

EDUCATION SELECT COMMITTEE

Minutes of the meeting held at 7.00 pm on 15 September 2016

Present:

Councillor Nicholas Bennett J.P. (Chairman)
Councillor Neil Reddin FCCA (Vice-Chairman)
Councillors Kathy Bance MBE, Kim Botting FRSA,
Alan Collins, Mary Cooke, Judi Ellis, Ellie Harmer and
Chris Pierce

Joan McConnell, Emmanuel Arbenser and Mylene
Williams and, Alison Regester

Also Present:

Councillor Peter Fortune, Education Portfolio

10 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Mary Capon. Cllr Philpott also sent his apologies.

11 EDUCATION SELECT COMMITTEE CO-OPTED MEMBERS 2016/17

Report CSD16114

The Committee considered a report outlining Co-opted Membership appointments to the Education PDS Committee for 2016/17.

The Chairman welcomed Mr Arbenser, the new Special Schools Representative to his first meeting.

The Committee extended its congratulations to Mrs Regester who would be celebrating the 20th Anniversary of her day nursery on Friday 16th September 2016.

Mrs Regester thanked the committee and, in relation to the recommendation before the Committee, noted that her representation extended beyond Pre-School settings to include Early Years and Childcare. It was agreed that the resolution of the Committee would be amended to reflect this role.

RESOLVED: That

1. **That the following Parent Governor Representative appointments be made to the Education PDS Committee for 2016/17 with voting rights:**
 - Ms Mylene Williams, Primary Parent Governor
 - Emmanuel Arbenser, Special School Parent Governor
2. **Mrs Mary Capon representing the Church of England and Mrs Joan McConnell representing the Roman Catholic Church be appointed as Co-opted Members to the Education PDS Committee for 2016/17 with voting rights;**
3. **The following Education PDS Co-opted Membership appointments be made to the Education PDS Committee for 2016/17 without voting rights:**
 - Mrs Alison Register as Pre-School Settings, Early Years and Childcare Representative
 - Miss Tajana Reeves as Young Peoples Representative

12 DECLARATIONS OF INTEREST

The Chairman reminded the Committee that the Declarations of Interest made at the meeting on 25 May 2016 were taken as read.

Further to the declarations that had been made at the previous meeting, Cllr Kim Botting noted that she declaration that she had made as a Governor at Blenheim School had not been recorded in the minutes.

In relation to the substantive item on the agenda, Councillor Bennett declared that he was a Governor of Bromley College.

13 MINUTES OF THE EDUCATION SELECT COMMITTEE MEETING HELD ON 25 MAY 2016

RESOLVED that the minutes of the meeting held on 25 May 2016 be agreed, and signed as an accurate record.

14 RESPONSES TO THE FIRST REPORT OF THE EDUCATION SELECT COMMITTEE

Report CSD16129

The Committee considered a report setting out the responses that had been received following the publication of the Select Committee's first report – the Education Landscape in Bromley. The purpose of this enquiry was to examine the role of the Council in education once all maintained schools had

become academies. The Committee made 12 recommendations in total. The Portfolio Holder for Education and the Director of Education provided responses to eight of the recommendations. The Portfolio Holder for Renewal and Recreation provided responses to three of the recommendations. The Development Control Committee considered the Select Committee's report at its meeting on 6th September 2016 and the relevant minute, attached at **Appendix A**, was tabled at the meeting. The Executive considered the Select Committee's report at its meeting on 14th September 2016 and the Chairman indicated that Members had broadly supported the recommendations that had been made.

The Chairman noted the blandness of some of the responses that had been provided by the Portfolio Holder for Education and the Director. In response, the Portfolio Holder indicated that he was happy to put some more flesh on the bone of the responses.

