



THE LONDON BOROUGH
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DATE: 30 June 2015

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, Julian Benington, Alan Collins,
Mary Cooke, Judi Ellis and Ellie Harmer

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
Hannah Barnard, (Young People's Representative)
Alison Register, (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 **WEDNESDAY 8 JULY 2015 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://cds.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 CO-OPTIONS TO THE EDUCATION PDS COMMITTEE 2015/16 (Pages 5 - 8)**
- 3 RECONSTITUTION OF WORKING GROUPS OF THE EDUCATION PDS COMMITTEE (Pages 9 - 12)**
- 4 DECLARATIONS OF INTEREST**
- 5 MINUTES OF THE EDUCATION PDS COMMITTEE MEETING HELD ON 10TH MARCH 2015 AND 13TH MAY 2015 AND MATTERS OUTSTANDING FROM PREVIOUS MEETINGS (Pages 13 - 26)**
- 6 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 Thursday 2nd July 2015 and to respond. Questions must relate to the work of the scrutiny committee.

PORTFOLIO PRESENTATIONS AND DECISIONS

- 7 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 Thursday 2nd July 2015 and to respond. Questions must relate to the work of the Portfolio.

- 8 PORTFOLIO HOLDER UPDATE**
- 9 PORTFOLIO HOLDER PROPOSED DECISIONS**
 - a REVISED INSTRUMENT OF GOVERNMENT - ST OLAVE'S AND ST SAVIOUR'S GRAMMAR SCHOOL - (Pages 27 - 42)**
 - b SEN TRANSPORT POLICY CHANGES FOLLOWING RECENT CONSULTATION (Pages 43 - 84)**

- c **PROVISION OF COURSES FOR THE BROMLEY FLEXIBLE LEARNING PROGRAMME** (Pages 85 - 90)
- d **FAMILY SUPPORT SERVICES CONTRACT - FUTURE CONSIDERATION** (Pages 91 - 94)
- e **BASIC NEED UPDATE** (Pages 95 - 108)

10 EDUCATION INFORMATION ITEMS

The items comprise:

- Education Portfolio Plan Update – Spring Term
- Virtual School Annual Report
- Contract Activity Update
- Minutes of the Education Budget Sub-Committee meeting held on 30th June 2015 (To Follow)
- Update from Executive Working Group for Special Educational Needs

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>

11 ITEMS FOR EXECUTIVE DECISION

- a **REORGANISATION OF BROMLEY ADULT EDUCATION COLLEGE** (Pages 109 - 118)
- b **DRAWDOWN OF GOVERNMENT GRANT FUNDING TO SUPPORT THE LOCAL AUTHORITY IN ITS ROLE AS A LONDON REGIONAL LEAD FOR THE IMPLEMENTATION OF THE SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) REFORMS FROM APRIL 2015/16** (Pages 119 - 126)

POLICY DEVELOPMENT AND OTHER ITEMS

12 EDUCATION SELECT COMMITTEE SESSION

Councillor Peter Dean, Chair, Development Control Committee, Councillor Peter Fortune, Portfolio Holder for Education and Councillor Colin Smith, Deputy Leader of the Council are invited to attend the Education PDS Committee for this select committee session, convened to review services and consider a full range of issues and future work streams for the Education Portfolio.

- a **POSITION STATEMENT OF EDUCATION SERVICES** (Pages 127 - 146)

13 EDUCATION PROGRAMME 2015/16 (Pages 147 - 154)

PART 2 (CLOSED) AGENDA

- 14 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
15 EXEMPT MINUTES OF THE EDUCATION PDS COMMITTEE MEETING HELD ON 10TH MARCH 2015 (Pages 155 - 158)	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

PORTFOLIO HOLDER PROPOSED PART 2 (EXEMPT) DECISIONS

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

16 AWARD OF CONTRACT FOR PROVISION OF POST-16 LEARNER PARTICIPATION TRACKING SERVICES (Pages 159 - 168)	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
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DATES OF FUTURE EDUCATION PDS COMMITTEE MEETINGS

Tuesday 29th September 2015
Wednesday 18th November 2015
Tuesday 19th January 2016
Tuesday 1st March 2016

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Report No.
CSD15061

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Wednesday 8 July 2015

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

Title: CO-OPTIONS TO THE EDUCATION PDS COMMITTEE 2015/16

Contact Officer: Kerry Nicholls, Democratic Services Officer
Tel: 020 8313 4602 E-mail: kerry.nicholls@bromley.gov.uk

Chief Officer: Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 Members are asked to confirm Co-opted Membership appointments to the Education PDS Committee for 2015/16.

2. RECOMMENDATION(S)

- 2.1 That the following Parent Governor Representative appointments be made to the Education PDS Committee for 2015/16 with voting rights:

- Ms Mylene Williams, Primary Parent Governor
- Mr Tony Wright-Jones, Secondary Parent Governor
- Mr Darren Jenkins, Special School Parent Governor

- 2.2 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 2015/16 with voting rights;

- 2.3 The following Education PDS Co-opted Membership appointments be made to the Education PDS Committee for 2015/16 without voting rights:

- Mrs Alison Register as Pre-School Settings Representative
- Miss Hannah Barnard as Young Peoples Representative

Corporate Policy

1. Policy Status: Existing Policy: Co-opted Membership at relevant PDS Committees is encouraged given the added value that Co-opted Membership can bring to a PDS Committee's work
 2. BBB Priority: Children and Young People
-

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £326,980
 5. Source of funding: 2015/16 Revenue Budget
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Staff

1. Number of staff (current and additional): There are 10 posts (8.75fte) in the Democratic Services Team.
 2. If from existing staff resources, number of staff hours: Not Applicable
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Legal

1. Legal Requirement: Statutory Requirement: The Parent Governor Representatives (England) Regulations 2001 require the election of a minimum of two and a maximum of five Parent Governors to any Education Overview and Scrutiny Committee. DfEE Circular 19/99 contains a specific direction of the Secretary of State under section 499 of the Education Act 1996 requiring local authorities in England to appoint representatives of the Church of England and the Roman Catholic Church to their Committees dealing with education.
 2. Call-in: Not Applicable: This report does not involve an executive decision.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
-

Ward Councillor Views

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

3. COMMENTARY

Co-opted Membership for 2015/16

- 3.1 Under the terms of DfES Circular 19/99 both the Church of England and the Roman Catholic Church are entitled to representation on any Committee which exists to oversee and scrutinise the Executive's education decisions. Mrs Mary Capon will represent the Church of England Rochester Diocesan Board of Education and Mrs Joan McConnell will represent the Roman Catholic Archdiocese of Southwark Commission for Schools and Colleges.
- 3.2 Under the terms of the Parent Governor Representatives (England) Regulations 2001, the Council must provide for the election of a minimum of two and a maximum of five Parent Governors to any Education Overview and Scrutiny Committee. Following a School Governor Election in May 2014, Ms Mylene Williams, Mr Tony Wright-Jones and Mr Darren Jenkins were elected as Parent Governor Representatives on the Education PDS Committee for a term of two years.
- 3.3 Mrs Alison Register has indicated that she is willing to serve a further term as the Pre-School Settings and Early Years Representative for a term of one year.
- 3.4 Bromley Youth Council has nominated Miss Hannah Barnard as the representative for Young People on the Committee for a term of one year.
- 3.5 At the request of the Chairman, a Head Teacher Representative will no longer be co-opted to the Education PDS Committee due to the high and increasing number of Bromley schools which have become academies.

Role of Co-opted Members

- 3.6 Co-opted Members bring their own area of interest and expertise to the work of a PDS Committee. Co-opted Members often represent the interests of key groups within a Portfolio and co-option to a Committee can ensure that their views are taken into account on issues. They broaden the spectrum of involvement in the PDS process and make the intrusion of party politics into scrutiny proceedings more difficult.

Non-Applicable Sections:	Policy Implications, Financial Implications, Legal Implications, Personnel Implications
Background Documents: (Access via Contact Officer)	Not Applicable

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Report No.
CSD15085

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Wednesday 8 July 2015

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

Title: RECONSTITUTION OF WORKING GROUPS OF THE EDUCATION PDS COMMITTEE

Contact Officer: Kerry Nicholls, Democratic Services Officer
Tel: 020 8313 4602 E-mail: kerry.nicholls@bromley.gov.uk

Chief Officer: Director of Corporate Services

Ward: N/A

1. Reason for report

This report requests the Education PDS Committee to consider the reconstitution and membership of working groups and panels for the 2015/16 municipal year.

2. **RECOMMENDATION(S)**

The Education PDS Committee is requested to agree:

- 1) That the School Places Working Group be reconvened for 2015/16 to develop recommendations for further temporary and permanent expansions of primary schools and that membership be agreed; and,
- 2) That the School Improvement Panel and the Progress of Academy Status Panel be reconvened as a joint School Improvement Panel for 2015/16 to ensure that schools identified as requiring improvement are making satisfactory progress or are supported in progressing towards academy status as appropriate and that membership be agreed

Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Children and Young People
-

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £326,980
 5. Source of funding: 2015/16 Revenue Budget
-

Staff

1. Number of staff (current and additional): There are 10 posts (8.75fte) in the Democratic Services Team.
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Non-Statutory - No Government Guidance
 2. Call-in: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended for Members of the Education PDS Committee to establish the working groups and panels required to support the delivery of policy development and scrutiny of the Education Portfolio for the 2015/16 municipal year.
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Ward Councillor Views

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

3. COMMENTARY

- 3.1 The Education PDS Committee is empowered to establish the working groups and panels required to support the delivery of policy development and scrutiny of the Education Portfolio for the 2015/16 municipal year, with a detailed report provided to the Education PDS Committee for its consideration on completion of any review.
- 3.2 The Education PDS Committee reconstituted the School Places Working Group for the 2014/15 municipal year which worked to identify the future demand for primary and secondary school places across the Borough and consider how these places might be accommodated by a range of academy and Local Authority maintained schools. Members are asked to consider whether this Working Group should be reconstituted for 2015/16 and if so, agree the membership for this Working Group.
- 3.3 In 2014/15, the Education PDS Committee established a School Improvement Panel to be convened when schools identified as requiring improvement were failing to make satisfactory progress, and a Progress of Academy Status Panel to be convened to ensure that schools were supported in progressing towards academy status. Members are asked to consider whether these panels should be reconstituted as a single School Improvement Panel for 2015/16, to reflect Government policy for the academisation of schools failing to meet the required standards where appropriate and, if so, agree the membership for these panels.
- 3.4 Following its establishment in 2012/13 to consider budgetary matters relating to the Education Portfolio, the Education Budget Sub-Committee was reconvened for the 2015/16 municipal year at the meeting of Annual Council on 13th May 2015.
- 3.5 There are two standing Executive Member Working Groups focusing on Special Educational Needs and Child Safeguarding and Corporate Parenting Arrangements which were reconvened for the 2015/16 municipal year at the meeting of the Council's Executive on 20th May 2015.

Non-Applicable Sections:	Policy, Financial, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	None.

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EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 10 March 2015

Present:

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

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

Also Present:

Councillor Stephen Wells, Portfolio Holder for Education

70 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Jo Brinkley.

The Chairman was pleased to welcome Julia Waldman, the new Head of Schools, Early Years Commissioning and Quality Assurance to the Education PDS Committee.

71 DECLARATIONS OF INTEREST

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

Councillor Nicholas Bennett JP declared that he was a Governor at Bromley College of Further and Higher Education.

72 MINUTES OF THE EDUCATION PDS COMMITTEE MEETING HELD ON 27TH JANUARY 2015 AND THE JOINT CARE SERVICES AND EDUCATION PDS COMMITTEES MEETING HELD ON 25TH FEBRUARY 2015 AND MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

RESOLVED that the minutes of the meeting held on 27th January 2015 and the Joint Care Services and Education PDS Committees meeting held on 25th February 2015 be agreed and that matters outstanding be noted.

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

No questions had been received.

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

One oral question was received from Kerry Hood and is attached at **Appendix A**.

75 PORTFOLIO HOLDER UPDATE

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

The demand for primary-level pupil places across the Borough continued to be high, and it had been identified that a significant increase in secondary provision would be required across the Borough in future years. Applications from Bullers Wood School to establish a six form of entry boys' secondary school, and from Langley Park School for Girls and Langley Park School for Boys to establish a two form of entry primary school had been approved by the Secretary of State for Education. The Planning Inspector had considered the initial planning application for Harris Primary Academy Beckenham to establish a two form of entry primary school on the Manor Way site in February 2015 and had upheld the appeal.

Bromley College's Hospitality, Food and Enterprise Career College had officially opened on 26th February 2015. Significant additional funding had already been secured by Bromley College of Further and Higher Education to expand the Career College's offer.

The Secretary of State for Education had agreed proposals for the use of unspent Dedicated Schools Grant to partly fund the purchase and proposed refurbishment scheme for Beacon House which would provide a new high quality in-Borough alternative provision delivering a wide variety of vocational courses at Key Stage 4 and 5 to male and female pupils identified as having social, emotional and mental health difficulties. Officers were also working with the Department of Education to identify how Dedicated Schools Grant might be used more flexibly in future to fund one-off projects across the Borough where appropriate.

A very successful meeting had recently been held with Governors representing schools across the Borough to explore issues around Ofsted inspections. The new process to select Local Authority Governors was working well and a further round of panel interviews with prospective candidates would be held shortly.

Work was being undertaken to explore how the current education service offered by the Bromley museum to schools across the Borough might be developed, with a view to ensuring that Bromley pupils were not disadvantaged by any future changes to the museum service.

RESOLVED that the Portfolio Holder update be noted.

A) UPDATE ON UNDER PERFORMING SCHOOLS

Report ED15056

The Portfolio Holder introduced a report that provided an update of recent Ofsted and school improvement activity across the Borough and outlined the standards achieved in schools across Bromley during the academic year 2013/14, based on an analysis of National Curriculum assessments and GCSE/GCE examination results from Summer 2014.

The overall percentage of pupils achieving a good level of development across all seven areas of learning at the Early Years Foundation Stage was 68% across all Bromley schools against a national average of 60%, with girls outperforming boys both locally and nationally. At the Early Years Foundation Stage, 51% of pupils in receipt of free school meals reached a good level of development, against 68% of pupils who did not receive free school meals, which was a gap of 19% against a national gap of 19% and an improvement of 5% on the previous year.

Across Key Stage 1 teacher assessments, Bromley's performance remained above the national average at all levels. At Level 2+, pupils who did not receive free school meals outperformed pupils in receipt of free school meals in all areas, however there was evidence of continued improvement in the last year with a decrease in the gap in reading, writing and mathematics. 82% of Bromley pupils now achieved the expected standard in the Year 1 Phonics Screening Check, which was 8% higher than the national average. 64% of pupils in receipt of free school meals had achieved the expected standard which was an increase on the previous year, but still showed a gap of 21% against a national gap of 16%.

Overall Bromley's Key Stage 2 attainment results were consistently above the national average at all levels. There was still a range of achievement across Bromley primary schools, however there was evidence that the gap between pupils in receipt of free school meals and pupils who did not receive free school meals was narrowing.

At Key Stage 4, the percentage of pupils gaining 5+ A*-C grades including English and mathematics was above the national average, but had decreased 8% from the previous year against a national decrease of 4%. There had been a corresponding decrease in the percentage of pupils gaining 5+ A*-C grades including English and mathematics who were eligible for free school meals in Bromley which had decreased to 37%, which showed a gap of 31% compared to 28% for the previous year and 26% nationally.

With regard to recent Ofsted and school improvement activity across the Borough, it was confirmed that since February 2015 there had been an Ofsted re-inspection at Bromley Road Primary School and an Ofsted monitoring visit at Worsley Bridge Primary School. Following these visits, Bromley Road Primary School had been rated as 'Good' and Worsley Bridge Primary School had been identified as making satisfactory progress.

In considering the report, the Chairman highlighted the 8% decrease in the percentage of pupils gaining 5+ A*-C grades including English and mathematics from the previous year against a national decrease of 4%. The Head of Schools, Early Years Commissioning and Quality Assurance explained that a number of Bromley schools had been disadvantaged by changes to the list of qualifications which could be counted towards the attainment of 5 A*-C grades, and that there had also been a change to the early entry requirements for GCSE examinations which had disadvantaged some high achieving pupils. A Member underlined the need for schools across the Borough to be prepared to meet the changing requirements of the Key Stage 4 curriculum.

In response to a question from a Member, the Assistant Director: Education noted that fixed term exclusions were one of the tools used by schools to manage issues of pupil behaviour and support them to remain in mainstream education. It was important to ensure that schools continued to work with pupils to address identified issues and reduce the number of permanent exclusions. An increasing range of alternative provision was now available across the Borough which would better meet the educational needs of some pupils at risk of permanent exclusion in mainstream schools into the future.

Members were generally concerned at the gap in performance at Key Stage 1 between pupils in receipt of free school meals and those who did not receive free school meals. The Head of Schools, Early Years Commissioning and Quality Assurance agreed that it was important to have a greater understanding of the gap in performance at Key Stage 1, and that more data analysis would be undertaken which would be reported to the next meeting of Education PDS Committee. A Co-opted Member emphasised the value of being able to link Key Stage 1 performance to pupil's early years provision to assist early years providers in evidencing their quality. The Portfolio Holder for Education confirmed that providers could request this information from schools, and the Head of Schools, Early Years Commissioning and Quality Assurance noted that this information was not part of statutory reporting and could be difficult to obtain.

At the request of Members, further information on the performance of Bromley Schools, including a breakdown of GCSE results by ethnic group and the gap in performance at Key Stage 1, would be provided to the next meeting of the Education PDS Committee.

RESOLVED that:

- 1) The annual report on the standards of attainment and progress in Bromley schools during 2013/14 be noted;**

- 2) Ofsted outcomes for academies in Bromley be noted; and,
- 3) Ofsted outcomes for Local Authority Maintained Schools, including detail in respect of schools identified as underperforming, an outline of Local Authority support and challenge provided and a rating of risk be noted.

76 EDUCATION INFORMATION ITEMS

The Education Briefing comprised two reports:

- Minutes of the Education Budget Sub-Committee meeting held on 3rd March 2015
- Bromley Academy Programme Update

RESOLVED that the Information Briefing be noted.

77 YOUNG PEOPLE NOT IN EDUCATION, EMPLOYMENT OR TRAINING (NEET) AND STRATEGIES FOR INCREASING YOUNG PEOPLE'S PARTICIPATION IN EET FOLLOWING THE INTRODUCTION OF RAISING THE PARTICIPATION AGE (RPA)

Report ED15064

The Committee considered a report providing an update on the provision of support for young people who were identified as not participating in education, employment or training (NEET) or being at risk of not participating in education, employment or training, and the strategies in place to increase the participation of young people following the implementation of the Education and Skills Act 2008, under which all young people aged 16 and 17 years would be required to participate in education or training until the end of the academic year in which they turn 17 years from September 2013 and 18 years from September 2014. The Education and Skills Act 2008 also introduced duties on Local Authorities to promote the effective participation of young people in education, employment and training in their area and to make arrangements to identify young people not participating in education, employment or training.

The participation of young people aged 16 to 18 years in education, employment and training was recorded on a national database, from which statistical returns were provided to the Department for Education on a monthly basis around the number of young people who were not participating in education, employment or training or whose status was 'not known'. The monthly adjusted NEET performance for Bromley for December 2014 was 4.5% (4.5% of the cohort). This was very close to the average statistical neighbour performance of 4.1% for December 2014, and a significant improvement on the previous year where the monthly adjusted NEET performance for Bromley was 5.8%.

A number of strategies were in place to increase the participation of young people in education, employment and training in Bromley. This included improved tracking processes, such as door knocking, a targeted youth support programme and a range of tailored support programmes and employability activities delivered through the Bromley Education Business Partnership, including the Bromley Youth Employment Project (Phase 2). An action plan had been developed for 2014/15 to deliver additional activities to further reduce the number of young people whose participation status was 'not known' and the number of young people who were not in education, employment and training, and to increase the number of young people participating in full-time learning or employment with training.

In considering the report, Members were generally concerned that the Local Authority had no powers to require young people to engage with activities to support them into education, employment and training. The Youth Programme Manager confirmed that the Local Authority continued to work with young people to promote the benefits of participation. Leaflets had recently been distributed to all Year 11 pupils at Bromley schools to outline the opportunities available in education, employment and training. Further guidance was also available from a range of sources include the National Careers service, drop-in Information, Advice and Guidance sessions at sites across the Borough, and support provided by schools.

A Member highlighted that part-time education or employment was not included in the Raising of Participation Age formula, which was used by the Department for Education to measure performance in education, employment and training. The Youth Programme Manager advised Members that the Local Authority continued to support young people who were engaging positively with education or employment on a part-time basis, and that where possible the Bromley Education Business Partnership worked with employers to build on these opportunities, such as by introducing apprenticeships.

Further information including comparative data on statistical neighbours and baseline data for all young people across the Borough to support comparison with young people identified as not participating in education, employment or training would be provided to Members following the meeting.

The Chairman commended Officers for an excellent report.

RESOLVED that strategies for increasing the participation of young people in education, employment or training following the introduction of raising the participation age be noted.

78 ANNUAL ADMISSIONS REPORT

Report ED15065

The Committee considered a report providing an update on the administration of school admissions and highlighting issues identified during the admissions process for Reception and Year 7 intakes for the 2015/16 academic year.

The Local Authority had a statutory duty to ensure there were enough school places available for local children and young people of statutory school age. There had been a significant increase in the number of applications received by the Local Authority in recent years for primary school places in Bromley, with 4010 primary applications received for Reception for the 2015/16 academic year. The number of applications received by the Local Authority for secondary school places had been increasing since the 2012/13 academic year, with 3518 secondary applications received for Year 7 for the 2015/16 academic year. In addition to this, there had been an increase in the number of pupils moving into Bromley without a school place over the past three years with 610 in-year admissions received between 1st September 2014 and 1st January 2015.

In considering the report, the Chairman was pleased to note that 96% of primary applications and 95% of secondary applications had been made through online applications for the 2015/16 academic year, which represented a significant increase in online applications over the past three years.

There had been a slight fall in the proportion of applicants who received their first choice of secondary school for the 2015/16 academic year which was a result of an increase in the number of applications received, and Members generally discussed the need for parents and carers to take account of school catchment areas and admissions policies when applying for schools. There had recently been a proposal for a satellite grammar school to open in Sevenoaks, which might have implications for Bromley pupils if the two highly-selective schools based in the Borough chose to pursue similar schemes for their schools.

A Co-opted Member underlined the potential to expand Roman Catholic Primary Schools in the Borough where appropriate to make additional education provision available to parents and carers seeking a Catholic primary school for their child.

At the request of the Chairman, further information from the Fair Access Panel on the demand for in-year admissions places, and on the subscription levels and catchment areas of Bromley schools would be provided to the next meeting of the Education PDS Committee. The Chairman also requested that information be provided on the proportion of applicants who received their first choice of primary or secondary school in other London Boroughs.

RESOLVED that:

- 1) Progress in the administration of applications be noted; and,**
- 2) Primary and secondary admissions received for Reception and Year 7 intakes for September 2015 and the actions taken to address continued increase in demand for school places be noted.**

79 ELECTIVE HOME EDUCATION

Report ED15069

The Committee considered a report providing information about elective home education in the Borough.

It was compulsory for every child of school age to receive a full time education suitable to their age, ability and aptitude, and to any special educational needs they might have. Over the past three years, there had been a consistent nationwide increase in the number of families choosing elective home education for all or part of their child's education. In the 2013/14 academic year, 171 pupils had been identified as receiving elective home education in Bromley. This was for a range of reasons including an elective home education ethos, lack of progress at existing provision, bullying or health issues.

The Local Authority had no statutory rights to inspect home education provision but continued to be responsible for the safeguarding of children and young people. Where a parent or carer chose to electively home educate their child, they were required to confirm their intention in writing to their child's Head teacher, who then notified the Local Authority. Once the Local Authority was notified, the Child Missing Education Officer would make initial contact with the family to ensure that they were fully aware of their education responsibilities, that the child had no unmet needs and that there were no safeguarding concerns. The Education Advisor would undertake a follow up visit within 2-10 weeks, and if this visit was deemed satisfactory, further visits would be made at approximate six monthly intervals. Should a family fail to engage with the Education Advisor and there was no evidence of a suitable education being provided to a child, the case was referred back to the Children Missing Education Officer to instigate a School Attendance Order. Students who wished to return to mainstream education from elective home education were supported via the Fair Access Protocol.

The Chairman noted the high proportion of secondary pupils receiving elective home education who had previously attended The Priory School. The Assistant Director: Education confirmed that some communities were culturally more likely to declare home education, such as the gypsy traveller community, but that Bromley schools worked with the families of all their pupils to support children and young people to remain in school.

In considering the reasons cited by some parents and carers declaring elective home education for the 2013/14 academic year, a Member underlined the high proportion of parents and carers who had stated that lack of progress, unhappiness at school or bullying were the main reasons they had chosen to declare home education. It was important to ensure that schools were aware of their responsibilities to address issues such as bullying and safeguarding, and where such issues were identified, pupils receiving elective home education should be supported back into mainstream education if appropriate.

