hill Primary School

School	Ofsted Outcome	Date	Comment
Coopers Technology College	Good	Jan '14	In a MAT with Leeson's Primary
Darrick Wood School	Outstanding	Apr '09	HT is an NLE. Part of RAPT
Harris Academy Beckenham (Kelsey Park)	Good	Jul '13	
Harris Academy Bromley (Cator Park)	Good	Dec '13	
Hayes School	Outstanding	Jun '13	HT is an NLE. Part of RAPT (Realise Academy Partnership Trust) supporting 1 Bromley maintained school.
Kemnal Technology College	Good	Jun '13	HT is an NLE. Sponsor of Grays Farm Primary School
Langley Park School for Boys	Outstanding	Oct '06	
Langley Park School for Girls	Good	Apr '12	
Newstead Wood School	Outstanding	May '14	New HT January 2014
Ravens Wood School	Requires Improvement	Jun '13	
The Priory School	Good	Jan '12	Sponsor of Hillside Primary School
The Ravensbourne School	Good	Jan '10	Set up Education for the 21 <sup>st</sup> Century Trust and is exploring MAT arrangements in the borough. .

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Overview of Bromley LA Maintained Schools

School	Ofsted Outcome	Date of Inspection	Key Issues from Inspection		Comment	RAG
Bickley Primary	Good	Mar-14			No issues - light touch . School able to access training for subject leaders, moderation and Governors.	B
Blenheim Primary	RI	Nov-12	Ensure that pupils' achievement in English and mathematics, especially in KS2 is consistently good from year to year; improve the quality of teaching and learning in KS1 and KS2 so that it is at least consistently good; strengthen leadership and management at all levels.	MV1 - 17.4.13	Targetted support has been provided since the last inspection. Ofsted Monitoring Visit judged that senior leaders and governors are taking effective action to tackle the areas requiring improvement. New HT September 2013 who has strengthened the staff team. The Governing body has also been strengthened with new Chair and they are effective in being able to hold the HT to account. The unverified results this year are very impressive across all phases. Support is still being provided however the improvement is impressive. Ofsted is imminent.	C
Bromley Road Infant	RI	Feb-13	Increase the proportion of good / better teaching; raise achievement by end of Y2; ensure leaders and governors evaluate the success of initiatives to secure improvement and the effectiveness of the school's work by focusing sharply on their impact on raising pupils academic standards.	MV1 - 17.6.13	Targetted support. Ofsted Monitoring Visit judged that senior leaders and governors are taking effective action to tackle the areas requiring improvement. Targetted support has been provided and the school has made good progress. Changed to a Primary school in Sept 2014. Awaiting imminent Ofsted	C
Burnt Ash Primary	Good	Sep-13			No issues . Now light touch support. School able to access training for subject leaders, moderation and Governors.	B
Chelsfield Primary	Good	Sep-12			Support provided following LA review last year. This is continuing for one further term but improved results this year.	C
Chislehurst Primary	Good	Feb-14			No issues - light touch support. School able to access training for subject leaders, moderation and Governors. 2014	B
Churchfields Primary	RI	Nov-13	Improve teaching so that all is at least good; Raise attainment and increase the rate of progress, particularly in mathematics	MV1 - 10.2.14	Continued targetted support. Ofsted Monitoring Visit judged that senior leaders and governors are taking effective action to tackle the areas requiring improvement. Improved results this year.	C

Page 37

Overview of Bromley LA Maintained Schools

School	Ofsted Outcome	Date of Inspection	Key Issues from Inspection		Comment	RAG
Clare House Primary	Good	May-12			Recently appointed HT. LA review commissioned and targetted support being provided for one term as a result. School able to access training for subject leaders, moderation , Governors and new HT forum.	C
Cudham Primary	Good	Nov-09			Light touch. Although results were disappointing this year, HT has outlined the reasons for this. They intend to convert as part of Aquinas Trust in December 2014.	B
Darrick Wood Junior	Good	Oct-12			No Issues. HT appointment now permanent. Light touch. School able to access training for subject leaders and governors, also new HT Forum available	B
Dorset Road Infant	Good	Mar-11			No issues - light touch support. School able to access training for subject leaders, moderation and governors.	B
Downe Primary	Good	Oct-11			No issues - light touch support. School able to access training for subject leaders, moderation and governors.	B
Edgebury Primary	Good	May-14			Recent good Ofsted inspection. School able to access central training for subject leaders, moderation and Governors. Targetted support being provided for one more term in view of staff changes and high number of NQTs	B
Hawes Down Infant	Good	Jan-14			New HT September 2013. No Issues - light touch support. School able to access New HT forum and training for subject leaders, moderation and governance.	B
Hawes Down Junior	Good	Jul-14			Recent Good Ofsted - previously RI and receiving targetted support. Improvement such that no further targetted support is required	B
Holy Innocents	RI	Sep-13	Improve the quality of teaching to ensure that pupils make rapid progress across all year groups; Improve leadership and governance	MV1 - 10.12.13	Targetted support. HMI follow up visit considered that the school was <b>not</b> taking effective action. Continued intensive support and challenge from LA team, and NLE from Catholic Diocese . Good attainment results this year. Progress being made but still receiving intensive support as extensive changes to the staff team which will need to be supported.	D

Overview of Bromley LA Maintained Schools

School	Ofsted Outcome	Date of Inspection	Key Issues from Inspection		Comment	RAG
James Dixon Primary	Good	Feb-13			No issues - light touch support. School able to access training for subject leaders, moderation and Governors.	B
Marian Vian Primary	Good	Jun-12			No issues - light touch support. School able to access training for subject leaders, moderation and Governors.	B
Mead Road Infants	Outstanding	Mar-09			HT has resigned. LA providing support for leadership and other targetted support being provided initially for one term.	C
Midfield Primary	Good	Dec-13			Light touch support. School able to access training for subject leaders, moderation and governance.	B
Mottingham Primary	Good	May-11			No immediate concerns, but a review may be commissioned once progress data is available and has been analysed	B
Oak Lodge Primary	Good	Sep-13			Light touch - no concerns. Can access training for subject Leaders and governors.	B
Oaklands Primary	RI	Mar-14	Improve teaching, particularly in Years 3 to 6, so that it is at least good; raise standards and strengthen pupils' achievement, particularly in years 3 to 6; strengthen leadership and management.	MV1 - 23.6.14	Receiving targetted LA support and NLE support from the HT of Pickhurst Junior School. Ofsted monitoring visit 23.6.14 judged that governors and senior leaders are taking effective action to tackle the areas requiring improvement. Good progress being made, data improved. Support to continue for 1 term and will be reviewed.	C
Roverest Primary	RI	Jan-13	Raise attainment and improve rates of progress, especially in mathematics, through making teaching consistently good; improve leadership and management by ensuring that pupils' progress is tracked thoroughly.	MV1 - 18.4.13	Targetted support has been provided since the last inspection. a new Head Teacher was appointed from September 2013. The staff team and Governing body have been strengthened. The KS2 data shows significant improvement. Ofsted Monitoring Visit judged that senior leaders and governors are taking effective action to tackle the areas requiring improvement. Support to continue for one further term. Ofsted is likely this term.	C
Pratts Bottom Primary	Good	Feb-11			Light touch. No issues. Can access training for subject leaders and governors.	B

Overview of Bromley LA Maintained Schools

School	Ofsted Outcome	Date of Inspection	Key Issues from Inspection		Comment	RAG
Princes Plain Primary	Good	Nov-11			Targetted support provided last year. HT retired in Summer 2014. The school is expected to convert to academy status in December 2014 as part of the Aquinas Trust and they have appointed an Interim Head Teacher pending a permanent appointment . Aquinas provides support, and the LA is also providing specific support up until the point of conversion. Results much improved this year.	C
Red Hill Primary	Good	Sep-11			Light touch. New HT September 2013.	B
Southborough Primary	RI	Mar-14	Improve quality of teaching and learning so that it is consistently good or better in order boost pupils' progress; raise levels of achievement, especially in writing; improve the effectiveness of leaders and managers.	MV1 - 11.7.14	Targetted support. LA continues to provide support and challenge. Ofsted monitoring visit 11.7.14 judged that senior leaders and governors are taking effective action to tackle the areas requiring improvement identified at the recent section 5 inspection. Targetted support will continue , improved results this year	C
St Anthony's Primary	RI	Oct-13	Improve teaching so that it is consistently good or better, especially in lower KS2; Improve leadership and management	MV1 - 10.1.14	Targetted support. Ofsted monitoring visit in January 2014 judged the school and governors are taking effective action. Support is being provided by the LA + catholic diocese LLE. Overall good progress is being made.	C
St George's Primary	RI	Feb-13	Raise the quality of teaching, so pupils in all classes make good progress; make sure that the school's new systems result in improved teaching and achievement.	MV1 - 23.5.13	Targetted support. Ofsted Monitoring Visit judged that Senior leaders and governors are taking effective action to tackle the areas requiring improvement. Receiving support from the LA team. An external review which took place on 5th Feb has judged that the school would achieve good in all areas if inspected. LA support has been reduced - school awaiting inspection	C
St Joseph's RC Primary	Good	Oct-10			No issues. Light touch support including training for subject leaders, moderation and governance.	B
St Mark's Primary	Good	Feb-14			Light touch support including training for subject leaders, moderation and governance	B



Overview of Bromley LA Maintained Schools

School	Ofsted Outcome	Date of Inspection	Key Issues from Inspection		Comment	RAG
St Mary Cray Primary	RI	Jun-13	Improve the quality of teaching so that is consistently good; Raise attainment in reading and writing, especially in Key Stage 2; Improve the effectiveness of leadership and management	MV1-27.9.13	Intensive support. Ofsted Monitoring Visit judged that senior leaders and governors are not taking effective action to tackle the areas requiring improvement. School being supported by RAPT (Realise Academy Partnership Trust). SEN review being undertaken by LA. Hayes Primary HT has been acting HT. Approval has been given for Hayes to sponsor St Mary Cray, and conversion under this arrangement is planned for November 2014.	D
St Mary's RC Primary	Good	Dec-13			Light touch support including training for subject leaders, moderation and governance	B
St Paul's Cray Primary	RI	Nov-13	Improve the quality of teaching so that it is consistently good or better; • Raise standards and ensure that all pupils make rapid progress to catch up; • Ensure that leaders and managers build imaginative, inspiring and motivating teaching and learning experiences into the curriculum; provide more opportunities for teachers to share good practice; set tight deadlines for checking on the impact of actions to accelerate the pace of improvement	MV1-16.1.14	Targetted support. Ofsted monitoring visit in January 2014 judged the school and governors are taking effective action. LA providing support and challenge. Progressing well. Improvement in results this year	C
St Philomena's RC Primary	Good	May '10			Light touch support including training for subject leaders, moderation and governance	B
St Vincent's RC Primary	Outstanding	Apr-07			Light touch support including training for subject leaders, moderation and governance . HT supporting Holy Innocents.	B

Page 41

Overview of Bromley LA Maintained Schools

School	Ofsted Outcome	Date of Inspection	Key Issues from Inspection	Comment	RAG
The Highway Primary	Good	Jan-09		No issues - light touch support. School able to access training for subject leaders, moderation and Governors.	B
Unicorn Primary	Good	Jul-13		No issues - light touch support. School able to access training for subject leaders, moderation and Governors. Accommodating bulge class of 30 in September 2014 which was unplanned. To help to facilitate this, targeted support is being provided to the school for the first half term.	B
Wickham Common Primary	Good	Nov-13		No issues - light touch support. School able to access training for subject leaders, moderation and Governors.	B
Worsley Bridge Primary	Good	Jan-13		Converted to Primary School in September 2013. Results disappointing and targeted support being provided to address this.	C
<b>Secondary Schools</b>					
St Olaves	Outstanding	Mar-14		High standards. No issues re achievement.	A
<b>Special Schools</b>					
Glebe	Outstanding	May-10			A
Marjorie McClure	Outstanding	Jul-14		Ofsted inspection last term judged the school to be Outstanding. High standards. No issues re achievement.	A
Riverside	Good	Nov-11			B

Page 12

Overview of Bromley LA Maintained Schools

School	Ofsted Outcome	Date of Inspection	Key Issues from Inspection		Comment	RAG
Burwood	RI	Jun-13	Make sure all staff apply policies and procedures consistently so as to improve behaviour over time and reduce the number of days students are excluded for short periods of time because of poor behaviour; Improve the quality of teaching and learning		Support provided, making good progress to address issues. Change of leadership with an Interim Headteacher in place from September 2014	C

Key

- A Outstanding Schools requiring no targetted support
- B Good Schools requiring no targetted support
- C RI schools, or Good/outstanding schools requiring targetted support where good progress is evident.
- D Inadequate schools or RI/good.outstanding schools requiring intensive support

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Report No.  
ED15085

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EDUCATION PORTFOLIO HOLDER

**For pre-decision scrutiny by the Education Policy  
Development and Scrutiny Committee**

**Date:** Tuesday 30 September 2014

**Decision Type:** Non-Urgent Executive Non-Key

**Title:** SPECIAL EDUCATIONAL NEEDS TRANSPORT STRATEGY

**Contact Officer:** Colin Lusted, Business & Planning Manager, Education, Care & Health Services Tel: 020 8461 7650 E-mail: [colin.lusted@bromley.gov.uk](mailto:colin.lusted@bromley.gov.uk) / Maya Vadgama, SEN Project Manager, Education Care & Health Services Tel: 020 8313 4046 E-mail: [maya.vadgama@bromley.gov.uk](mailto:maya.vadgama@bromley.gov.uk)

**Chief Officer:** Executive Director of Education, Care & Health Services

**Ward:** (All Wards);

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1. Reason for report

- 1.1 The changing landscape and reforms in Education and Special Education, together with the introduction of Education Health & Care Plans (EHC), necessitate a review of the Council's Transport Assistance Policy for Children & Young people, and service delivery to ensure they are fit for purpose.
- 1.2 To present recommendations relating to the following transport options:
- Implementation of muster points
  - Adoption of personal budgets

For consideration by the Portfolio Holder as part of Bromley's Special Educational Needs (SEN) transport strategy and inclusion within the draft revised SEN transport policy.