In relation to the response provided to recommendation 2.2, the Chairman sought more information about the Schools' Partnership Board and the Portfolio Holder explained the role of that Board and emphasised its importance as a mechanism for supporting and increasing collaborative working. The Portfolio Holder confirmed that representations had been made to a number of agencies concerning strengthening the requirement and duty to co-operate. The Senior Education Welfare Officer reported that earlier in the year, the Government had published guidance with elements of legislation making it compulsory for all schools to report data to the Local Authority. The Education Department in Bromley was currently in the process of establishing systems to ensure that data was received from school. The Portfolio stressed that within the Government's Academy agenda Bromley was a leader in the field but as a result of this Bromley was to a certain extent having to navigate its way in the dark.

In response to a question, the Director of Education confirmed that invitations to the Schools' Partnership Board had been positively received. As the document that had been tabled (attached as **Appendix B** to the minutes) demonstrated, a range of agencies would be represented on the Board including the Regional Schools Commissioner, Primary, Secondary and Special School Head Teachers, Bromley Clinical Commissioning Group, Public Health, the Police, the Virtual Headteacher amongst others. The Director of Education confirmed that the Harris Academy Trust would also be represented on the Board and it was clear that there was a determination amongst all the agencies to work collaboratively for the benefit of all young people in the Borough.

In relation to recommendation 2.4, the representative for Catholic Schools highlighted that the position of the Government in relation to the criteria for establishing new faith schools had now significantly changed and this was a huge relief for Catholic parents within the Borough. Free Schools were no longer restricted to 50% admissions for the faith community. The Portfolio Holder confirmed that he would welcome applications for new schools from anyone in the Borough and would be happy to hold a meeting with

representatives of the Catholic Community in order to discuss the provision of a Catholic Secondary Schools in the Borough.

In considering the Portfolio Holder's response to recommendation 2.9, the Committee sought confirmation of the structure of the Education Department as more schools converted to academy status. The Portfolio Holder stressed the need to ensure that the Department was able to meet the challenges that lay ahead in terms of pupil place planning and being a champion for pupils and their parents. The Director of Education reported that the Bromley Commissioner for Children's Services had been reviewing the whole of Children's Services including Education and it was clear that the Commissioner's expectation was that relationships between the Local Authority and schools were strengthened even as the Local Authority's responsibilities towards them decreased.

The Chairman reported that the Leader of the Council had indicated that he would consider the recommendation in the review of the future democratic structure following the Ofsted report on Children's Safeguarding.

The Committee expressed some scepticism surrounding the response of the Portfolio Holder for Renewal and Recreation to the recommendations as the Local Plan would not be approved if it did not have within it provision for education sites. The Chairman indicated that he may ask a question at Full Council concerning identifying such sites. The Portfolio Holder expressed the view that all organisations had to go through the proper process of planning and that the views and needs of all residents in the Borough, including school children, should be taken into account.

RESOLVED: That the responses to the recommendations made by the Committee be noted.

15 QUESTIONS TO THE SELECT COMMITTEE CHAIRMAN FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

No questions were received.

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

No questions were received.

17 PORTFOLIO HOLDER UPDATE

The Portfolio Holder updated the Committee on the work being undertaken across the Education Portfolio. The Committee heard that the Summer

months had been busy with meetings with a number of partners and agencies taking place. The Portfolio Holder had met the Regional Schools Commissioner and discussed data collection and the tipping point for compulsory academy conversions. The Portfolio Holder had also met the Education Funding Agency to discuss new schools that were opening. The Portfolio Holder stressed that the Council's Education Department had no control over where new schools in the Borough were located as this decision rested with external agencies. A number of new schools for the Borough had been approved but did not yet have a location and this presented challenges.

The Portfolio Holder reported that there were eleven remaining maintained Primary Schools in the Borough. It was important that the Local Authority worked with the schools to identify a way forward and that good relationships were developed and maintained.

The Key Stage 2 results across the Borough had been phenomenal with Bromley being ranked 3rd nationally for achievement. The Education Department was currently contacting secondary schools for Key Stage 4 results as there was no duty on the schools to automatically provide this information. The results that had been seen by the Department had so far looked positive. It was anticipated that the Schools' Partnership Board would assist with the flow of this type of information between the Local Authority and schools.