In discussion, Members expressed serious concerns at the lack of statutory rights for the Local Authority to inspect home education provision, and emphasised the responsibility of the Local Authority to satisfy itself that a child's right to a suitable education has been safeguarded. The Assistant Director: Education highlighted that the Bromley Safeguarding Children Board had recently established an Education Safeguarding Sub-Committee, which brought together Safeguarding Leads from schools across the Borough and was well placed to explore potential safeguarding issues around elective home education. The Local Authority had also taken a lead role in forming the Association of Elective Home Education Professionals, a national organisation which was launched on 26th February 2015 and aimed to support local authorities to work together on elective home education issues, including safeguarding concerns.

RESOLVED that:

- 1) The report be noted;**
- 2) The Education PDS Committee expresses its concern at the lack of information around elective home education and recommends that further research be undertaken to ensure the safeguarding of children and that elective home education is effective and in conformity with the Local Authority's duty as the safeguarding authority;**
- 3) A further report be provided to the Education PDS Committee in the 2015/16 municipal year.**

80 ANNUAL REPORT OF THE EDUCATION PDS COMMITTEE

The Committee considered the annual report of the Education PDS Committee for 2014/15. It was noted that the annual report would be provided to the Executive and Resources PDS Committee on 12th March 2015 and to Full Council on 20th April 2015.

In discussion, the Committee agreed that the Chairman would update the annual report to include issues discussed at the meeting of Education PDS Committee on 10th March 2015 prior to its submission to Full Council on 20th April 2015.

RESOLVED that the annual report of the Education PDS Committee be approved.

81 EDUCATION PROGRAMME 2014/15

Report ED15072

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.

The Chairman requested that reports outlining further information on the performance of Bromley schools and school admissions for 2015/16 be provided to the next meeting of Education PDS Committee. The Chairman also requested that further reports on the Bromley Adult Education Service and elective home education be added to the 2015/16 Work Programme.

The Chairman noted that this was the final Education PDS Committee meeting of the 2014/15 municipal year and thanked all Members, Co-opted Members and Officers for their support to the Committee over the past year. Members of the Committee were requested to provide any suggestions for areas for scrutiny for the 2015/16 municipal year to the Chairman following the meeting.

RESOLVED that the Education Programme 2014/15 be noted.

82 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.

83 EDUCATION PART 2 (EXEMPT) INFORMATION ITEMS

The Committee considered the Education Part 2 (Exempt) Information Briefing.

84 ALTERNATIVE PROVISION: AUTHORISATION FOR CONTRACT AWARD

The Committee considered the report and supported the recommendations.

85 SPECIAL EDUCATIONAL NEED AND CHILDREN'S TRANSPORT CONTRACT AWARD

The Committee considered the report and supported the recommendations.

The Meeting ended at 9.09 pm

Chairman

**EDUCATION
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 8.18pm on 13th May 2015
following the annual meeting of the Council

Present:

Councillor Nicholas Bennett JP(Chairman)
Councillor Neil Reddin (Vice-Chairman)
Councillors Teresa Ball, Kathy Bance, Julian Benington,
Alan Collins, Mary Cooke, Judi Ellis and Ellie Harmer

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

2 PROPORTIONALITY

RESOLVED that seats on the Sub-Committee of the Education PDS Committee be allocated to political groups as follows:

Sub Committee	Size of Sub-Committee	Allocation		
		Conservative	Lab	UKIP
Education Budget Sub-Committee	6	5	1	0

3 APPOINTMENT OF SUB-COMMITTEE

RESOLVED that the following Sub-Committee be appointed for the ensuing Municipal Year, with membership as indicated:-

EDUCATION BUDGET SUB-COMMITTEE

	Councillors
1	Teresa Ball
2	Kathy Bance
3	Nicholas Bennett
4	Alan Collins
5	Ellie Harmer
6	Neil Reddin

4 APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

RESOLVED that Councillor Neil Reddin be appointed as Chairman and Councillor Teresa Ball be appointed Vice-Chairman of the Education Budget Sub-Committee for the 2015/16 Municipal Year.

The meeting finished at 8.19pm.

Chairman

Matters Outstanding from Previous Meetings

Minute Number/Title	Decision	Update	Action	Completion Date
19th March 2013				
71 Portfolio Holder Update and Children's Champion Update	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	July 2015
27th January 2015				
50a Primary & Secondary School Development Plan	That legal advice to clarify the position with regard to conditions being placed on the number of classes or pupils at a school for any future school planning applications be provided to Members of the Education PDS Committee.	An update would be reported to a future meeting of the Committee.	Head of Strategic Pupil Place Planning	July 2015
10th March 2015				
75a Update on Under Performing Schools	That further information on the performance of Bromley Schools be provided to Members of the Education PDS Committee.	Further information would be reported to a future meeting of the Committee.	Head of Schools, Early Years Commissioning and Quality Assurance	September 2015
78 Annual Admissions Report	That further information on the demand for in-year places, the subscription levels and catchment areas of Bromley Schools, and the proportion of applications who received their first choice of primary or secondary school in other London Boroughs be provided to Members of the Education PDS Committee.	Further information would be reported to a future meeting of the Committee.	Head of Strategic Pupil Place Planning	September 2015

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Report No.
ED15094

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EDUCATION PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Education Policy Development and Scrutiny Committee on Wednesday 8 July 2015

Decision Type: Non-Urgent Executive Non-Key

Title: REVISED INSTRUMENT OF GOVERNMENT – ST OLAVE’S AND ST SAVIOUR’S GRAMMAR SCHOOL

Contact Officer: Michelle Graydon, Bromley Governor Services
Tel: 020 8461 8695, E-mail: michelle.graydon@baec.ac.uk

Chief Officer: Jane Bailey, Assistant Director: Education

Ward: Orpington Ward

1. Reason for report

- 1.1 The Education PDS Committee is requested to consider the proposed revised Instrument of Government for St Olave’s & St Saviour’s Grammar School which has been provided to the Local Authority by the Governing Body of the school for approval by the Portfolio Holder for Education (Appendix 1).

2. **RECOMMENDATION(S)**

- 2.1 **Subject to the views of Education Policy and Development Scrutiny Committee, the Portfolio Holder for Education is asked to:**
- 1) **Approve the new Instrument of Government for St Olave’s & St Saviour’s Grammar School as set out in Appendix 1.**
 - 2) **Instruct that the Instrument be made by the Common Seal of the Council of the London Borough of Bromley.**

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Not Applicable
 4. Total current budget for this head: Not Applicable
 5. Source of funding: Not Applicable
-

Staff

1. Number of staff (current and additional): Not Applicable
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Statutory Requirement: School Governance (Constitution) (England) Regulations 2012 as amended by the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014.
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 In April 2015, the Governing Body of St Olave's & St Saviour's Grammar School notified the Local Authority that the school wished to secure a new Instrument of Government.
- 3.2 Provision is made in the Council's Constitution to enable certain classes of decisions considered non-contentious (such as Instruments of Government and appointments to school governing bodies) to be made outside of the normal decision making process where there is agreement with the Portfolio Holder and the relevant PDS Committee. These 'independent decisions' are published to the Bromley Council website for a period of 5 clear working days to allow Members, Co-opted Members and members of the public to submit any comments they may have, which are then reviewed by the Portfolio Holder prior to his making the decision. As part of this process, any Member may request that a matter for independent decision be referred to the Education PDS Committee before any decision is taken.
- 3.3 The report seeking the approval of the new Instrument of Government (ED150079ID) was published on the Bromley Council website on 17th April 2015 and made available for scrutiny by Members, until 24 April 2015 (Appendix 2) as an independent decision. A number of concerns were raised by Members and a Co-opted Member during the scrutiny period, and as Council was bound by the rules of Purdah, legal advice was taken at this time and the decision was suspended.
- 3.4 Following the appointment of a new Portfolio Holder for Education at Annual Council on 13th April 2015, the decision was made to re-publish the report to the Bromley Council website on 14th May 2015 with a further scrutiny period extended to 27th May 2015.
- 3.5 During this additional scrutiny period, eight Members raised a number of concerns regarding the proposed decision and requested that this matter be referred to the next meeting of Education PDS Committee to be held on 8th July 2015 before any decision was made.
- 3.6 The Portfolio Holder for Education subsequently wrote to the Chair of Governors of St Olave's & St Saviour's Grammar School (Appendix 3) to request that the Governing Body give consideration to amending their proposed Revised Instrument of Government in light of the concerns raised by Members and is awaiting a response.

4. POLICY IMPLICATIONS

- 4.1 The transition from the existing to the new Governing Body should be carried out by a process which has regard to the criteria as set out above. Where there is a significant change in membership, governing bodies are recommended to elect a new chair and vice chair, and reconsider the composition and membership of committees.

5. LEGAL IMPLICATIONS

- 5.1 The School Governance (Constitution) (England) Regulations 2012 as amended by the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014 came into force on 1 September 2014.
- 5.2 The revised Instrument of Government has been referred to the borough's Legal department and the Portfolio Holder for Education can confirm that the instrument has been revised in accordance with the statutory guidance and has received diocese approval.

Non-Applicable Sections	Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	School Governor Services Statutory Guidance on the School Governance (Constitution) (England) Regulations 2012 as amended by the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014.

Instrument of Government

1. The name of the school is St Olave's & St Saviour's Grammar School.
2. The school is a **voluntary aided school**.
3. The name of the governing body is:

"The Governing Body of St Olave's & St Saviour's Grammar School"
4. The Governing Body shall consist of:
 - (a) 2 elected Parent Governors;
 - (b) 1 nominated Local Authority Governor;
 - (c) 1 elected Staff Governor;
 - (d) The Headteacher;
 - (e) 3 Co-opted Governors;
 - (f) 10 Foundation Governors.
5. The total number of Governors is 18.
6. The Foundation Governors shall be appointed according to the following schedule and these must also reflect the skills and experience required to complement those of existing Governors:
 - (a) 2 Governors appointed by ***The Lord Bishop of Rochester***;
 - (b) 2 Governors appointed by ***The Rochester Diocesan Board of Education***;
 - (c) 1 Governor appointed by ***The Chapter of Southwark Cathedral***;
 - (d) 2 Governors appointed by ***The St Olave's & St Saviour's Schools Foundation***;
 - (e) 1 Governor appointed by ***The University of London***

(f) 1 Governor appointed by ***The Queen's Chapel of the Savoy;***

(g) 1 Governor appointed by ***The Dulwich Estate.***

7. The Governing Body may appoint one or more Associate Members to provide additional skills and experience which have been identified as lacking on the Governing Body.
8. The term of office for Governors is four years. Governors may be reappointed for a further term of four years and in cases where the skills and expertise they bring cannot be replaced, for a further term of four years. After three terms of appointment, Governors will not be eligible for reappointment for at least four years. Co-opted and Associate Members may be appointed for fixed terms of less than four years.

9. The ethos of the school is:

St Olave's & St Saviour's Grammar School is one of the two voluntary aided schools in the St Olave's and St Saviour's Schools Foundation which is a beneficiary of the Dulwich Estate. The School is affiliated to the Woodard Corporation, an Anglican Foundation working with a number of state and independent day and boarding schools.

St Olave's & St Saviour's Grammar School is a Church of England School. The Chapel, the Christian sacraments, collective worship and religious education have a significant place in nurturing the spiritual growth of members of the school community. The values which inform the life and relationships of the school are those of the Christian faith. These values include respect for the members of other faith communities or none.

We wish to ensure that all pupils benefit from membership of an Anglican Foundation serving a multi-cultural community.

10. The draft instrument was approved by the Rochester Diocesan Board of Education on 13 April 2015
11. The Instrument of Government comes into effect on 10 June 2015
12. This Instrument is made by order of Bromley Local Education Authority on
13. A copy of the instrument will be supplied to every member of the governor body (and the headteacher if not a governor), any trustees and to the appropriate religious body.

Report No.
ED15079ID

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Portfolio Holder for Education

Date: 14th May 2015

Decision Type: Non-Urgent Executive Non-Key

Title: **REVISED INSTRUMENT OF GOVERNMENT –
ST OLAVE’S & ST SAVIOUR’S GRAMMAR SCHOOL**

Contact Officer: Jane Bailey, Assistant Director: Education
Tel: 020 8313 4146, e-mail: jane.bailey@bromley.gov.uk

Carol Arnfield Head of Adult Education
Tel: 020 8460 0020, e-mail: carol.arnfield@bromley.gov.uk

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

Wards: Orpington Ward

1. Reason for the Report

- 1.1 The purpose of this report is to inform the Portfolio Holder for Education that notification has been received by the Authority from the Governing Body of St Olave’s & St Saviour’s Grammar School that it wishes to secure a new Instrument of Government.
- 1.2 The Portfolio Holder for Education is asked to agree the revised Instrument of Government as set out at in Appendix A.

2. RECOMMENDATIONS

- 2.1 It is recommended that the Executive Member approves the new Instrument of Government for St Olave’s & St Saviour’s Grammar School as set out in Appendix A.
- 2.2 It is recommended that the Executive Member instructs that the Instrument be made by the Common Seal of the Council of the London Borough of Bromley.

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Not Applicable
 4. Total current budget for this head: Not Applicable
 5. Source of funding: Not Applicable
-

Staff

1. Number of staff (current and additional): Not Applicable
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Statutory Requirement: School Governance (Constitution) (England) Regulations 2012 as amended by the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014.
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 All maintained schools are required to undergo reconstitution of their governing body by The School Governance (Constitution) (England) Regulations 2012 as amended by the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014.
- 3.2 In doing so, governing bodies are asked to take the opportunity to consider their effectiveness and, by means of a skills audit, decide whether the number of posts might be reduced. For maintained schools, the former category of 'community governor' is replaced by 'co-opted governor', and staff governors, including the head teacher, may not exceed one third.
- 3.3 The governing body must not be smaller than seven members, and must include:
- At least two parent governors;
 - The head teacher unless the head teacher resigns as a governor;
 - One staff governor;
 - One local authority governor.
- 3.4 In addition, the governing body may appoint as many co-opted governors as they consider necessary.
- 3.5 Voluntary Aided schools must also have 2 more Foundation governors than all other governors.
- 3.6 The Instrument of Government sets out for the school the agreed number of voting governors in each category.
- 3.7 The governing body may in addition, appoint associate members (non voting), who may offer particular expertise for a limited time.
- 3.8 In the case of St Olave's & St Saviour's Grammar School, governors have decided to move to a smaller governing body, from 22 to 18.
- 3.9 The draft Instrument of Government was approved by the Rochester Diocesan Board of Education on 13 April 2015 (see Appendix B) and by the Foundation Court (in their role as holder of the land and buildings) on 19 March 2015

4 POLICY IMPLICATIONS

- 4.1 The transition from the existing to the new Governing Body should be carried out by a process which has regard to the criteria as set out above. Where there is a significant change in membership, governing bodies are recommended to elect a new chair and vice chair, and reconsider the composition and membership of committees.

1. 5 LEGAL IMPLICATIONS

- 5.1 The School Governance (Constitution) (England) Regulations 2012 as amended by the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014 came into force on 1 September 2014.

Non-Applicable Sections	Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	<p>School Governor Services</p> <p>Statutory Guidance on the School Governance (Constitution) (England) Regulations 2012 as amended by the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014.</p>

Instrument of Government

14. The name of the school is St Olave's & St Saviour's Grammar School.
15. The school is a **voluntary aided school**.
16. The name of the governing body is:

"The Governing Body of St Olave's & St Saviour's Grammar School"
17. The Governing Body shall consist of:
 - (a) 2 elected Parent Governors;
 - (b) 1 nominated Local Authority Governor;
 - (c) 1 elected Staff Governor;
 - (d) The Headteacher;
 - (e) 3 Co-opted Governors;
 - (f) 10 Foundation Governors.
18. The total number of Governors is 18.
19. The Foundation Governors shall be appointed according to the following schedule and these must also reflect the skills and experience required to complement those of existing Governors:
 - (h) 2 Governors appointed by ***The Lord Bishop of Rochester;***
 - (i) 2 Governors appointed by ***The Rochester Diocesan Board of Education;***
 - (j) 1 Governor appointed by ***The Chapter of Southwark Cathedral;***
 - (k) 2 Governors appointed by ***The St Olave's & St Saviour's Schools Foundation;***
 - (l) 1 Governor appointed by ***The University of London***
 - (m) 1 Governor appointed by ***The Queen's Chapel of the Savoy;***
 - (n) 1 Governor appointed by ***The Dulwich Estate.***

20. The Governing Body may appoint one or more Associate Members to provide additional skills and experience which have been identified as lacking on the Governing Body.
21. The term of office for Governors is four years. Governors may be reappointed for a further term of four years and in cases where the skills and expertise they bring cannot be replaced, for a further term of four years. After three terms of appointment, Governors will not be eligible for reappointment for at least four years. Co-opted and Associate Members may be appointed for fixed terms of less than four years.
22. The ethos of the school is:

St Olave's & St Saviour's Grammar School is one of the two voluntary aided schools in the St Olave's and St Saviour's Schools Foundation which is a beneficiary of the Dulwich Estate. The School is affiliated to the Woodard Corporation, an Anglican Foundation working with a number of state and independent day and boarding schools.

St Olave's & St Saviour's Grammar School is a Church of England School. The Chapel, the Christian sacraments, collective worship and religious education have a significant place in nurturing the spiritual growth of members of the school community. The values which inform the life and relationships of the school are those of the Christian faith. These values include respect for the members of other faith communities or none.

We wish to ensure that all pupils benefit from membership of an Anglican Foundation serving a multi-cultural community.

23. The draft instrument was approved by the Rochester Diocesan Board of Education on 13 April 2015
24. The Instrument of Government comes into effect on 10 June 2015
25. This Instrument is made by order of Bromley Local Education Authority on
26. A copy of the instrument will be supplied to every member of the governor body (and the headteacher if not a governor), any trustees and to the appropriate religious body.

CONFIRMATION FROM DIOCESE

From: John Constanti]
Sent: 13 April 2015 15:33
To: Russell Walters
Subject: Re: St Olave's School Instrument of Government: final approval

Dear Russell

Many thanks for your email with the enclosure

I confirm that the Diocese are happy with these amendments

With all best wishes

John

John Constanti
Deputy Director of Education
Rochester Diocesan Board of Education



Councillor Peter Fortune
Portfolio Holder for Education
 LONDON BOROUGH OF BROMLEY

The Reverend Professor Peter Galloway, OBE
 Chair of Governors,
 St Olave's and St Saviour's Grammar School

19 June 2015

Dear Rev Galloway,

As you are aware the revised Instrument of Government for St Olave's and St Saviour's Grammar School has resulted in a number of members requesting that this matter is referred to the Education PDS Committee under the constitutional rules for independent decision making (email dated 1 June from Michelle Graydon). I can confirm that this is an agenda item at the Education PDS Committee on 8 July. I would like to be in a position to answer the Members' questions and concerns at this meeting and move towards a decision. May I therefore, respectfully ask you to take the following concerns to your full governing body for discussion and deliberation. I would be grateful if your board members would reconsider the proposed instrument in light of the numerous concerns raised by Members.

1. Members are concerned that the new IoG unbalances the governance of the school. Whilst they are mindful of the requirement to have two more foundation governors over all others, the reduction in parent and co-opted governors reduces the number of governors who have a direct interest in the school. They feel that it would be appropriate to have four parent representatives
2. The reduction, as required by the Regulations to one LA Governor, means that direct links with the local community are weakened and Members feel that some of the co-opted places should be used to ensure there are strong links with the Orpington and Bromley community.
3. Members feel that one of the co-opted governor positions should be used to add a second staff governor to represent the wide range and number of staff employed at the school.
4. Members couple the concern about the local community with their concerns about the terms of office for co-opted governors. A term of less than 4 years suggests a role of lesser importance and is likely to reduce a governor's ability to fully participate and provide the sort of challenge which the DfE guidance expects of all governors to provide. It is accepted that associate governors are appointed for terms of less than four years where appropriate.

5. Members would also like confirmation that a thorough skills audit has taken place and that where there is a skills gap this is communicated to the various foundation partners. The Guidance is clear that governors should be appointed according to their skills. Are you able to provide a commitment to members that governors are appointed on merit and ability to fully understand the increasing role of a school governor?
6. One final area of concern was the apparent lack of support for the new IoG among a significant number of governors. This would indicate a high level of division within the governing body around the revised constitution.
7. I will propose an effective date of 31 August 2015 for the new Instrument to come into force. This way your GB can meet early in the new term to vote in the co-opted members and complete the board.

Members are very proud of the achievements of St Olave's and I would wish to assure you that the concerns are raised to ensure transparency and proper debate. This in no way reflects how your governing body has conducted itself over this review but whilst the school remains under LA control the Council has to undertake its legal duties in regard to the range of representation on the Governing Body. Cllr Nicholas Bennett JP, Chairman of the Education PDS Committee invites you to attend the meeting on 8 July and to discuss the proposals with the Committee. I would be grateful for a response to the suggestions before 8 July so that I may consider your response before going to the committee.

Yours sincerely,



Cllr Peter Fortune
Portfolio Holder for Education

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Report No.
ED15092

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EDUCATION PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Education Policy Development and Scrutiny Committee on Wednesday 8 July 2015

Decision Type: Non-Urgent Executive Non-Key

Title: SEN TRANSPORT POLICY CHANGES FOLLOWING RECENT CONSULTATION

Contact Officer: Colin Lusted, Business & Planning Manager, Education, Care & Health Services Tel: 020 8461 7650 E-mail: 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

Chief Officer: Jane Bailey, Assistant Director of Education

Ward: (All Wards);

1. Reason for report

- 1.1 To report on the outcome of the stakeholder consultation on the revised Special Education Needs (SEN) Transport Assistance Policy, following report ED15085 dated 30th September 2014
 - 1.2 To seek approval from the Education Portfolio Holder to the revised SEN Transport Assistance Policy
-

2. RECOMMENDATION(S)

2.1 The Portfolio Holder for Education is requested to:

- i) Review the outcome of the consultation;
- ii) Endorse the proposals in the revised SEN Transport Assistance Policy; and
- iii) Approve the revised SEN Transport Assistance Policy for introduction with effect from September 2015.

Corporate Policy

1. Policy Status: Revised Policy to be adopted
 2. BBB Priority: Children and Young People Supporting Independence:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: 136 586 (SEN Transport), and 136 587 (SEN Transport schools budget)
 4. Total current budget for this head: 136586 = £3,626,950 and 136587 = £330,000.
 5. Source of funding: 136586, RSG, 136587 DSG
-

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: Statutory Requirement: Sections 508B, 508C, 508D, 509AD and schedule 35B of the Education Act 1996 (As amended)
 2. Call-in: Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): SEN, 825 service users listed on database
-

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 The SEN reforms introduction of Education Health & Care (EHC) plans to replace Statements of SEN, provided an opportunity to review the Council's SEN Transport Assistance Policy. The revised Policy aims to reflect the spirit of the reforms where developing independence and providing choice and control are central to the new vision. The Council is seeking opportunities to increase independence, and reduce reliance upon Council funded transport assistance services where it is appropriate to do so.
- 3.2 Councils have a statutory duty to provide transport assistance to eligible children and young people to access their special education provision. The key circumstances under which this duty must be fulfilled are summarised as follows:
- A child is obliged to attend the school nearest to their home where the local authority assesses that their education needs can be met. For SEN children, this may be a mainstream class, a SEN unit at a mainstream school, or a Special School.
 - Councils must provide transport assistance to children (both SEN and mainstream) if the nominated school is beyond guideline distances (2 or 3 miles, depending on age), and regardless of these distances if the child has a disability such that transport assistance is required to access their education.
- 3.3 The statutory requirements are more complex after the statutory school age of 16 years and for post 16 education. There is no duty to provide transport assistance to adults over the age of 19 unless they have a Statement of SEN / Education Health & Care plan and the Council consider that it necessary for this assistance to be provided to enable the young person to access further education.
- 3.4 Following report ED15085, dated 30/9/2014, Members reviewed the draft policy and agreed to recommendations for wider consultation.

4. POLICY REVISIONS

- 4.1 The policy has been revised with reference to the proposals 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 SEN and Disability code of practice 0 – 25 years, DfE (June 2004)

And with revisions guided by the following considerations:

- A balance between support for families and increasing choice and independence.
- The Local Authority managing future expectations with Parents and Schools by working in partnership to effectively prepare young people with independence skills for employment and adulthood.
- The review of options for alternative models of service delivery in the context of independence, sustainability and best value. The revised policy provides a wider menu of transport assistance offers to meet individual assessed needs, whilst meeting the Council's statutory duties.

- The adoption of the new DfE formal appeals process

5. CONSULTATION

5.1 The consultation was undertaken by the Strategic and Business Support Team based in Education, Care & Health Services. It was carried out between February and March 2015 during term time in accordance with stipulated practice.