- 1.3 The revised SEN transport assistance policy requires Portfolio Holder approval to proceed to the consultation stage and implementation (subject to consultation).
- 

2. **RECOMMENDATION(S)**

**The Portfolio Holder is requested to:**

- 2.1 **Note the information relating to SEN reforms, the introduction of Education, Health and Care Plans and the impact upon the provision of SEN transport;**

**2.2 Consider the contents of the business case and in alignment with its recommendations, agree:**

- **the introduction of muster points into Bromley should not be progressed at this time**
- **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, should be progressed**
- **the mileage rate offer should be increased to 50 pence per mile**

**2.3 Agree that the revised draft SEN Transport Policy be progressed to the consultation stage with SEN stakeholders, with a view to enabling its introduction with effect from the start of the new academic year - September 2015.**

### Corporate Policy

1. Policy Status: New Policy: Children's & family Act 2014 , The SEN Reforms
  2. BBB Priority: Children and Young People Supporting Independence:
- 

### Financial

1. Cost of proposal: Not Applicable: if recommendations agreed
  2. Ongoing costs: Not Applicable: if recommendations agreed
  3. Budget head/performance centre: 136 586 (SEN Transport) , and 136 587 (SEN Transport schools budget)
  4. Total current budget for this head: 136 586 £3,580,820 and 136 587 £330,000.
  5. Source of funding: 136586, RSG, 136587 DSG
- 

### Staff

1. Number of staff (current and additional): No Additional - if recommendations agreed
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory Requirement:
  2. Call-in: Applicable:
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): SEN, 751 planned service users as at the start of September 2014
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

### **3. COMMENTARY**

- 3.1 Bromley Council has a statutory duty to ensure suitable travel arrangements for eligible children and young people to access their education or special education provision.
- 3.2 The budget for Special Education Needs (SEN) transport assistance service stands at £3.9 M. The Council is seeking opportunities to increase independence, reduce reliance upon Council funded transport assistance services and reduce expenditure.
- 3.3 The policy review reflects the spirit of the Government's SEN reforms and the Building a Better Bromley priorities, where supporting independence and providing choice and control are central to the new vision.
- 3.4 The introduction of Education, Health & Care (EHC) plans, together with the planned transport service procurement exercise and the recommendations relating to new transport offers provide an opportunity to revise the Transport Assistance Policy for children and young people.
- 3.5 A holistic and coordinated approach is to be taken in assessing transport assistance needs during the EHC planning process for the individual. This will provide a seamless service to parents and families and ensure services are aligned and regularly reviewed to achieve outcomes that provide optimum opportunities for the individual.
- 3.6 The policy review has been undertaken with reference to the guidance set out in:
- The DfE new home to school travel and transport guidance (July 2014)
  - The DfE Post -16 transport to education and training statutory guidance for local authorities (February 2014)
  - The Special educational needs and disability code of practice 0 – 25 years, DfE (June 2004)

### **4. PROPOSALS**

- 4.1 The revised policy is attached within the 'Background Documents' section and provides a wider menu of transport assistance service offers to meet individual assessed needs, whilst meeting the Council's statutory duties and wider objectives.
- 4.2 Key changes relate to :
- Clarity of the eligibility criteria, transport assistance offers and availability
  - Reinforcement of the Council's support to develop independent living skills through travel training and use of public transport
  - The introduction of a wider menu of offers and expanding the offer of personal budgets (in effect replacing reimbursement of parental mileage)
  - Introduction of discretionary transport assistance on an exceptional basis only for attendance at annual reviews
  - Withdrawal of transport assistance for pupils in 52 week provision



- Requirement for parents or carers to undertake the role of escort for sole pupils attending a provision
- Limited Council provided transport for pupils in residential provision
- The potential to introduce muster points
- A revised formal appeal process in accordance with the latest statutory guidelines

### **4.3 PERSONAL BUDGETS & MUSTER POINTS**

- 4.3.1 Following a successful Invest to Save bid in 2013, the service already offers a travel training programme and, subject to continued success, Executive have committed further funding for a period of 3 years to continue this programme.
- 4.3.2 Fundamental to the SEN reforms is personalisation with the legal right of parents to request a personal budget where pupils have an approved Education Care & Health Plan. Whilst there is no statutory duty to include transport assistance in the plan, it is considered good practice to offer personal budgets for transport assistance where this achieves value for money.
- 4.3.3 Another new initiative and pre cursor to travel training is the potential to introduce muster points and reduce door to door collections of pupils. Case law allows the Council to introduce this initiative. For those pupils that are assessed as being able to participate in this initiative, it will provide a similar travel to school experience as their non - SEN peers who travel by public transport. Muster points have been introduced by a number of Councils with varying degrees of success.
- 4.3.4 Business cases have been prepared (attached within the 'Background Documents' section) to assess the potential introduction of muster points and personal budgets and to determine: their financial viability, feasibility and the associated risks for pupils and the Council. Recommendations, relating to their potential implementation, have been made in consideration of the business case findings.

### **4.4 In line with the business cases it is proposed that:**

- the introduction of muster points should not be progressed at this time
- 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 should be progressed
- the mileage rate offer should be increased to 50 pence per mile

- 4.4.1 It is also proposed that the revised draft SEN Transport Policy be progressed to the consultation stage with SEN stakeholders with a view to enabling its introduction with effect from the start of the new academic year - September 2015.

## **5. POLICY IMPLICATIONS**

- 5.1 In accordance with the Council's commitment to Building a Better Bromley to supporting people to live as independently as possible within the community, the proposals reflect the Council's strategic objectives for people with disabilities.
- 5.2 The recommendations, resulting from the business cases have been incorporated into the revised SEN Transport policy.

- 5.3 In accordance with DfE best practice guidelines and subject to PDS agreement, it is proposed that stakeholder consultation should be undertaken during the winter term of the 2014 - 15 academic year with the with a view to enabling the introduction of the new policy with effect from the start of the new academic year September 2015.

## 6 FINANCIAL IMPLICATIONS

- 6.1 The Council is currently budgeted to spend approximately £3,910,820 on SEN Transport. This is split between £3,580,820 RSG and £330,000 DSG.
- 6.2 There has been an emphasis upon reducing SEN transport costs for many years and this has included: robust route planning, best practice procurement methods and more recently, the successful introduction of travel training to enable pupils with statements to be taught to travel independently on public transport. Members and officers have been keen to explore other options that could result in reduced costs and the attached business cases have focussed upon:
- The implementation of muster points
  - The wider offer of personal budgets to enable parents to transport their children to school
- 6.3 The following table is extracted from the attached business case. It details the projected savings that would result from the adoption of muster points in Bromley.

	£	£
Potential maximum savings using muster points for In borough routes		108,000
Potential maximum savings using muster points for out borough routes		16,000
<b>Possible Gross Savings</b>		<b>124,000</b>
<b>Less:</b>		
20% reduction for pupils who turn out not to be eligible following detailed assessment / appeals won by parents	24,800	
Lost economies of scale (contract impact lower route mileage)	8,000	
Health & Safety Officer (risk assessments) / Qualified Assessor	35,000	
Additional seasonal staff member during spring / summer planning ( BR10 )	11,500	
<b>Total Costs</b>		<b>(79,300)</b>
<b>Possible Net Savings</b>		<b>44,700</b>

The net projected savings amount to £44,700 per annum or 1.1% of the total budget. The Portfolio Holder is requested to note that the implementation of muster points into Bromley is not recommended due to the associated risks and impact upon other factors that are detailed within the business case. The recommendation to progress with their introduction would have been positive if the projected cost savings had been higher.

- 6.4 The wider offer of personal budgets to incentivise parents to transport their children to school has been considered within the attached business case. For reasons explained within the business case, the following projected savings have been calculated on the basis of offering personal budgets predominantly to the parents of children who are sole occupants in transport.

Routes	Single Occupancy – Current Cost pa.	Cost if parents accepted personal budget at 50p per mile	Savings if 100% of parents took up offer of personal budgets	Savings if 13% took up offer of personal budgets
Out of Borough	£325,318	£98,134	£227,184	£29,534
In Borough	£285,942	£58,992	£226,950	£29,503
Combined	<b>£611,260</b>	<b>£157,126</b>	<b>£454,134</b>	<b>£59,037</b>

The table above is based upon an increased mileage rate of 50 pence (a higher rate than the existing 42.9 pence per mile) as liaison with other councils has suggested that this has incentivised parents to take up the offer. The figures relating to a 13% take up reflect the average level of take up experienced by other local authorities when the offer of personal budgets was made. The recommendation resulting from the business case is that the Council should progress the offer of personal budgets to this limited group of parents.

- 6.5 If the Portfolio Holder were to agree the recommendations to implement personal budgets to a selected group of parents only at the increased mileage rate of 50 pence per mile, it is projected that savings of approximately £59,000 per annum could be achieved without increased headcount or a high level of risk.

## 7. LEGAL IMPLICATIONS

- Sections 508B, 508C, 508D, 509AD and schedule 35B of the Education Act 1996 (The Act), which were inserted by part 6 of the Education and Inspections Act 2006 (EIA 2006)
- Regulation 5 and part 2 schedule to 2 to The School Information (England) Regulations 2008
- Section 508B of the Act sets out the general duties placed on local authorities to make such school travel arrangements as they consider necessary for 'eligible children' within their area, to facilitate their attendance at the relevant educational establishment. Such arrangements must be provided free of charge.
- section 508C of the Act provides local authorities with discretionary powers to make school travel arrangements for other children not covered by section 508B but the transport does not have to be free
- section 508D of the Act places a duty on the Secretary of State to issue guidance to which local authorities have to have regard to in performance of their functions under section 508B (travel arrangements for 'eligible children') and 508C (travel arrangements for other children). The Secretary of State may revise this guidance from time to time.
- parents are responsible for ensuring their child's regular attendance at school and local authorities are under a duty to provide home to school transport, where necessary, to enable them to enforce attendance

- section 444 of the Education Act 1996 states that the child shall not be taken to have failed to attend regularly at the school if the parent proves that the local authority fails to make appropriate transport arrangements under section 508

## 8. PERSONNEL IMPLICATIONS

8.1 None if recommendations accepted.

<b>Non-Applicable Sections:</b>	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	<p>Special Education Needs reforms &amp; EHC plans :  <a href="https://www.gov.uk/government/news/special-educational-needs-reform-draft-legislation-published">https://www.gov.uk/government/news/special-educational-needs-reform-draft-legislation-published</a></p> <p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/306534/Implementing_a_new_0_to_25_special_needs_system_LAs_and_partners_-_April_2014.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/306534/Implementing_a_new_0_to_25_special_needs_system_LAs_and_partners_-_April_2014.pdf</a></p> <p><a href="https://www.gov.uk/government/news/special-educational-needs-and-disabilities-green-paper-20-pathfinders-to-test-proposals">https://www.gov.uk/government/news/special-educational-needs-and-disabilities-green-paper-20-pathfinders-to-test-proposals</a></p> <p>Special educational needs and disability code of practice: 0 – 25 years  DfE &amp; DoH (June 2004)  <a href="http://www.gov.uk/government/consultations">www.gov.uk/government/consultations</a>  Reference: DFE-00205-2013</p> <p>Home to school travel and transport guidance; DfE July 2014  <a href="http://www.gov.uk/government/publications">www.gov.uk/government/publications</a>  Reference: DFE-00501-2014</p> <p>Post – 16 transport to education and training  statutory guidance for local authorities , Feb 2014, DfE,  <a href="http://www.gov.uk/government/publications">www.gov.uk/government/publications</a>  Reference: DFE- 00025-2014</p>

# **SEN Transport options Business Case**

**Author** : Maya Vadgama  
**Date** : 6/9/2014  
**Document reference** : SEN01

## **1. INTRODUCTION**

The Special Education Needs (SEN) reforms introduced the Education, Health & Care Plan (EHC) to replace the Statement of Special Education Needs (SEN). Central to these reforms is partnership working with EHC plans being developed and reviewed jointly between the agencies representing Education, Health & Care services with an integrated health and care plan detailing a coordinated and comprehensive package of joined up support and services, to meet needs and deliver outcomes for children, young people and families.

The vision is to place parents, children and young people at the centre of the process and deliver a person centred approach in the planning, assessment and review of plans which focus on the achievement of outcomes for children and young people from 0 – 25 years of age. The reforms aim to empower parents, children and young people to have greater freedom and choice with the option of personal budgets for some services.

The Council has identified supporting our children and young people as a priority in its vision statement for Building a Better Bromley. Priority actions within the 2014 -15 Education and the Care portfolio plans are the achievement of good outcomes and maximising independence.

### **1.1 BACKGROUND**

The Council has a statutory duty to make suitable travel arrangements for eligible pupils with a statement of Special Education Needs (SEN) to access the specialist provision named on their statement. The manner in which this duty is discharged is determined by the Council having regard to:

- The Home to School travel and transport guidance issued by the DfE July 2014 *Ref1*
- The health and safety implications of any proposed travel arrangements on the wellbeing of the pupil

It is planned that with the introduction of EHC plans, a holistic and coordinated approach is taken by assessing transport assistance needs contemporaneously with the Education, Health & Care needs of the pupil. This methodology will provide a seamless service to parents and families and sits comfortably with the aims of the reforms. It ensures service delivery and review are aligned to achieve outcomes that provide the optimum opportunities for the individual.

## **2 BUSINESS CASE**

### **2.1 REASONS**

The SEN reforms and the associated introduction of EHC plans necessitate a review of the Council's SEN transport assistance policy, delivery options and modes of travel. (At an operational level a review of the processes and procedures for the assessment, application and review of transport assistance are being developed contemporaneously with the introduction of the SEN reforms within Education). There is the added imperative of ensuring that services are provided as efficiently as possible in light of continuing budgetary pressures.

This business case details ways of meeting new legislation and determining the risks associated with introducing changes. It also investigates delivery options and summarises the potential business benefits and savings. In view of the nature of the subject matter, there

will invariably be both tangible (cashable) and intangible (non cashable) benefits resulting from any changes implemented.

## 2.2 CURRENT DELIVERY

Geographically Bromley is the largest of the 32 London boroughs and some pupils are required to travel more than ten miles across the borough to reach their specialist provision. Historically Bromley is also in the national top 10% of local authorities with statements in issue per head of population.

<b>Financial year 2013-14 budget</b>	<b>Volume of pupils in receipt of transport assistance</b>  Academic year	<b>Pupils travelling to special provision in borough</b>	<b>Pupils travelling to special provision out of the borough</b>
£3,758,760	824	601	223

Transport assistance is currently provided via the Council's contracted providers in a range of vehicles ranging from minicabs to minibuses. Dependent on need and the age of pupils an escort may be present on some vehicles. Where possible and logistically feasible, routes are shared with pupils from other local authorities attending the same schools.