Disappointingly, there was evidence that the gap in attainment between the those pupils in the Borough in receipt of Free School Meals and those not was widening. The Portfolio Holder stated that in a Borough such as Bromley the situation was very concerning and work would need to be undertaken with hard to reach groups in order to reverse this worrying trend. The Chairman of the Select Committee indicated that this was something that could be reviewed by the Committee at its meeting in January when the Committee would consider the help provided to underperforming pupils.

A EDUCATION PORTFOLIO PLAN

Report ED17010

The Portfolio Holder for Education presented the draft portfolio priorities and aims for the 2016/17 academic year with priority outcomes reflecting the Building a Better Bromley vision for the children and young people within the Borough. The Plan also set out the direction of travel for education within the Borough.

In considering Priority 3, aim 3f, a Member asked the Portfolio Holder to confirm whether any primary maintained schools would be forced to convert to academy status, either through the principal of 'critical mass' or for any other reason. In response the Portfolio Holder confirmed that he did not foresee any schools within the Borough being forced to convert as the local authority

was seeking to work and communicate with schools in order to achieve 100% voluntary conversion. In response to a question concerning the position of the department in relation to special schools, the Portfolio Holder reported that one such school had already converted. The Portfolio Holder viewed special schools slightly differently to mainstream schools as it was essential to ensure that all the necessary support mechanisms were in place prior to the schools embarking on academy status. In response to a question of what would happen in the event that schools did not convert, the Director of Education, acknowledging that there was currently a period of changing Government policy, highlighted that the Education White Paper published by the previous Conservative Government had indicated that once a local authority had reached tipping point schools would be forced to convert as part of a multi academy trust. The position for special schools was different as these schools worked directly with the Local Authority's Special Educational Needs department. It was the intention of the Local Authority to work with all schools to identify the best way forward.

In response to a question concerning any learning that LB Bromley could take from the investigation that had been conducted into test results at Harris Academies in Tottenham, the Director of Education confirmed that within Bromley there were robust moderation processes in place to ensure that test results accurately reflected performance. The Local Authority was in the process of commissioning a new provider for this moderation but the Director was confident that standards of moderation would remain high. A number of Headteachers within the Borough had indicated that they felt over moderated this Summer but the Director stressed that this robust process should give the Local Authority, parents, pupils and schools confidence in the Bromley results that had been published.

In response to a question from the Chairman concerning his thoughts on grammar schools, particularly in the North of the Borough, the Portfolio Holder confirmed that he was broadly supportive of grammar schools and would welcome applications for such schools. The Portfolio Holder reported that he believed that grammar schools would be well received by a number of residents within the Borough. In making these comments that Portfolio Holder stressed the need to ensure that there was a range of provision across the Borough that catered to the needs and abilities of all young people in Bromley. The Portfolio Holder confirmed that he would be providing a response to the Government's consultation on grammar school provision and emphasised that Members could individually respond online with details of how to respond being provided in the [consultation document](#) launched on 12 September 2016.

The Pre-School Settings, Early Years and Childcare Representative stressed that Early Years were vitally important in setting early standards as it was important to know the attainment of children at the earliest opportunity. The Director of Education confirmed that schools undertook an assessment of children entering Reception year and this provided a measure of attainment and identified any special needs that may be exhibited. The Director also suggested that it was important to monitor the achievement and attainment of

those children who received funding for pre-school at 2 years old as it was likely that the families of children eligible for this provision would need more support from the Local Authority and it was essential that this support was provided at the earliest opportunity.

The Chairman suggested that as the Committee, in January, would be investigating the help and support provided to underachieving pupils it would assist the Committee's investigation if information and evidence of interventions used in the first five years of life could be provided.

In response to a question surrounding any additional support that could be provided to the Virtual Schools and the Bromley Children's Project following a reduction in funding, the Portfolio Holder and Director of Education agreed to provide a written response following the meeting.

The Director acknowledged, in response to a question concerning the look and make-up of the new School Nursing service, that the service made a palpable difference however, there had been concerns expressed in relation to the quality and value for money of the service. The Service would not be stopped however a review had been undertaken into how the Service could be more efficiently run.