5.2 The full consultation report is attached but the key outcomes are summarised below:

5.2.1 In terms of response:

- Of the 765 families who use services and were individually contacted, 137 completed the questionnaire (representing 18% of users).
- A Bromley Schools Circular was sent to relevant stakeholders inviting responses from schools and organisations. 2 responses were received from special schools, 1 response from a mainstream primary school and 1 from a mainstream secondary school.
- Bromley Parent Voice (BPV) held its own engagement process which included 2 focus groups attended by 40 parents, and they undertook a survey. Results pertaining to the Policy consultation were included in the report.
- Responses were broadly representative of the people receiving transport in terms of age, schools attended (primary, secondary, if in or out of Borough) and users of wheelchairs.

5.2.2 Understanding of draft policy

The majority of parents felt informed or well informed on the draft policy. There were a number of comments about the use of plainer English and making the policy more user-friendly. These comments echo BPV's report which indicated that parents would struggle to understand the policy as presented and that it should be written in a more person centred way.

5.2.3 Needs of the Child

The majority of individual parents who responded (58%) were in agreement that transport assistance should be based on the needs of the child, which is in accordance with statutory guidance. There were a number of comments, including from BPV that wider family needs should also be considered such as: siblings' school attendance, parental work commitments and the stress that having a child with SEN can cause the family.

5.2.4 Exploration of Travel Options

Respondents were divided over whether all travel options should be explored before Council funded transport assistance is offered. People highlighted the importance of considering family needs including the impact of uncertainty and resulting stress and the abilities and safety of the child. Some respondents expressed surprise that parents would not explore options before seeking transport assistance.

5.2.5 Travel Training

Respondents were broadly supportive (60%) of travel training for children in Year 6 and above with only 24% being in disagreement. This was provided that risk was appropriately managed and that selection for travel training was only undertaken in circumstances where there was consensus that it was appropriate. BPV feedback was similar.

5.2.6 Families providing transport to school and pupils on sole transport

Families were asked if families should be encouraged to transport their children to and from school. Only 12% of respondents agreed with 56% disagreeing or strongly disagreeing. Concerns relating to people's family circumstances (sibling's school attendance and work impact) featured prominently in the comments as did the need to travel some distance due to the lack of in-Borough SEN provision.

5.2.7 Muster Points

People were asked whether young people should be picked up from a safe muster point. 56% of parents disagreed or strongly disagreed with this idea whilst 21% agreed with the proposal. Comments received focussed upon health and safety for vulnerable children together with concerns around the collection points, inclement weather and 'toilet facilities'. Some parents questioned the practicality of pick-up points and the impact their introduction would have on parents and families. BPV's report welcomes the use of muster points in principle although their comments mirror the issues highlighted by direct respondents.

5.2.8 Agreement with the Revised Policy

Opinion was split with many parents neither agreeing nor disagreeing with the revised Policy. Parental concerns have been highlighted above with suspicion that the revisions are cost saving initiatives. All respondents whose children use a wheelchair disagreed with the revisions.

Parents recognised and commented on the purpose of special education and agreed that the annual review would be the appropriate time to discuss changes to travel arrangements.

BPV's understating is that the revised policy is not compatible with DfE guidelines relating to walking distances. However this is not accepted as the home to school distance criteria is waived for all children who cannot reasonably be expected to walk to school because of associated SEN issues or disability. Best practice suggests this methodology is applied across a number if not all Council's. BPV also raised concern relating to sibling's attendance at different schools.

5.2.9 Feedback on potential improvement

The service welcomes feedback and many suggestions have been offered. These will be considered further where they fall within the remit of the service and maximise opportunities with service delivery. Some of the suggestions fall within the remit of other teams or schools, such as arrival and departure times and school clubs outside of school time. These will be communicated as necessary.

5.3 The revised Policy does not propose to take transport away from those eligible to receive it and the Council would be unable to do so because it has a statutory duty to comply. The revisions will enable the Council to be more flexible in meeting its duties but this will be undertaken in accordance with what it is reasonable.

5.4 The consultation has been useful in identifying areas for improvement and there has been a significant re-write of the Policy with the intention of making it easier to read and understand and to demonstrate that the Council is mindful of the pressures faced by parents and recognises the importance of the service to its users and their families. Some of the feedback suggested changes that would require the Council to provide services in excess of national guidance and that provided by other councils.

5.5 In consideration of the feedback received and the re-write of the Policy into a more understandable format the Portfolio Holder is requested to approve the revised SEN Transport Assistance Policy for introduction with effect from September 2015.

6. POLICY IMPLICATIONS

6.1 In accordance with the Council's commitment to Building a Better Bromley, supporting people to live as independently as possible within the community, the proposals reflect the Council's strategic objectives for people with disabilities.

6.2 Where possible, the feedback and some suggestions for changes have been incorporated within the rewording of the policy and maintaining the statutory duty to provide transport services to eligible children residing within the boundaries of LBB

7. FINANCIAL IMPLICATIONS

7.1 The policy has been revised and updated to synchronise with the introduction of the SEN reforms and the EHC plans.

7.2 The SEN Transport budget funded from RSG is £3,626,950 with £330,000 from DSG.

7.3 The revisions to the SEN Transport Policy are not expected to significantly impact the amount of expenditure on home to school transport. Savings resulting from the introduction of travel training have already been factored into budgets but it is too early to determine whether there may be financial benefits from increased flexibility in how transport assistance is provided.

8. LEGAL IMPLICATIONS

8.1 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)

8.2 Regulation 5 and part 2 schedule to 2 to The School Information (England) Regulations 2008

8.3 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.

8.4 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

8.5 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.

8.6 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

8.7 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

9. PERSONNEL IMPLICATIONS

9.1 No staff are affected by the implementation of the transport policies.

Non-Applicable Sections:	None.
Background Documents: (Access via Contact Officer)	<p>Special Education Needs reforms & EHC plans : https://www.gov.uk/government/news/special-educational-needs-reform-draft-legislation-published</p> <p>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</p> <p>The Special Education Needs and disability code of practice: 0 – 25 years DfE & DoH https://www.gov.uk/government/consultations/sen-and-disability-detained-persons-regulations-and-revised-code</p> <p>Reference: DFE-00205-2013</p> <p>Home to School travel and transport guidance DfE (July 2014) www.education.gov.uk/.....</p> <p>Post – 16 transport to education and training Statutory guidance for local authorities , Feb 2014, DfE, www.gov.uk/government/publications Reference: DFE- 00025-2014</p>

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**LONDON BOROUGH
OF BROMLEY**

**SEN Transport
Policy**

Version 3.

15 June 2015

SEN Transport Policy

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Travel Assistance Policy

1. INTRODUCTION

- 1.1 Bromley Council recognises the pressures faced by the parents of children with Special Educational Needs and undertakes to provide statutory transport services in accordance with the Department for Education Guidance on Home to School Travel and Transport Assistance:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/331654/Home_to_school_travel_and_transport_statutory_guidance.pdf
- 1.2 This Policy has been written with the intention of removing ambiguity and reassuring parents that they will receive the services to which they are entitled. The Policy also aims to clarify eligibility, when and how transport may be provided, and what to do if parents do not agree with an outcome.

2. SCOPE

- 2.1 The policy relates to travel assistance from 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 / Education Care & Health Plan, medical needs or disabilities.
 - Children aged 5-16 without a Statement of Special Educational Needs/ Education Care & Health Plan, medical needs or disabilities.
- Please note that whilst 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.*
- 2.2 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.
- 2.3 This policy does not apply to young people or adults starting a course of further education at age 19 or over. They are advised to 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.

3. CORE PRINCIPLES

- 3.1 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.

- 3.2 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 improve road safety. Where agreed, travel assistance for 'eligible children', will be provided in a safe manner that will take into account: the Council's statutory duties, the specific needs of the child, the legally recognised walking distances and appropriate use of its resources. Travel solutions provided will support initiatives that lead to reducing the volume and length of vehicle journeys.
- 3.3 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.
- 3.4 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.
- 3.5 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.
- 3.6 The completion of a Statement of SEN / or an Education Care & Health plan does not confer an automatic entitlement to travel assistance. Many pupils with a statement of SEN /EHC plan do not receive nor require specialised travel assistance. In circumstances where the Council does not have a statutory duty to provide transport, parents of children with a statement of SEN /EHC plan are required to make arrangements for their child to attend school in the same way that parents of pupils without a statement do.
- 3.7 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 SEN/ 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.
- 3.8 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.

4. ELIGIBILITY

- 4.1.1 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.
- 4.1.2 The Council will assist parents with travel assistance in accordance with its statutory duties where children have significant SEN, a disability or mobility restrictions such

that travel assistance is essential to access their specialist provision.

- 4.1.3 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 normally take into account work or other family commitments such as the attendance of siblings at different schools.
- 4.1.4 No dispensation can 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 full use of the separate legislation introduced to ensure flexibility for working parents or utilise the support of others to accompany their children as necessary.
- 4.1.5 Support services (such as pre and after school clubs at some schools) are 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.
- 4.1.6 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 legislative change; consultation with user groups from time to time and as services are developed.
- 4.1.7 Details of the proposed application process are shown at Appendix 2.

4.2 Travel Assistance for Pupils with a Statement of SEN / EHC Plan

4.2.1 Where the child lives further than the statutory walking distance between home and their specialist provision, travel assistance will be offered. The Council will apply the Department for Education (DfE), distance criteria, for all applications for travel assistance for specialist provision.

4.2.2 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

Additionally, transport assistance will be provided where the pupil has an SEN /EHC plan and

- has been assessed as requiring transport assistance to access their specialist provision and / or;
- 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 / or;
- the child's health needs are such that upon written medical advice, (date within the last twelve months) travel assistance is necessary to access their specialist provision

4.2.3 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 mile, (measured using the Shortest driving route) from the family home.

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

4.2.5 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.

4.3 School Travel Assistance Options

4.3.1 Options that may be offered where travel assistance is agreed include:

- Reimbursement of agreed public transport costs, (where concessional fares or free transport appropriate for the age and disability of the young person) 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.

4.3.2 Bromley Council supports the development of Children's travel skills and confidence to make journeys safely on their own. Bromley Council currently offers 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.

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

4.4 Circumstances when Travel Assistance is Not Provided

4.4.1 Please be aware that, in accordance with national guidelines, travel 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 or from school outside of their normal school attendance times due to illness, any type of appointments including

Doctors or any other specialists, interviews, assessment days, exclusion or for any other reason

- Amended timetables due to behaviour or suspension issues arising or a later collection following any form of detention or attendance at out of school time clubs
- 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 any off site provision

4.4.2 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 travel assistance will be provided at the beginning and end of the normal school times only.

4.5 Passenger Assistants

- 4.5.1 Passenger assistants 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 and discussions with schools and parents.
- 4.5.2 Where it would be unsafe for a child to travel without one, a passenger assistant 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.
- 4.5.3 Where a passenger assistant is necessary for health reasons, parents and schools will be required to work with the health services to secure the appropriately qualified carer for transport purposes.
- 4.5.4 Parents or their nominees will be expected to accompany their child and undertake the role of passenger assistant where the pupil is the sole pupil attending a specific provision.
- 4.5.5 For all residential school placements parents will be expected to undertake the role of passenger assistant if necessary.

4.6 Journey Times

- 4.6.1 Geographically, Bromley is the largest London Borough; whilst this can sometimes make it difficult to ensure journey times comply with statutory guidance (for pupils attending primary schools not normally expected to exceed one hour and for pupils at secondary schools no longer than one hour and fifteen minutes) routes are planned to ensure compliance for schools located in Bromley. Unfortunately these limits cannot apply to schools located outside the London Borough of Bromley regardless of the age of the child. These timings do not take into account any waiting time.

4.7 Children attending Residential Special Provision

- 4.7.1 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.

- 4.7.2 The Council will consider all factors and provide suitable travel assistance dependent on need and ability to access and use public transport or other available transport solutions.
- 4.7.3 Any travel 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.
- 4.7.4 Travel 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).
- 4.7.5 Parents may choose to undertake the whole journey themselves; however 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.

4.8 Young People Aged 16 – 19 with Special Educational Needs

- 4.8.1 Most pupils of this age would be expected to use public transport and travel independently in view of the beneficial effects of developing the pupil's life skills. Public transport for pupils in full time education within the TFL area is free on buses and trams and concessionary fares apply for Tube, Overground and Rail transport.
- 4.8.2 The Council accepts that 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 / evidenced 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 introduce unreasonable levels of risk for them 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.

4.9 Students over the age of 19 with SEN attending Further Education Colleges

- 4.9.1 There is no 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 19th birth date.
- 4.9.2 The Assistant Director for Education Services and or their nominated officer may exercise discretion for any applications for pupils with an EHC plan or where exceptional circumstances are shown.

5. TRAVEL ASSISTANCE REVIEWS

- 5.1 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. Non-attendance may result in travel assistance being ceased.
- 5.2 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.
- 5.3 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.

6. CESSATION OF SUPPORT

- 6.1 The Council may review and remove travel assistance from students where it is proven that details within the application were inaccurate or where the child or young person's individual circumstances have changed. Transport assistance may also cease at the written request of the parent who may have made alternative arrangements for their child or young person's travel to school.

7. APPEALS

- 7.1 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 1.
- 7.2 Please note that parents are responsible for ensuring their child's attendance at school during any appeal.

8. COMPLAINTS

- 8.1 Bromley Council welcomes and responds positively to all comments, compliments and complaints as a means of demonstrating its commitment to working in partnership with all stakeholders.
- 8.2 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.

- 8.3 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.
- 8.4 A copy of the Complaints Procedure is available on request and further information is available from:

Email: socialcarecomplaints@bromley.gov.uk

Telephone: 020 8313 4491

Address: Civic Centre,

FREEPOST MB 1658

Draft

Appendices

Draft



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. Should you remain dissatisfied after the Stage 2 process you will be signposted to the Local Government Ombudsman.

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

Email: 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) (Pease 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)*

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

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	
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 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)

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 phoningthe 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. A firm offer and confirmation of travel assistance will normally be implemented within 10 working days from this stage.

SEN Transport Policy Consultation 2015

Introduction

A revised SEN Transport Policy was agreed by Education Policy Development and Scrutiny Committee at its meeting on 30 September 2014 which clarified eligibility criteria, transport assistance offers and availability, supported travel training and use of public transport, introduced the offer of personal budgets to parents of children receiving sole transport and others where it would be in the interest of the Council and parents and adopted the Department for Education appeal process. At the subsequent Education Policy Development and Scrutiny Committee meeting on 27 January 2015 the trialling of muster points was agreed. Education PDS also agreed that consultation with stakeholders be carried out with a view to introduce the policy at the start of the 2015/16 academic year.

Methodology

Individual letters were sent to all 765 families using SEN Transport in February 2015 inviting them to comment on the draft Policy through a survey which was predominantly carried out on-line. Families had access to the draft SEN Transport Policy, the Appeals process document and a Frequently Asked Questions document and were encouraged to read them prior to completing the survey. For families without internet access, hard copies of these documents could be requested from the SEN Transport Team and returned using a Freepost address. 20 sets of hard copies were requested and 7 responses received.

A Bromley Schools Circular was sent to relevant stakeholders informing them of the consultation process and inviting them to complete a separate questionnaire for schools and other organisations.

Both surveys were open between 23 February and 28 March 2015.

Additionally Bromley Parent Voice held its own engagement process consisting of two focus groups attended by 40 parents and a survey, although it is not specified how many responded to this. This engagement was not limited to the draft Policy as it also looked at the quality of the current SEN Transport provision. Comments relating to the draft Policy will be included in this report.

Findings of the Survey with Parents/Carers

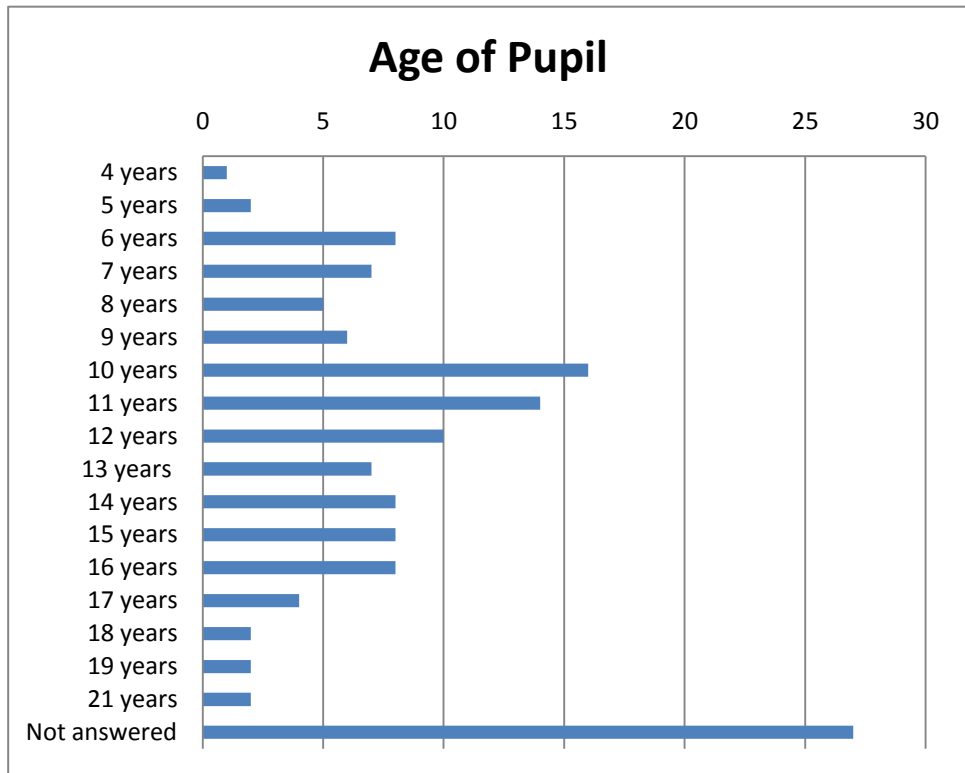
Respondents and information about the SEN Transport User

The survey was answered by 137 respondents, 130 of these were completed on-line and 7 using hard copies of the questionnaire. This represents 18% of families currently using SEN Transport

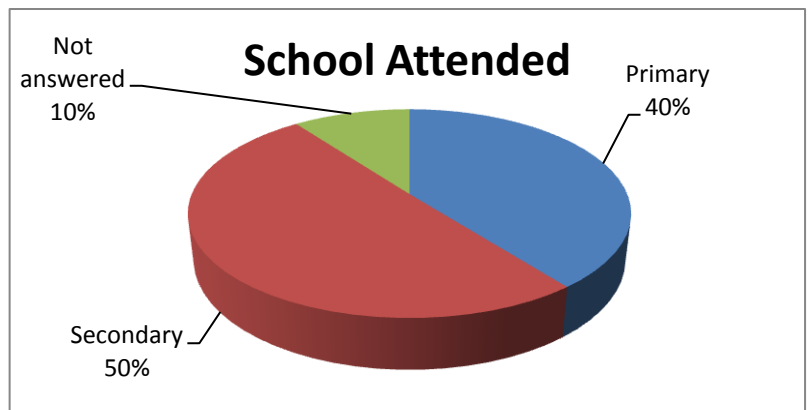
Families were asked to provide information about the child or young person who used SEN Transport so that it would be possible to see if this affected their responses to the questions. If more than one child used SEN Transport they were asked to provide information on the eldest.

Firstly families were asked the age of their child. 20% of respondents did not answer this question. The three most mentioned ages were 10 – 12 years.

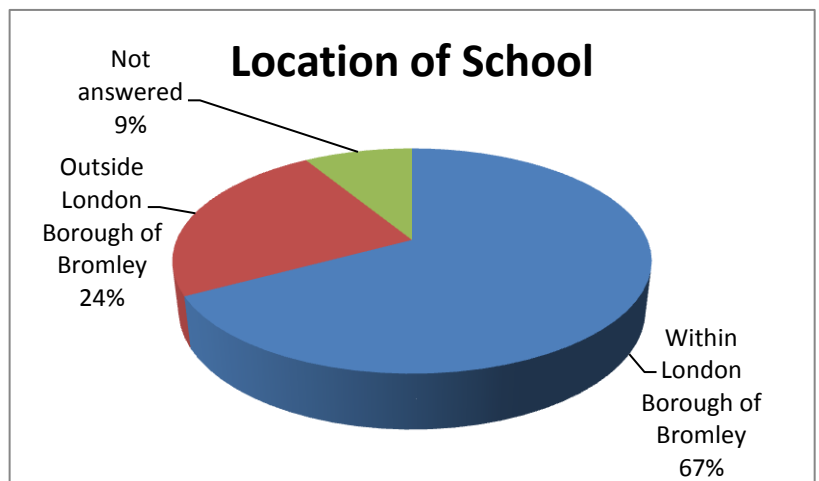
The two largest age groups of users of SEN Transport are 7-10 years and 11 – 13 years which is reflected in ages of children and young people whose family answered the survey. There is some under-representation in those 6 years and under and 16-18 years. This may be accounted for in those who age was not given.



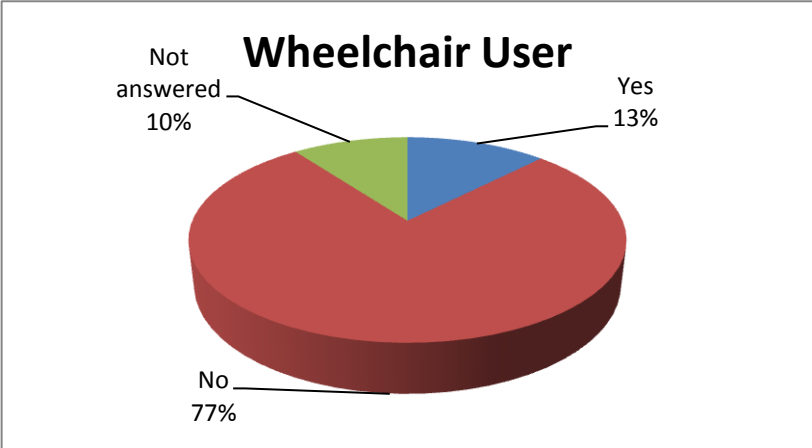
Attendance at school was fairly evenly divided between those at secondary school (50%) and those at primary school (40%). 10% did not answer this and the other questions in this section. Users of SEN Transport are split as follows: 40% of primary age and 60% of secondary school age. Therefore the survey is fairly representative of actual users of the service in this respect.



For families completing the survey 2 out of 3 pupils attend schools within London Borough of Bromley whilst 1 in 4 attend schools outside the Borough. 12 families did not answer this question. Of those using SEN Transport 76% attend education in borough while 24% attend out of borough provision. Therefore the survey proportionately represents those attending outside Bromley, although this is only 33 respondents, and is slightly under for those attending in-borough.

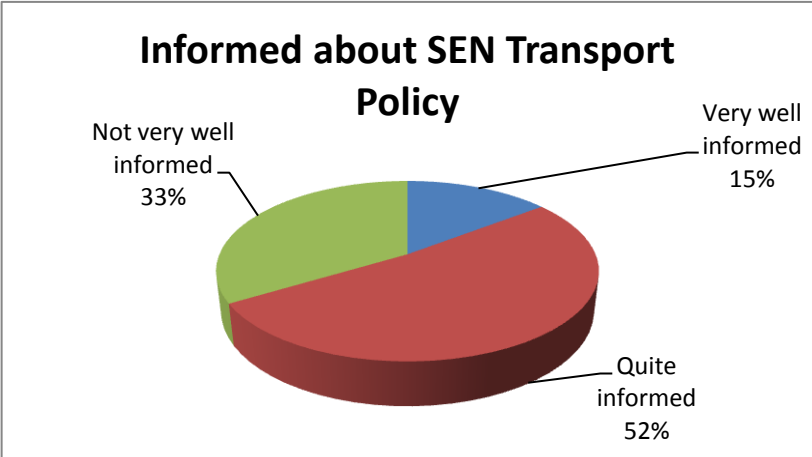


Finally families were asked if the pupil uses a wheelchair or not. Only 17 (13%) families stated that their child uses a wheelchair which is in line with all users of SEN transport where 13% use a wheelchair.



Understanding of Draft Policy

Families were asked how well informed they felt about the draft Policy. 2 out of 3 respondents said that they felt either very well or quite informed. Only 46, a third of respondents said that they were not very well informed.



Families were then given the opportunity to comment on what else would make the policy easier to understand. 50 comments were received – 20 from those who did not feel very well informed, 25 from those who felt quite informed and 7 who said they were very well informed. The most frequent responses are outlined below:

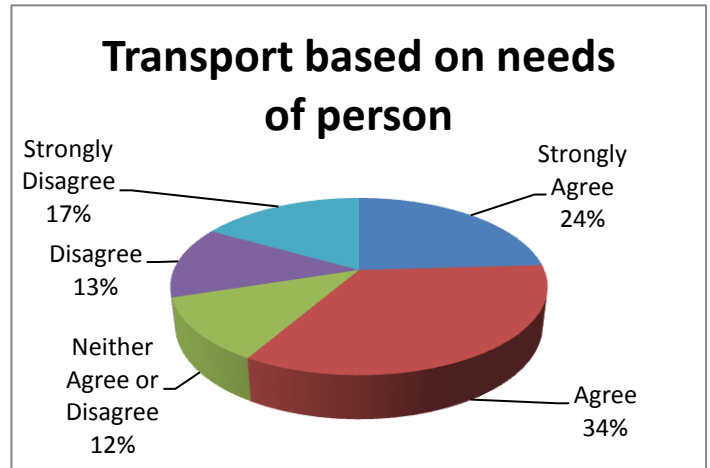
Comments	Number of respondents
Plainer English and more user friendly	10
Automatically sending the policy and any changes made to parents	9
Use of a summary or bullet points to highlight main points	8
Nothing	7

Other respondents had interpreted the question to mean an understanding of why the policy is being amended and 2 wanted to understand the expected financial savings from the proposed changes.