A few young people are able to travel on public transport and receive reimbursement for fares not covered by Transport for London concessionary cards. A small number of parents transport their own children to and from school and have accepted the reimbursement of parental mileage at the Council's current rate of 42.9 pence per mile for the home to school am and pm round trip, or journeys to and from the residential placement for the pupil.

There are two key aspects affecting route planning and allocations:

- new starts or some leavers / movers throughout the year
- transfers in at the start and end of the academic year

This results in regular route changes and amendments during the year and a wholesale annual route planning period from the start of the summer term to the middle of August before the start of a new academic year. The introduction of new transport offers will have to consider any adverse impact on these activities to avoid damaging the Council's relationships with the stakeholders for this vulnerable client group.

## 2.3 TRAVEL TRAINING

Travel training enables some pupils to be trained to travel independently on public transport. Executive approved an Invest to Save bid to deliver a travel training programme which commenced in 2013 and on 16/7/2014, Executive endorsed report ED15060 and approved the extension of the programme for three years in the increased sum of £120K per annum with a stretch target of 40 pupils trained per year.

This review identified a number of pupils suitable for travel training and these pupils have been excluded from the business case calculations, as they form part of that separate initiative.

### **3. OPTIONS EXPLORED**

This business case review explores the potential to introduce two specific options:

1. Reducing door to door collections by introducing muster point collections.
2. The offer of a personal budget to enable parents to take their children to and from school

#### **3.1 REVIEW METHODOLOGY**

In undertaking this business case, the following base data has been used and assumptions made:

- Pupil data was extracted from the 2013-14 SEN transport database of pupils in receipt of transport assistance
- All forecasts are based on the 2014 -15 planned transport costs
- In any estimation a mean average has been used
- An academic year is calculated at 38 weeks
- The lower of the statutory walking distance of 2 miles has been used

The particular circumstances of a pupil determines the feasibility of introducing new transport arrangements for them; the following issues were considered:

- Pupils under the age of 11, and any pupils travelling in a wheelchair are excluded from the option for travel training and muster point collection
- Student file reviews and background information was sought from colleagues and some school professionals. This information endorsed the initial assessments to help identify pupils who could be supported to participate in muster point collections and travel training and or the offer a personal budget
- Public transport options were assessed to ensure journeys would not be onerous or exceed the recommended home to school travel times for Bromley; no more than 1 hour for children in primary education and no more than 1 hour and 15 minutes for children in secondary education. These time limits cannot apply to pupils travelling to schools outside the borough.

Best practice guidance was sought from colleagues in other local authorities who had introduced these options. Colleagues were able to offer comparative data and discuss their experiences which have been included as part of this business case paper .

### **4. MUSTER POINTS**

#### **4.1.1 INTRODUCTION**

Muster points require eligible pupils to be taken to, and collected from central points by their parents / carers. Council funded transport then takes them to and from their place of education.

Muster points have been introduced by a number of Councils with varying degrees of success. For those pupils that are able to participate in this initiative, it would provide a similar home to school travel experience as their non-SEN peers who walk or travel to school by public transport. The introduction of muster points would result in the reduction of door to door collection of pupils. It is lawful for the Council to arrange for an eligible child to



be transported to school via a muster point at a reasonable distance from their home. For this exercise they entail collection from a point located no more than 0.6 miles from the home address. Data analysis was undertaken to assess the financial opportunities that could result from the introduction of muster points.

#### 4.1.2 METHODOLOGY

Research was undertaken with colleagues in other Councils who had implemented a muster point collection scheme. Bromley pupil data was analysed as follows:

- A total of 213 routes, planned to operate for the 2014/15 academic year, were reviewed
- Of these, 83 routes were out of borough routes and 130 in borough routes
- Further filtering was undertaken to eliminate pupils who were:
  - potentially suitable for travel training
  - with impaired mobility
  - known to be unsuitable for a muster point collection for other reasons
  - on routes with 2 or less pupils
- The number of remaining routes with potential for introducing muster points was 10 out of borough routes and 51 in borough routes
- The resulting routes were remapped using muster point collection, located within a 0.6 miles radius of the home address.
- Resulting pupil volumes that may potentially be suitable were: 258 travelling to in borough provision and 36 pupils travelling to out borough provision
- An average price was used to calculate the new route cost at the reduced mileage and with a muster point collection of pupils.

#### 4.1.3 REQUIREMENTS ( NON FINANCIALS)

- Muster point collection requires a high level of risk assessment. A key requirement would be an increase in staff resources to undertake the Health & Safety risk assessment for each pupil and for each muster point. The officer will need to be readily available to ensure service delivery is not affected as assessments will be necessary during the summer route planning period and throughout the year as new pupils join the service or move between routes due to changes in transport needs
- The route planning and implementation work load will increase substantially due to the annual calculations required prior to the start of each new academic year to compare muster routes with 'standard' routes and determine feasibility and potential savings
- The assessment and review work load will also increase to ensure initial allocation of pupils to the correct transport assistance offer and at annual review to maximise the cost savings opportunities that may arise from the introduction of these new initiatives
- The appeal workload may significantly increase as parents / carers are requested to change their personal arrangements in order to meet the requirements of muster points

#### 4.1.4 PROJECTED FINANCIAL IMPLICATIONS

	£	£
Potential maximum savings using muster points for In borough routes		108,000

Potential maximum savings using muster points for out borough routes		16,000
<b>Possible Gross Savings</b>		<b>124,000</b>
<b>Less:</b>		
20% reduction for pupils who turn out not to be eligible following detailed assessment / appeals won by parents	24,800	
Lost economies of scale (contract impact lower route mileage)	8,000	
Health & Safety Officer (risk assessments) / Qualified Assessor ( appx)	35,000	
Additional seasonal staff member during spring / summer planning ( BR10 )	11,500	
<b>Total Costs</b>		<b>(79,300)</b>
<b>Possible Net Savings</b>		<b>44,700</b>

#### 4.1.5 STRENGTHS & WEAKNESSES

The following strengths and weaknesses relating to muster points are summarised as follows:

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>• Supports the development of independence skills and the transition to public transport</li> <li>• Supports a culture shift of expectations from a door to door service</li> <li>• Reduction in route mileage, reduced journey times and overall cost of routes</li> <li>• Potential environmental benefits with reduced carbon emissions (although many parents may transport their children to muster points in a car leading to increased traffic / pollution)</li> <li>• Case law supports the Councils' introduction of muster points</li> </ul>	<ul style="list-style-type: none"> <li>• Resource intensive for identification, planning, H &amp; S risk assessments, implementation, monitoring and management of responsibilities. Additional staff will be required.</li> <li>• Extensive reassurance and support required to manage stakeholder communication and concerns especially around safeguarding</li> <li>• May lead to vulnerable students open to bullying from other students</li> <li>• Annual review of the transport arrangement could lead to lack of consistency with year on year changes to the route and collection points</li> <li>• May be perceived as not being family friendly and impact upon the Council's reputation for supporting a vulnerable client group</li> <li>• May limit procurement options - as route planning staff must be impartial (remain in house?) to objectively progress muster point</li> </ul>

	options
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#### **4.1.6 CONCLUSION & RECOMMENDATION**

The introduction of muster points will reduce the number of miles that Council funded operators have to cover. This will result in reduced contractor costs and provide statemented pupils with a transport experience that is more closely aligned with pupils who do not have statements. There is also legal precedent that muster points can be 'the transport offer' and some local authorities have successfully implemented them although the resulting savings have not been clearly identified.

In undertaking this business case, a logical set of assumptions were applied to Bromley data and it was possible to calculate the savings that could result from reduced route mileage. What also emerged was that:

- the level of route planning significantly increased and there was a requirement to ensure it was objectively applied to ensure the most cost effective option for the Council would be chosen
- risk assessments are essential and the resources to undertake them are expensive
- a number of pupils are not suitable for muster point collection (those with behaviours that challenge and those with physical disabilities and health problems)
- Bromley's geographical location of schools and residences reduces the viability of introducing muster points to a limited number of locations
- implementation in other local authorities was not popular with parents and there was an increase in challenge and appeals

It was not possible to identify the level of appeals that could result and whilst a saving of approximately £45,000 per annum is predicted, this could reduce or increase.

On reflection, a potential net saving of £45,000 on a £4,000,000 budget (1.1%) is not considered significant enough to offset the negatives of increased headcount, parental objection and negative publicity. The Council is also about to tender its transport functions and the introduction of muster points would complicate and potentially limit some of the proposed tender options.

In light of the business case findings, the introduction of muster points into Bromley is not recommended.

## **4.2 Personal Budgets**

### **4.2.1 INTRODUCTION**

Fundamental to the SEN reforms is personalisation. Parents have a legal right to request a personal budget where pupils have an approved Education Care & Health Plan. Whilst there is no statutory duty to include transport assistance in the plan, it is considered good practice to offer personal budgets for transport assistance where this achieves value for money. The Council is within its rights to refuse a personal budget where the disaggregation of funding may reduce the overall resources to fund services for the majority of service users .

A personal budget is an amount of money identified by the Council to deliver a service that the parent or young person is involved in securing.

## 4.2.2 BACKGROUND

The Council currently offers reimbursement of parental mileage where parents transport their children to and from their specialist provision, although this option is offered in a limited number of cases as traditionally, transport assistance has been provided on Council contracted vehicles. However, this option is not fully assessed and is only offered where a pupil may be the sole pupil attending a provision and where it is not at the expense of double funding with empty seats on contracted vehicles. The current mileage rate paid is 42.9 pence per mile for a return journey to and from school each time a child needs to attend or be collected from school.

Feedback from SEN pathfinder boroughs who have more widely (but still selectively) introduced personal budgets have suggested that the rate of payment needs to be pitched at a sufficient level to adequately reimburse parents for their contribution in time and vehicle use. In some Councils the personalisation agenda was the overriding factor and the decision to offer personal budgets to everybody was not dependent on delivering economies over the existing Council contracted transport costs. The view taken was that any variations would be ironed out between the two options and corrected over future years.

The following table details the percentage uptake of personal budgets selectively offered to parents, by other Councils .

LOCAL AUTHORITY	PARENTAL UPTAKE	% UPTAKE
Buckinghamshire	Not known	15%
Croydon	73 out of 456 parents	16%
East Sussex	11 out of 73 parents	15%
Southampton	16 out of 258 families	6.2%
<b>Average</b>		<b>13%</b>

## 4.2.3 Methodology

The viability and feasibility of introducing personal budgets was tested on current data using a modelling exercise incorporating the (average) 13% take up and an offer at the Council's current rate of 42.9 pence per mile and a proposed rate of 50 pence per mile

- Parental mileage is currently paid for the home to school return journey. e.g. where a pupil lives 7 miles from school and attends on a daily basis, reimbursement would be paid as follows:

$7 \text{ miles} \times 4 \text{ trips (to and from school am and pm)} = 28 \text{ miles} \times \text{mileage rate}$

- The testing was undertaken on only those routes where there was a sole pupil travelling in a vehicle as accurate data would not be available to calculate the potential double funding implications that could arise from routes carrying more than one pupil. The financial risks associated with the loss of economies of scale and resultant double funding (Council transport with empty seats and personal budgets) were too great and could not be quantified without actually piloting it (offering it to parents without committing to implement).
- A pupil may be the sole passenger for a variety of reasons. These could be due to their complex SEN needs such that the pupil is unable to share the journey with other pupils or they are the only pupil attending a specific provision.
- A cost comparison, between the cost of the Council provided transport and if the parents accepted a personal budget, was made of the 60 routes where pupils receive sole transport.
- In the last academic year only 16 parents in Bromley have taken up the offer of parental mileage and therefore it is difficult to gauge what take up there would be for any future initiative. The current mileage rate is at the lower end of some councils' offerings and a higher rate may attract more parents to take this transport assistance offer. Anecdotal evidence from colleagues in other Councils also corroborates this thinking. Therefore two models were produced:
- An enhanced rate of 50 pence per mile was also chosen for the projections in alignment with what other councils have paid

#### **4.2.4 WIDER OFFER OF PERSONAL BUDGETS**

This business case is focussed upon the offer of personal budgets to a limited cohort of pupils (approx. 8%) in receipt of council funded sole transport. A number of councils have decided to offer personal budgets for transport to all parents as a policy decision as they feel this is best practice and is in alignment with their values. The reality is that this will increase costs in the short term as economies of scale are lost and it becomes more difficult to optimise routes and vehicle types for the most cost effective travel. It is believed that, as take up increases over a number of years, costs will actually reduce.

Given the funding pressures faced by Bromley, this business case has focussed upon the offer of personal budgets to sole transport pupils as it is impossible to quantify what the costs of a wider offer of personal budgets for transport would be unless we went to a full pilot.

Alternative options, such as offering personal budgets to all parents and then undertaking route planning to determine where it would be in the best financial interests of the Council have been considered but have been ruled out due to:

- The admin. resources required to run the process

- The requirement for multiple annual route planning and the time and resources this would entail
- This potentially limiting procurement options (around route planning) that are due to shortly commence
- The way this would be perceived by parents
- The lack of consistency for parents - the offer of personal budgets may change from year to year

#### 4.2.5 PROJECTED FINANCIAL IMPLICATIONS

The following potential savings were identified in consideration of single occupancy journeys to out of borough (OB) and in borough (IB) locations.

Routes	Single Occupancy – Current Cost pa.	Cost if parents accepted personal budget at 50p per mile	Savings if 100% of parents took up offer of personal budgets	Savings if 13% took up offer of personal budgets
Out of Borough	£325,318	£98,134	£227,184	£29,534
In Borough	£285,942	£58,992	£226,950	£29,503
Combined	<b>£611,260</b>	<b>£157,126</b>	<b>£454,134</b>	<b>£59,037</b>

The table demonstrates that if all parents whose children received sole transport were offered and accepted personal budgets at 50 pence per mile, savings of £454,134 could be achieved. If the 13% average were achieved, the council would still benefit from savings of £59,037 per annum.

#### 4.2.6 STRENGTHS & WEAKNESSES

The following table is based upon offering sole transport to all parents and carers whose children travel on sole transport to school or residential education provision.

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>• Personal budgets offer choice and control to parents and is considered good practice</li> <li>• Could lead to savings in the SEN transport budget</li> <li>• Transfer of responsibilities for securing transport services, from the Council to the parents</li> <li>• May lead to a culture change in stakeholder expectations that transport assistance is only delivered via the</li> </ul>	<ul style="list-style-type: none"> <li>• It is not possible to gauge take up and therefore how great the savings opportunities may turn out to be</li> <li>• This will be selective, could be perceived as being discriminatory, and unequal</li> </ul>

Councils contracted transport providers • Personal budget payment infrastructure already in place	
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#### 4.2 .7 CONCLUSION & RECOMMENDATION

The information contained within this business case explains why the business case has discounted the offer of personal budgets to all parents of children in receipt of council funded transport unless it is a policy decision and the Council is willing (and able) to bear the probable increased costs for a number of years.