The Director confirmed that the aim of reducing permanent exclusions in Bromley Primary schools to zero was achievable as there were a number of options that should be pursued by schools prior to permanent exclusion, such as managed moves. The Portfolio Holder stressed that this aim was about intervention and ensuring that pupils were provided with support and their needs addressed. The Local Authority needed to work with schools to achieve this aim but in recent years the number of permanent exclusions had increased. Permanent exclusions could have a devastating effect on a child's future educational prospects and it was essential that all efforts were made to reduce the instances of this type of exclusion.

The Chairman requested that the Committee be provided with a RAG rating of achievement against portfolio priorities.

RESOLVED: That

- 1. The Portfolio Holder be recommended to agree the 2016/17 Education Portfolio Plan.**
- 2. That the Committee be provided with a Red, Amber Green ('RAG') rating for the Portfolio Plan at its next meeting in January 2017.**

18 EDUCATION SELECT COMMITTEE WORK PROGRAMME

Report CSD16131

The Committee considered its work programme for 2016/17 and noted the following amendments:

- The meeting of the Education Budget Sub Committee due to be held on 27 September had been rescheduled to take place on 1 November 2016.
- In January 2017, the substantive agenda item was Helping Under Performing *Pupils*.
- An item “Review of Select Committee Processes” would be scheduled for the Committee’s meeting in March 2017.

In respect of pupil place planning, the Portfolio Holder confirmed that he would be chairing a Cross Council working Group that would be convened to review this issue. The Working Group would be established in the coming weeks.

RESOLVED: That the updated work programme be noted and agreed.

19 ALTERNATIVE EDUCATION WITNESS SESSION

The Chairman was pleased to welcome Mr Neil Miller, Headteacher Bromley Beacon Academy and Bromley Trust Academy; Ms Jenny MacDonald, Senior Education Welfare Officer, LBB; Ms Debbie Partington, Lead Teacher for Home and Hospital Tuition, LBB; and Mr Kevin Grant, Home Tutor, Alternative Education and Welfare, LBB. In advance of the meeting the Committee had been provided with a range of written evidence including a report providing an overview of alternate education in Bromley, a written statement from a home educator based in the Borough, an article on home education from a July 2016 edition of *The Times Magazine* and an article entitled *Call to Review Home School Rules* from the 4 August edition of the *Municipal Journal*. In addition to this, Mr Neil Miller had provided supplementary information on Bromley Beacon Academy and Bromley Trust Academy under separate cover.

Neil Miller, Headteacher, Bromley Beacon Academy and Bromley Trust Academy

Mr Miller reported that staff had been busy preparing and making ready the new provision over the Summer months. The report provided to the Committee in advance of the meeting set out the present structure of the provision at Bromley Educational Trust.

Mr Miller explained that Bromley Beacon Academy was not an Alternate Provision but stressed that it was important to understand the differences between the provisions. Bromley Beacon Academy was greatly expanding at a rapid pace and, pleasingly, significant improvements had come with this expansion.

Bromley Trust Academy was an Alternate Provision. Last year every pupil had finished Key Stage 4 with at least one qualification. The positive results that had been achieved showed a great improvement in terms of progress being made. Attendance had also improved, although the data for previous years had been incorrectly recorded which meant that this improvement was not evidenced in the statistics provided to the Committee. Significant improvements had also been made in terms of behaviour, with the number of emergency call outs to Bromley Beacon Academy reducing from 58 in 2013/14 to 2 in 2015/16 and a similar reduction with BTA. Positive feedback was received through the Parent Survey and last year every Year 11 student had undertaken at least one week's work experience which has previously never happened. Mr Miller outlined the key risks to Bromley Beacon Academy and the Chairman suggested it would be helpful if Mr Miller could provide a further written submission setting out the key risks in more detail along with suggestions surrounding recommendations that the Committee could make in order to address these risks.