Needs of the child or young person

Families were asked if they agreed that transport assistance should be provided based on the needs of the child or young person in accordance with statutory guidelines.

58% of respondents stated that they either strongly agreed or agreed with this statement. 30% disagreed or strongly disagreed with it. 12% neither agreed nor disagreed.



Only 45% of those whose child is educated out of borough agreed and 45% disagreed. This presumably reflects that for this group of families only providing transport on the needs of their child using transport would impact their family more than those whose child is being educated in Bromley. Fewer families whose child attends primary school (21%) or is educated in-borough (23%) disagreed with this principle than the average.

59 comments were made about this question – 15 from those who agreed or strongly agreed, 9 from those who neither agreed nor disagreed and 35 from those who disagreed or strongly disagreed. Half of those who commented on this question stated that the needs of the family, as a whole, or other members of it should be taken into account, including needs of siblings and transportation to their school and the impact on the employment status of parents. The most frequent responses were:

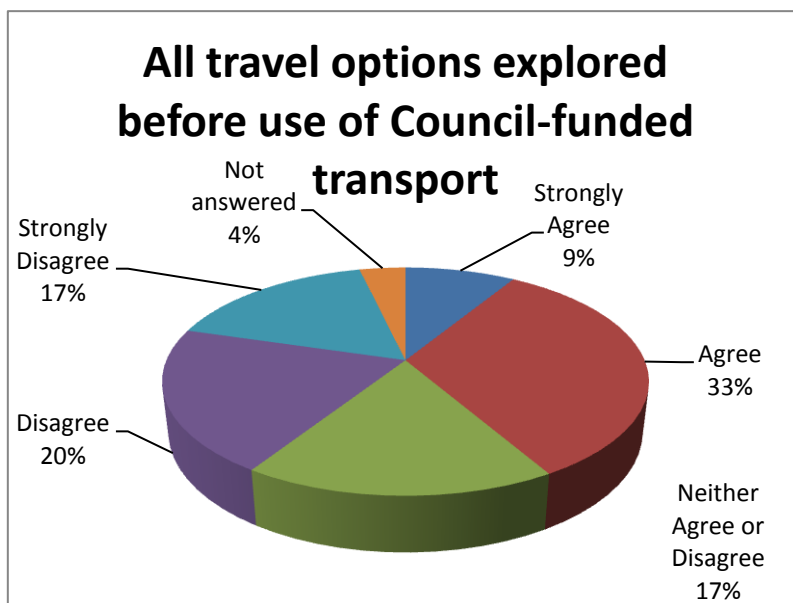
Comments	Number of respondents
Needs of the family taken into account, including:	29
• Needs of siblings (especially getting them to school)	10
• Impact on employment of parents	5
• Stress of transporting child	3
• Lack of alternative ie own transport or public transport routes	3
Need for individual review/assessment	11
Safety/vulnerability of child	5
Being flexible in implementation of government guidelines	4

Exploration of all travel options

Question 4 asked families whether they agreed that all travel options should be explored before Council funded transport assistance is provided.

42% of respondents either agreed or strongly agreed and 37% either disagreed or strongly disagreed. Seventeen percent neither agreed nor disagreed.

Families whose child is educated out of borough varied from these responses as 54% agreed and 27% disagreed. The reverse was true for families whose child uses a wheelchair, with 36% agreeing and 47% disagreeing. However it should be remembered that these are the two smallest groups of respondents who answered the survey.



58 comments were made about this question – 20 from those who agreed or strongly agreed, 8 from those who neither agreed nor disagreed and 30 from those who disagreed or strongly disagreed. Opinion was split. On one side were those who agreed that all travel options should be considered, surprise that it wasn't already done and those who stated that parents would have already done so. On the other hand, there were comments about the additional worry that this would cause to already stressed families and that parents know better than officers what is appropriate for their child. As in the previous question many commented that the whole family situation should be considered and that all families should be considered individually factoring in the young person's abilities and difficulties in making journeys to school independently. It was also stated that the needs of the child/family should outweigh any financial considerations.

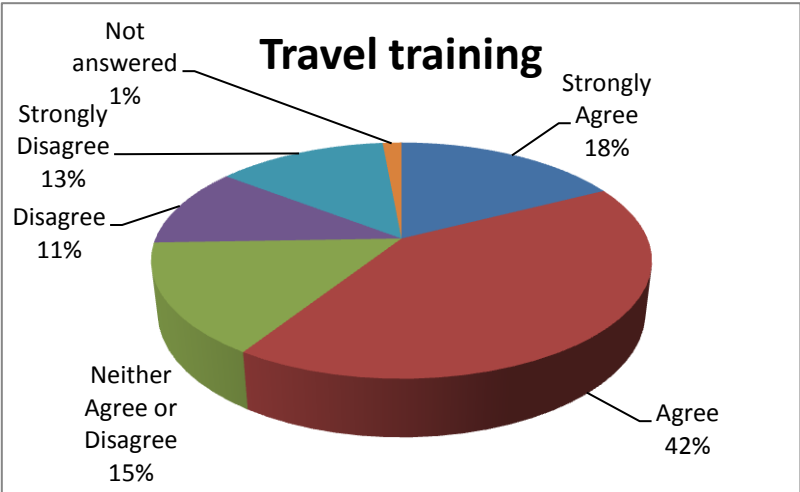
Comments	Number of respondents
Needs of the family taken into account	11
Needs paramount over money	9
All or some options should be explored	8
Situations should be considered individually according to abilities and safety of child	8
Additional stress on families caused by uncertainty when options being considered or by providing transport themselves	5
Surprise this doesn't happen already or parents already explore options before seeking assistance	6

Travel Training

Families were next asked their opinion on travel training for children and young people in Year 6 and above to help them develop independent travel skills for their future, if they are able to do so.

60% were in agreement with this statement whilst 24% either disagreed or strongly disagreed with it.

Families whose child is educated out of borough varied from these responses as 70% agreed and 15% disagreed. For families whose child uses a wheelchair 71% agreed and 30% disagreed. However it should be remembered that these are the two smallest groups of respondents who answered the survey.



73 comments were made about this question – 40 from those who agreed or strongly agreed, 16 from those who neither agreed nor disagreed and 17 from those who disagreed or strongly disagreed. Although the majority of respondents were in favour of travel training in principle, a number of caveats were made. Some parents felt that travel training should be automatically provided by families and schools to all children and young people. However, concern was expressed that many children would never be able to travel independently and that it depended on them having the capability and confidence to do so in all circumstances as well as the complexity of the journey. The safety of the young people was of concern, both from other people and as a result of their own condition. It was also felt that pupils in Year 6 would generally be too young to travel independently owing to their slower development and maturity. Even when a young person had completed travel training they should not automatically be assumed to be able to travel to school. Some parents also commented that the Council would be ultimately responsible if something went wrong or a child was adversely affected.

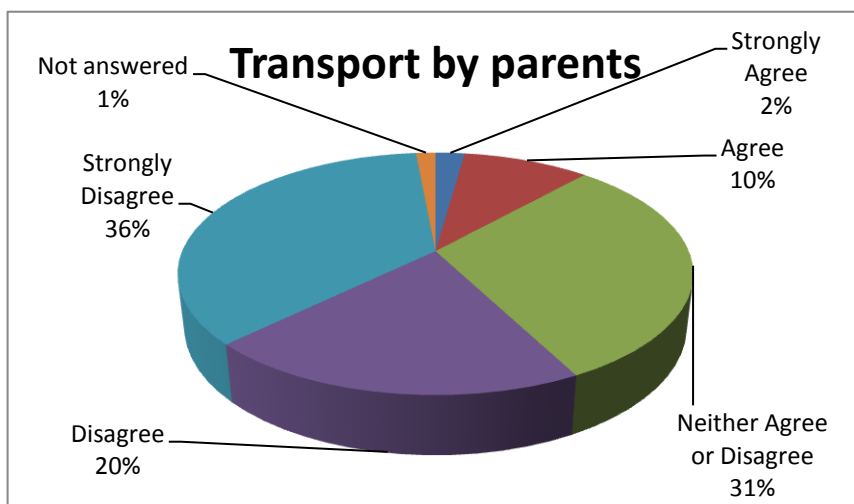
Comments	Number of respondents
Only if child truly capable and confident to do so all the time	31
Safety issues	16
All young people should receive long term travel training through family and/or school	13
Year 6 too young as not developed and matured enough	10
Some SEN pupils will never be able to travel independently	10
Parents should make the final decision	10
Completing training should not automatically mean able to travel independently to and from school	6

Families providing Transport to School

The next question provided the least positive response. Families were asked whether families should be encouraged to transport their children to and from school.

Only 12% agreed with this premise, with over half (56%) disagreeing with it. Nearly a third, 31% neither agreed nor disagreed.

Only 47% of respondents whose child is educated out of borough disagreed with this proposition. However 76% of those whose child uses a wheelchair disagreed with only 6% agreeing.



This question produced the most comments with 92 responses. 9 were from those who agreed or strongly agreed, 25 from those who neither agreed nor disagreed and 58 from those who disagreed or strongly disagreed. 17 parents commented that the problem was the lack of SEN provision in the borough creating lengthy journeys and 6 stated that they would transport their child if they could. 8 people mentioned that they lacked their own transport or public transport was inadequate. Once again family circumstances was the factor most frequently stated with over half of these citing the need to take siblings to other schools or their work commitments. Others

mentioned the potential increase to traffic congestion and pollution and issues of safety near schools. Another factor was the independence that travelling without parents gave their child together with the social experience of using a mini-bus. Comments supporting the principle were dependent on factors such as the school being within a reasonable distance, if parents could afford to supply alternative means of transport or if the family received benefits and were physically and mentally capable of taking their child.

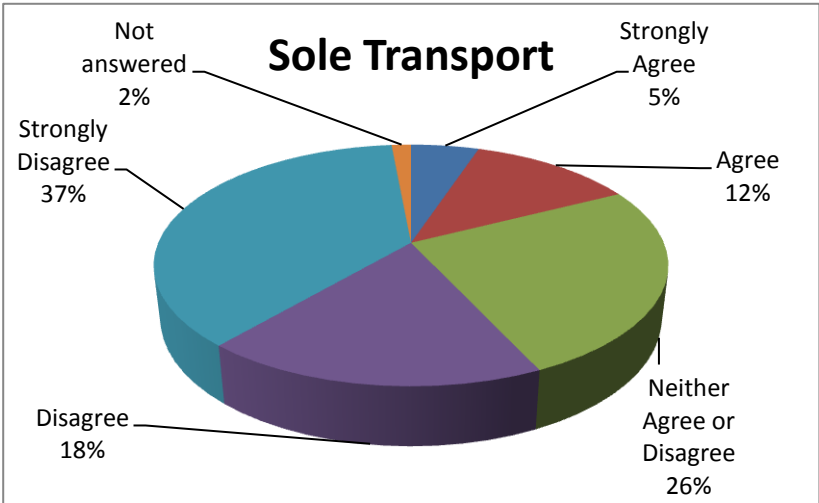
Comments	Number of respondents
Family circumstances, including: <ul style="list-style-type: none"> • Other siblings' school runs • Impact on employment 	40 23 17
Distance needed to travel because of lack of SEN provision in-borough	17
Lack of own transport/availability of public transport	8
SEN transport provides independence from family and social opportunities	8
Families would take their child if they could	6
Traffic/pollution issues	5
Safety at school gates	5

Sole Transport

Parents were asked about the expectation for families who own cars, where their child travels by sole transport in an individual vehicle, to take the child to school. Reimbursement would be provided through a personal budget.

17% of parents either agreed or strongly agreed, 26% neither agreed nor disagreed and 55% disagreed.

Parents of those using wheelchairs only 6% agreed and 70% disagreed.



68 comments were made about this question – 6 from those who agreed or strongly agreed, 14 from those who neither agreed nor disagreed and 48 from those who disagreed or strongly disagreed. Again the majority of comments spoke about the impact on family circumstances including the difficulties of combining two school runs, often in opposite directions and how this would affect working parents. The time it would take to accomplish such journeys and the stress caused were also highlighted leading to some families indicating that it would lead to a breakdown in the family or the need for residential education. The lack of SEN provision in-borough was stated as a reason for the need for transport.

Others agreed with the statement, but only if the distance involved was limited and other circumstances made it possible. One parent who already uses a personal budget for transport stated that it worked for their family.

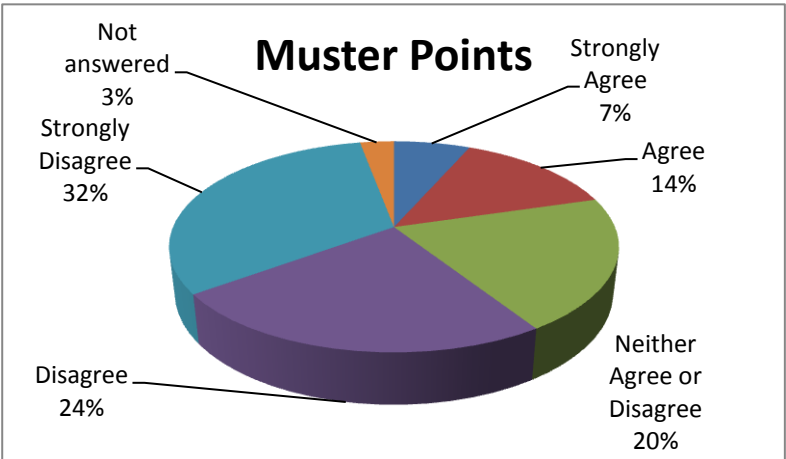
Comments	Number of respondents
Family circumstances, including: <ul style="list-style-type: none"> • Other siblings’ school runs • Impact on employment 	43 24 25
Time required and stress caused too great	10
Lack of SEN provision in-borough	8
Only if within a certain distance	7

Muster Points

This question asked whether young people should be picked up from a safe muster point, if assessed that this is suitable.

Over half of parents (56%) disagreed with this idea. 20% neither agreed nor disagreed and 21% agreed or strongly agreed.

Parents whose child attends school outside Bromley were less in favour of this aspect as 12% agreed and 63% disagreed.



69 comments were made about this question – 2 from those who had not answered the question, 5 from those who agreed or strongly agreed, 17 from those who neither agreed nor disagreed and 45 from those who disagreed or strongly disagreed. The lack of information about the muster points raised a large number of concerns. Parents were particularly concerned about the safety of the child or young person,

including: the difficulties of waiting safely because of the child’s condition; dangers from traffic and nearby roads; ensuring adequate supervision (if children left at waiting point or travelled there independently) and being vulnerable to bullying or abuse. Travelling to muster points from the home was also an issue for many parents: the distance involved, if up to 2 miles; adequate parking at the muster point; difficulties in walking to a muster point or issues of travelling alone. There were also concerns about waiting in bad weather, especially as a number of children would be prone to illness/infection. Toilet provision at the muster point was also an issue. Parents were also concerned about failing to connect with the transport and possibilities of delays in transport arriving.

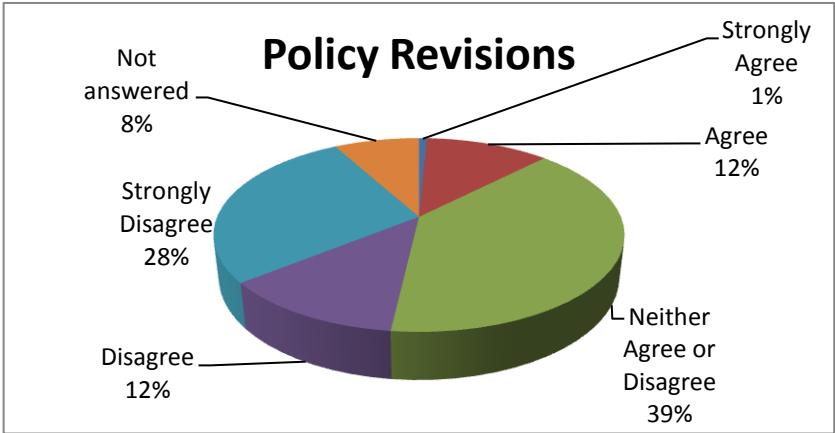
Comments	Number of respondents
Safety of child, including: <ul style="list-style-type: none"> • Child’s condition making waiting dangerous • Traffic/nearby road • Adequate supervision • Vulnerability to bullying/abuse 	41 18 13 12 10
Travelling to muster points, including: <ul style="list-style-type: none"> • Distance • Parking • Walking • Travelling alone 	25 11 7 4 3
Shelter for inclement weather	18
Delays in transport/missing the transport	12
Toilet provision	6

Agreement with Revised Policy

The final question asked whether families agreed with the revisions outlined in the Policy.

Numbers of those who disagreed (40%) or neither agreed nor disagreed (39%) were very close, whilst those who agreed were only 13%.

No respondents whose child uses a wheelchair agreed with the revisions and 47% disagreed.



45 comments were made about this question – 2 from those who had not answered the question, 1 from those who agreed or strongly agreed, 12 from those who neither agreed nor disagreed and 30 from those who disagreed or strongly disagreed. 14 commented that the policy was not family friendly and did not show an understanding

of life with a child or young person with a special educational need. 8 people disagreed with all or some aspects of the policy, whilst 8 comments felt it was purely a money saving change. 2 people were unclear why transport for pupils aged 16-18 years was means tested when statutory school age is now up to 18 years.

Comments	Number of respondents
Policy not family friendly – does not understand realities of life with a child with SEN	14
Disagreed with all or some aspects of policy	8
Purely cost saving	8
Had not seen or did not fully understand policy	7

Improvements to SEN Transport

Finally parents were asked for any further comments or suggestions to make SEN Transport more efficient, responsive or cost effective.

60 responses were given to this question. There was a wide range of answers from specific suggestions to make improvements to comments that current arrangements should not be changed or that all children with a special education need should automatically be offered transport.

Among the specific suggestions were:

- Charging parents for transport either through means-testing or asking for a contribution
- Schools organising transport themselves
- Reviewing transport needs for each child or young person annually, including the need for an escort
- Running the current system more efficiently ie making sure minibus or car is full
- Breakfast/after school clubs at schools.

Parents also stated that the needs of the family, especially any siblings, should be taken into account.

Comments	Number of respondents
Parental contribution/means testing	7
Keep existing arrangements	6
Schools should have the responsibility to organise/provide transport	6
Annual transport review	5
Needs of sibling to be taken into consideration	5
Run the system more efficiently	5

Findings of the Survey with Organisations

4 responses were received from organisations, 2 were from special schools (one response stated it was on behalf of the school and the Governing Body, one did not state who was responding), 1 from a unit at a mainstream primary school and one from a mainstream secondary school.

Answers to the quantitative questions were as follows:

- All felt very well or quite informed about the policy
- The 2 respondents from the special schools strongly disagreed that transport provision should be based on the needs of the child or young person in accordance with statutory guidelines. Respondents from mainstream schools agreed with this.
- 3 of the respondents agreed that all travel options should be explored before Council funded transport is agreed. The respondent from one of the special schools strongly disagreed.
- All agreed that travel training for children and young people in Year 6 and above should be provided.
- Respondents from the special schools disagreed that parents should be encouraged to transport their children to and from school, whilst those from mainstream schools agreed.
- 3 organisations neither agreed nor disagreed that parents with a car should be expected to transport their child if they receive sole transport. One special school strongly disagreed.
- 3 organisations agreed that, where suitable, young people should be picked up from a safe muster point. One special school disagreed.
- The two special schools strongly disagreed with the revisions in the Policy, the mainstream schools agreed with them.

Comments accompanying these questions included:

- One special school commented that greater clarity in the eligibility criteria was needed, especially around the statement that 'the provision of travel assistance by the Council will be based on individual needs and circumstances.'
- One special school thought that SEN transport should be provided for all pupils at their school due to their severe and complex needs, unless families prefer to make alternative arrangements.
- One special school stated that where pupils are unable to attend their local mainstream school, they should be entitled to transport as there is often no choice for suitable provision.
- Access arrangements at the attending school should be taken into account as there may be limited parking affecting safety in school car parks and surrounding roads.
- One mainstream school stated that family circumstances should be considered, for example some parents have more than one disabled child or are disabled themselves.
- 2 schools supported investigating other travel options, one special school would be happy to work with the Council supporting families with this when in the young person's best interest. One mainstream school supported using

public transport where appropriate and was pleased that the policy emphasised judging each individual's situation separately.

- The 3 respondents who commented on travel training supported this where it is appropriate.
- Both special schools were very concerned about the safety of their pupils if more families brought them to school by car due to the lack of parking nearby and volume of traffic on nearby roads. One school, with two sites, commented that the current situation is already difficult and would be exacerbated by more vehicles compromising the safety of all pupils. Travelling by foot or public transport would be very challenging for their pupils.
- One mainstream school commented that the school often has poorer relationships with those families whose child uses SEN transport.
- All schools commented on the expectation of parents transporting the child if sole transport is the only option. Whilst supporting regular reviews of this situation, one special school commented that sole transport is usually provided because of the pupil's challenging behaviour and it may be unsafe for families to do so if they do not have appropriate support. This could affect school attendance. The other schools commented that family circumstances, such as a sibling at another school or work commitments should also be taken into account.
- All schools commented that factors such as suitability of the pupil, due to their condition, and family circumstances should be considered when assessing pupils for use of muster points.
- 3 schools commented on agreement with revisions to the policy: one special school thought that use of the appeals process would create stress for families and take up significant officer time if those within statutory walking distance were automatically refused transport and then had to appeal; One special school thought that the current policy is sufficient to review individual access to transport and one mainstream school was concerned about personal budgets being open to abuse or families struggling with processes.
- Final comments not made previously included: ensuring that all drivers and escorts are CRB checked and transport being used to collect pupils who live close to each who go to different schools.
- One special school stated it was opposed to the Council withdrawing transport from any pupils at their school or not providing it for new pupils.

Report from Bromley Parent Voice (BPV)

Understanding of Draft Policy

The report indicated that many parents would struggle to read and understand the SEN Transport policy in its current format and that the language and format needs to be more accessible. It was also stated that the tone of the policy was not 'parent, child or young person centred'.

Needs of the child or young person

Some confusion was expressed that family circumstances would not be considered by the Council, but would then be considered during the appeals process. The need to take siblings to other schools, the cost of childcare, if needed, and the impact on the ability of parents to work were all highlighted in the report as factors which should be taken into consideration.

Travel Training

Whilst welcoming travel training, BPV were concerned that the Council may not realise that some young people are too vulnerable and/or disabled to travel independently. A robust assessment of young people's ability and competence to travel should be undertaken before SEN transport is withdrawn. A further risk assessment after travel training would also be needed. The difficulties of travelling at such busy times were highlighted with issues such as bullying occurring as well as the crowded environment being difficult for those with sensory impairments to deal with. Additionally public transport links to schools, including special schools, are limited and require walking some distance.

Muster Points

BPV's report highlights a number of issues about muster points, predominantly around safety and suitability. In principle BPV welcomes the use of muster points for those who have been assessed as being able to safely use them. However there were a number of areas where further clarification was sought as they were regarded as potentially negative issues. These include: availability of shelter from the weather; difficulties if transport is delayed; toilet/changing facilities; availability of disabled/suitable car parking; increase in number of times young people using wheelchairs are transferred; number of children at muster points; distance to muster point and the impact on siblings.

Revised Policy

Bromley Parent Voice suggests that Department for Education guidelines have been misinterpreted and that statutory walking distances do not necessarily apply to those with special education needs. Additionally they state that parents cannot reasonably be expected to accompany their child to school if there are siblings who need to be taken to other schools.

Assessment and Appeals Process

BPV considers that the proposed application form, which does not include details of the family's circumstances, should be amended to include this information so that more decisions can be made without the need to resort to appeal. Greater transparency on who will undertake assessments for transport assistance and be involved in the appeals process was requested.

Comments/Suggestions

The report offers a number of suggestions for making SEN Transport more cost effective, efficient and responsive. These include:

- More frequent review of transport needs especially where it could be envisaged that the need for transport provision or escort may cease
- More flexibility on pick-up and drop-off points to include pre- and post- school clubs etc
- After travel training pupils should 'buddy' with older pupils who already travel independently
- Schools being given the budget to provide SEN transport for their pupils
- Charging pupils not entitled to free transport to fill empty spaces
- Exploration of other options suggested by the Department of Education such as cycling or having an escort on public transport

- Longer commissioning cycle
- Changes in school hours to allow parents to make more than one 'school run'
- Using self-employed drivers rather than taxi firms
- Breakfast and after-school clubs or increased childcare options to allow parents to provide transport and fulfil other commitments
- Increased specialist provision in Bromley rather than reliance on out of borough provision
- Alternative provision covering part of a week eg from family, friends, volunteers etc

Conclusion

Following comments from a number of contributors, and in line with the need to make information available in an accessible manner, the policy should be reviewed to ensure that it is written in plain English and that the format enhances understanding. It should also be readily available to all parents currently using SEN transport and when families are being assessed for it.