The findings in the business case also identify that the selective introduction of personal budgets, where they are initially proposed to all parents and then limited to where it is in the financial interests of the Council, are prohibitively complicated to administer and unreasonable for parents. It is also impossible to quantify the level of savings that may result unless all parents are actually asked if they would be interested and the route planning be undertaken.

This leads us to the recommendation to offer personal budgets to all parents of children whose children 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 . It is also recommended that consideration is given to increase the mileage rate to 50 pence per mile in light of the success enjoyed by other local authorities.

There are no costs associated with this recommendation.

#### 5. TIMESCALES

The following time line is suggested if the recommendations above are accepted at the PDS Committee:

<b>SUGGESTED IMPLEMENTATION TIME LINE</b>	
Report and Business case to PDS	30/9/2014
PDS approval & call in received	10/10/2014
Stakeholder consultation (SEN Transport Policy incorporating recommendations)	23/2/2015 – 29/3/2015
Evaluation & PDS report	June 2015
Implementation	1/9 /2015

This will provide sufficient notice to all stakeholders to be consulted during school term time and enable the service to plan and pilot any proposed changes before implementation.

## 6. REFERENCES

Ref 1: <https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>

*DfE July 2014*



**LONDON BOROUGH  
OF BROMLEY**

**Proposed SEN Transport  
Policy for Consultation**

**Version 1.**

**8 September 2014**

# LONDON BOROUGH OF BROMLEY

## Travel Assistance Policy

### INTRODUCTION

Bromley Council is committed to ensuring that each child\*can fulfil their potential and is supported to do so. The aim of this policy is to support all children with Special Education Needs (SEN) to lead lives which are as independent as possible. Where possible, children will be supported to achieve greater independence through the development of independent travel skills and the use of public transport. The Council will work closely with parents\*\* and Schools and expects all parties to play a supportive role in the development of this key life skill.

The Council promotes sustainable modes of travel such as walking, cycling and use of integrated public transport and aims to reduce traffic congestion, the environmental impact of vehicle journeys and improving road safety. Where agreed, travel assistance for 'eligible children', will be provided in a safe and cost effective manner taking into account the specific needs of the children, the legally recognised walking distances and ensuring the Council as a public body maximises the use of its resources. Travel solutions provided will support initiatives that lead to reducing the volume and length of vehicle journeys.

This policy explains:

- Who is eligible for travel assistance from the London Borough of Bromley to attend school / college
- How applications for travel assistance are made and assessed
- Options for travel assistance that may be provided
- The formal appeal process should an application for transport assistance be unsuccessful

The legal responsibility for ensuring that a child attends school lies with the parent or carer and this includes accompanying a child to school where necessary. In the event that parents are working or otherwise unavailable at the time their child travels to and from school it remains the parents' responsibility to make arrangements to ensure that their child attends school.

If both of the child's parents are, by reason of disability unable to ensure that their child attends school, or are unable to make suitable alternative arrangements, eligibility for travel assistance will be considered on the individual circumstances, with regard to the Equality Act 2010.

A child becomes of compulsory school age when she / he reaches the age of five and must start school in the term following their fifth birthday. Compulsory school age ceases on the last Friday in June in the school year in which the child reaches the age of 16.

The policy explains the background relating to the provision of travel assistance by the Council for children living within the boundaries of the London Borough of Bromley and describes how the policy applies to:

- Children with a Statement of Special Educational Needs, medical needs or disabilities.
- Children aged 5-16 without a Statement of Special Educational Needs, medical needs or disabilities.

This policy does not apply to young people or adults starting a course of further education at age 19 or over who should consult the college concerned about the availability of travel assistance or, in the case of those with learning disabilities contact their Preparing for Adulthood Advisor or the Council's Adult Social Care department.

## **BACKGROUND**

The completion of a Statement of Special Education Needs does not confer an automatic entitlement to travel assistance. Many pupils with a statement of SEN do not receive nor require specialised travel assistance. Wherever possible the Council expects parents of children with a statement of SEN to make arrangements for their child to attend school in the same way as parents of pupils without a statement do. This is an important factor in developing the child's independence, social and life skills and ensures the child has an equal opportunity to experience travel to school in the same way as their peers without a special need.

Under the Education Act 1996 and the Education and Inspections Act 2006, local authorities have a duty to provide assistance with travel to and from qualifying schools/college for children aged 5-16 in certain circumstances. The Council has no duty to provide transport but 'shall make such arrangements for the provision of transport and otherwise as they consider necessary'. This gives the Council discretion to provide travel assistance. A duty only arises if transport is referred to on a child's Statement of Special Educational Needs ( SEN) and ( to be Education Care & Health Plan (EHC plan)) or the Council requires a child to attend a school which is not within the DfE walking distance of the child's home.

In addition, local authorities also have a duty to facilitate access to full-time education for young people aged 16-19 and this may include assistance with travel in certain circumstances.

*There is no statutory entitlement to travel assistance for children under 5. This Policy takes statutory school age to include those children who have taken up the legal right to start schooling from the start of term after a child's fourth birthday.*

The provision of travel assistance by the Council will be based on individual needs and circumstances and with regard to the efficient use of resources.

Children of school age (including students in full time education up to the age of 18 years, or 19 if in full time education) are entitled to free travel on buses and trams from Transport for London. This is considered suitable for the majority of pupils and young people attending school and sixth forms. Further information is available from: [www.tfl.gov.uk](http://www.tfl.gov.uk).

This policy has been developed with full regard to the Department for Education Guidance on Home to School Travel and Transport <http://www.education.gov.uk/aboutdfe/statutory/g00224737/home-school-travel-transport>

## **Eligibility**

Some children with SEN may experience problems with mobility or have other needs such that they are unable to access public transport safely. This policy is intended to provide clarity regarding eligibility for travel assistance.

The Council will assist parents with travel assistance where children have significant SEN, a disability or mobility restrictions such that travel assistance is essential to access their specialist provision.

In assessing any application for travel assistance, eligibility will be based on the needs of the eligible child, accompanied as necessary by a parent. and will not take into account work or other family commitments such as the attendance of siblings at different schools.

No dispensation will be made for personal domestic arrangements or parents who are working at the time their children travel to and from school. Parents are expected to make other suitable arrangements for someone else to accompany their children as necessary.

There are many support services available to families to manage the conflicting priorities of their domestic arrangements. It is expected that parents will have explored alternative support services to assist them in meeting any conflicting priorities that may arise, before applying for transport assistance.

All decisions will be based upon clear medical / specialist advice and evidence of need for the eligible child only. Eligibility criteria will be kept under review and subject to consultation with user groups from time to time, and as services are developed.

### **Travel Assistance for Pupils with a Statement of SEN**

The Council will apply the Department for Education (DfE), distance criteria, for all applications for travel assistance for specialist provision.

DfE recognised walking distances

- Children aged up to 8 years old: Over 2 miles from home to school
- Children aged above 8 years old: Over 3 miles from home to school

Where the pupil has a statement of Special Educational Needs (SEN):

- and has been assessed as requiring assistance to attend their specialist provision
- and the Council has determined and named the special provision in the statement as being the nearest available special provision that is able to meet the child's needs
- and where the child lives further than the statutory walking distance between home and their specialist provision, travel assistance will be offered.

For children with SEN from low income families (those who are entitled to free school meals or who are in receipt of the maximum level of working tax credits) the eligibility criteria are varied

- For children between the ages of 8 years and 11 years from low income families the 3 mile walking distance is lowered to 2 miles
- Young people of compulsory school age over the age of 11 years from low income families may be eligible for travel assistance to any of their nearest three relevant educational establishments where those schools are between 2 miles

(measured using the shortest walking route) and 6 miles (measured using the shortest driving route) from the family home.

Transport assistance will be provided at the beginning and end of the normal school day, and only to the special provision named on the statement.

Where a child's health needs are such that upon written medical advice, ( date within the last twelve months) , the pupil is unable to attend the standard school day, consideration will be given to providing assistance outside of the standard school day.

It is expected that parents will support the facilitation of these additional journeys as necessary especially where they have access to a mobility vehicle.

Draft

## **School Travel Assistance Options**

Bromley Council supports the development of Children's skills and confidence to make journeys safely on their own. Some children accessing travel assistance from the Council are already able and do use public transport outside of school times. Bromley Council is currently working offering an Independent Travel Training Programme in partnership with schools and parents to train and support some young people (for whom this could be a viable option) to access public transport and travel independently.

Options that may be offered where travel assistance is agreed:

- Reimbursement of agreed public transport costs, where the ( appropriate for the child , age and disability) free TFL Oyster card is not applicable
- Supported travel training and use of public transport
- Payment of a personal budget at the Council's standard rates for parents to transport their children to the special school
- Travel assistance via the Council's contracted transport providers with or without a passenger assistant. This may be on a shared basis and from a designated collection point which may or may not be the home address.

### **Transport assistance is not provided in the following situations**

- Where parents choose a school which is not the nearest suitable provision which the Council considers to be appropriate to meet the needs of the child or young person
- In the event a child has to be taken to school or brought back home from school outside of their normal school attendance times due to illness, any type of appointments including Doctors, or any other specialists, exclusion or for any other reason
- Amended timetables due to behaviour or suspension issues arising or a later collection following any form of detention
- Attendance at school outside of the published School Term Timetable and daily timetable regardless of whether the pupil is travelling on their own
- Parental attendance at annual reviews, meetings or any school events
- Transport to and from work placements or off site provision

It is the responsibility of the School to organise and provide pupil's transport for curriculum activities including examinations, during the school day. In these cases transport will be provided at the beginning and end of the normal school times only.

Assistance will be provided for as long as the child's needs are such that given all the circumstances they continue to require transport assistance to access their specialist provision. All transport assistance will be regularly reviewed and at least annually.

### **Availability of Escorts**

Escorts are provided for all primary school aged children and, depending on individual circumstances for pupils of secondary school age. Any exceptional requirements will be based on evidenced need, discussions with schools and parents.

Where it would be unsafe for a child to travel without one, an escort will be provided subject to written medical / professional advice dated within the last twelve months This is usually

where a child exhibits severe challenging behaviour or where the child has a severe or complex medical condition requiring continuous support.

Where an escort is necessary for health reasons, parents and schools will be required to work with the health services to secure the appropriately qualified escort for transport purposes.

Parents or their nominees will be expected to accompany their child and undertake the role of escort where the pupil is the sole pupil attending a specific provision.

For all residential school placements parents will be expected to undertake the role of escort if necessary.

### **Journey Times**

Geographically Bromley is the largest London Borough. Therefore journey times for pupils attending primary schools are not normally expected to exceed 1 hour and for pupils at secondary schools no longer than 1 hour and fifteen minutes for school located in Bromley .

These limits do not apply to schools located outside the London Borough of Bromley regardless of the age of the child, and do not take into account any waiting time.

### **Children attending Residential Special Provision**

We encourage parents to take responsibility for taking and collecting their children when they attend residential provision. This strengthens the parent / school relationships and ensures regular personal contact is maintained with the school.

The Council will consider all factors and provide suitable transport assistance dependent on need and ability to access and use public transport or other available transport solutions.

Any transport assistance offered, will synchronise with the placement terms and in the majority of cases parents will be expected to undertake all weekend journeys, unless the use of any available transport solution provides better use of public funds.

Transport assistance for pupils at residential schools may include:

- Use of transport service provided by the school to a station or central pick up point. (Parents are responsible for collection and drop off from any designated station / localised pick up points)
- Reimbursement of public transport costs
- A personal budget paid at the Council's standard rates
- Only in very exceptional cases and where this is not the best use of public funds, travel assistance via the Council's / contracted transport providers or shared with another Council with or without a passenger assistant, from a designated meeting point may be offered. (Parents are responsible for collection and drop off from any designated station / localised pick up points).

Parents may choose to undertake the whole journey themselves and any reimbursement offered will be limited to the lower of the cost the Council would have paid to the School / another Council, personal budget or public transport costs.

### **Young People Aged 16 – 19 with Special Educational Needs**

Most pupils of this age would be expected to use public transport and travel independently in view of the beneficial effects this will have on the pupil's life skill development. For a small minority this may not be possible. Applications will be considered against the following criteria:

- The student is aged between 16 and 19 and is on a course of further education at a school or designated further education college recognised by the Department of Education
- The course is deemed to be suitable and will provide an educational benefit to the student – as assessed by the student's transition worker / adult placement officer, nominated by the local authority
- Where the need and reasons for specific travel assistance has been identified with evidence, in the student's statement of special educational needs or transition plan
- Students must live more than 3 miles from school or college and be unable to undertake the journey by free public transport
- Applications for students who have a disability or learning difficulty that would make it not reasonably practicable or dangerous for them to try to undertake a journey to school or college of less than 3 miles will also be considered. Applications will be assessed on their own merits
- If a student has been provided with the highest rate of mobility allowance or the family have access to a mobility vehicle, then additional travel assistance will not be provided.

### **Students over the age of 19 with Special Educational Needs attending Further Education Colleges**

There is duty for local authorities to provide travel assistance to students over the age of 19 except where they are completing a course that they have already started before their 19<sup>th</sup> birth date.

The Assistant Director for Education Services and or their nominated officer may exercise discretion for any applications where exceptional circumstances are shown.

### **Proposed application and assessment process for all applicants**

The application process is designed to be as simple as possible whilst ensuring that full consideration is given to the specific needs of the child or young person. Parents should allow up to 30 working days from the date of application to the start of any assistance provided.

The application process is dealt with in three stages

#### **Stage 1: Application**

The parent/carer must make a formal application for travel support before any assistance is considered. Application forms can be obtained from:

*Add in web link to new application form*

By phoning .....the SEN Transport Application Assessment and Review officer, for young people with a statement of special educational needs.

Each application will be acknowledged within 5 working days of receipt of the application. An initial evaluation of the application will then determine whether assistance is likely to be



approved, declined or whether further assessment is required. The parent/carer will be informed in writing of the outcome of the application.

## **Stage 2: Assessment**

This stage will include the gathering and evaluation of written evidence and family circumstances. This may include a home visit, consultation with the child or young person's school/caseworkers and any other relevant specialists.