The Chairman recalled that when Members had last visited the pupil referral unit (PRU) approximately 5 years ago, the unit had been in a state of flux with high levels of post-registration truancy; the Chairman sought assurances that this type of truancy was now under control. In response, Mr Miller suggested that no comparison could be made with the present provision and the PRU five years ago as it would be akin to comparing apples with pears. Mr Miller stated that he believed that if Ofsted were to inspect the provision at this moment in time it would be assessed as 'Good'. Robust measures were in place to manage post-registration truancy which was under control.

In response to the Chairman's request for statistics concerning the average length of time that pupils spent in the PRU, Mr Miller reported that at the Midfield Campus 50% of Year 6 pupils returned to mainstream secondary education for this September. At the present time no systems or structures were in place to monitor the performance of pupils as they transitioned between provisions. One of the challenges faced by Bromley Trust Academy was that if young people did well in that provision it was sometimes very difficult to return them to mainstream provision. Sadly, there were some young people that 'bounced back' to the PRU after returning to mainstream education and this highlighted the importance of ensuring that the right support was in place to support young people during the period of transition.

In response to a question concerning the number of young people who successfully embarked upon apprenticeships, Mr Miller reported that that data was not currently captured. However, it was his understanding that one of the reasons for creating Beacon House was to provide for this. Now young people were remaining in the provision from 16 to 18 years old it should be possible to capture that data.

The Committee noted reports that the facilities at Beacon House were outstanding and that young people were excited to attend that provision. The Director of Education suggested that the Committee may wish to arrange a

site visit to Beacon House and the Chairman agreed this would be helpful and asked the Director if she would be able to facilitate such a visit.

Members noted that there was a greater number of boys within the provision than girls. This was partly historical as since the 1990s it had been a boys school. Currently there was 1 girl in Key Stage 2, 2 girls in Key Stage 3 and 1 girl in Key Stage 4 bringing the total to 4. However this number was expected to increase in the 2016/17 academic year.

In response to a question surrounding the difficulties in measuring success and progress when young people were moving in and out of provisions, Mr Miller reported that immense systems of tracking were in place. There was an holistic approach to the young people, starting with their home lives as this often impacted on their education. The Committee heard that once these issues were addressed young people tended to achieve higher levels of attainment and a number of young people were now choosing to remain in education and progress onto further education which was pleasing.

In reviewing the Table 8 of the report concerning Bromley Education Trust, a Member queried whether any enquires had been made into why the percentage of parents who felt that their children were looked after at school had fallen by 11%. In response Mr Miller highlighted that this survey was dealing with very small numbers of parents and in a cohort of only 17 very small changes in the responses of parents could have a disproportionate impact on the statistics.

The Committee thanked Mr Miller for his report and presentation. Members recorded their appreciation of the progress and improvement that had been made at the provision which was testament to the excellent leadership in place. Mr Miller responded that the improvement would not have been made without the hard work and dedication of an excellent team.

Debbie Partington, Lead Teacher for Home and Hospital Tuition, LBB

The Lead Teacher for Home and Hospital Tuition explained that her team were responsible for providing schooling for young people on the Children's Ward at the Princess Royal University Hospital as well as a Home Tuition Service for young people that were considered to be medically unfit to attend school or those that were between provisions. At any one time there were 20-25 people attending the Nightingale Centre and service users included pregnant teenagers or teenage mums, young people with mental health issues and young people that were medically unfit to attend mainstream education but were able to cope in a smaller setting. The Committee heard that intake to the Service was through the Core Panel and this process appeared to highlight that there was a lack of understanding in schools of the processes and the support that was available from the Local Authority. The Core Panel was an excellent gatekeeper for the Service and as a result of this process the Service was now receiving a great deal more initial information about the individual needs of the young people accessing the Service and the support they required.

The Lead Teacher for Home and Hospital Tuition reported that there had been a substantial increase in the numbers of children presenting with mental health issues. The Service had been initially set up to support young people with physical or medical issues however, in the previous year 62% of young people within the Service suffered from mental health issues and only 1% with physical or medical needs. A number of service users presented with quite severe mental health issues.