Some elements of the policy were supported by a majority of respondents: that transport should be based on the needs of the child/young person and travel training should be provided to develop independent travel skills.

Less than half of those surveyed agreed that all travel options should be explored before Council-funded transport assistance is provided with a third neither agreeing nor disagreeing.

Just over half of parents disagreed with three of the questions: families being encouraged to transport their child to school; muster points and those currently receiving sole transport being expected to take their child themselves. The expectation that families should be encouraged to transport their child to school provoked the most comment with two-thirds of respondents doing so. Most of these comments were against the idea.

Many of the comments about the use of muster points were provoked by a lack of clarity about how these would operate and which children or young people would be eligible to use them. Further clarification may increase the number of families supporting this idea.

Overall only 13% of the respondents to the survey agreed with the revision in the draft policy.

Some of the responses to the consultation questioned the Council's motives and suggested that any change in SEN transport policy is purely a money-saving exercise with disregard for the impact it would have on families.

Even where respondents agreed in principle to a question, they still felt a need to question whether assessments would be carried well enough not to put their child at risk when being assessed for travel training or using muster points.

A major concern was the impact that the revised policy would have on families as a whole if only the needs of the child or young person being assessed for transport were considered during that assessment. This was mentioned many times by a number of respondents. It was stated that this was against the principle of addressing the needs of the whole family and could adversely affect other members of the family or impact on parents' ability to work.

A sense of injustice was expressed that families were going to be penalised because their child was assessed as needing educational provision which was not offered at a reasonable distance from their home.

However, whilst there is one group of parents who advocate keeping the current policy or express an option that all pupils with a statement of educational needs or an EHC plan should automatically be offered transport as a default, there were a number of constructive suggestions about how improvements to the transport provision could be made. Further investigation into the practicality of these ideas will need to be made.

Report No.
ED15093

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EDUCATION PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Education Policy Development and Scrutiny Committee on Wednesday 8 July 2015

Decision Type: Non-Urgent Executive Non-Key

Title: PROVISION OF COURSES FOR THE BROMLEY FLEXIBLE LEARNING PROGRAMME

Contact Officer: Jane Bailey, Assistant Director: Education
Tel: 020 8313 4146 E-mail: jane.bailey@bromley.gov.uk

Chief Officer: Chief Executive

Ward: (All Wards);

1. REASON FOR REPORT

- 1.1 A tendering process for a Framework Agreement was undertaken in 2013, with a selection of learning providers being added to the Framework. The Framework was established and contracts awarded for a period of one year with an annual extension for up to 2 further years.
 - 1.2 The Framework was extended for a year under the terms of the contract to July 2015; this current extension request, if approved, would be the last year of that contract award.
-

2. RECOMMENDATION

- 2.1 The Education Portfolio Holder is asked to approve the request to extend the Framework for the provision of courses for the Bromley Flexible Learning Programme until 31st July 2016, as outlined in paragraphs 4.5 and 4.6 of this report.

Corporate Policy

1. Policy Status: Behaviour Support Policy
 2. BBB Priority: Children and Young People :
-

Financial

1. Cost of proposal: £170,720
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Education: Progression Courses 121554
 4. Total current budget for this head: £170,720
 5. Source of funding: Dedicated Schools Grant
-

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: Statutory Requirement Statutory Duty under "Raising the Participation Age"; Bromley Financial Regulations and Contract Procedure Rules
 2. Call-in: Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): See paragraphs 3.5 and 3.6
-

Ward Councillor Views

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

3. AIMS OF THE SERVICE

- 3.1 The aim of the Bromley Flexible Learning Programme (BFLP) is to increase the participation and educational achievement of young people and to reduce the risk of their exclusion from learning.
- 3.2 This programme enables ECHS to work with Contractors to offer a range of highly successful accredited courses for students aged 14-16 years old for whom an alternative learning style is more appropriate than attendance at a mainstream school.
- 3.3 The BFLP contributes to the Local Authority's statutory duty in "Raising the Participation Age" and directly supports the strategy to reduce the number of young people age 16-19 who are Not in Education Employment or Training (NEET).
- 3.4. The aim of the providers of this Service is to enable students to achieve the course qualification(s), units and/or awards, to obtain additional pastoral and study support and to improve their chances to achieve their full potential.
- 3.5 Currently, 31 young people are participating in the Programme, of which 23 are Year 11s and 8 are Year10s. They have been referred by the following 8 agencies:

Agency	Number Referred
LBB (FAP)	17
LBB SEN	4
LBB Home and Hospital Tuition	2
The Nightingale Centre	1
Bromley Trust Academy	2
Bishop Justus School	1
Burwood School	1
Chislehurst School for Girls	3

- 3.6 A total of 50 young people have participated in the programme since the start of this academic year. The 19 who have been withdrawn so far were referred by the following agencies:

Agency	Number Referred
LBB (FAP)	12
LBB SEN	2
LBB Home and Hospital Tuition	2
Bromley Trust Academy	1
Burwood School	2

3.7 The reasons for the withdrawal of these 19 young people included

- Offered a place at a mainstream school
- Moved out of Borough
- Received a custodial sentence
- Placed with an alternative provider not part of the BFLP

4. CONTRACTING ARRANGEMENTS

4.1 Until September 2012, providers had contracts awarded by exemption or extension on an ad hoc basis; the last contract awarded under this arrangement expired in July 2013. Prior to the expiry of these contracts, a review of the procurement arrangements concluded that a more competitive approach should be taken and a Framework of potential providers established, from which contracts could be 'called-off'.

4.2 A tendering exercise was undertaken in 2013 via the Council's electronic tendering portal, to establish a Framework of providers to provide courses in the following areas:

- Animal Care
- Catering
- Childcare
- Construction (Carpentry/Brickwork/Plumbing/Painting & Decorating or Multiskills)
- ESOL Provision (for those for whom English is not a first language)
- Foundation Learning
- Functional Skills
- GCSE Programmes of Study (Higher and Foundation)
- Hair and Beauty
- Information Technology
- Horticulture
- Media
- Music Technology
- Motor Vehicle Maintenance
- Public Services

4.3 As a result, the following providers were approved to be placed on the Framework:

- Academy21
- Bromley College of Further and Higher Education
- Croydon IT Training Centre
- Educ8
- Springboard Bromley [*subsequently removed, as they are no longer trading*]
- Streetvibes Youth
- Wizeup

4.4 A gap was subsequently identified in the provision of courses for Hair and Beauty, and a further tendering exercise was undertaken and the following 3 organisations were added to the Framework:

- Blingz
- Shears Academy
- Top Line Therapists Academy

- 4.5 The Framework and call-off contracts were awarded for a period of one year, with an option to extend on an annual basis for up to a further two years. A 1-year extension was subsequently approved; this current request will be the final extension available under the terms of the contract.
- 4.6 The proposed cumulative value of the contract would be £761,923 as identified in Section 5 (Financial Implications). Authorisation to extend for a further year is sought from the Portfolio Holder via pre-decision scrutiny from the Education Policy & Development Scrutiny Committee.

5. FINANCIAL IMPLICATIONS

- 5.1 This provision is primarily funded through the Behaviour Support element of the Dedicated Schools Grant. Other funding is derived from direct charges for referrals to other Local Authority departments or Schools.
- 5.2 The value of contracts called-off under the Framework is as follows:

2013/14:	£315,926	
2014/15:	£275,277	
2015/16:	£170,720	(the estimated value is less this year due to the transfer out of the Respite Service)

6. LEGAL IMPLICATIONS

- 6.1 The proposed extension to the framework is proposed in line with paragraph 23.7.3 of the Contract Procedure Rules, which allows for an extension to a contract subject to appropriate authorisation as per section 13 of the Contract Procedure Rules (which set the thresholds for authorisation of contracts).
- 6.2 The Public Contracts Regulations 2015 replaced the 2006 Regulations. As the transitional provisions set out in regulation 119 of the 2015 regulations do not apply and having regard to Crown Commercial Service guidance on contract variations post-26 February 2015 then we are looking at the 2015 regulations being the applicable provisions and there must be compliance with these.
- 6.3 Regulation 72 provides that contracts may be modified without a new procurement during their term in accordance with that regulation but not otherwise. Regulation 72 (1) (a) provides that one of the permissible circumstances is as follows:
3. “where the modifications, irrespective of their monetary value, have been provided for in the initial procurement documents in clear, precise and unequivocal review clauses, which may include price revision clauses or options, provided that such clauses—
 4. (i)state the scope and nature of possible modifications or options as well as the conditions under which they may be used, and
 5. (ii)do not provide for modifications or options that would alter the overall nature of the contract or the framework agreement;”
- 6.4 As there was a clear provision within the contract allowing extensions then the recommendation falls within regulation 72 and is compliant with the 2015 Regulations

Non-Applicable Sections:	Policy Implications Personnel Implications
Background Documents: (Access via Contact Officer)	N/A

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Report No.
ED15091

London Borough of Bromley

PART 1 – PUBLIC

Decision Maker: EDUCATION PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Education Policy Development and Scrutiny Committee on Wednesday 8 July 2015

Decision Type: Non-Urgent Executive Non-Key

Title: GATEWAY REVIEW :FUTURE CONSIDERATION OF THE CONTRACT FOR A FAMILY SUPPORT SERVICE

Contact Officer: Mary Cava, SEN Implementation Manager
Tel: 0208 461 7633 E-mail: mary.cava@bromley.gov.uk

Chief Officer: Jane Bailey, Assistant Director, Education, Care and Health Services

Ward: (All Wards);

1. Reason for report

- 1.1 This report outlines the provision of the Family Support Service for children and young people diagnosed with autism and their families and the local community currently provided by Burgess Autistic Trust.
 - 1.2 The report also provides details of the history and annual contract value of the service and provides an update on the performance of the service.
 - 1.3 Approval was sought and agreed from senior officers for a further year's exemption from tendering the contract for a Family Support Service for 2015/16. However due to the cumulative value of the contract it is being brought to Member attention to alert them of this and to inform Members of the future testing of the market prior to this contract ceasing in March 2016.
-

2. **RECOMMENDATION(S)**

2.1 **The Education Policy Development and Scrutiny Committee is asked to:-**

- i) **Note the contents of this report.**
- ii) **Note that this service will be market tested during 2015/16.**

2.2 **The Education Portfolio Holder is asked to:-**

- i) **Consider the comments of the Education PDS Committee; and**
- ii) **Agree to the market testing of this service during 2015/16**

Corporate Policy

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

Financial

1. Cost of proposal: Estimated Cost: £35,000 in 2015/16;
 2. Ongoing costs: Recurring Cost.
 3. Budget head/performance centre: 136568~3423
 4. Total current budget for this head: £35,000
 5. Source of funding: Within the Dedicated Schools Grant
-

Staff

1. Number of staff (current and additional): N/A – the Service is provided by an external provider
 2. If from existing staff resources, number of staff hours: Approximately 10 hours per annum Officer time to monitor the contracts.
-

Legal

1. Legal Requirement: No legal requirement but viewed as a spend to save as parents will be equipped with the skills and knowledge to meet the needs of their child with SEN:
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 130 children and young people per year diagnosed with Autism and their families. There are currently 1900 families on the Bromley Autistic Trust database.
-

Ward Councillor Views

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

3. COMMENTARY

Family Support Service

- 3.1 Bromley Council Children's Services have provided a family support service for parents and carers of children & young people diagnosed with an autistic spectrum disorders (ASD) through a contract with Burgess Autistic Trust (BAT), formerly Bromley Autistic Trust for the last 10 years.
- 3.2 Workshops for parents, carers and professionals that cover topics such as Understanding Autism, Communication Strategies and Positive Behaviour Management Strategies have been commissioned through this contract. They are also commissioned to provide factual information regarding SEN processes and have been invaluable in disseminating information regarding the new Children and Families Act which encompasses the new legislation for Special Educational Needs and Disability. Continuous advice and support is delivered through activities/projects for young people, their siblings and extended families, offering a substantial depth of understanding, sharing knowledge and understanding. This ensures that all those living, learning and working with the young person with autism have an understanding of their needs and can support them through their lifelong learning.
- 3.3 BAT has successfully delivered the contract requirements and this service is regarded as an extension of the services provided by the statutory sector. They provide an early intervention service to support families and their young people who have a diagnosis of autism which may prevent more costly Local Authority interventions at a later date.

Contract History

- 3.4 The Family Support Service has been delivered by BAT and funded by Bromley Council since at least 2004. All contracts have been awarded via exemption – the service has never been competitively tendered. Whilst authorisation was sought and given by senior officers for the current year it was felt that due to the cumulative value of the contract this should be brought to Members attention for future consideration.
- 3.5 This contract is managed and monitored by the Head of Special Educational Needs and Disability Service. The delivery of the contract supports the thrust of the new Children and Family's Act 2014. This relates to empowering families in their understanding of autism and how it may affect their child and family and ensures early intervention through providing knowledge and skills for families to be as self-sustaining as possible. By informing and empowering families the aim is to reduce the demands placed on statutory services.

Performance

- 3.6 Council officers meet with the contract holders on a regular basis to monitor the level of service provided against the targets set out in the contract documentation. The service is highly regarded by families and other professionals and last year a total of 920 families used the Family Support Service. The volume of users continues to be monitored by Commissioners and Contract Compliance Officers during the Contract Period.
- 3.7 BAT has demonstrated that they can provide comprehensive services for children and young people diagnosed with autism and their families. They have the level of staff skills, experience, infrastructure and local knowledge required to provide the services specified by the Council.

Future Proposals

3.8 In light of the Information and Advice service requirements under the Children & Families Act 2014, it is intended to review this service during 2015/16 in order to ensure that it meets the Council's requirements with a view to testing the market place to ensure value for money and quality of service.

4. POLICY IMPLICATIONS

4.1 In accordance with the Council's commitment to Building a Better Bromley to support children and young people to enjoy learning and achieve their full potential and ensuring the health and wellbeing of children, young people and their families.

5. FINANCIAL IMPLICATIONS

5.1 Current contract value £35,000 per annum, which is funded from Dedicated Schools Grant (DSG).

5.2 The Cumulative Contract Value of this contract is approximately £420,000. This is an estimated value based on the contract being in place since 2004/05 at roughly the same annual value.

6. LEGAL IMPLICATIONS

6.1 The Service provided by BAT is subject to the application of the "light touch" regime under the Public Contracts Regulations 2015.

6.2 Rule 3.7 of the Council's Contract Procedure Rules state " Where a Service is to be provided by a Voluntary Sector Organisation through an external Service Level Agreement the relevant Chief Officer, in consultation with the Director of Resources, can decide not to obtain competitive tenders or quotations provided that:

- The Chief Officer is satisfied that the Voluntary Sector Organisation is, or will be able to provide a satisfactory quality of Service and that the sums payable under any Service Level Agreement entered into represent Value for Money;
- The relevant Head of Finance keeps a record of all payments made and any Grants received under the Service Level Agreement;
- The Service Level Agreement is time limited and subject to renewal under the arrangements identified in this Rule.

Approvals have been obtained as provided for in Rule 13.1, as appropriate for the estimated total value of the intended arrangement.

Non-Applicable Sections:	PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	N/A

Report No.
ED15095

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EDUCATION PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Education Policy Development and Scrutiny Committee on Wednesday 8 July 2015

Decision Type: Non-Urgent Executive Non-Key

Title: BASIC NEED UPDATE REPORT 10

Contact Officer: Jane Bailey, Assistant Director: Education
Tel: 020 8313 4146 E-mail: jane.bailey@bromley.gov.uk

Robert Bollen, Head of Strategic Place Planning
Tel: 020 8313 4697 E-mail: robert.bollen@bromley.gov.uk

Chief Officer: Chief Executive

Ward: (All Wards);

1. Reason for report

- 1.1 To update Members on progress in delivering the Council's Basic Need Programme and to set out the forward programme for the period 2014-18.
-

2. **RECOMMENDATION(S)**

- 2.1 That the Education PDS Committee note the updated 2014-18 Basic Need Programme outlined at Appendix 1.

2.2 That the Portfolio Holder for Education:

- i) Approves the updated list of schemes as outlined at section Appendix 1;
- ii) Agrees the procurement of individual schemes within the Basic Need Programme through traditional procurement, the Lewisham Modular Buildings Framework or through the devolution of Basic Need Capital Grant to schools and to delegate authority to the Assistant Director: Education in consultation with the Portfolio Holder for Education for the award of contracts up to a value of £500,000 for individual schemes procured through these routes; and,
- iii) Authorises Assistant Director of Education to seek planning permission for schemes at the appropriate time when required.

Corporate Policy

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

Financial

1. Cost of proposal: Estimated Cost
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Education Capital Programme
 4. Total current budget for this head: £72,783,031
 5. Source of funding: DfE Basic Need Capital Grant, DfE Capital Maintenance Grant, DfE 2 Year Olds Capital Funding, S106 Funding, DSG
-

Staff

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

Legal

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

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 This report provides an update on the delivery and future planning of the Council's Basic Need Capital Programme that supports the provision of sufficient pupil places through improvements to and expansion of Bromley Schools.
- 3.2 The Council receives Basic Need Capital Grant from the DfE to support the delivery of sufficient school places. The Council's award for the period 2011-18 is outlined below.

2011-12 allocation	£4,496,771
Autumn 2011 exceptional in-year allocation	£1,277,936
2012-13 allocation	£2,404,519
Spring 2012 exceptional in-year allocation	£1,590,436
2013-15 allocation	£9,968,079
2015-16 allocation	£20,635,153
2016-17 allocation	£21,666,911
2017-18 allocation	£8,837,573
Contribution from DfE Capital Maintenance Grant underspend	£1,200,000
S106 allocations to projects in programme to date	£705,653
Total allocation to date:	£72,783,031

- 3.3 In February 2015 we received an addition Basic Need Capital allocations for 2017/18. At £8,837,573 this was below the level of grant expected.
- 3.4 The programme also includes capital contributions from a range of other capital funding programmes including Seed Challenge, Access Initiative and Suitability along with Section 106 contributions. The detail of the S106 contributions were included within Approval of Procurement Strategy for Basic Need Projects and the Glebe School Expansion and Allocation of Section 106 Funding to education agreed by the Executive on 2 April 2014. A further report on new S106 allocation for education will tabled to the Executive later in the year.
- 3.5 Appendix 1 includes details of the Basic Need Programme, those schemes complete, in delivery and planned. There are currently scheme to the value of £82,176,000 either completed or in delivery. These have been allocated £71,399,000 in Basic Need Capital Grant and £10,777,000 from other sources. (see appendix 1)
- 3.6 It has been identified through delivery of the programme that there is a risk that insufficient funding has been allocated to support IT infrastructure and mobile technology in expanding schools, especially where schools have decided to move from fixed ICT classrooms to laptop trolleys and tablets in order to better utilise space, comply with Building Bulletin 103 and make expansion more cost effective. In order to set aside resources to cover this risk, the services contingency has been split between general utility services and IT. The intention in the future is that a dedicated sum will be provided within the budget for each project, in line

with currently budgeting for furniture and equipment and universal infant free school meals, to cover these costs,

- 3.7 Three new columns have been added to Appendix 1 to enable Members to more easily analyse where changes have occurred in project costs. These columns provide a benchmark cost based on the January 2015 Basic Need Update 9 Report, details of subsequent changes in costs with a negative figure indicating an increase in costs and a brief description for the reason for the increase.
- 3.8 There is currently insufficient funding provided by the DfE and other sources to deliver all the schemes within the Basic Need Programme. Design development of schemes not already in the delivery phase of the programme will continue, but schemes will not be brought forward for delivery until funding is available. For schemes to be brought forward to development they will need to evidence demonstrable need for investment.

3.9 Progress in delivery of Basic Need Programme

3.9.1 Since the Education Committee considered Basic Need Update Report 9 on 27 January 2015 there has been significant progress in delivery of the Basic Need school expansion programme. Key Milestones include:

- The project to rebuild and expand Clare House Primary School is progressing well with structural works largely complete and the first pupils due to enter the new facilities in September 2015.
- Works to permanently expand Churchfields Primary School, Harris Primary Academy Crystal Palace, Midfield Primary School, Parish CE Primary School, St Paul's Cray CE Primary School, Worsley Bridge Primary School and Glebe Special School are currently underway. Smaller expansion schemes at Hawes Down Junior School, Keston CE Primary School and Unicorn Primary School have also started.
- Planning permission has also been achieved for the permanent expansion schemes at Edgebury and St George's CE Primary School. A contract for these schemes along with the expansion of Scotts Park Primary School is due to be awarded in the autumn 2015 subject to Executive approval.

3.9.2 In addition, a number of schools will be taking their second bulge class in September 2015 and were elevated, within the Basic Need Programme, to Priority 1 schemes by the Executive on 20th May 2015.. These include Stewart Fleming, Leasons and Poverest Primary Schools, along with Farnborough Primary that will take its first bulge class in September 2015.

3.9.3 On 11 February 2015 the Executive approved that the scheme to refurbish Beacon House should enter the Council's capital programme. A planning application has been submitted that is due to be determined in July 2015. The enabling works package has now been tendered with a decision on the award of the main works contract due to be decided by the Executive during autumn 2015.

3.9.4 Work is continuing with regards the potential expansion of Blenheim, Green Street Green, James Dixon, Marian Vian and St Mary Cray primary schools. These will be developed up to the planning stage with decisions on taking each forward dependent on the future demand for primary school places.

3.9.5 There are a number of schemes where feasibility is either due to start or will start shortly including i) investigation of the future premises options for Burwood KS2 and KS3 once

Beacon House is open, ii) the possible expansion of Castlecombe school and iii) a potential reorganisation and expansion of SEN provision at Tubbenden School.

3.10 Secondary Expansion

- 3.10.1 Development of expansion options will continue with secondary schools with schemes being brought forward for inclusion within the delivery pool of the Basic Need Programme when funding is available and demand can be demonstrated.
- 3.10.2 The council has been working with secondary schools to develop proposals for secondary school expansion based on school masterplans. This includes funding feasibility studies and employing a quantity surveyor to review schemes to ensure value for money.

3.11 Bulge Classes 2015

- 3.11.1 A number of additional bulge classes are being created for September 2015 in order to ensure a sufficient supply of school places.
- 3.11.2 Marian Vian Primary School is taking a bulge class in September 2015 due to insufficient places available in the Beckenham area. It is currently unclear what impact Harris Beckenham Primary Academy, which opens in September 2015 but was this year outside of coordinated admissions, will have.
- 3.11.3 We need to provide a bulge class at Mottingham Primary School in September 2015 to help balance the mismatch in Planning Area 6 (Chislehurst and Mottingham). As the admissions link between Dorset Road and Mottingham cannot be amended to take effect before 2017, we have now developed a scheme at the school that provides an additional classroom for both 2015 and 2016 whilst permanent solutions can be identified. This, along with the need to upgrade services to site and carry out significant works to the kitchen, means that costs have increased since the Portfolio Holder approved the project 10 June 2015.
- 3.11.4 Three secondary schools will be taking bulge classes in September 2015 in order to meet the demand for school places in the north west of the borough:
- Bishop Justus – bulge class can temporarily be contained within existing accommodation. Permanent accommodation will form part of conversation on expansion of the school
 - Langley Park School for Boys – the bulge class will be provided through minor adaptation to existing resource space
 - The Ravensbourne Academy – provision of bulge class through relocation of gym. This detail of this scheme is currently being finalised due to pressure on cost.

4. POLICY IMPLICATIONS

- 4.1 Bromley Council has an established policy for the review and strategic planning of school places and related school organisation. The need to ensure sufficient school places, the quality of those places and their efficient organisation is a priority within the Council's strategy 'Building a Better Bromley' and contributes to the strategy to achieve the status of An Excellent Council. This policy also contributes to key targets within the Education Portfolio Plan.

5. FINANCIAL IMPLICATIONS

- 5.1 The Council has been allocated £70,877,378 in 100% capital grant for the financial years 2011-18 to meet the basic need provision in schools. The programme also includes £678,000 of 2 Year Olds funding. It was agreed at Executive on the 20th November 2013 to transfer £1.2 million from the underspend on the Education Planned Maintenance Programme be transferred to support the delivery of the Council's Basic Need Programme. Funding from the Suitability budget will be made available to support the re-organisation of Bromley Road School.
- 5.2 This report identifies an updated Basic Need Programme for the period 2011-18 with an estimated expenditure of £126,181,000 and currently a £70,877,000 draw on the Basic Need Capital Grant. Only available funds will be committed to schemes and it should be noted that not all schemes in development will proceed. In addition, the local authority is awaiting a DfE announcement on further funding for 2017-18.