This stage will normally be completed within 15 working days following stage 1 depending on the complexity of the circumstances. It is possible at this stage that the application may be declined.

## **Stage 3: Implementation**

It is for the Council to decide what type of travel assistance would suitably meet the needs for each individual child or young person. Once a decision has been made, the parent/carer will be invited in to complete the final paperwork and sign the necessary forms before the travel solution can be implemented. Assistance will normally be implemented within 10 working days.

## **Travel assistance reviews**

All children and young people's eligibility for travel assistance will be regularly reviewed and at least annually. In most circumstances the review will take place at the child or young person's school and parents/carers must attend the review in order for travel assistance to continue. Nonattendance may result in transport provision being ceased.

Travel assistance will also be reviewed at key stage reviews and when there is a significant change in circumstances, such as a change in home address or a change in the child or young person's needs. It is the responsibility of the parent/carer to notify the Council immediately of any changes that may affect the provision of travel assistance.

Any changes will be implemented from the beginning of the next school term, or sooner by mutual agreement following the completion of the assessment stage.

## **Cessation of support**

The Council has the right to review and remove travel assistance from students where it is proven that assistance was obtained via a fraudulent application or where the child or young person's individual circumstances have changed which results in either the child or young person no longer being eligible for support or has been assessed as not requiring such support. It may also cease on the written request of the parent who, if necessary has made alternative arrangements for their child or young person's travel to school.

## **Appeals**

There may be instances where some applications are declined and parents may not agree with the Council's decision. In these cases the Council offers parents a formal 2 stage appeal process detailed in appendix....

Parents are responsible for ensuring their child's attendance at school during any appeal.

## **Complaints**

Bromley welcomes and responds positively to all comments, compliments and complaints as a means of demonstrating its commitment to working in partnership with all stakeholders.

The Education Care and Health Services complaints process is comprised of three stages after which the complainant should be advised to refer the matter to the Local Government Ombudsman. A copy of the Complaints Procedure is available on request.

Although complainants can refer their complaints from the outset, or at any stage, to the Local Government Ombudsman, they will not normally be investigated until the Council has conducted its own investigation and made a response.

More information is available from:

**Email:** [socialcarecomplaints@bromley.gov.uk](mailto:socialcarecomplaints@bromley.gov.uk)

**Telephone:** 020 8313 4491

**Address:** Civic Centre,

FREEPOST MB 1658

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# Appendices



**Education, Care and Health Services**  
Civic Centre, Stockwell Close, Bromley, BR1 3UH  
Telephone: 020 8464 3333 Fax: 0208 313 4620  
Direct Line: 0208 313 4076 Internet www.bromley.gov.uk  
Email: sentransport@bromley.gov.uk

Your Reference: Our Reference: 03c. Appeal Form 01

## SEN Home to School/College Transport Appeal

If you wish to appeal against the decision not to provide SEN home to school transport for your child please complete and return this form within 20 working days of receipt of the date of the Local Authority's transport decision. You will also need to send your documentation in support of your appeal at this stage.

Details of the home to school/college transport policies and review procedures can be found at:

**link to Bromley website (SEN Transport Policy page) to be added in**

It is advisable to read the policies before you make any appeal request – this will help you understand the transport eligibility criteria and grounds on which you are able to appeal the Council's decision.

You are able to appeal the Council's decision under one of the following criteria

The transport arrangements offered
The child's eligibility
The distance measurement in relation to statutory walking distances
The safety of the route

### The Appeals Process

The Appeal form and any supporting documentation will be sent to the Stage 1 reviewing officer with the details set out in the original decision letter. The Stage 1 review officer will review your appeal based on the information you have provided and with reference to the Council's statutory duties and the Bromley SEN Transport Policy.

Following Stage 1, if the decision is upheld and you remain dissatisfied with the outcome, you may escalate the appeal to Stage 2 and seek an independent review of the evidence.

**Please Note; During the appeal process no travel assistance will be provided and it is the parents responsibility to ensure their children attend school.**

**Please return this form and any supporting documentation with it to:**

**INSERT ADDRESS HERE**



**Education, Care and Health Services**

Civic Centre, Stockwell Close, Bromley, BR1 3UH

Telephone: 020 8464 3333 Fax: 0208 313 4620

Direct Line: 0208 313 4076 Internet [www.bromley.gov.uk](http://www.bromley.gov.uk)

Email: [sentransport@bromley.gov.uk](mailto:sentransport@bromley.gov.uk)

Your Reference: Our Reference: **SENTransport Post 16**

Please read the attached notes **BEFORE** completing this form

**STAGE 1 APPEAL SPECIAL EDUCATION NEEDS TRANSPORT DECISION**

To be completed by the parent/guardian in **BLOCK CAPITALS**

This form should be completed **within 20 working days** of the date of the Council's home to school transport application decision letter and submitted to:

SEN Transport Review Officer  
 London Borough Of Bromley  
 Civic Centre  
 Stockwell Close  
 Bromley  
 BR1 3UH

**Section 1: Childs Details**

First Name	
Forename (s)	
Surname	
D.O.B (DD/MM/YYYY)	
Address	
Postcode	
Home Telephone Number	
Current School	
SEN Details	

**Section 2: Sibling(s) Details (Please continue on separate sheet if necessary)**

First Name	
Forename (s)	
Surname	
D.O.B (DD/MM/YYYY)	
Address	
Postcode	
Home Telephone Number	
Current School	

**Section 3: All Parent(s) / Guardian(s) / Carer(s) Details.**

First Name	
Forename (s)	
Surname	
D.O.B (DD/MM/YYYY)	
Address	
Postcode	
Home Telephone Number	
Mobile Phone Number	

1. Are the other parent(s) / guardian(s)/ carer(s) in receipt of any of the following:  
(please delete as appropriate)

- |  |         |
|--|---------|
| Disability Living Allowance                                    | Yes/ No |
| Mobility Allowance   | Yes/ No |
| Mobility Vehicle   | Yes/ No |
| Child Benefit  | Yes/ No |
| Child Tax Credits  | Yes/ No |
| Any other benefits/ allowances/ maintenance payments? Yes / No |         |
| Please give details: .....                                     |         |

(if yes please state include a copy of the latest letter, from the Department for Work and Pensions or the agency confirming benefits)

2. Job titles of parent(s)/ guardian(s)/ carer(s) (Please also provide details of employment /self-employment):  
.....  
.....

3. Please provide Names of any parent(s)/ guardian(s)/ carer(s) who hold a current driving licence .....

4. Number of cars owned by or accessible to parent(s)/ guardian(s)/ carer(s).....

**Section 4: The Appeal**

The nature of my appeal is regarding (Please cross box "x" as appropriate)

The transport arrangements offered	
My child's eligibility	
The distance measurement in relation to statutory walking distances	
The safety of the route	
Other	

If other please specify:  
.....

16. Please explain why you believe the decision should be reviewed? *(Continue on separate sheet if necessary)*

17. Please give details of any new personal and/or family circumstances you believe should be considered when the decision is reviewed *(If reasons involve medical conditions, documentary evidence should be provided.) (Continue on separate sheet if necessary)*

Draft

Full Name (Including Title).....
Signature.....
Date:.....

**Please Note:** The decision of the Appeals Panel is binding on all parties and your signature on this Appeal Form is your agreement to be bound by the decision



**Education, Care and Health Services**

Civic Centre, Stockwell Close, Bromley, BR1 3UH  
 Telephone: 020 8464 3333 Fax: 0208 313 4620  
 Direct Line: 0208 313 4076 Internet www.bromley.gov.uk  
 Email: sentransport@bromley.gov.uk  
 Your Reference: 16 Our Reference: SENTransport Post 16

Please read the attached notes **BEFORE** completing this form

**STAGE 2 APPEAL SPECIAL EDUCATION NEEDS TRANSPORT DECISION**

To be completed by the parent/guardian in **BLOCK CAPITALS**

This form should be completed **within 20 working days** of the letter from the Council declining your stage 1 Appeal and submitted to:

SEN Transport Panel  
 London Borough Of Bromley  
 Civic Centre  
 Stockwell Close  
 Bromley  
 BR1 3UH

**Section 1: Childs Details**

First Name	
Forename (s)	
Surname	
D.O.B (DD/MM/YYYY)	
Address	
Postcode	
Home Telephone Number	
Current School	
SEN Details	

**Section 2: The Appeal**

The nature of my appeal is regarding (Please cross box "x" as appropriate)

The transport arrangements offered	<input type="checkbox"/>
My child's eligibility	<input type="checkbox"/>
The distance measurement in relation to statutory walking distances	<input type="checkbox"/>
The safety of the route	<input type="checkbox"/>
Other	<input type="checkbox"/>

If other please specify:

.....



16. Please give any new information explaining why you believe the decision should be reviewed ? **(referring to the policy and outline the specific reasons (grounds) related to the policy that you are appealing against)** *(Continue on a separate sheet if necessary)*

17. Please give any further details of any personal and/or family circumstances you believe should be considered when the decision is reviewed *(If reasons involve medical conditions, documentary evidence should be provided.)* *(Continue on a separate sheet if necessary)*

Draft

Full Name (Including Title).....
Signature.....
Date:.....

**Please Note:** The decision of the Appeals Panel is binding on all parties and your signature on this Appeal Form is your agreement to be bound by the decision)

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Report No.  
CS14073

## London Borough of Bromley

### PART 1 - PUBLIC

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**Decision Maker:** Education Portfolio Holder

**Date:** For Pre-Decision Scrutiny by the Education Policy Development and Scrutiny Committee on 30<sup>th</sup> September 2014 and the Care Services Policy Development and Scrutiny Committee on 2<sup>nd</sup> October 2014

**Decision Type:** Non-Urgent Executive Non-Key

**Title:** DAY NURSERY PROVISION: PROPOSAL TO MARKET TEST

**Contact Officer:** Nina Newell, Head of Schools and Early Years Commissioning and Quality Assurance  
Tel: 020 8313 4038 E-mail: nina.newell@bromley.gov.uk

**Chief Officer:** Terry Parkin Director: Education and Care Services

**Ward:** Penge and Cator; Orpington

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1. Reason for report

- 1.1 The Education Policy & Development Scrutiny Committee considered a report in January 2014 (Report ED14009) in relation to nursery provision directly run by the Council, located within the Blenheim and Community Vision Children & Family Centres. The report outlined options for the future delivery of the service. It was agreed by the Portfolio Holder for Education that further work to establish the business case for the preferred option of market testing nursery provision should be conducted. This report provides further detail on the preferred option for the future delivery of nursery provision and seeks a decision as to whether to proceed with market testing the service.

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2. **RECOMMENDATIONS**

- 2.1 **Subject to the views of Education Policy and Development Scrutiny Committee, the Education Portfolio Holder is asked to:**
- i. **Note the content of the report;**
  - ii. **Approve the recommendation in paragraph 3.40 to proceed with the market testing of day nursery provision on a concession basis;**
  - iii. **Note that a further report detailing the outcome of market testing and recommendations arising be reported to a future meeting of the Education Policy and Development Scrutiny Committee and Executive as appropriate for Portfolio Holder / Executive decision.**

### Corporate Policy

1. Policy Status: Existing policy. Childcare Act 2006
  2. BBB Priority: Children and Young People. Excellent Council.
- 

### Financial

1. Cost of proposal: Estimated cost To be Confirmed
  2. Ongoing costs: N/A. Ongoing staffing costs, and associated long-term expenditure such as pension liabilities, are likely to be reduced in the event of staff transferring to another organisation
  3. Budget head/performance centre:

Community Vision Nursery	121602
Blenheim Nursery	121601
  4. Total current budget for this head: £0 (controllable)/ £187k (total cost of service)
  5. Source of funding: Revenue Support Grant
- 

### Staff

1. Number of staff (current and additional):

Blenheim	9.15 FTE
Community Vision	14.55 FTE
  2. If from existing staff resources, number of staff hours: n/a
- 

### Legal

1. Legal Requirement: N/A
  2. Call-in: Call in is applicable
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):  
Registered places available per day total 75 across both nurseries (42 at Community Vision and 33 at Blenheim).  
Around 130 children currently attend, of whom around 50 are funded through social care purchased places.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes.
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

#### Background

- 3.1 A paper was considered (Report ED14009) by the Education Policy & Development Scrutiny Committee on 30 January 2014 on the options for future delivery of day nursery provision directly run by the Council, located within the Blenheim and Community Vision Children & Family Centres. It was agreed that the preferred option was the market testing of the day nursery provision, subject to a further report (this report) providing further detail on the business case for market testing.
- 3.2 Duties on the Local Authority in relation to nursery and early years provision are as follows:
- Duty to provide sufficient childcare for working parents (Childcare Act 2006);
  - Duty to secure prescribed early years provision free of charge (Childcare Act 2006, amended by Education Act 2011);
  - Duty to assess childcare provision (Childcare Act 2006);
  - General duties to improve the well-being of children under 5 and reduce inequalities (Childcare Act 2006), ensuring early years' services are accessible to all families.
- 3.3 Specifically, the Childcare Act 2006, Section 8 states that the local authority may not provide childcare unless satisfied 'that no other person is willing to provide childcare' or that 'in the circumstances it is considered appropriate for the local authority to provide childcare'. However, this clause does not apply for children in need who are covered by the Children Act 1989, Section 18, which states that 'the local authority shall provide day care for children in need...aged five and under...as is appropriate'. However, this does not mean that the local authority must directly provide such provision.
- 3.4 The two nurseries provide full day care for children aged 0-5 and are open for 51 weeks a year. They are located in Orpington (Blenheim) and Penge (Community Vision), with the majority of users residing in wards considered areas of deprivation on national measures. They are situated within the Blenheim and Community Vision Children and Family Centres – many of the families using the nurseries also access provision offered by the Centres. Places are funded through a combination of the Department of Education Free Early Education (FEE) grant which funds 15 hours per week during term time for all three and four year olds and eligible two year olds, together with income generation from fees charged to families for the balance of their childcare needs. From September 2014, the eligibility criteria for free early years education for two year olds will increase with 40% of the cohort estimated to be eligible, up from the current 20%.
- 3.5 In addition, the two nurseries provide an estimated equivalent of 20 full time (or 48 part time) places for children referred, and funded, by Children's Social Care. The Children's Social Care Team provide early intervention support to prevent family breakdown (and the risk of children entering care) by arranging and funding nursery places primarily through the Blenheim and Community Vision nurseries. Children's Social Care fund the additional cost of hours required above the 15 hours free entitlement and provision outside of term time.
- 3.6 The places provided by the nurseries for Children's Social Care referrals are, essentially, a block contract arrangement. Children's Social Care has an annual budget of £254k against which the nurseries recharge. The basis of the budget allocation is historical and, as a result, it has not been necessary to date to ensure correlation between the budget amount, the

volume of actual referrals made and the actual cost of the provision. The nurseries accommodate all referrals as flexibly as possible. A higher level of support is provided for Social Care referrals, including breakfast or lunches, hands on family support and involvement in Social Work case work meetings.