The Chairman asked Officers to provide the Committee with more detailed statistics as well as information on the cost of supporting the Service users as this crucial information would greatly assist with the development of the Committee's recommendations.

The Lead Teacher for Home and Hospital Tuition reported that there had been a rise in the number of referrals into the Service and that therapeutic input was key to supporting the young people referred to the Service. Service users needed to be treated in an holistic way and a counsellor had just been recruited to provide additional support to the young people.

The Committee heard that although a lot of reintegration work was undertaken to prevent young people 'bouncing back' into the alternate provision, it was often difficult to reintegrate young people into mainstream provision in Key Stage 4. There was no standard across the Borough and some schools were really good at supporting young people back into mainstream education whilst others were less so. In response to a question concerning the delivery and operation of hospital tuition, the Lead Teacher for Home and Hospital Tuition reported that there was a full time teacher and a full time teaching assistant based at the hospital. Curriculums were set through topic work and the teacher tried to deliver the same work that the young people would be undertaking if they were at school, working to a flexible curriculum that supported all children. This could be very challenging as there was a wide range of ages and abilities at the hospital and the teacher had to cater for individual needs. The teacher at the hospital was very skilled and was very good at communicating with schools, doctors and nurses. The Committee heard that some schools were very good at providing work whilst others were not so good. The Chairman asked to be provided with further data regarding the work provided by schools.

The Committee expressed serious concerns surrounding the rise in the number of young people presenting with mental health issues. In response to a question concerning whether the primary concern for the service was the young person's education or their mental health, the Committee was told that it was managed on a case by case basis depending on the needs of the young people. In response to a question from the Committee, the Lead Teacher for Home and Hospital Tuition confirmed that there appeared to be no single reason for the dramatic increase in young people with mental health issues. For a time there had been a high intake of high achievers. Whilst there was any number of reasons, this could be seen to suggest that young people may be struggling to cope with the expectations placed on them from a

young age. A Member queried whether there would be any benefit in commissioning a review from a consultant psychiatrist and in response the Director of Education confirmed that this had been undertaken by the Child and Adolescent Mental Health Service (CAMHS). The Director would provide the Committee with the report that had been produced.

The Director of Education reported that the Service was funded through the High Needs Block. Going forward there would be formula funding and the Department anticipated that there would be a number of pressures placed on the High Needs Block. Funding from the High Needs Block had to be directed at education services and if a young person had a health problem support would generally be accessed through health channels rather than education. The Bromley Y service would be the route for a school to refer a young person for counselling.

The Chairman thanked the Lead Teacher for Home and Hospital Tuition for her very interesting and informative presentation.

Jenny MacDonald, Senior Education Welfare Officer, LBB and Kevin Grant, Home Tutor, Alternative Education and Welfare, LBB

The Senior Education Welfare Officer reported that there had been a steady rise in the number of declarations of Elective Home Education (EHE) since 2012. This was a national trend although official data was not collected by the DfE from information gathered at Officer forums it was clear that Bromley was not unique in experiencing this rise. The choice of EHE was the prerogative of parents and legislation was in place to support this. The Committee heard that there had always been, and was always likely to be, a tension between the rights of parents to pursue EHE and the duties placed on Local Authorities in respect of safeguarding and child protection. The Local Authority actively tracked and monitored children missing from education but that was as far as the powers of the Local Authority extended. There were no legislative powers that enabled the Local Authority to compel parents to place their children in mainstream education. Concerns could be raised through the Core Panel and through this Panel Officers had access to partner organisations that may be able to provide further information if a child came to the attention of any other partner agencies.

The reasons that parents opted for EHE ranged from dissatisfaction with the school system, and bullying and anxiety in schools to reasons of ethos. The Home Tutor reported that the percentage of parents choosing EHE for reasons of ethos had dropped in recent years. Parents were opting for EHE for other reasons. The traveller community in Bromley was not disproportionately represented. Many more families were choosing to home educate for short periods or as a stop-gap between schools and whilst 5 years ago there were slightly more boys being home educated, in recent years this trend had shifted.