6. LEGAL IMPLICATIONS

- 6.1 The distribution and application of monies received from Central Government is subject to guidance and advice from the Department for Education. Under Section 14 Education Act 1996 the Council has a statutory duty to ensure that there are enough primary and secondary school places are available to meet the needs of pupils in its area.
- 6.2 Section 106 monies must be spent in accordance with the Education contribution clauses

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	Basic Need Report, report to the Executive 20 may 2015 Basic Need Update Report 9, report to Education PDS, 27 January 2015

APPENDIX 1 BASIC NEED PROGRAMME 2011-18 June 2015

School	Description of Works	Type	Year (s)	Status	Project cost (£000s)	Funding sources			Budget Changes		
						Basic Need	Other	Source of funding	Cost (Jan 2015)	Change	Explanation
Completed Projects											
Balgowan Primary School	Conversion of existing space to form single bulge class	Temporary 'Bulge'	2014	Complete	10	10			10	0	
Bickley Primary School	Kitchen and servery works to complete expansion to full 2FE	Permanent Expansion	2011	Complete	103	103			103	0	
Bromley Road	First phase of works to support re-organisation - asbestos strip out	Change of age range	2014	Awaiting final invoices	113	113			113	0	
Burnt Ash Primary School	Internal SEN unit modifications to address OfSTED recommendations	School rebuild	2012	Complete	50	50			50	0	
Churchfields Primary School	Modifications to existing building to support 4 years of expansion	Permanent Expansion	2011-2014	Complete	357	357			357	0	
Clare House Primary School	Internal modifications and 3 X temporary accommodation	Temporary 'Bulge'	2012-14	Complete	578	449	129	DSG	578	0	
Crofton Primary School	New build class and facilities for additional 'Busy Bees' class	SEN	2014	Awaiting Final invoices	475	450	25	Access Initiative	475	0	
Darrick Wood School	AccessWorks - acoustic partitions and associated ICT/M&E works	SEN	2012	Complete	45	45			45	0	
Darrick Wood Infant School	Review of space at school	Site sufficiency	2014	Space planning	4	4			4	0	
Darrick Wood Junior School	Review of space at school	Site sufficiency	2014	Space planning	4	4			4	0	
Harris Primary Academy Crystal Palace	Minor refurbishment and temporary toilet unit to facilitate an extra form of entry in 2011 & 2012.	Permanent Expansion	2011-14	Complete	125	104	21	DSG	125	0	
Harris Primary Academy Kent House	Modular accommodation to provide an additional form of entry in 2011.	Temporary 'Bulge'	2011	Complete	263	263			263	0	

Hawes Down Infants School	Conversion of existing space to for single bulge class	Temporary 'Bulge'	2012	Complete	115	115			115	0	
Hillside Primary School	Contribution from Basic Need to delivery of SEN facilities at school	SEN	2011	Complete	100	57	43		100	0	
James Dixon Primary School	Temporary reception block with potential for additional class in 2015	Temporary 'Bulge'	2014	Awaiting Final invoices	193	117	76	DSG	193	0	
Leesons Primary School	Conversion of existing space to for single bulge class	Temporary 'Bulge'	2014	Awaiting Final invoices	20	20			20	0	
Midfield Primary School	Refurbishment of existing accommodation and new nursery block	Temporary 'Bulge'	2012-14	Complete	503	503			503	0	
Mottingham	Works to allow admission of 3rd KS2 class	Temporary 'Bulge'	2014	Awaiting Final invoices	50	50			50	0	
Parish CE Primary School	3 New recption classrooms	Temporary 'Bulge'	2011-14	Awaiting Final invoices	608	608			608	0	
Poverest Primary School	Conversion of existing space to form single bulge class	Temporary 'Bulge'	2014	Awaiting Final invoices	80	80			80	0	
Princes Plain Primary School	Refurbishment of classes in ED C accommodation	Temporary 'Bulge'	2012-14	Complete	467	327	140		467	0	
Red Hill Primary School	Improvement of toilet facilities to support increase in pupil numbers	Temporary 'Bulge'	2012	Complete	57	57			47	-10	
Riverside School	New school hall and ASD specific entrance	SEN	2013-14	Awaiting Final invoices	1,350	829	521	S106 and other capital	1350	0	
Scotts Park Primary School	Refurbishment of early years area temporary accommodation block	Temporary 'Bulge'	2012-14	Complete	498	463	35	S106	498	0	
St George's CE Primary School	Conversion of existing space to form single bulge class	Temporary 'Bulge'	2014	Awaiting Final invoices	10	10			10	0	
St Mark's CE Primary School	Refurbishment of reception classrooms	Temporary 'Bulge'	2013	Complete	135	135			135	0	
St Mary's Cray Primary School	Minor works to support admission of additional pupils	Temporary 'Bulge'	2012	Complete	11	11			11	0	
Stewart Fleming (Pioneer Academy)	Conversion of existing space to form single bulge class, including creation of external storage area	Temporary 'Bulge'	2014	Awaiting Final invoices	53	53			53	0	

Unicorn Primary School	Temporary classroom block to decant breakfast and after school club, fencing and temporary 'grasscrete' parking	Temporary 'Bulge'	2014	Awaiting Final invoices	411	383	28		411	0	
Valley Primary School	Modular accommodation to facilitate an extra form of entry in 2011 & 2012.	Temporary 'Bulge'	2011 & 2012	Complete	353	353			353	0	
Worsley Bridge Primary School	Temporary modular classrooms to additional 2 classes in 2013	Temporary 'Bulge'	2013 & 2014	Complete	545	451	94	DSG	545	0	
The Highway Primary School	Contingency to cover over-spend on project	School rebuild	2011	Complete	650	650			650	0	
Cost of completed schemes					8336	7224	1112				

School	Description of Works	Type	Year (s)	Status	Project cost (£000s)	Funding sources			Budget Changes		
						Basic Need	Other		Cost (Jan 2015)	Change	Explanation
Projects in Delivery											
Beacon House (Burwood School)	Refurbishment of site to provide vocational offer and extend services to KS2 and girls.	Expansion of age range	2015-16	Awaiting Planning Decision	3267	267	3000	DSG	3267	0	
Bishop Justus	Internal works and FF&E For Bulge class in advance of new facilities being brought forward.	Bulge' class	September 2015	FF&E and enabling works	50	50			0	-50	New Scheme
Bromley Road Infants	Internal remodelling/ refurbishment to provide accommodation for the re-organised school	Change of age range/ option for 'bulge' class	2015	Construction	861	861	0		861	0	No change in overall cost, but suitability allocation transferred to Burwood H&S works
Clare House Primary School	New 2FE school replacing existing 1FE accommodation and temporary classrooms	Permanent Expansion	2015	Construction	6,385	6385			6,385	0	
Churchfields Primary School	New nursery block, small extension and internal modifications	Permanent Expansion	2015	Construction	1,010	1010			1,010	0	
Edgebury	New build to support expansion from 1 FE to 2 FE	Permanent Expansion	2016	Tender	3,785	3785			3,785	0	
Farnborough Primary School	Internal works and FF&E For Bulge class in advance of new facilities being brought forward.	Bulge' class	2015	Design	50	50			0	-50	Bulge Class
Farnborough Primary School	Feasibility on options to expand the school	Permanent Expansion	2015	Feasibility	5,084	5084			0	-5084	New Scheme
Glebe School	New classroom block to support 2FE ASD secondary expansion	SEN	2015	Construction	4,800	0	4,800	DSG	4,800	0	
Harris Primary Academy Crystal Palace	Internal refurbishment and external works to support permanent expansion of school	Permanent Expansion	2014-2015	Construction	1,009	1009			1,009	0	
Hawes Down Junior School	Additional class to admit 'bulge' class currently in junior school plus potential additional unit class	Bulge' class	2015	Construction	861	861			730	-131	Detailed cost of SEN unit expansion now known

James Dixon	Secondon Bulge Class and nurse	Bulge' class	2015	Pre-construction	520	520			0	-520	Cost of bulge class and relocating contact centre
Keston CE Primary School	Internal and external works to provide permanent facilities for 2012 class.	Bulge' class	2015	Construction	960	960			960	0	
Keston CE Primary School	Multi Use games Area to replace area lost by expansion works	Bulge' class	2015	Pre-tender	500	500			0	-500	Cost not known in Jan 2015
Langley Park School for Boys	Internal works and FF&E For Bulge class in advance of new facilities being brought forward.	Bulge' class	Summer 2015	Construction	50	50			0	-50	Bulge Class
Leesons Primary School	Refurbishment of area seprated from former day care centre and feasibility on options to expand the school	Permanent Expansion	Summer 2015	Feasibility	3,347	3,022	325	Achieving 2 Year Olds Capital Funding, Access initiative and Seed Challenge	3,347	0	
Marian Vian Primary School	Internal works and FF&E For Bulge class in advance of new facilities being brought forward.	Bulge' class		Detailed Design	50	50			0	-50	Bulge Class
Midfield	Internal refurbishment and expansion to support permanent expansion	Permanent Expansion	2015-16	Construction	1,295	1295			1,295	0	
Mottingham	Works associated with admniting an addition KS2 class and kitchen upgrade	Bulge' class	2015	Tender	980	980			0	-980	KS2 Bulge Classes
Ravensbourne Secondary	Move Gym to provode new classroom	Bulge' class	2015	Tender	945	945			0	-945	Bulge Class
Parish CE Primary School	New teaching block and secondary path	Permanent Expansion	2015	Construction	3,334	3334			3,334	0	
Poverest Primary School	Summer 2015 bulge works and permanent expansion	Permanent Expansion	2014	Feasibility	3,347	3,122	225	Achieving 2 Year Olds Capital Funding	3,297	-50	
Princes Plain Primary School	Mixed refurbishment and new build to allow expansion from 2 to 4FE	Permanent Expansion	2014-17	Phased dellivery	4,864	4614	250	\$106	4,684	-180	
Secondary Review	Funding to support feasibilities and development of proposals for first Phase of Secondary Expansion	Potential Expansions	Ongoing	Feasibility	150	150			150	0	

Scotts Park School	Expansion above existing school to complete expansion	Permanent Expansion	2016	Awaiting Planning Decision	2,970	2970			2,970	0	
St Georges CE Primary School	Refurbishment and expansion 1.5 FE to 2 FE	Permanent Expansion	2015-17	Tender	1,586	1586			1,586	0	
St Paul's Cray CE Primary	Mixed refurbishment and new build to allow expansion from 1 to 2 FE	Permanent Expansion	2015	Construction	2,589	2589			2,589	0	
The Pioneer Academy (Stewart Fleming)	Summer 2015 bulge works and permanent expansion	Permanent Expansion	Summer 2015	Detailed Design	7,170	7170			7,170	0	
Unicorn Primary School	New build expansion to ensure sufficient hall space, new classroom accommodation for 'bulge' class and hygiene facilities	Temporary 'Bulge' and suitability	2014-15	Construction	1,065	0	1,065	Seed Challenge & Access Initiative, \$106	924	-141	Main contract price higher than tender estimate
Worsley Bridge Primary School	Mixed refurbishment and new build to allow expansion from 2 to 3FE	Permanent Expansion	2015	Construction	4,243	4243			4,243	0	
Unplanned Demand Contingency					0	0					
Cost of schemes in delivery					67,127	57,462	9,665				
Programme Contingency (5%)					3,356	3,356					
Services and Abnormals Contingency (2.5%)					1,678	1,678					
IT Contingency (2.5%)					1,678	1,678					
In Delivery Schemes Total					73,840	64,175	9,665				
Completed Projects Plus Schemes in Delivery					82,176	71,399	10,777				
Basic Need Budget Received to Date						72,077					
Remaining						678					
Changes to programme in delivery											-8,731

School	Description of Works	Type	Year (s)	Status	Project cost (£000s)	Funding sources		Notes
						Basic Need	Other	
Projects in development								
Bleheim Primary School	Feasibility on options to expand the school	Potential Expansion	Ongoing	Feasibility	2,972	2,972		
Burwood KS2 Options	Feasibility on facilities to support KS2 and KS3 SEHM provision	School re-organisation	Ongoing	Feasibility				
Castlecombe Primary School	Feasibility on options to expand the school	Potential Expansion	2015	Feasibility				
Chislehurst St Nicholas CE Primary School	Relocation and expansion of school to 2FE primary	Potential Relocation and Expansion	Ongoing	Design Development	7,220	6,220	1,000	Estimated Capital receipt
Green Street Green	Feasibility on options to expand the school from 2FE to 3FE	Potential Expansion	Ongoing	Feasibility	2,972	2,972		
James Dixon	New teaching block and replacement of temporary modular classrooms	Permanent Expansion	Ongoing	Feasibility	3,102	2,877	225	Achieving 2 Year Olds Capital Funding
Marian Vian Primary School	Feasibility on options to expand the school	Potential Expansion	Ongoing	Feasibility	2,972	2,972		
Oaklands	Ensuring accommodation is sufficient to admit 3FE and address issue remaining from amalgamation of infant and junior school	Site sufficiency	Ongoing	Design Development	8,290	8,290		
St Mary' Cray Primary School	Feasibility on options to expand the school	Potential Expansion	Ongoing	Feasibility	2,970	2,970		
Tubbenden Primary School	Feasibility on options to amalgamate the infant and junior SEN classes and expand SEN provision at the school	Potential SEN expansion	2015	Feasibility				
KS2 Expansion Planning Area 6	Development of proposal to address deficit of KS2 places in Planning Area 6	Potential Expansion and re-organisation	2014-16		3,500	3,500		
Widmore Centre	Review of accommodation	Options appraisal	2014	Space planning	7	7		

Secondary Places	Phase 1 of Secondary Expansion		2015	No decision until 2015	10,000	10,000	
Cost of schemes in development					44,005	42,780	1,225
Total Programme Cost					126,181	114,179	12,002
Total Basic Need Allocation						72,077	
Contribution to Basic Need Programme From Other Resources							12,002
Potential Funding Gap						42,102	

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Report No.
ED15099

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE

Date: For Pre-Decision Scrutiny by the Education Policy Development and Scrutiny Committee on Wednesday 8 July 2015

Decision Type: Non-Urgent Executive Non-Key

Title: REORGANISATION OF BROMLEY ADULT EDUCATION COLLEGE

Contact Officer: Jane Bailey, Assistant Director: Education
Tel: 020 8313 4146 E-mail: jane.bailey@bromley.gov.uk

Chief Officer: Chief Executive

Ward: (All Wards);

1. Reason for report

1.1 This report outlines a proposal for the reorganisation of the Council's Adult Education service

2. RECOMMENDATION(S)

2.1 That Education PDS Members note and comment on the content of this report

2.2 That the Council's Executive endorse the proposal that the Assistant Director: Education commences consultation with staff and their representatives, stakeholders and service users to restructure and reduce the adult education service as outlined in this report. This option will reduce the budget overspend and retain a level of service from Bromley residents that is focussed on the areas of greatest need.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council Supporting Independence
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Adult Education College
 4. Total current budget for this head: £Cr 601k (controllable)
 5. Source of funding: External / Revenue Budget
-

Staff

1. Number of staff (current and additional): 45 staff on permanent contracts, 294 casual/sessional workers, 69.6 FTE
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 6,500
-

Ward Councillor Views

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

3. INTRODUCTION

3.1 This report outlines a proposal for a reorganisation of the Council's Adult Education service. The proposed reorganisation will put in a structure that could enable the service to return to a balanced budget position.

3.2 The structure of the report is as follows:

- Paragraph 4 provides an outline of the context for the proposal.
- Paragraphs 5 and 6 outline the proposal along with the proposed timeline for implementation
- Paragraphs 7 and 8 provide an overview of the key benefits and main impacts as identified at this preliminary stage

4. BACKGROUND

4.1 At the end of the 2014/15 financial year the Adult Education service had a budget overspend of £246k. A further overspend of £382k is forecast for the 2015/16 financial year. A report outlining a proposal for an organisational restructure aimed at reducing operating costs was prepared for the Education PDS in January 2015; however the report was withdrawn.

4.2 The service covers all of its direct costs and, as a result of historic budget decisions to maximise the use of the grant and fee income, has a controllable budget of £601k credit which contributes towards corporate and departmental recharges allocated to the service.

4.3 In March 2015 the service received an indicative allocation from the Skills Funding Agency (SFA) of the Adult Skills (AS) grant. This shows a predicted reduction in the AS grant of £249k or 21% when compared to the current year's allocation. Further reductions in this grant are anticipated for the foreseeable future, with English, maths and training for unemployed adults and those with learning disabilities likely to remain as the key priorities for the adult education service.

4.4 The 2015/16 grant for Community Learning (CL) provision has remained the same at £796k. The long term future of this grant is unknown at this stage.

4.5 Following agreement by the Council's Executive to market test Education Services, Adult Education formed part of the tender, but as a separate Lot. Although two submissions were received for the Adult Education Lot, both providers were deemed not to have met the minimum Pre-Qualifying requirements. As no eligible tenders were received, the tendering process for Adult Education formally came to an end and Members were advised of this in March 2015.

4.6 The Adult Education service underwent an Ofsted inspection in early March 2015. During the inspection the current uncertainty around the future strategic direction for adult education was heavily criticised. This, along with the lack of an agreed plan to address the overspend contributed significantly to the final overall grade of Requires Improvement being applied to the service.

4.7 Ofsted were also critical of the volume of the community learning allocation used to support traditional non-accredited adult learning. *"Leaders focus too much on the community learning and leisure courses, and too little on how the services can better meet the local needs of disadvantaged members of the community"*

4.8 The purpose of the CL grant was set out in the government document *"New Challenges New Chances"* (2011). It is focussed around three principles; that the funding should be targeted at

people who are disadvantaged and least likely to participate in education and training; that a localised devolved approach, working in partnerships is used; that value for money is maximised, through collecting fee income where people can afford to pay and contributions in kind are used where fee income would exclude an ability to participate. This approach has been required of all providers with effect from September 2014. It was the view of Ofsted that within Bromley an insufficient percentage of the grant is being targeted at disadvantaged and disengaged adults rather than those who can afford to pay student fees.

4.9 Whilst the current operational overspend is recognised as a key driver for an organisational restructure of the service, the continuing annual reduction in the AS grant, the uncertainty of the long term future of the CL grant and the recommendations from Ofsted should be considered when developing any future strategy for the delivery of adult education in Bromley.

5. PROPOSAL

5.1 Officers recommend that the purpose and mission of the adult education service is reviewed and revised to ensure that resources are predominantly focussed on adults and communities of the greatest identified need.

5.2 Under the current operational model, approximately 56% of the CL grant is used to subsidise mainstream (traditional) adult education classes. Learners enrolling on this provision pay course fees based on the assumption that 50% of the costs of delivering the course are subsidised by the CL grant.

5.3 The remainder of the grant is used to support adult learning with disadvantaged groups in community settings, usually in partnership with local schools, community groups and third sector agencies (see table 1). By increasing the percentage of the grant used to target adult learning in community settings the local authority would be able to increase the volume of work focussed on meeting the needs of its disadvantaged residents.

5.4 Table 1 below provides an example of how the new Community Learning Fund might be apportioned under the new operational model compared to current operational practice.

5.6 Table 1 – Use of CL funding

Type of provision	Partners	Current model	Example, new model
Family English maths & language	School Standards, primary schools, Children and family centres (CFC's)	£150,000	£200,000
Wider family learning	Bromley Children Project, CFC's, primary schools, community groups.	£100,000	£100,000
Older learners	Adult social care, Age UK, care homes	£10,000	£75,000
Learning Partnerships	Mottingham and Cotmandene Centres	£20,000	£50,000
Other partnerships	Local agencies and community groups	£10,000	£75,000
Sub-contracting	Local agencies and community groups	£60,000	£120,000
Mainstream traditional adult learning	Direct delivery by adult education service	£446,555	£176,555
	TOTAL	£796,555	£796,555

5.7 Through targeted delivery of the CL fund to engage with long term unemployed adults, the service would provide a clear progression pathway through to low level accredited and/or English and maths courses funded through the AS grant. This could support adults back into

employment or higher level training with another local provider, thus helping to reduce the size of the welfare bill and contribute towards preparing disengaged local citizens to become economically independent. During inspection, Ofsted judged the employability provision that the Adult Education College delivers to be of a high quality and it was their view that this area of provision should be expanded.

5.8 Table 2 provides a strategic overview of the type of provision under the proposed new delivery model

5.9 Table 2 – Provision Overview

<u>Community Learning Fund</u> Predominantly delivered in community settings, with small volumes in BAEC sites.	<u>Adult Skills Fund</u> Predominantly delivered in BAEC venues with small pockets in community settings where volume is sufficient for economic viability
Would be used to deliver:	Provision would be focused on:
Family English, maths and language – delivered in partnership with schools, Children and Family Centres (CFC’s) and LBB school improvement team	English and Maths (government priority), this includes Entry, level 1, level 2 (incl GCSE)
Wider Family Learning – delivered in partnership with CFC’s, schools and other partners who support disadvantaged families	Employability courses – accredited courses in partnership with JCP that will support adults into employment, Entry up to levels 1 and 2
PCDL (personal and community developmental learning). Non-accredited learning. Majority delivered in partnership with a wide range of community partners, some via subcontracting delivery, others delivered by BAEC at venues provided by partners at no cost to BAEC. Small volumes of traditional adult learning remaining at BAEC’s own centres.	Preparation for Life and Work (accredited provision for adults with learning disabilities and difficulties)
NLDC (neighbourhood renewal in deprived communities) used to support local VCS to deliver learning opportunities to disadvantaged neighbourhoods, with a focus on pre-employment support or progression into other learning that could lead into sustained employment.	English for speakers of other languages Option to consider NEETS / Traineeships once Ofsted inspection grade has improved to overall effectiveness grade 2 (Good)

5.10 Under the model described in Table 2 above, the volume of traditional non-accredited learning provision (leisure type courses) and the numbers of adults participating would be significantly reduced. Learning in disadvantaged communities could be fully funded at the point of delivery, i.e. free to the student. The identification of local priorities and subsequent distribution of the Bromley CL fund could be determined by a Community Engagement Partnership Board. This approach would ensure the localised approach required and help to devolve some of the decision making processes into the communities being targeted.

5.11 Increasing the volume of community partnership work and reducing the amount of traditional adult learning provision would reduce the service’s need for accommodation and thus

infrastructure costs. This will allow the authority to rationalise the current accommodation resources, potentially releasing a site for school expansion and reducing infrastructure costs for the adult education service.

- 5.12 The Widmore site was originally built in 1905 as a secondary school and subsequently expanded at various stages throughout its continued existence as a school. If the adult education service were to vacate this site, it would then release a large site for potential development as a school once again.
- 5.13 As the largest of the three dedicated centres, Widmore is costly to maintain both in terms of running costs and maintenance expenditure. However, in the 2014/15 academic year to date, 55% of the enrolments for the service have been at the Widmore site. This is also the centre that accommodates many of the specialist workshop facilities and associated courses which were praised in the recent Ofsted inspection report. For reasons of economy or available space, relocating many of these to Kentwood or Poverest is unlikely to be a viable option.
- 5.14 Although the Kentwood and Poverest Centres are much smaller than the Widmore site, neither currently operates at full capacity. Poverest only opens during the daytime and Kentwood is closed on a Monday and Friday afternoon and evening. Neither site opens at the weekend. However, both sites are located near to areas of identified disadvantage in the borough, with Kentwood serving the Penge and Anerley wards on the north side of Bromley and Poverest being located near to the Cray's and the Ramsden Estate in Orpington.
- 5.15 Reducing the volume of CL funding used to support the traditional adult education classes would reduce the volume of CL courses by approx 60%. Based on 2013/14 volumes this would mean a reduction down from 440 to approximately 175. It is currently assumed that this would reduce the income to the service from students' fees by a similar amount. Based on 2013/14 fee income for CL courses this would be a reduction from £684k to around £271k

6. TIMELINE FOR IMPLEMENTATION

6.1 The proposed target completion date would be the end of July 2016, with full implementation from the start of the 2016/17 academic year. The milestones in this process would be as follows:.

6.2

August – September 2015	Develop detailed, fully costed plans for proposed new structure, job descriptions and consultation documentation
Early October 2015	Meet with staff directly affected by proposals
October – November 2015	Consultation – staff, staff representatives, stakeholders and public. Impact assessments completed
December 2015	Consider responses to proposals and develop revisions and responses as appropriate
January 2016	Reports to elected members
February/March 2016	Planning starts for site closure and relocation Planning starts for the revised curriculum
April 2016	Interviews to new posts
1 August 2016	New staffing structure in place. Start of the SFA 2016/17 funding year
1 September 2016	New 2016/17 Academic year starts

7. KEY BENEFITS

- 7.1 This model retains an adult education service, ensuring that the local authority continues to fulfil the requirements of the funding grants, meets the expectations of Ofsted and satisfies its duty under the Learning and Skills Act (2000).
- 7.2 It provides the local authority with an opportunity to move the service closer towards a commission led model in both delivery and backroom office functions.
- 7.3 It provides an adult education service that will be in a strong position to work alongside other council services, such as public health, social and children's services, to tackle the impact of social deprivation and support early intervention processes.
- 7.4 The model has the potential to lead to a leaner service that could deliver within budget and provide best value.
- 7.5 This proposal would allow the release of the Widmore site for alternative use whilst retaining the sites in Penge and Orpington.