- 3.7 The nurseries currently provide an overall total of 75 full time places (baby places, two year olds places and three/four year old places). The capacity is based on staffing ratios (based on Ofsted guidelines) with the capacity affected by the relative volumes of the different age ranges that access the nurseries. Capacity could therefore be increased through staffing adjustments although this will still be limited by physical space at the nurseries. Under the previous guidelines for capacity, based on floor space, Blenheim had capacity for 33 and Community Vision had capacity for 55. Both nurseries are rated as Good by Ofsted with the Blenheim nursery graded as having outstanding elements.

### **Sufficiency**

- 3.8 There are around 850 Ofsted Registered Childcare providers in Bromley, of which the two nurseries are the only settings directly run by LBB as full time day care nurseries (the Local Authority also provides nursery provision attached to the Bromley Adult Education College, but these are primarily for the use of students, acting more in a crèche capacity, and do not operate on a full time basis). The Private, Voluntary and Independent (PVI) childcare market in Bromley is of a good standard with 83% of PVI providers rated as outstanding or good at their most recent Ofsted inspection. Funding for Free Early Years Education for two year olds is only available to providers rated as Good or above.
- 3.9 The Bromley Childcare Sufficiency Assessment (2011) states that there is only one day nursery available in Orpington – the Blenheim Centre itself. Other childcare options are mainly through child minders and pre-schools – child minder options are likely to be limited as only child minders rated good or outstanding are eligible for FEE contributions for two year olds; and there are no places for babies or two years olds at pre-schools. There are no other day nurseries within a mile and the closest day nurseries rated as good are located some distance away. While the nearest day nurseries have (currently) available places to accommodate the occupancy at the Blenheim, access to those places is likely to be restricted due to travelling distance. The Blenheim nursery currently operates a waiting list indicating demand for this provision.
- 3.10 There were 8 day care nurseries, including Community Vision, identified within the Sufficiency Assessment available in Penge. However only five others are currently rated as Good by OfSTED and therefore eligible for free early years funding. The other five nurseries do not have sufficient capacity to accommodate the volumes currently accessing the Community Vision nursery (each nursery was contacted to confirm their current occupancy and capacity). There is demand for provision at Community Vision with a waiting list for places.

### **2013/14 Final Out-Turn Position**

- 3.11 The previous report offered an estimated out turn for the two nurseries, forecasting that an overall surplus of £109,570 would be delivered against the budget for controllable costs. This reduced the overall cost of the provision from the budgeted figure of £155,700 (once apportioned non-controllable costs had been taken into account) to an actual cost of £46,130. It should be noted that the non-controllable costs are a generally fixed cost to the Council which would only see significant reductions in the longer term once reductions or alternative delivery models have been made in other council services.

3.12 The final out-turn for 2013/14 has reduced from the forecast position, as follows:

**Table 1: Final Trading Account Position 2013/14 Across Both Nurseries**

	2013/14 Budget	2013/14 Outturn	Variation
	£	£	£
<b>Direct Costs</b>			
Employees	538,450	459,820	-78,630
Running expenses	117,030	110,634	-6,396
	<b>655,480</b>	<b>570,454</b>	<b>-85,026</b>
<b>Income</b>			
FEE & Private	-407,410	-416,904	-9,494
<b>Recharge Social Care Purchasing Budget</b>			
Children's Social Care	-248,070	-217,609	30,461
	<b>-655,480</b>	<b>-634,513</b>	<b>20,967</b>
<b>Total Controllable</b>	<b>0</b>	<b>-64,059</b>	<b>-64,059</b>
Non-controllable	580	24,439	23,859
Recharges	155,700	146,752	-8,948
<b>Total Cost of Service</b>	<b>156,280</b>	<b>107,132</b>	<b>-49,148</b>

3.13 Most of the operating surplus is linked to underspend against budgeted employee and running costs. It is not expected that these costs will rise if maintaining current level of delivery and therefore it is a reasonable indication of profitability. However, overall profitability is reduced when taking non-controllable costs into account.

### Options Considered - Recap

3.14 Three options were considered in the previous report:

- Option 1: Do Nothing
- Option 2: Closure of Nursery Provision
- Option 3: Market Testing of Nursery Provision

3.15 Option 1: Do Nothing was recognised as a potentially viable option for the future delivery of nursery provision. The confirmed out-turn for 2013/14 improves upon the budgeted position. However, it was not the preferred option for the following reasons:

- The out-turn data, while positive, is based on one year of data only. Should income decrease or costs increase, to an extent that an operating surplus is not achieved, the Council would need to subsidise the delivery of day care provision from within its own budgets. The Council is also subject to other costs relating to staffing, such as pensions and related on-costs. Although the current trading data is positive, it cannot be said with certainty that the position is sustainable in the long term.
- The Council is not necessarily the best provider of such provision. The responsiveness of the provision, to increased demand for example, and its ability to maximise income may be limited by Council in relation to staffing and budget controls.

- The overriding factor is that the policy is clear. The Council is not expected to provide such provision unless it is satisfied that no other person or body is willing to do so. There is no evidence that another body would not be willing to provide such provision and therefore the Local Authority is obliged to test the market to establish whether there are other willing providers.

3.16 However, the out-turn position provides a robust baseline against which, in the event of market testing, alternative delivery models can be assessed; and it provides a valid future delivery option if proposals arising from market testing do not demonstrate best value.

3.17 Option 2: Close of Nursery Provision was rejected as an option because of the negative financial and sufficiency implications.

3.18 Option 3: Market Testing of Nursery Provision was the preferred option as it will establish whether alternative organisations are willing to provide the provision and whether they can demonstrate best value.

### **Soft Market Testing**

3.19 A range of early years providers were invited to participate in soft market testing, via informal discussion with the Head of Schools & Early Years Commissioning, supported by the ECHS Commissioning Team. The purpose of soft market testing was to seek feedback from a variety of early years providers as to their potential interest in a market testing opportunity for the nursery provision, their experience of different market testing approaches and different models of contracting.

3.20 Meetings with four early years providers took place, comprising of one national private nursery chain, one local private nursery provider and two national voluntary sector nursery providers.

3.21 The majority of feedback was common across all providers:

- All providers stated that they would be interested in tendering for the provision in the event of market testing, based on the overview of information supplied. All providers gave the caveat that this would be subject to due diligence based on a detailed tender process;
- All providers indicated that the key considerations in their due diligence would be TUPE and pension arrangements together with assessment of profitability of the provision;
- All providers stated that they would be seeking maximum flexibility in the operation of the provision, marketing, branding and managing the provision as per their corporate procedures;
- All providers would be willing to accommodate a block contract for Social Care referrals;
- All providers stated that they would be willing to work flexibly with the Council, where possible, in order to meet local needs and address the sufficiency agenda in the borough.

3.22 The major difference in feedback was between the private and voluntary sectors on the nature of the potential contract arrangement. The interest for the voluntary sector providers would be in a contract for services arrangement, effectively managing the provision on behalf of the Council on a fixed term contract arrangement, with a preference that the property would continue to be maintained by the Council with provider occupancy on a peppercorn rent arrangement. Private sector providers were not interested in a contract for services arrangement, although they did not rule it out altogether. Their strongly stated preference was



for a concession arrangement or outright purchase of the provision, supported by a lease arrangement with the Council for the use of the property.

3.23 This in turn affected the providers view of the length of arrangement they would enter into. In the context of a contract for services, voluntary sector providers were looking at a three to five year arrangement as a minimum. In the context of a concession and property lease arrangement, private providers would be seeking a minimum period of 10 to 15 years in order for it be considered viable to invest time and resource in developing the business.

### Social Care Block Funding

3.24 As indicated in paragraph 3.6, the block funding budget of £254k per annum for social care referrals has been set on a historical basis only with no correlation to the actual volume and cost of referrals made. It was unclear therefore whether the budget was funding places at a disproportionately higher rate to other referrals, effectively subsidising the nursery provision, or whether the budget was funding places at a disproportionately lower rate to other referrals, effectively being subsidised by the income generation of the nursery provision.

3.25 Through analysis of the available information, the total number of hours funded through Social Care Funding was estimated (hours delivered over and above the FEE funded 15 hours per week). The total funding for social care places was divided by the estimated number of hours to derive an average cost per hour. This was then compared to the equivalent calculation for hours funded through FEE or on a charged basis. Table 2 provides an overview.

**Table 2: Cost per Hour of Nursery Provision**

	Hours	
	Income / FEE	Social Care
Babies	21714	6274
2 Yr Olds	20158	14155
3 & 4 Yr Olds	19441	28935
FEE 2 Yr Olds	14861	0
FEE 3 & 4 Yr Olds	33739	0
<b>Total</b>	<b>109913</b>	<b>49364</b>
<b>Income</b>	<b>£507,372.00</b>	<b>£248,070.00</b>
<b>Average Cost Per Hour</b>	<b>£4.62</b>	<b>£5.03</b>

3.26 Although the estimated average cost per hour for social care funded places is higher than the average for other places, the service has confirmed that it would expect to be funded at a higher rate due to the higher level of support provided, such as breakfast and lunches, hands on family support and involvement and attendance in social work case reviews.

3.27 Therefore it is considered that social care funded places are charged at an appropriate comparable rate and the analysis provides a baseline for the commissioning of a continued block contract arrangement in the event of market testing of the provision. In negotiating any future block contract arrangement, further discussions and analysis of referrals will be made in conjunction with Social Care in order to ensure an appropriate volume is established, minimising the risk of funding unoccupied places.

3.28 The analysis of social care placements from April 2013-March 2014 indicates that only 40% of referrals were directly referred by Social Care, with the other 60% being referrals from other agencies, such as health visitors and Bromley Children Project. Any future block contract arrangement will ensure that referral and eligibility processes are firmly established and documented as part of the arrangement.

### **Recommended Option: Market Testing of Nursery Provision on a Concession Basis**

3.29 The local market of private, voluntary and independent providers of day care is well developed and of a good standard. Given that the day nursery provision at Blenheim and Community Vision is well established and indications are that it is operating above full cost recovery, it is feasible that alternative providers will be willing and capable to take over the operation and management of this provision. The soft market testing also indicates that there is potential interest from the market. This could be established by inviting providers to submit bids for the delivery of the provision through a tendering process. This would meet the requirements of the legislation in relation to childcare by ensuring that the Local Authority is not the provider of childcare if it is established that there are other willing parties to meet the service need.

3.30 The proposed outcome of a tendering process would be to enter into a concession agreement for the delivery of services, supported by a lease agreement for the use of the premises. Concession agreements mean that:

- The contractor must bear the cost of service provision;
- The contractor must receive fees paid by third parties for using the service; and
- The contractor must bear a level of market risk for use of the service.

3.31 The characteristics of a concession agreement apply to the day nursery provision. As a concession agreement it would be subject to a 'lighter' procurement process. A concession agreement would typically be a long-term contract arrangement and therefore it is recommended that any such arrangement should be entered into for a minimum of ten years, with an extension option of five years. A lease agreement should be for the same period of time, with appropriate break clauses.

3.32 A tendering process to enter into a contract for services to deliver the provision is not recommended as this would mean that the Local Authority remains as the direct provider of the provision, albeit through a third party, based on a contract price (with additional third party overheads) for the delivery of the service. Such an arrangement would defeat the main purpose of exploring alternative models of delivery, which is to address the relevant legislation which states that a local authority may not deliver childcare unless it is satisfied that no other provider is willing to do so. A contract for services arrangement does not meet this aim. A concession arrangement may mean, based on the feedback from the soft market testing, that voluntary sector providers may be less interested in pursuing this opportunity. However, there is nothing to prevent voluntary sector organisations, or any other type of organisation, in competing for a concession contract if they so wished.

3.33 In entering into a concession agreement, the Local Authority will be inviting providers to submit a price for awarding the concession to the third party. In addition, arrangements for the lease of the premises would need to be finalised including agreed rental charges. At present utilities at the premises are shared between the nurseries and the Children and Family Centres inside which they sit. A decision about the equitable division of these costs and setting rent charges for the nurseries will need to be established as part of the market testing process. The estimated

total rental value for the two nurseries is £40k pa (Community Vision £22,500, Blenheim £17,800).

- 3.34 In transferring the operation of the service via a concession agreement, TUPE may apply to staff currently employed by the Local Authority in the delivery of this service. In the event of the transfer of staff, the Local Authority may also transfer the associated liabilities and risks, such as pension liabilities, subject to negotiation.
- 3.35 The Children's Social Care team recommend that arrangements for a block contract, or appropriate equivalent arrangement, to accommodate Social Care referrals is included within any option for the future delivery of the day care provision at the two nurseries, funded from the Children's Social Care Purchasing Budget. The price for a block contract arrangement can be included within the concession price for the delivery of the nursery provision. As indicated in 3.15, detailed modelling on the level of service, the cost of the provision and the volume (to minimise vacancies) will be undertaken as part of the market testing process.
- 3.36 The current data on the trading account for the nursery provision shows that it is operating at an estimated surplus of £87k for 2014/15. The financial risk to the Local Authority is whether the income generated from a concession agreement will be sufficient to match the current surplus currently made by income generation from the nurseries.
- 3.37 The potential net price of the concession agreement will include the price received for the operation of the concession (i.e. based on the ability to generate income), the price paid for the delivery of a block arrangement for Social Care referrals and the rental charge. This is illustrated in Table 3 below based on like for like assumptions against the current trading account data.
- 3.38 The current nursery rates charged compare favourably with other local provision, and charges are reviewed annually in April. There is potential to increase charges to make the provision more profitable, this would need to be considered in line with the local market and the balance to be achieved regarding offering affordable places to local families.
- 3.39 There may also be scope for the nurseries to offer additional places for 2 year olds eligible for FEE if minimal capital investment was made to reconfigure the layout of each nursery. Capital funds are available for the increase of places, and this will be a consideration regardless of the outcome of market testing.
- 3.40 This option is recommended to the Portfolio Holder for Education as it meets the requirement of the Local Authority to satisfy itself as to whether there are alternative providers of this provision. Market testing will demonstrate the ability and interest of the marketplace to deliver nursery provision at these locations and whether it demonstrates best value compared to the current position.

#### **4. POLICY IMPLICATIONS**

- 4.1 The proposed plan reflects the Building a Better Bromley 2020 vision, and both the local and national policy direction for Education Services.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 The nurseries moved on to a Trading Account from 2013/14. The costs of running the nurseries have been separated out from those of running the Children and Family Centres. Since April, occupancy has increased, and income has increased accordingly. The trading account budgets and final outturn for 2013/14 are shown in Table 1 above.

- 5.2 The budgets were not set up as full cost recovery trading accounts, so the recharges (overheads) are not covered by the income. The final outturn figures reflect that before recharges the nurseries generated a total surplus of £64k, and a deficit of £107k once overheads are taken into account.
- 5.3 At present utilities are shared between the nurseries and the Children and Family Centres inside which they sit. A decision about the equitable division of these costs and setting rent charges for the nurseries will be taken as part of the market testing process. The estimated total rental value for the two nurseries is £40k pa (Community Vision £22,500, Blenheim £17,800).
- 5.4 Table 3 below compares the 2014/15 budget to an equivalent concession arrangement per 3.36 above.

**Table 3: Final implications of a concession arrangement**

	2014/15 Budget £	Equivalent Concession Position £	Notes
<b>Direct Costs</b>			
Employees	563,870	0	The provider will bear employee costs
Running expenses	136,430	0	The provider will bear running costs, and will be recharged for premises costs
	<b>700,300</b>	<b>0</b>	
<b>Income</b>			
FEE & Private	-446,250	0	The provider would receive the income
Rental income	0	-40,000	Estimated rental income from the provider
Concession Fee	0	<b>tbc</b>	
<b>Recharge Social Care Purchasing Budget</b>			
Children's Social Care	-254,050	0	The provider will receive the income directly through a block contract
	<b>-700,300</b>	<b>-40,000</b>	
<b>Total Controllable</b>	<b>0</b>	<b>-40,000</b>	

- 5.5 This shows that there would be a £40k saving plus any concession fee income if the service was delivered by an external provider, assuming the full rental value can be realised and social care costs remain unchanged.
- 5.6 However, current estimates project that a surplus of £87k will be delivered in 2014/15, which is currently helping to mitigate the total ECHS department overspend. Taking this into account, there would be a potential loss of £47k of the surplus income currently being generated. This would be expected to reduce dependent upon the price agreed for the delivery of the concession based upon its potential to increase income above current levels. The confirmed surplus in 2013/14 of £64k and the projected surplus in 2014/15 of £87k provides a reasonably robust range to be considered when receiving proposals for rental and concession fees.
- 5.7 The recharge from Children's Social Care totalling £254k provides for 48 part-time nursery places per year. If the service was provided externally then the budget would be available to purchase these places in the wider external market. It is expected that Social Care would continue to purchase places in advance at the two nurseries for the most vulnerable children, with the option to spot purchase additional places according to demand, either at the two nurseries or elsewhere. This increased flexibility may result in savings for Social Care, depending on the pricing of places. At the same time, spot purchasing places with other providers may prove more expensive. Further modelling needs to take place to establish the appropriate price and arrangements for a block contract as part of a concession agreement.

5.8 There are restrictions on the use of the Children and Family sites in which both nurseries are based, as they were built using funding from the Department for Education’s Sure Start programme. Use of these sites for anything other than the provision of services for children aged 0-5 and their parents and carers could result in a potential liability to repay some or all of the Sure Start grant used to build the centres (approximately £910k for Blenheim and £1,075k for Community Vision).

## 6. LEGAL IMPLICATIONS

6.1 The provision of nurseries are currently Part B Services for the purpose of Schedule 1 to the Public Contract Regulations 2006 (as amended). The 2014 EU Procurement Directives were approved by the European Parliament on 15 January 2014 and by the EU Council on 11 February 2014. These Directives were published in the Official Journal of the EU on 28 March 2014 and came into force on 17 April 2014. EU member states have 2 years to implement them in national legislation.

6.2 One of main reforms in the new Directives is the removal of the distinction between Part A (“priority”) and Part B (“non-priority”) Services. This means that the services currently listed in the Part B Services category will be subject to the full procurement regime under the new Directives. There will, however, remain a list of social, health, cultural and assimilated services which will be subject to a lighter touch regime under what has been described as a new simplified procedure. This new simplified regime will have a higher threshold of €750,000 and the only obligations, apart from general EU principles, which apply are the rules in relation to non-discriminatory, transparency and publicity.

6.3 The Council are also required to comply with its own Financial Regulations and Contract Procedure Rules

## 7. PERSONNEL IMPLICATIONS

7.1 If Members agree the recommendation to market test, staff and their representatives will be engaged and consulted as early as practical at each stage of the process going forward, subject of course to any commercially sensitive information. The potential implications of this proposal were communicated to staff via an early warning letter on October 15<sup>th</sup> 2013. There will also be engagement with service users and representatives who might be affected by the proposals.

7.2 Any subsequent tendering process will consider whether or not the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 would apply and the consequential legal and financial implications arising from this. Any staffing implications, arising from the recommendations in this report will need to be carefully planned for and managed in accordance with Council policies and procedures and with due regard for the existing framework of employment law.

<b>Non-Applicable Sections:</b>	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	Day Nursery Provision (ED14009), 30th January 2014

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**Decision Maker:** EXECUTIVE

For Pre-Decision Scrutiny by the Education Policy Development and Scrutiny Committee on Tuesday 30<sup>th</sup> September 2014

**Date:** 30<sup>th</sup> September 2014

**Decision Type:** Non-Urgent Executive Non-Key

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

**Contact Officer:** Mary Cava, Head of SEN & Disability  
Tel: 020 8461 7633 E-mail: Mary.Cava@bromley.gov.uk

**Chief Officer:** Executive Director of Education, Care & Health Services

**Ward:** All Wards

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1. Reason for report

- 1.1 The Children & Families Act received Royal Assent in April 2014 and will become law from September 2014.
- 1.2 This report is seeking approval for the release of grant funds held in the 2014/15 central contingency for the following:-
  - (a) **SEND Implementation (New Burdens) Grant.** This grant is provided by the government to implement the wide ranging statutory reforms of the Children and Families Act 2014 which require statutory compliance from September 2014, and in particular the transfer of Statements of Special Educational Needs and Learning Difficulty Assessments to Education, Health and Care Plans during the transition timeframe. This funding totals £259,317
  - (b) **Bromley Pathfinder Champion Grant.** This funding is allocated to Bromley for Pathfinder Champion work with our partners in Bexley and Enfield .The amount requested from central contingency totals £71,063 and is ring fenced funding to support the implementation of the new SEN and Disability reforms in 15 non pathfinder London local authorities designated as London Region 1.

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2. **RECOMMENDATION(S)**

- 2.1 **The Education PDS Committee is asked to note and consider the contents of this report**
- 2.2 **The Executive is asked to:**
  - (i) **Consider the contents of the report**
  - (ii) **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**
  - (iii) **Approve the drawdown of £71,063 funding from the Council's central contingency for the 2014/15 SEN Pathfinder Champion Grant.**

## Corporate Policy

1. Policy Status: Existing Policy: Draft Education and Care Services Plan for 2013/14 and Government Directed.
  2. BBB Priority: Children and Young People: Enjoy learning and achieve their full potential; ensuring the health and wellbeing of children and young people, and their families.
- 

## Financial

1. Cost of proposal: Estimated Cost: £223,023 in 2014/15, and £107.357 in 2015/16
  2. Ongoing costs: Non-Recurring Cost: One-off payment until March 2015
  3. Budget head/performance centre: SEN Reform Implementation (136034)  
& SEND Pathfinder (136355)
  4. Total current budget for this head: £381,940 (136034), £0 (136355)
  5. Source of funding: DfE grants;- SEND Implementation (New Burdens)  
& SEND Pathfinder Champion Grants
- 

## Staff

1. Number of staff (current and additional): 8 fte Additional Staff (short term contract)
  2. If from existing staff resources, number of staff hours:
- 

## Legal

1. Legal Requirement: Statutory Requirement: The Children and Families Act has received Royal Assent and will become law from September 2014
  2. Call-in: Applicable
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Estimated number of users/beneficiaries (current and projected): 1,914 children with a Statement of SEN and 202 students with a Learning Difficulties Assessment.
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:



### 3. COMMENTARY

- 3.1 The Children and Family's Act becomes law from September 1<sup>st</sup> 2014. This Act introduces new duties on local authorities in order to improve outcomes for children with SEN or who are disabled, increase choice and control for parents and promote a less adversarial system. There are significant new duties on local authorities in the new legislation. Local authorities have a range of duties which must be implemented immediately and some which require a gradual phasing in of changes over the next three and a half years.
- 3.2 Developmental work has been in progress to deliver the following areas of reform:
- Coordinated assessment and planning & EHC Plans
  - Developing the local authority Local Offer
  - Preparing for Adulthood
  - Personal Budgets
  - Multi-agency working and joint commissioning (including regional commissioning for low incidence needs)
  - Participation of children, young people and parent/carers & educational settings
  - Organisational change and workforce development
- 3.3 Essential statutory targeted work is now required for the conversion of Statements of SEN and Learning Difficulty Assessments into Education Health and Care Plans (EHCP) where appropriate. This involves working closely with a range of partner agencies including Social Care, Health, Clinical Commissioning Groups and education settings including Further Education colleges and other post-16 providers. Conversion must take place over a three and a half year period from 1<sup>st</sup> September 2014 – 30<sup>th</sup> April 2018.
- 3.4 The New Burdens Grant will be used to deliver the transferring of statements and learning difficulty assessments to EHC Plans. The new SEND system will commence operation from September 2014 when the Children and Families Act 2014 comes into being. It will run alongside the old system and the timeframe for the changes to be complete are April 2018 where it is expected that all Statements of SEN will have been reviewed and Education, Health and Care Plans will be in place.
- 3.5 It is also proposed that some of this grant is used to review the SEN Services and provisions within Bromley to ensure the services and provisions are "fit-for purpose" reflecting the new government systems of reforms. This activity will investigate local SEN & Disability prevalence and then inform appropriate place planning for pupils with complex SEN and the central service delivery to ensure needs are met locally through high quality and cost effective provision. Thus avoiding costly out of borough placements.
- 3.6 Transition guidance alongside Statutory Instruments is available and defines the groups of children and young people with whom the transition work should commence. Each local authority must publish a Transition Plan stipulating how and when the transfer of statements will take place.
- 3.7 From 1<sup>st</sup> September 2014 the SEN & Inclusion Service will commence the review process for existing Statements using the new EHCP Template to consider progressing to Education, Health and Care Plans (EHCP). This process, which will be phased, must be completed within 3.5 years.(April 2018).

- 3.8 Existing Learning Difficulty Assessments (LDAs) must be transferred by September 2016.
- 3.9 From 1 September 2014 all requests for statutory assessments will take the form of an assessment of education, health and care needs which may lead to an EHCP.
- 3.10 Directions from the DfE are as follows: within the timeframes stated, Local Authorities MUST transfer children and young people with statements to the new arrangements prior to them transferring from :-
- Year 11
  - Early years settings to schools
  - An infant to a junior school
  - Primary to middle school
  - Secondary school to post 16 institution or apprenticeship
  - Mainstream to a special school or vice versa.
- 3.11 From 1 September 2014 assessments for Statements of Special Educational Needs or Learning Difficulty Assessments will not be offered.
- 3.12 The transition plan will commence in September 2014 and be reviewed and updated on a 6 monthly basis to inform necessary amendments.

#### **Transition in Bromley - Scope of the Exercise**

- 3.13 At the time of writing (August 2014) there are 1,914 children and young people with a Statement of SEN maintained by LB Bromley. There are currently 202 Learning Difficulty Assessments. 2,116 in total.
- 3.14 The majority of children requiring specialist provision at Reception age will be transitioning through the new EHC process. There are 110 children and young people who need their plan(developed in the pilot stage of the new reforms) transitioned into the statutory format proscribed by the DfE.

#### **Prioritising the Phased Transfers**

- 3.15 Following DfE guidelines Officers propose the following transfer for the school year of 2014/15 proscribed by DfE as:- Priority Year 11. In addition Years 1 and 5 capacity permitting.

The tables below provide information as to how Bromley aim to progress the transferring of Statements and early Pathfinder EHC Plans over the next three years.

The tables provided are approximate numbers, given the fact that some young people will leave schools once choices are made after examination results, some statements may cease if objectives are met, also Pupil Resource Agreements will be promoted to support more speedy and more flexible intervention where appropriate.

## Year One Target Groups for Transfer to EHC Plans September 2014 – August 2015

<b>Pupil/Student Groups</b>	<b>Numbers</b>
Children with a Pathfinder Plan	110
Year 1 (end KS1)	79
Year 5 (end KS2)	138
YPs who are transferring from schools (including 6 <sup>th</sup> formers) to a post 16 institution or an apprenticeship	185
16-25yrs with an LDA FE	29
Young People leaving Custody	2
Others	10
<b>Total</b>	<b>553</b>

## Year Two Target Groups for Transfer to EHC Plans 2015/16

<b>Pupil/Student Groups</b>	<b>Numbers</b>
Year 1 (end KS1)	3
Year 5 (end KS2)	106
Year 9	170
Year 11	174
Post 16 (schools)	165
16-25yrs in FE	20
Others	35
<b>Total</b>	<b>673</b>

## Year Three Target Groups for Transfer to EHC Plans 2016/17

<b>Pupil/Student Groups</b>	<b>Numbers</b>
Year 1 (end KS1)	0
Year 5 (end KS2)	98
Year 9	173
Post 16 (schools)	100
NCY 11	171
<b>Total</b>	<b>542</b>

## Year Four Target Groups for Transfer to EHC Plans April 2017/18

<b>Pupil/Student Groups</b>	<b>Numbers</b>
Year 5 (end KS2)	92
Year 9	137
<b>Total remaining statements</b>	<b>229</b>

*It is estimated that approximately 119 statements will cease through pupils moving on to higher education.*

## **The Process of Transfer**

- The current Annual Review Process will become the Transfer Review where the pupil has been prioritised for transfer to an EHC Plan and this will commence the process for conversion to the EHC Plan. Parents will be contacted at the start of the school year to inform them when the Transfer Review is likely to take place. Schools will also be informed and a copy of the parental letter will be sent to schools.
- The EHC Template will be used for the transfer review
- The template will be populated by SEN Assessment, Review and Placement Officers prior to review meeting, draft then discussed and outcomes agreed at person centred meeting.
- It is planned that the education provision (with support from advisory workers) will support Parents to update the Section A "All About Me".
- Local voluntary groups bid for a recent government grant to deliver independent support advice to parents, Bromley Mencap, Bromley Parent Voice, Burgess Autistic Trust and Experts by Experience won the bid and will also be supporting the process. Officers will be working closely with this consortium to deliver co-ordinated advice.
- There is a 14 week timeline to complete the transfer process and this will commence at the meeting date. The draft document will be circulated for amendments following meeting, the final is then sent out to all parties.
- Year 11 Transition Reviews will involve the Preparing for Adulthood Team and Educational Psychologists will support transition reviews to agree format for review reports which are required to focus on outcomes to feed into template.