8. IMPACTS OF IMPLEMENTATION

- 8.1 There would be a significant organisational restructure and significant numbers of staff at risk of redundancy. The restructure may also include some outsourcing of elements of the service.
- 8.2 The majority of the current management and administration staff are accommodated at the Widmore Centre. Although the number of support posts would be reduced, there would be limited accommodation for support staff at the Poverest and Kentwood sites and alternative accommodation may be required.
- 8.3 Loss of the Widmore site would reduce income generated from room rental, some of which are Council activities and events. There would also be a knock-on impact on other LBB services e.g. Corporate ICT training, EDC delivery, Appropriate Body role for NQT's, Child car seat service, LBB training and development accommodation. There would also be a reduction in nursery places as a result of the Widmore nursery closure and consideration would need to be given to the future use of the former Children and Family Centre, which currently forms part of the Widmore nursery accommodation. The nursery at the Kentwood Centre may also need to be closed to free up accommodation for adult education classes relocated from the Widmore site.
- 8.4 There would be site closure costs (Widmore) and expenditure associated with the relocation/re-installation of some equipment and resources to the two remaining sites.
- 8.5 As a result of any service reduction, managers in other departments that support the service such as HR, Finance, Legal (Support Services) would look to make appropriate reductions in their own services where possible. However, immediate savings are unlikely to be achieved at significant levels until the effect of any other potential changes across council services are also considered.
- 8.6 Any other predicted impact including alternative delivery options identified or raised during the stakeholder/staff consultation process will also be reported to Members for full consideration.

9 POLICY IMPLICATIONS

- 9.1 The work of the Adult Education service contributes to the Building a Better Bromley vision of remaining a place where people choose to live and do business, maximising the opportunities that all residents have to lead fulfilling and independent lives.

10 FINANCIAL IMPLICATIONS

- 10.1 Until more detailed work is done on the operational structure required it is not possible to provide reliable figures at this point as to what extent the redesign of the service proposed might help to reduce the current overspend projected for the service.
- 10.2 Rough outline figures produced by the service suggest the shortfall could be reduced to around £63k (a £538k surplus instead of the budgeted £601k surplus).
- 10.3 The shortfall may in part be mitigated by reductions in corporate support services as mentioned in 8.5 above. However, this will only be in the medium term, and the recharges will not disappear altogether as there are statutory functions and fixed (outsourced) costs embedded in them that will remain chargeable even if the service contracts.
- 10.4 The table below shows a summary of the current budget position for the Adult Education service as at the end of May 2015, and includes estimate figures for the effect of the proposal in this document.

10.5 Table 3 Budget Position

	Latest Approved Budget £'000	Projected Outturn £'000	Projected Variation £'000	Proposal £'000	Effect of Proposal £'000
Employees	2,255	2,136	-119	951	-1,304
Premises	282	282	0	131	-151
Transport	3	3	0	3	0
Supplies and Services	485	469	-16	365	-120
Savings to be identified	-517	0	517	0	517
Transfer Payments	0	0	0	0	0
Income	-3,112	-3,112	0	-1,988	1,124
Controllable Recharges	3	3	0	0	-3
Total Controllable	-601	-219	382	-538	63
Supplies and Services - Insurance	20	20	0		
Premises - Repairs and Maintenance	26	26	0		
Capital Charges/Financing	552	552	0		
Total Non-Controllable	598	598	0		
Excluded Recharges	697	697	0		
Total Net Budget	694	1,076	382		

11 LEGAL IMPLICATIONS

- 11.1 The Council has a duty under the Learning and Skills Act (2000) to provide “reasonable facilities” for persons of age 19 and over. In performing this duty of “reasonable facilities” the Council must “take account of facilities whose provision the Council thinks might reasonably be secured by other persons” and “make best use of Council’s resources and in particular avoid provision which might give rise to disproportional expenditure”.

- 11.2 In addition, under section 15ZA Education Act 1996; the Council must ensure there is sufficient education and training for persons aged between 19-25 who are subject to learning disabilities.
- 11.3 The local authority will need to undertake the necessary equality impact assessment in order to assess the impact of the proposal on groups with protected characteristics. The necessary consultation will also be undertaken .

12 PERSONNEL IMPLICATIONS

- 12.1 The proposed change to the adult education service will give rise to significant HR issues, including possible redundancy, TUPE etc. Any changes will need to be carefully planned for and managed in accordance with the Council’s policies and procedures and with due regard for the existing framework of employment law. Some staff at the college are on different contracts of employment including non-standard contracts e.g. sessional workers. As stated in paragraph 6.2 above, staff and trade union perspectives will be canvassed and considered, and fed into the final report for Elected Member consideration.

Non-Applicable Sections:	None.
Background Documents: (Access via Contact Officer)	[Title of document and date]

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Report No.
ED15100

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE

Date: For Pre-Decision Scrutiny by the Education Policy Development and Scrutiny Committee on Wednesday 8th July 2015

Decision Type: Non-Urgent Executive Non-Key

Title: **DRAWDOWN OF GOVERNMENT GRANT FUNDING TO SUPPORT THE LOCAL AUTHORITY IN ITS ROLE AS A LONDON REGIONAL LEAD FOR THE IMPLEMENTATION OF THE SPECIAL EDUCATIONAL NEEDS & DISABILITY (SEND) REFORMS FROM APRIL 2015/16**

Contact Officer: Mary Cava, SEND Implementation Lead
Tel: 020 8461 7633 E-mail: mary.cava@bromley.gov.uk

Helen Norris, Head of Specialist Support & Disability Service
Tel: 020 8315 4740 E-mail: helen.norris@phoenixsch.org.uk

Chief Officer: Jane Bailey, Assistant Director: Education

Ward: Borough-wide

1. Reason for Report

- 1.1 The Children & Families Act received Royal Assent in April 2014 and became law on 1st September 2014.
- 1.2 The London Borough of Bromley has been a Pathfinder since 2011 and Pathfinder Champion for London, in partnership with the London Boroughs of Bexley and Enfield. Following a joint application the London Borough of Bromley in partnership with the London Borough of Enfield has been named as the SEN & Disability (SEND) Regional Leads for London to build on the joint borough Pathfinder Champion work. This will facilitate a peer SEND learning approach, sharing best practice to support statutory compliance and the London-wide implementation of the Special Educational Needs & Disability Reforms 2015/16.
- 1.3 This report seeks approval of the release of grant funds, held in the 2015/16 central contingency, of £61,924 funding which has been allocated by the DfE for the London Regional SEND programme. The funding is allocated to Bromley to work with partners in Enfield to coordinate the programme across 33 London boroughs. This has been made up of £37,500 base funding with a top-up amount based on the number of authorities in the London region of £24,424, making £61,924. In addition £45,941 has been allocated for a new grant: 'Preparation for Employment', of which £15k is for Regional Leads to coordinate work opportunities across the London Region for this cohort of young people with SEN & Disabilities.

2. RECOMMENDATIONS

- 2.1 The Education PDS Committee is asked to consider the contents of this report and recommend approval from the Council Executive to drawdown £61,924 SEND Regional Lead for London grant funding from the central contingency.**
- 2.2 The Executive Committee is asked to:**
- i) Consider the contents of the report; and,**
 - ii) Approve the release of £61,924 of non-ring fenced funding for the continued role of the London Borough of Bromley as SEN & Disability (SEND) Regional Lead for London in partnership with London Borough of Enfield 15/16.**

Corporate Policy

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

Financial

1. Cost of proposal: £76,924
 2. Ongoing costs: Not Applicable: One off payment until March 2016
 3. Budget head/performance centre: SEND Regional Lead for London grant (DfE) 136355
 4. Total current budget for this head: £0
 5. Source of funding: DfE Grants
-

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: Children and Families Act 2014
 2. Call-in: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Children and young people with SEN and disabilities and their families across 33 London boroughs including 2,000 children and young people together with their parents/carers in Bromley.
-

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 The London Borough of Bromley has been working as an SEND Pathfinder since September 2011 testing the SEN & Disability Green Paper proposals described as the most radical reform in this field in more than 30 years. Bromley, working with Bexley Pathfinder, was one of 20 Pathfinders agreed across England with 31 Local Authorities and their health partners.
- 3.2 As a consequence of the successful work carried out during the first phase of the Pathfinder, Bromley achieved Joint Pathfinder Champion status (firstly with Bexley and then Enfield) for two years from April 2013, to support non-Pathfinder authorities across London in their preparation for the implementation of the new statutory SEN & Disability Reforms. In addition the work was to support the Department for Education (DfE) / Department of Health (DoH) and national delivery partners in developing the emerging new SEND Code of Practice. The joint bid was one of only 9 national Pathfinder Champion bids selected across England. The grant received from the DfE was allocated to support the implementation of the new SEN and Disability Reforms in 15 non-Pathfinder London local authorities designated as London Region 1. This programme was successfully delivered and highly evaluated.
- 3.3 During this period extensive progress has been made on testing the key areas of SEND Reform and reporting findings and conclusions back to the DfE and DoH in order to inform both the legislative process and the drafting of the new statutory Code of Practice. This work also supported Bromley in developing new systems and processes and provided key staff with important opportunities to attend stakeholder meetings and conferences. This contributed to staff understanding of the new legislative and organisational/ cultural changes as set out in the Children and Families Act 2014 and new SEND Code of Practice.
- 3.4 The delivery targets for Pathfinder Champion activity 2013 -15 were set by the DfE and assessed around implementation of the emerging SEND Reform programme.
- 3.5 As Pathfinder Champion for London Region 1 in 2014/15, Bromley, Bexley & Enfield delivered:
- Bespoke support on the SEND reforms in the 15 London Region 1 Champion authorities
 - 4 regional case studies
 - An extensive workforce development programme on key priority areas of the SEND reforms. Workshops and conferences were often delivered by senior officers from the DfE and other national delivery partners. As a Champion LA Bromley staff had extended access to many of these training opportunities which were highly evaluated by attendees
 - Coordination and delivery of workshops and training across the London region on key areas of the SEND Reform programme has been achieved at all levels and included a briefing to the Association of London Directors of Children's Services in association with the London Councils where the SEND priorities for London in 2015/16 were considered. Work with the DfE, Ofsted, CDC, DoH, Parent/Carer forums across London and other voluntary sector and national delivery partners contributed to the training plan.
 - Development of a London Region 1 Champion Information WIKI on resources and information to support the new SEND reforms.

In 14/15 workforce development included all key priority areas as outlined in 3.3 and support to the processes around quality conversion of Statements of SEN and Learning Difficulty Assessments into statutory Education, Health and Care (EHC) plans

- 3.6 The DfE's vision is for children and young people with special needs is that they achieve well in early years, at school and in college; lead happy and fulfilled lives; and have choice and control. Raising aspirations and achievement for children and young people with SEND set the context for Bromley's Pathfinder and Champion work, and this needed to be considered in a context of

rising numbers of disabled children. The general increase in population and the result of medical advances has led to this large increase in the number of children and young people with more severe SEN and disability, coupled with greatly increased health needs and complex family circumstances requiring an integrated approach across Education, Health & Care.

- 3.7 Evaluations from the 14/15 Pathfinder Champion for London programme were used to inform a joint application with Enfield to lead a London wide SEND Regional Lead programme of support with the aim of building sustainability of the new SEND reforms across London post March 16. Due to the funding available this will be a reduced programme from the 14/15 offer which will also develop SEND support networks and the sharing of best practice across London, offering further training opportunities.

4. FINANCIAL IMPLICATIONS

- 4.1 The £76,924 DfE Grant funding is made up of £37,500 base funding, a £24,424 top-up based on the number of authorities across the London region and £15,000 Preparation for Employment grant. As lead partner Bromley is receiving the SEND Regional Lead funding on behalf of both Bromley and Enfield Local Authorities. The £15k has already been requested for drawdown on report ED15089, as it is just an element of the Preparation for Employment grant carried forward from 2014/15.
- 4.2 The funding from the DfE is an un-ring-fenced grant and the Department has set out its aspirations for how Regional Leads should use the allocated funding with suggested success measures to assess impact.
- 4.3 The 15/16 grant allocation is the last year to DfE funding to support Regional Implementation of the new SEND Reforms and share best practice across England.
- 4.4 All activities and costs arising from the implementation of the SEND Regional Lead for London reform work would be met from within the DfE grant allocation in a partnership approach with Enfield.
- 4.5 The table below identifies provides a summary of the 2015/16 anticipated spending plan for this funding. The budget holder would be the Head of Specialist Support & Disability Services who is the current Regional SEND Lead for London from Bromley with further oversight by the Bromley SEND Implementation Project Board and a Delivery Support Contractor appointed by the DfE. Further details are provided in Appendix 1.

	£'000
Employees - LBB	25,500
Employees - Enfield	14,500
Consultancy	10,000
Employment pilot	10,000
Venue hire/expenses etc	8,500
Contingency	7,924
	76,424

- 4.6 The above table includes £25,500 for Bromley staff time, in respect of Head of Specialist Support & Disability Services, Parent Participation Officer, 16-25 Commissioning Manager, Officer and administrative support to deliver and coordinate the London Regional SEND Programme and Preparation for Employment grant activity coordination across London. This will ensure that all Bromley staff supporting the Programme are fully funded through the grant. £14,500 will be allocated towards Enfield staffing with £10,000 allocated to time limited resources including external consultancy to support expertise and specific elements of the

programme. The remaining sum reflects venue hire, expenses and Preparation for Employment grant coordination of activity across London.

5. LEGAL IMPLICATIONS

5.1 Statutory Compliance with the Children & Families Act 2014.

Non-Applicable Sections:	Policy and Personnel Implications
Background Documents: (Access via Contact Officer)	N/A

ACTIVITIES		COST (inc Staff)
1.	<p>Infrastructure Development: Establish a new London-wide SEND Information & Implementation Management Forum involving both professionals and parents</p> <p>10 x half day seminars (5 days), including venue/refreshments/preparation + Enfield and Bromley staffing</p> <p>[Staffing Enfield: 5 x £500 =£2500 Bromley £2500 + venue hire etc = £3000]</p>	8000.00
2.	<p>Workforce Development: Role out a bespoke SEN training programme on key themes and issues across London</p> <p>12 x half day seminars (6 days), including venue/refreshments + Enfield and Bromley staffing</p> <p>[Staffing Enfield: 6 x £500 = £3000 Bromley £3000 + venue hire etc = £3600]</p>	9600.00
3.	<p>Workforce Development: Local and national accountability framework: 1 day workshop on the Accountability framework in relation to the Ofsted/CQC proposed new inspection framework</p> <p>[Staffing: Enfield = £500 Bromley = £500 + venue hire etc = £600]</p>	1600.00
4.	<p>Annual seminar building onto regular ALDCS forum in partnership with London Councils, CDC, DfE and Ofsted (March 2016) – attendance/presentation by regional leads + consultancy input and preparation of presentation materials</p> <p>[Staffing: Enfield = £500 Bromley = £500 + expenses = £500]</p>	1500.00
5.	<p>Developing new networks and limited local authority in-borough bespoke support</p> <p>Develop new Under 5s network across London – including 3 training days + venue costs/preparation/network development (Bromley leading £2500)</p> <p>Bespoke work in London local authorities on key themes £3500 (staff £1750 Enfield, £1750 Bromley)</p>	6000.00
6.	<p>a. Monitoring, evaluation & communication: Ensure that the views of all stakeholders are captured and addressed</p> <p>b. Develop tools and processes to ensure region-wide communications are effective</p> <p>E.g. Monthly telekits between regional leads and key delivery partners - 9 x £500 (Bromley & Enfield Leads) + development of tools & WIKI</p> <p>[Enfield staffing: £3250 Bromley staffing: £3250]</p>	6500.00
7.	<p>Regional co-ordination / administration / evaluation / preparation</p> <p>The main administration for the SEND Regional Lead Programme to sit with Bromley</p> <p>[Staffing: Enfield = £1000 Bromley = £5000]</p>	6000.00
8.	<p>External consultancy – e.g. Quality assurance workshop: additional consultancy support/input TBC</p>	10000.00
9.	<p>Contingency @ 10% of regional funding [Notional: approx. Enfield = £3000 Bromley = £3000]</p>	7924.00

APPENDIX 1

10.	<p>Termly meetings for Principal Educational Psychologists – 3 x one day meetings, support to London Strategic Managers Network and aligned Delivery Partner reform work and activity</p> <p>[Staffing: Enfield = £1000 Bromley = £2500 + venue hire/expenses etc = £1300]</p>	4800.00
	Total	£61,924
11.	<p>Preparing for Adulthood (PfA)/Preparation for Employment Grant Coordination (led by Bromley) [Staffing: Enfield = £1000 Bromley = £4000 + £10000 employment pilot]</p>	15000.00
	Total	£76,924

Report No.
ED15101

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EDUCATION PDS COMMITTEE

Date: Wednesday 8 July 2015

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

Title: POSITION STATEMENT OF EDUCATION SERVICES

Contact Officer: Jane Bailey, Assistant Director: Education
Tel: 020 8313 4146 E-mail: jane.bailey@bromley.gov.uk

Chief Officer: Chief Executive

Ward: (All Wards);

1. Reason for report

- 1.1 This report provides background information for members of the Education policy development and scrutiny committee in preparation for the 'select committee' approach to the second part of the agenda.

2. **RECOMMENDATION(S)**

- 2.1 **That Members of the Education PDS Committee scrutinise the content and prepare questions for the participants of the 'select committee' on any issues that require further discussion.**

Corporate Policy

1. Policy Status: Not Applicable:
 2. BBB Priority: Children and Young People:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding:
-

Staff

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

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

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

3. COMMENTARY

PRIMARY AND SECONDARY PLACES

3.1 Demand for School Places

- 3.1.1 Pressure for primary school places has been sustained, with over 4,000 applications for school reception places from Bromley residents in 2015, similar to 2014. Secondary demand has also continued to increase, with 3,518 applications for a Year 7 place compared with 3,314 in 2014.
- 3.1.2 Demand for reception places is still concentrated in Penge and Anerley, Beckenham, central Bromley and Cray Valley, although demand was slightly lower in Orpington this year.
- 3.1.3 The local authority has recently received updated projections from the GLA on the future demand for school places. Although the overall picture is similar to last year's projections, there are some subtle differences.
- 3.1.4 The updated projections now reflect that the local authority has reached a school reception population of approximately 4,000. Previous projections had indicated that this number of places would not be reached until the beginning of the next decade. However, the projections now predict that reception numbers will drop off slightly to between 3,800 and 3,900 after 2017. These no doubt reflect in part the drop in borough birth rate from 2013. However, as the late applications illustrate, there are migration effects that may not have been fully factored in.
- 3.1.5 For secondary school places the projections show the year 7 school population growing from 3,439 in 2015 to a peak of 4,370 in 2023 and then falling back slightly to 4,145 by 2030. Further analysis of the data will be provided as part of the school place planning cycle in autumn/winter 2015. If this demand is sustained 31 forms of entry will need to be created in the secondary sector between now and 2023 to meet demand.

3.2 School Expansions

- 3.2.1 The Council has now entered the stage of permanently expanding many of the primary schools that have taken bulge classes over recent years. Clare House is currently being rebuilt as a 2 Form Entry Primary School and Harris Primary Academy Crystal Palace, Midfield, Parish, St Paul's Cray and Worsley Bridge are all undergoing works to enable permanent expansion.
- 3.2.2 Permanent SEN expansion has taken place at both Riverside School and the unit at Crofton Infants School with works on expanding Glebe School by 2 Forms of Entry for ASD at secondary age are currently underway.
- 3.2.3 In the next phase of building works Edgebury, Farnborough, Leasons, Poverest, Princes Plain, St George's Bickley, Scotts Park and Stewart Fleming primary schools are all planned to expand, subject to planning consent where this has not already been achieved. Works at Beacon House to expand specialist SEMH provision are also due to be completed during 2016.

3.3 Free Schools

- 3.3.1 Currently there are 3 Free Schools are open in the borough, Harris Aspire AP Academy, Harris Primary Academy Shortlands and La Fontaine Academy. Harris Primary Academy Beckenham is due to open September 2015.
- 3.3.2 Work has now started on site to deliver Harris Shortlands' new facilities due to be in operation from summer 2016. Planning permission is still sought for the permanent premises for Harris Aspire and Harris Primary Academy Beckenham. The permanent location for La Fontaine Academy has still to be finalised.
- 3.3.3 A number of other academies have been approved that are in the pre-opening stage and have yet to have sites finalised. These are The Beckenham Academy (Secondary), Bullers Wood Boys School (Secondary), Crystal Palace Free School (Primary) and Langley Primary School. All these schools are due to open in 2016. In addition, Bromley College has had its University Technical College specialising in health and wellbeing sciences approved with an opening date of 2017.

LOCAL PLAN

3.4 Education Sites

- 3.4.1 One of the challenges facing the local authority is providing sufficient land to accommodate the increase in demand for school places. This is specifically a problem in the secondary phase where demand will need to be met through a combination of expanding existing schools and opening new schools.
- 3.4.2 The National Planning Policy Framework (NPPF) (2012) sets out the role of the Local Planning Authority in developing their Local Plans to deliver sustainable development, taking account of longer term requirements of their areas over a 15-year time horizon.
- 3.4.3 Local planning authorities are required to assess the quality and capacity of infrastructure (including education) and its ability to meet forecast demands; and to plan positively for the infrastructure required in the area. Specifically the Government "attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities". It states that Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education by giving great weight to the need to create, expand or alter schools; and by working with schools promoters to identify and resolve key planning issues before applications are submitted.
- 3.4.4 There are, however, three dimensions to sustainable development: economic, social and environmental and hence under the NPPF there are a range of policies which place constraints on the use of land for education, for example related to open space, and notably in respect of Bromley, Green Belt. The protection afforded to Green Belt through the NPPF is equally applied to Metropolitan Open Land by virtue of The London Plan.
- 3.4.5 The process of Local Plan development has run in parallel with the increasing pressure for school places. Table 1 (below) illustrates how the Council's emerging Local Plan has developed alongside the evolving education need, as articulated through the

primary and secondary development plans. These plans, approved by the Education Portfolio Holder, indicate proposed expansions to existing schools and proposals for new Free Schools.

3.4.6 The emerging Local Plan seeks to facilitate the necessary expansion in provision through:

- Increasing the flexibility of the Urban Open Space policy for schools within that designation;
- Where justifiable under the NPPF, proposing changes to Urban Open Space from more restrictive open space designations; and
- Through the allocation of new school sites.

3.4.7 Assessments of potential sites for new schools have been undertaken in light of the location specific demand for places, strategic planning policies and site specific constraints.

3.4.8 Over the summer the Local Authority will be consulting on sites which, following assessment in line with the NPPF, are considered to produce a “sound” Local Plan response to meeting the identified need for education infrastructure.

NEED FOR SCHOOL PLACES

LOCAL PLAN PROCESS

Academies Act 2010 - creation of Free Schools

Primary Education Need (2009 - 11)

- Primary Schools Development Plan (PSDP) Review 2009 - Expand 3 schools
- PSDP Review Jan 2011 – additional 7FE



Core Strategy Issues Document July 2011

- Demographic changes (Issue 14)
- Changing nature of provision (Issue 15)

Education Act 2011 – Local Authorities that need to create a new school must in most circumstances seek proposals for an Academy or Free School creation of Free Schools

Primary Education Need (2012)

- Primary Schools Development Plan (PSDP) Review Nov 2012 (EPDS Jan 2013)– proposed increased intake in 7 of 9 Education Planning Areas



Options and Preferred Strategy March 2013

- Designate Education land,
- monitor need and allocate new sites as required
- develop criteria based policy for new sites

Primary and Secondary Education Need (2013/ 14)

- Primary Schools Development Plan Review (EPDS Sept 2013 – including 2011 Census data proposed increased intake in 7 of 9 Education Planning Areas
- Planning for Growth: Review of Secondary Education (EPDS Jan 2014) – up to 30 additional FE by 2025



Draft Policies and Designations Feb 2014

- Draft Policy 6.5, Education Land, extensions and allocations
- Draft Policy 6.6, criteria based policy
- Draft Policy 8.20, Urban Open Space, increased flexibility for educational development
- Call for Sites

Primary and Secondary Education Need (2014 /15)

- Primary Schools (PSDP) Review Sept 2014
 - over 20 additional FE through increased places at existing schools
 - up to 10 additional FE from 5 new Free Schools.
- Planning for Growth: Review of Secondary Education (Jan 2015) 35 additional FE by 2021/22
 - expansions at 7 existing secondary schools
 - 4 new secondary schools
 - further extensions to existing schools or a 5th new school



Consultation (Summer 2015)

- Urban Open Space (further amendment)
- Education Site Redesignations
- Education Site Allocations

Sequential Site Assessment

- Sites grouped 1 – 4 according to the strategic policy constraints in respect of final Local Plan adoption (assuming the open space redesignations). Only the Group 1 sites are currently policy compliant.
- Sites within each group assessed and ranked A – D according to the potential they offer

SECTION 106/COMMUNITY INFRASTRUCTURE LEVY FUNDS

3.5 Brief Position Statement on Finances

- 3.5.1 The Council's UDP policy IMP1 and adopted Supplementary Planning Document (SPD) set out the basis on which contributions under S106 will be sought and calculated for education purposes. These are sought on a site by site basis by development control officers as part of the planning application process. Education contributions may only be sought where the development will give rise to demand for education uses, and the S106 will be required to meet the S122 tests.
- 3.5.2 The Council is undertaking viability work into the potential for a Bromley Community Infrastructure Levy. The Council will consider the findings, and assuming the decision is to progress a local CIL, the Council will publish a preliminary Draft Charging Schedule showing the proposed CIL charges on different types of development, supported by an Infrastructure Delivery Plan identifying the infrastructure required to support the delivery of the Local Plan to 2031. The range of infrastructure to be funded from the CIL should also be identified, and will be published later as its S123 list of infrastructure on which CIL can be legitimately spent. The Council will have to decide if education is included on this list. There is the potential to include generally across the borough but exclude a specific site, on the basis of seeking S106 contributions for education for that site.
- 3.5.3 No CIL will be charged on education developments.
- 3.5.4 Under the Community Infrastructure Levy Regulations 2010 the Council is restricted in 'pooling' more than 5 S106 contributions to any one piece of infrastructure. This would include a specific school. Education, legal and planning services have discussed this issue with an assessment of specific infrastructure required to avoid the potential problems of pooling.

SPECIAL EDUCATION AND ALTERNATIVE PROVISION

3.6 Brief Position Statement

- 3.6.1 Burwood School underwent a recent section 5 Ofsted inspection and was judged as 'requiring improvement' which is the same as the previous inspection outcome in 2013. This was a pleasing result given that the school has been through a period of significant turbulence. It is now on a positive trajectory as The Bromley Educational Trust has been approved as a sponsor and it is expected that it will be an academy by November 2015. Work is underway to ensure that Beacon House opens in 2016 and this will enable Burwood to develop a strong vocational offer for KS4 pupils and expand to accept KS5 students. It is also planned that the school will admit girls as well as boys once it has been granted academy status.
- 3.6.2 Kingswood and Grovelands pupil referral unit converted to become The Bromley Trust Academy in September 2014, under sponsorship from The Bromley Educational Trust. The two sites have been renamed Hayes Campus (KS3 and 4) and Midfield Campus (KS 1 and 2). The leadership team has worked closely with schools and Council officers to develop this Alternative Provision Academy which will offer improved chances for children who are at risk of exclusion or permanently excluded from school.

3.6.3 Marjorie Maclure School has been accepted onto The Priority Schools Building Programme, which is due to announce the size of the funding envelope and the timescale for the programme in the early autumn term. Although the school is hoping for a complete rebuild we won't know what is on offer until the announcement is made.

3.7 Headlines from the Review of Special Education Needs and Disability Services

3.7.1 Introduction

A review of the breadth of Bromley SEND services was carried out earlier in the year in the context of:

- National changes/SEND Reforms - changes to system of identifying and assisting children with complex and enduring needs and their families
- Current Context - market testing
- Are our services “fit for purpose”?

3.7.2 Local Context

Our strengths -

- Effective partnership work
- Pathfinder status - models of good practice
- Strong teams delivering services to educational provisions
- Arrangements for Preparation for Adulthood
- Reduced tribunal appeals due to robust mediation by SEN staff
- Bromley as part of 10 borough consortium, reviewing quality and costs of independent provisions and working towards joint commissioning
- Effective implementation of non- statutory support for SEN via Pupil Resource Agreements

3.7.3 Issues

- Historically a very high rate of Statements - Bromley 3.6%, national average 2.8%, London average 2.7%
- Percentage of Statements issued by Bromley within the prescribed timeframe of 26 weeks significantly lower than national and local averages
- Over 10% Statements are for children with speech, language and communication needs compared to the National average of just over 3%
- 263 children in specialist high cost placements out of borough
- Volume of independent placements is well above the benchmarking average
- Consideration of the role of the LA continuing to provide direct teaching and management of provision in the light of a commissioning agenda.

3.7.4 Actions Required

- Refresh the SEND Strategy - strategic partnership for Governance
- Clear strategic plan - vision, policy objectives, performance measures
- Develop and implement a Communications Plan, ensure the policy intentions are understood by all and embedded in wider local authority and community

- Avoid duplication of services and ensure a more unified outreach service throughout early years and school
- Streamline decision making, resource allocation and delivery of services across whole age range
- Ensure robust systems in place to deliver EHC Plan within statutory timeframe of 20 weeks
- Ensure place planning for pupils with SEND is considered and embedded within the wider strategy of place planning

3.7.5 Priority Workstreams

Future model for delivering Early Years SEND services

- Management and location of the Phoenix Centre.
- Develop Continuum of Support to settings/schools
- Delivery models to achieve the above e.g. a smaller cohort of children receiving direct teaching at the Phoenix and greater support offered to identified private and voluntary sector nurseries

Streamlining and Developing Services

- Place planning
- Data and Finance
- Panels
- Outreach Support (0-25)
- Management of SEND processes

Future Provision Requirements

- Reducing out of borough provision
- Re-shaping specialist provision to meet projected future demands
- Reposition SpLD provisions
- Revisit the model for sensory provision which continues to be directly line managed by the LA

GRAMMAR ANNEXES

3.8 Brief Position Statement

- 3.8.1 Members continue to follow the proposed expansion of Weald of Kent girls' grammar school in Tunbridge with interest. As yet no decision has been forthcoming from the DfE as to whether the school will be able to open an annexe in Sevenoaks and so expand existing provision.

YOUTH OFFENDING TEAM

3.9 Summary of Recent Inspection Outcomes

3.9.1 Reducing reoffending

Overall work to reduce reoffending was judged as poor. Information to courts to help with sentencing was generally good and efforts were made to understand why children and young people were offending.

3.9.2 Protecting the public

Overall work to protect the public and actual or potential victims was judged as poor. Neither the assessment of the risk that children and young people posed to others, or the planning to manage that risk and protect the public, was done well enough.

3.9.3 Protecting children and young people

Overall work to protect children and young people and reduce their vulnerability was judged as unsatisfactory. Too often, case managers did not recognise what needed to be done to protect a child or young person.

3.9.4 Ensuring the sentence is served

Overall work to ensure that the sentence was served was judged to be satisfactory. Case managers and other YOS staff identified and recognised the diversity needs of children and young people and engaged well with them. Inspectors commented on a number of cases that case managers had a clear understanding of the issues.

3.9.5 Governance and partnerships

Overall, the effectiveness of governance and partnership arrangements was judged as poor. The separation of the YOS management into operational and strategic levels was not working effectively.

3.9.6 Interventions to reduce reoffending

Overall, the delivery and management of interventions to reduce reoffending was judged as poor. Children and young people had to 'fit in' to a group work schedule whether it was the right time to deliver the work to them or not.

3.9.7 Below is a summary of our response to the inspection:

3.9.8 An Improvement plan has been written by the Head of Service and agreed by the YOS Management board to address the following areas which incorporate the outcomes, actions and completion dates expected

- Leadership & Partnerships
- Quality
- Looked After Children
- The Voice of the Young Person

3.9.9 Work is being undertaken by the Head of Service to action the plan with the support of the Youth Justice Board (YJB) and this is being overseen by the Director Children's Services. A monthly "Improvement Board" meeting is held with the above attendees to monitor the progress of the plan, with a report on progress being provided to the YOS

Management Board. A mock inspection will be undertaken by the YJB at the end of January 2016, in preparation for a re-inspection by HMIP.

BROMLEY YOUTH MUSIC TRUST (BYMT)

3.10 Brief Position Statement

3.10.1 The Council has had to take the decision to cease payment of grant funding to BYMT with effect from 1 April 2016. Formal notice of this decision has been communicated to the trust, together with an acknowledgement that The Council will permit The Trust to remain at their current premises in Southborough Lane beyond the terms of the funding agreement under the terms of the existing lease until it expires 31 March 2017.

FAMILY AND CHILDREN CENTRES

3.11 Brief Position Statement

3.11.1 The Effectiveness of Children and Family Centres Working Group, chaired by Councillor Nicholas Bennett JP, met in Autumn 2014 and agreed the following outcomes:

- To keep six operational Children and Family Centres
- Increase targeting of families from 50% to 75%
- To implement a 10% reduction in the children and family centres budget for 2015/16, and a Further reduction of 10% based on the 2014/15 budget for 2016/17
- Increase access and/or signposting to statutory services

3.11.2 Progress update

3.11.3 Castlecombe Children and Family Centre

- Rebuild project completed on-time and in budget
- Currently pursuing the original contractor via the Construction Court and Counsel employed (led by Legal [Jonathan Bradshaw])

3.11.4 Early Intervention Performance Digest which publishes monthly reports on Children and Family Centre activity shows

- Steady increase in unique individuals being supported
- Year on year increase in unique individuals
- 2014 increase of 17% against 2013
- 2015 on target to show increase as at end of May 2015 have already achieved over 30% of 2014

- Steady increase in the number of visits (footfall):
- Year on year increase in visits to the Children and Family Centres
 - 2014 increase of 7% against 2013
 - 2015 on target to show increase as at end of May 2015 have already achieved over 50% of 2014

3.11.5 Children and Family Centres offering additional statutory services

- Increase in Health services from Midwifery and Health Visiting
- Currently working with Family Nurse Partnership to get them into the centres
- Birth Registrations in Biggin Hill Children and Family Centre and this year working to expand this to Community Vision Children and Family Centre
- Delivery venue for the 'Living Well' Public Health initiative
- Access to Job Centre Plus staff to increase employment opportunities and reduce reliance on benefits
- Development of dedicated Early Years Staff team with aim to:
 - Improve quality of EY provision
 - Ofsted Register crèches independently
 - Increase the provision for places under Two Year Old Funding in line with Government requirement

3.11.6 Targeted Family Support work (including Tackling Troubled Families) linked into Children and Family Centres

- Centres used for appointments
- Observations of the family
- Contact for families separated from their children
- Delivery of parenting

3.11.7 Delivery of Parenting offer for Bromley

- Range of evidence based parenting programmes delivered throughout year
- Development and implementation in April 2015 of the new Parenting Plus Model working with families with children on Child Protection Plans and at risk of legal proceedings (21 families in pilot)

SCHOOLS UPDATE

3.12 Introduction

3.12.1 This section provides a brief overview of schools in the Borough in the context of key priorities related to:

- Improving school standards
- Supporting underperforming schools
- Supporting schools to become Academies
- Enabling all children to realise their educational potential

3.13 Improving School Standards - Ofsted Outcomes

3.13.1 Of our 95 primary, secondary and special schools, both maintained and Academies (excluding Free schools [2] and PRUs [2]) 82% are good (59%) or outstanding (23%).

Primary phase schools Judgements (as at 12 June 2015)	Maintained Schools	% of M schools	Academy Schools pre-conversion	Academy Schools post-conversion	% of A schools
Outstanding	1	4%	13	0	28%
Good	20	74%	19	5	51%
Requires Improvement	6	22%	4	3	15%
Special Measures	0	0%	3	0	6%
Total number of schools	27		47		

3.13.2 For Academy and Maintained schools the % with a good or better outcome is almost the same at 79% and 78% respectively. However there are no Maintained schools in Special Measures.

Secondary Schools

Good n=11	Outstanding n=6 (includes the only maintained secondary)
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Special Schools – all maintained

Outstanding x 2	Good x 1	RI x 1
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3.13.3 Recent inspections show a positive picture in relation to Maintained RI schools that have accessed school improvement support. Both schools inspected that were RI are now Good.

3.13.4 Burwood has been through a period of flux and LBB has responded with vigour to concerns about standards. The outcome of RI rather than Special Measures indicates that this work has already made a positive impact.

3.13.5 For our Good schools we need to maintain a focus on striving for Outstanding. However the remit of the School Improvement Service does not include support to Good schools outside our statutory duties in areas such as moderation for example.

3.13.6 The result of RI for Green St. Green Primary has raised questions about the role of the LA in accessing intelligence about Academy school standards beyond attainment data and how to respond to such outcomes when they are published. The school has been invited to a meeting under the guise of the LA's statutory duty to promote high schools standards and for all children to achieve their potential.

Recent Ofsted Outcomes (2015)

School	Outcome	Change since previous inspection	LA response
Maintained			
Bromley Road Primary	Good	From RI	
St George's CofE Primary	Good	From RI	
The Highway Primary	Good	From Good	

Burwood Special School	RI	From RI	IEB in place, new HT appointed and leadership arrangements under review
Red Hill Primary	Inspected 16 and 17 June		
Academy			
Biggin Hill Primary	RI	n/a	
Green St. Green Primary	RI	From Outstanding	Invited HT and COG to a meeting with HOSI and AD Education in early July
Harris Primary Crystal Palace	Good	n/a	
Ravens Wood School	Good	From RI	

3.13.7 School improvement challenge and support is provided to all LA schools in RI.

With the Academy conversion Programme well under way the number of RI schools is reducing. Unless any schools become RI before September 1st 2015 we will only have five schools to support in RI at this time.

3.14 RI maintained Primary schools receiving LA school improvement intervention – (no inadequate LA maintained schools)

- Churchfields
- Oaklands
- Southborough
- St. Anthony's
- St. Paul's Cray
- Worsley Bridge

3.15 Also receiving support

- Mead Road

3.16 Special School receiving Intervention

- Burwood

Academy Status Summary

School Type	Converted		Maintained - Conversion in Progress		Maintained - Exploring Conversion		Maintained – Not Actively Exploring Conversion		Total	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
Secondary	16	94%	0	0%	1	6%	0	0%	17	100%
Primary	46	62%	9	12%	10	13%	9	12%	74	100%
Special	0	0%	1	25%	3	75%	0	0%	4	100%
PRU	1	100%	0	0%	0	0%	0	0%	1	100%
Total	63	66%	10	10%	14	15%	9	9%	96	100%

Planned Academy conversion timetable

No.	School	Arrangements	Date
1.	Burnt Ash Primary	Entering into UT with Pickhurst Junior and Southwark Free School (Zenith Education Trust).	1 st September 2015
2.	Oaklands Primary		
3.	Marian Vian Primary	Converting together as a Compass Academy Trust (MAT)	1 st September 2015
4.	Oak Lodge Primary		
5.	Unicorn Primary		
6.	Wickham Common Primary		
7.	Mead Road Infants	Converting as a sponsored academy with William Willett Learning Trust (Coopers and Leesons).	1 st September 2015
8.	Mottingham Primary	Converting into a MAT – Education for the 21 st Century (Ravensbourne Secondary and Scotts Park Primary).	1 st September 2015
9.	The Highway Primary	Converting at same time as part of the South London Orpington Learning Alliance with Green St Green and Tubbenden.	1 st April 2016
10.	Pratts Bottom Primary		
11.	Chelsfield Primary (awaiting application)		
12.	Blenheim Primary		

13.	Darrick Wood Junior		
14.	Dorset Road Infant	Academy Order received (March 2014)	TBC

3.16.1 Special school converting – Burwood 1st November 2015, part of the MAT Bromley Educational College Trust

3.17 Performance summary

3.17.1 A full report of schools 2014 results was provided in the March 2015 report to Education PDS Committee.

3.18 Closing the gap

3.18.1 This summary illustrates that whilst the local gap is closing it remains higher than the national average across all areas except KS2 Level 4+ where in 2014 the local gap was the same as the national.

Key Stage 1 - Level 2+

		2012		2013		2014	
		Nos	%	Nos	%	Nos	%
Reading	All Pupils	3475	88%	3494	91%	3715	92%
	FSM Eligible	535	73%	536	78%	501	80%
	Non_FSM Eligible	2940	91%	2958	93%	3214	94%
	Gap: FSM and Non FSM		18%		15%		14%
	National Gap %		14%		12%		12%
Writing	All Pupils	3475	83%	3494	87%	3715	89%
	FSM Eligible	535	65%	536	70%	501	73%
	Non_FSM Eligible	2940	87%	2958	90%	3214	91%
	Gap: FSM and Non FSM		22%		20%		18%
	National Gap %		16%		15%		14%
Maths	All Pupils	3475	91%	3494	92%	3715	94%
	FSM Eligible	535	80%	536	81%	501	84%
	Non_FSM Eligible	2940	93%	2958	94%	3214	95%
	Gap: FSM and Non FSM		13%		13%		11%
	National Gap %		10%		10%		9%

Key Stage Two: Level 4+

		2012		2013*		2014	
		Nos	%	Nos	%	Nos	%
English and Maths	All Pupils	3202	83%	3127	80%	3307	84%
	FSM Eligible	434	64%	399	63%	420	69%
	Non_FSM Eligible	2768	86%	2728	83%	2887	87%
	Gap: FSM and Non FSM		22%		20%		18%
	National Gap %		17%		19%		18%

* For 2013 onward, no overall English subject level was calculated. The measure is based upon gaining a Level 4+ in reading, writing and maths.

Key Stage Four

		2012		2013		2014	
		Nos	%	Nos	%	Nos	%
5 or more A*-C grades at GCSE or equivalent including English and maths	FSM Eligible	304	39%	269	48%	251	37%
	Non_FSM Eligible	3066	71%	3149	76%	3080	68%
	Gap: FSM and Non FSM		32%		28%		31%
	National Gap %		26%		27%		26%

GCSE results

GCSE results	2010 % 5+ A*-C inc En and Ma	2011 % 5+ A*-C inc En and Ma	2012 % 5+ A*-C inc En and Ma	2013 % 5+ A*-C inc En and Ma	2014 % 5+ A*-C inc En and Ma	Change 2013-2014
Bromley Average - State Funded Schools	65	67	69	74	66	-8
England Average - State Funded Schools only	55	58	59	61	57	-4
England Average - All Schools	54	59	59	59	53	-6

Progression

	2011 % making Expected progress KS2-KS4 - maths	2012 % making Expected progress KS2-KS4 - maths	2013 % making Expected progress KS2-KS4 - maths	2014 % making Expected progress KS2-KS4 - maths	Change 2013-2014	2011 % making Expected progress KS2-KS4 - English	2012 % making Expected progress KS2-KS4 - English	2013 % making Expected progress KS2-KS4 - English	2014 % making Expected progress KS2-KS4 - English	Change 2013-2014
Bromley Average - State Funded Schools	73	77	81	76	-5	80	76	82	78	-4
England Average - State Funded Schools only	65	69	71	66	-5	72	68	70	72	2

3.19 Planning priorities for strategic school standards service for the 2015-16 academic year

- Plan to meet our statutory duties in relation to school standards and children achieving their potential in the context of a predominantly Academy school landscape
- Plan to deploy our school improvement team of advisers and our commissioned offer to best effect to raise school standards
- Plan to identify and understand significant data and trends in a more dynamic way to be able to respond early to underperformance in schools

COMMISSIONING

3.20 Brief Position Statement

- 3.20.1 A detailed update on the progress of the market testing for Education Services was provided to Executive and Education Policy & Development Scrutiny Committee on 24th March and 10th March respectively.
- 3.20.2 The tender for Education Services is split into two lots. Lot 1 is for Education Services. Lot 2 is for Adult Education.
- 3.20.3 As previously advised, no eligible Pre-Qualification submissions were received for Lot 2: Adult Education and therefore tendering for this lot will not proceed as part of this market testing process.
- 3.20.4 For Lot 1: Education Services, Invitations to Submit an Outline Solution were issued to eligible providers in February 2015. Submissions have now been received and evaluated. Eligible providers have been asked to submit Detailed Solutions and dialogue meetings are taking place.

3.20.5 The next steps are:

June 2015 to July 2015

Invitation to Submit Detailed Solutions, followed by dialogue and evaluation

August to October 2015

Submission of Final Tender, followed by evaluation, due diligence and identification of Preferred Bidder (as appropriate)

November/December 2015

Member decision on the recommended outcome of the market testing process

COOPERATION WITH PARTNERS

3.21 Brief Position Statement

3.21.1 Key partners in delivering a quality education to the children of Bromley include:

3.21.2 Schools, academies and Bromley College

Officers continue to work closely with schools and The College on all aspects of ensuring that settings are safe and outcomes are at least good. This requires close working particularly in the areas of governance, school expansion and basic need, admissions, safeguarding, school performance and attendance. The work with Bromley College and the Bromley Educational Trust is an important partnership in developing improved provision for more vulnerable children and offering better work related opportunities.

3.21.3 The Department for Education and The Education Funding Agency

It is acknowledged by all parties that the new education landscape requires strong partnership working between The Council and national government. The Regional Schools Commissioner's role in decisions around new academies is to be strengthened and all recognise that a partnership approach is the best way to ensure that the right decisions are being made for children of The Borough.

3.21.4 Parents and communities

We need to continue to encourage engagement of parents and other stakeholders in local communities in having a voice in schools planning and in supporting children to attain and achieve to their potential.

3.21.5 Other Partners

Partners such as health colleagues and the Police continue to play an important role in supporting the wider wellbeing of children.

SCHOOL GOVERNANCE

3.22 Update on the Recruitment of Local Authority Governors

- 3.22.1 There have been three panels held this academic year with a fourth due on 14 July 2015. The panel is made up of the Portfolio Holder for Education, Cllr Fortune, The Chairman of the Education PDS Committee, Cllr Bennett and an education representative, Rob Northcott, retired Headteacher of Langley Park School for Boys.
- 3.22.2 When an LA Governors term of office is due to end, the governor will be asked to complete an application form and attend a panel meeting to discuss the role of governor, the skills they bring to the governing body and their impact. It is a short 20 minute interview after which the panel will make a decision to re-appoint, suggest an alternative school (where appropriate) or decline the application.
- 3.22.3 When a potential new governor has approached governor services to become a LA Governor, the same process has been applied.
- 3.22.4 Due to the Local Authority's decision to nominate the LA Governor to a school governing body, the panels were set up to ensure a robust system for candidate suitability.

LOCAL AUTHORITY STAFFING AND STRUCTURE

3.23 Brief Position Statement

- 3.23.1 The Assistant Director now reports directly into The Chief Executive and has a team of 5 managers overseeing the work of the education department. This is a much reduced central team to reflect The Council's diminished role in the oversight of academies. However, it is clear that we need to have more robust processes in place to support the management of school exclusions as well as the strategic oversight of coordinated admissions. We are currently seeking an interim Head of Access and Inclusion to take on this role while we await the outcome of the market testing exercise.
- 3.23.2 The Council's role in overseeing the performance of all schools and academies will continue to be valued by partners and an important addition to the team will be a dedicated data analyst who can monitor the performance of academies as well as maintained schools. Where an academy is seen not to be performing to expectations we will continue to provide challenge and work with DfE colleagues to broker solutions. We also intend to appoint to the Senior Schools Standards Adviser post that has remained vacant over the last year while we waited to see how the new landscape would develop. When all schools have converted to academy status we will still be required to engage in challenging conversations with senior leadership teams and governors when the evidence tells us that an academy is not serving their children as well as they should.

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

Report No.
ED15103

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Education PDS Committee

Date: 8th July 2015

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

Title: EDUCATION PROGRAMME 2015/16

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

1. Reason for report

- 1.1 This 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;**
- 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 There were no visits undertaken during the Spring Term, we are currently in the process of scheduling five visits for the Autumn Term. 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

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

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EDUCATION PROGRAMME 2015/16

Education, Care Services and Public Protection PDS	21st July 2015
Item	Status
Scrutiny of the Youth Offending Team Improvement Plan	Special Meeting
Education Budget Sub Committee	16th September 2015
Education PDS	29th September 2015
Item	Status
Early Years' Service Update	PDS
Update on School Expansions	
Education Portfolio Plan Sept 2015 – Aug 2016	
Update on Under Performing Schools	Standing Item
Bromley Academy Programme & Free School Update	Regular Info Briefing
Minutes from Budget Sub Committee	Standing Item
Update from Executive Working Party for SEN	Standing Item
Contract Activity Report	Standing Item
ED PDS Work Programme & Members Visits	Standing Item
Education Budget Sub Committee	20th October 2015
SACRE	17th November 2015
Education PDS	18th November 2015
Item	Status
Secondary & Primary Development Plans	
Update on Under Performing Schools	Standing Item
Bromley Academy Programme & Free School Update	Regular Info Briefing
Minutes from Budget Sub Committee	Standing Item

Education PDS	18th November 2015
Item	Status
Update from Executive Working Party for SEN	Standing Item
Contract Activity Report	Standing Item
ED PDS Work Programme & Members Visits	Standing Item
Education Budget Sub Committee	5th January 2016
Education PDS	19th January 2016
Item	Status
Education Portfolio Plan Sept 2015 – Aug 2016 - Update	
Update on Under Performing Schools	Standing Item
Bromley Academy Programme & Free School Update	Regular Info Briefing
Minutes from Budget Sub Committee	Standing Item
Update from Executive Working Party for SEN	Standing Item
Contract Activity Report	Standing Item
ED PDS Work Programme & Members Visits	Standing Item
Education Budget Sub Committee	16th February 2016
Education PDS	1st March 2016
Item	Status
Update on Under Performing Schools	Standing Item
Bromley Academy Programme & Free School Update	Regular Info Briefing
Minutes from Budget Sub Committee	Standing Item
Update from Executive Working Party for SEN	Standing Item
Contract Activity Report	Standing Item

Education PDS	1st March 2016
Item	Status
ED PDS Work Programme & Members Visits	Standing Item
SACRE	9th March 2016

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