## **Champion Funding**

- 3.16 The Champion funding will be used by LBB Bromley and Champion partners in Bexley and Enfield to deliver regional support and consistency across local authorities for the statutory changes. This not only benefits other local authorities but also brings resource and considerable benefits to Bromley. As in 2013/14 LB Bromley is the lead authority and holds the funding on behalf of Bromley, Bexley and Enfield to implement the champion programme. The government funding is ring fenced for this purpose
- 3.17 As a Pathfinder authority Bromley has been able to access early funding to test some of the new developments. This has enabled officers to progress systems and processes which other LAs are about to commence.

## **Resourcing**

- 3.18 There is considerable and rapid change required to deliver the changes and move in line with the regulations of this new Act. To achieve the above extra staffing capacity will be required. For young people with low level funded statements where needs can currently be met through the schools notional budget with top up funding there will be the offer of a Pupil Resource Agreement where the resources to meet needs can be drawn down without the need to transfer to an EHC Plan. This will ensure needs can be met through local resourcing without the need to draw down an EHC Plan.
- 3.19 Capacity building (Staffing) will be required across the whole service SEN, Inclusion, Disabled Childrens Service (Social Care), Health and Early Years SEN. In addition it is proposed that additional resources are available for special schools to support the delivery of the Plans.

3.20 Due to the considerable change of emphasis on holistic assessment for and with those young people with the most complex and enduring needs, the age range increasing from 0-19 to 0-25 and the emphasis on outcomes for the young person both short and long term outcomes there is a need for a comprehensive overhaul of the SEN Services and provisions in Bromley. This will ensure a fit for purpose service and a clear and comprehensive SEND strategy for the next five years.

#### 4. FINANCIAL IMPLICATIONS

4.1 There are two grants currently in the Council's central contingency for 2014/15, the new, un-ring-fenced SEND Implementation Grant (New Burdens) totalling £259k, and the third and final year allocation of the ring-fenced SEND Champion Pathfinder Grant totalling £71k.

##### **SEND Implementation Grant (New Burdens)**

4.2 It is intended that this grant will be spent between November 2014 and October 2015, with £152k in 2014/15 and £107k in 2015/16 financial years. Drawdown is initially requested for the £152k required to fund the necessary work in 2014/15, with the £107k ring-fenced for drawdown in 2015/16, subject to members' satisfaction with progress made towards the targets in 3.15 above.

4.3 This funding is in addition to the £382k SEN Reform Grant for 2014/15, drawdown of which was approved by Executive at its meeting of 2<sup>nd</sup> April 2014. This funding has been used to increase capacity to review services across education, care and health and develop the requirements of the reforms. This has included; developing a robust Local Offer framework for the three areas of education, health and care; producing a statutory compliant education, health and care plan template; reviewing of thresholds of personal budgets and direct payments to include personal budget policy and practice in education, health and care; mediation requirements and a robust data managing system to deliver the statutory reforms.

4.4 Table A below provides a summary of the planned expenditure, with a proposed spending plan detailed in Table B.

Table A

	<b>2014/15</b>	<b>2015/16</b>	<b>Total</b>
	£	£	£
Temporary Staff	60,400	76,800	137,200
Training	9,100	12,900	22,000
Consultancy	50,000	0	50,000
Third Parties/Partners	12,460	17,660	30,120
IT	20,000	0	20,000
	<b>151,960</b>	<b>107,360</b>	<b>259,320</b>

**Table B**

<b>Funded Element</b>	<b>Detail</b>	<b>2014/15</b>	<b>2015/16</b>	<b>Total</b>
		£	£	£
1 Additional Inclusion Professional	Target year groups requiring conversion.	25,910	26,090	52,000
2 Additional Assessment and Placement Officers + 1 administrative worker	Work to transfer 500 statements to EHC Plans	31,440	44,560	76,000
Commissioning training for extensive workforce development	Considerable workforce development (Childrens Services, Social Care and Health services) required to deliver specialist and targeted training and also to deliver broader information sharing across the organisations.	9,100	12,900	22,000
Commissioning consultant to review SEN services and provisions	To ensure a fit for purpose, high quality, cost effective service and provisions for the future	50,000	0	50,000
LBB Partners/schools	Extra capacity for specialist schools to support delivery of new plans	12,460	17,660	30,120
Information Managements systems & extra capacity for delivery	New EHC Plan module on ICT systems	20,000	0	20,000
Preparing for Adulthood	Increase capacity of Team to deliver year 11 and above conversion of Learning Difficulty Assessments	3,050	6,150	9,200
		<b>151,960</b>	<b>107,360</b>	<b>259,320</b>

4.5 Indicative figures from DfE suggest that a further £182k will be allocated in 2015/16. A request will be made in due course to draw this down, once the actual allocation is known.

### **SEND Pathfinder Champion Grant**

4.6 LBB has been allocated £71,063 grant funding in 2014/15 as lead Pathfinder in the region, in partnership with the London Boroughs of Bexley and Enfield. This will be the third and final year of this grant.

4.7 The table below shows the 2014/15 delivery plan for the grant.

<b>Funded Element</b>	<b>Detail</b>	<b>September 2014 – Mar 2015 (inc. on costs)</b>
1. Training	Deliver two 1:1 training & support days for each borough in London Region 1 (30 1:1 days across 15 local authorities.)	£20,000
2. Further Training	Deliver 25.5 additional flexible training and support days allocated on basis of need and advice from the Mott MacDonald support Team	£16,000
3. Lead Co-ordination	Coordinate regional activity, report back to DfE, DoH and partners on the implementation of the reform.	£2,000
4. Attend four national champion days	To provide and ensure consistent information is disseminated nationally.	£4,000
5. Produce processes and procedures for national distribution	To produce four case studies (EHC Plans) and the “how to” documentation to support the national implementation of the reforms.	£8,000
6. To attend and present at six national champion peer networks	To ensure consistency within and across regions in delivery.	£6,000
7. Administration	Increase capacity of administrative team to deliver the admin required for the above champion authorities.	£15,263
<b>TOTAL</b>		<b>£71,063</b>

4.8 This grant is ring-fenced for expenditure incurred in the delivery plan above which has been agreed with DfE, and cannot be carried forward to 2015/16. These monies are shared with Bexley and Enfield boroughs.

## 5. POLICY IMPLICATIONS

5.1 Existing policy to deliver high quality cost effective services. Education Services Plan 2014/15.

5.2 BBB Priority: Children and Young People: Enjoy learning and achieve their full potential.

## 6. LEGAL IMPLICATIONS

6.1 Legal Requirement: new statutory regulations (Children & Families Act September 2014) ensuring statutory compliance across Bromley and London. A new SEN Code of Practice recently published again ensuring compliance.

## 7. PERSONNEL IMPLICATIONS

7.1 Number of staff; currently the equivalent of 8 full time members of staff to be employed on temporary contracts for a period of one year only.

<b>Non-Applicable Sections:</b>	None.
Background Documents: (Access via Contact Officer)	DfE Documentation: SEN & Disability Code of Practice 0-25, 2014

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Report No.  
ED150106

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** Education Policy Development and Scrutiny Committee

**Date:** 30<sup>th</sup> September 2014

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** EDUCATION PROGRAMME 2014/15

**Contact Officer:** Angela Buchanan, ECHS Planning & Development Manager  
Tel: 020 8313 4199 E-mail: angela.buchanan@bromley.gov.uk

**Chief Officer:** Terry Parkin, Executive Director, Education and Care Services

**Ward:** Borough-wide

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1. Reason for report

- 1.1 The report provides a programme of scheduled reports for the year ahead, based on items scheduled for decision by the Education Portfolio Holder and items for consideration by the Education Policy Development and Scrutiny Committee.
- 

2. **RECOMMENDATION(S)**

- 2.1 **Members of the Education PDS Committee are invited to comment on the Education Programme at Appendix 1; and, note and comment on the proposed school visits for the Autumn Term 2014/15 at Appendix 2.**
- 2.2 **The Education Portfolio Holder is invited to comment on the Education PDS Programme at Appendix 1 and note its content.**

## Corporate Policy

1. Policy Status: Existing Policy: As part of the Excellent Council stream within Building a Better Bromley, PDS Committees should plan and prioritise their workload to achieve the most effective outcomes.
  2. BBB Priority: Children and Young People: To secure the best possible future for all children and young people in the Borough, including a clear focus on supporting the most vulnerable children and young people in our community.
- 

## Financial

1. Cost of proposal: No Cost
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: No specific budget head
  4. Total current budget for this head: £N/A
  5. Source of funding: Council's Base Budget
- 

## Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
- 

## Legal

1. Legal Requirement: No statutory requirement or Government guidance:
  2. Call-in: Not Applicable
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for members of this Committee to use in controlling and reviewing their ongoing work.
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not Applicable

### 3. COMMENTARY

#### Work Programme

- 3.1 The Programme at **Appendix 1** provides information on items scheduled for decision by the Education Portfolio Holder, items for consideration by the Education Policy Development and Scrutiny Committee and proposed information briefings for Members on which no decision is required.
- 3.2 The Programme provides a reference on future work and enables it to be amended in the light of future developments and circumstances. The programme also lists the meetings of the Executive and PDS Working Groups with dates (where already scheduled).
- 3.3 The focus of Education PDS Committee work should be on (i) holding the Education Portfolio Holder to account, (ii) pre-decision scrutiny and (iii) policy development..

#### Council Member Visits

- 3.4 Five visits have been scheduled for the Autumn Term (September and December 2014). One visit has taken place with six members of this PDS committee attending. For details on places available on future visits please see **Appendix 2**.
- 3.5 All Elected Council Members and Co-opted Members are invited to attend Council Member Visits and are asked to make known their interest by responding to the emails from [cheryl.adams@bromley.gov.uk](mailto:cheryl.adams@bromley.gov.uk)

<b>Non-Applicable Sections:</b>	Policy, Financial, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	

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## Appendix 1.

<b>SACRE</b>	<b>8th Oct 2014</b>
<b>Education Budget Sub Committee</b>	<b>16th Oct 2014</b>
<b>Education PDS</b>	<b>5th Nov 2014</b>
<b>Item</b>	<b>Status</b>
Update on Proposed School Expansions for 2015/16	
Strategic Plan - Development of Secondary School Places 2016 - 22	
Primary School Development Plan - Update	
Update on the provision of SALT	
Refurbishment costs for Beacon House	
Progress on implementing the recommendations of the School Governance Working Group	
Update on Under Performing Schools - inc update on categorisation report, risk analysis, support being provided by LA	Standing Item
Bromley Academy Programme & Free School Update	
Minutes from Budget Sub Committee	
Update from Executive Working Party for SEN	
ED PDS Work Programme & Members Visits	
Education Contract Activity Report 2014/15	
<b>Education Budget Sub Committee</b>	<b>6th Jan 2015</b>
<b>Education PDS</b>	<b>27th Jan 2015</b>
<b>Item</b>	<b>Status</b>
Draft Education Portfolio Plan 2015/16	
Update on development of PRU provision at Grovelands and the broader issue of education provision for pupils with SEBD	
Update on Under Performing Schools - inc update on categorisation report, risk analysis, support being provided by LA	Standing Item
Education Outcomes for LBB Children in Care	
Not in Education, Employment or Training Update	PDS Request
Update on Home Education	PDS Request
Bromley Academy Programme & Free School Update	
Minutes from Budget Sub Committee	
Update from Executive Working Party for SEN	
ED PDS Work Programme & Members Visits	
Education Contract Activity Report 2014/15	
<b>SACRE</b>	<b>11th Feb 2015</b>
<b>Joint Care Services &amp; Education PDS</b>	<b>26th Feb 2015</b>
<b>Education Budget Sub Committee</b>	<b>3rd Mar 2015</b>
<b>Education PDS</b>	<b>10th Mar 2015</b>
<b>Item</b>	<b>Status</b>
Update on Under Performing Schools - inc update on categorisation report, risk analysis, support being provided by LA	Standing Item
Commissioning Review of Education Services	
Bromley Academy Programme & Free School Update	
Minutes from Budget Sub Committee	

Item	Status
Update from Executive Working Party for SEN	
ED PDS Work Programme & Members Visits	
Education Contract Activity Report 2014/15	
Raising the Participation Age Strategy Process Update	
Standards of Attainment in Bromley Schools 2013	
Annual Report of the Education PDS Committee	

## Appendix 2.

Establishment	Date	Time	Attendees
Bishop Justus CE School (Academy)	<b>03.10.14</b> <b>FRIDAY</b>	10:00 - 12:00	<u>Councillors Attending</u> Cllr Kim Botting Cllr Peter Fookes Cllr Kathy Bance Cllr Keith Onslow Cllr Judith Ellis Cllr Hannah Gray
Coopers School (Academy)	<b>17.10.14</b> <b>FRIDAY</b>	14:00 - 16:00	<u>Councillors Attending</u> Cllr Peter Fookes Cllr Tony Owen Mylene Williams (Co-opted) Cllr Keith Onslow Cllr Robert Evans
Poverest Primary School (Community)  <u>No more places available</u>	<b>13.11.14</b> <b>THURSDAY</b>	14:00 - 15:30	<u>Councillors Attending</u> Cllr Mary Cooke Cllr Peter Fookes Daren Jenkins (Co-Opted) Mylene Williams (Co-opted) Cllr Keith Onslow Cllr Judith Ellis
Hayes School (Academy)  <u>Up to six more places available</u>	<b>27.11.14</b> <b>THURSDAY</b>	09:45 - 11:45	<u>Councillors Attending</u> Cllr Mary Cooke Cllr Peter Fookes Daren Jenkins (Co-Opted) Cllr Graham Arthur Cllr Peter Fortune Cllr Keith Onslow Cllr Robert Evans

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