The Director of Education reported that one particular issue that frequently arose was that of parents removing their children from mainstream education

and opting for EHE in year 9 and then trying to return them in years 10 and 11 (Key stage 4). In some instances this could be due to pressure from schools to remove the pupils from the school and in other circumstances it could be an attempt to enrol their children into a school that the parents perceive to be 'better'. The Director was clear that schools were not permitted to coerce parents into opting for EHE and parents were interviewed by Council Officers after declaring EHE to ensure that there had been no coercion. Whatever the circumstance, it was the policy of the Local Authority to ensure that the pupil returned to the school at which they were previously enrolled.

The Home Tutor confirmed that he had a good relationship with the majority of parents who had opted for EHE. In terms of encouraging pupils back into mainstream provision, the Home Tutor reported that he preferred to persuade and encourage rather than cajole or threaten. Once a parent had decided to return their child to mainstream education, there were very few who then bounced back to EHE.

In response to a question about the number of young people that had been home educated who then went on to higher education, the Home Tutor stated that whilst he did not have a percentage he would suggest that the figure was alarmingly low. Although families were in no way compelled to provide information, the Home Tutor did follow up with families. In the 2014/15 cohort only 2 or 3 of the 14 or 15 young people that declared EHE went on to university whilst some went to college. Unfortunately many were declared NEET. It was difficult to record accurate figures because parents were reluctant to engage with the Local Authority after Year 12.

The Committee heard that the UK was the only country in Europe that allowed parents complete freedom to opt for EHE. One of the characteristics of EHE was that it was a rejection of the formal system of education, and as such an extension of this was that parents also rejected formal examinations, although a small proportion of home educated pupils sat exams at the Nightingale Centre.

In response to a question surrounding the rights of children whose parents opted for EHE, the Senior Education Welfare Officer reported that this was a very grey area with differing opinions across different groups. There was no clear answer and there was nothing to say that the rights of the parents trumped the rights of the child or vice versa.

The Senior Education Welfare Officer confirmed that more parents of children due to enter Reception class appeared to be option for EHE. A number had indicated that this was because they did not feel that their child was old enough to start school. Usually the children entered mainstream education in Year 2 or Year 3 and the time away from mainstream education would not be long. However, if parents declared EHE in Year 2 or 3 evidence demonstrated that this would be longer term. The Senior Education Welfare Officer reported that she did not have information about the number of parents with Summer born children declaring EHE at Reception age but this information could be provided to the Committee following the meeting.

The Home Tutor explained that in undertaking a home visit it was his job to gain an understanding of what the family was trying to teach. Home tutors were able to give advice and make suggestions however they were not allowed to persuade them back into the formal education system. There was no right of entry into homes and the Local Authority could only make enquiries if it had evidence to suggest that the young people were not in receipt of a suitable education. There was no legal responsibility to teach subjects other than English and Maths and the Local Authority was not allowed to monitor progress. The only requirement placed on parents was that the education was full-time and suitable. If problems were identified parents had to be given the opportunity to address and rectify them before any action could be taken. In the main, Home Educators in Bromley engaged with the Local Authority. There was a joined up multi-agency approach that was managed through the Core Panel process.

The Committee considered the Pembrokeshire Case that was currently the subject of a Serious Case Review. The Senior Education Welfare Officer reported that the powers of local authorities were limited once parents declared EHE. However, if the Local Authority could demonstrate that all reasonable steps had been taken to track down a young person missing from education it is likely that it would be considered to have fulfilled its corporate parenting duties. Members expressed concerns that vulnerable children could fall under the radar and the Senior Education Welfare Officer indicated that until the Government recognised the issues and put in place legislative support Local Authorities were powerless. Officers within Bromley did liaise with the Police who had access to boarder agencies in order to identify if children had left the country. However, there remained a large gap in the system of child protection and safeguarding and Local Authorities were eager for this to be addressed.

The Chairman noted that in the Badman review of EHE published in June 2009, a question had arisen over the accuracy of the figures relating to the numbers of young people in EHE. The Senior Education Welfare Officer responded that the Local Authority could only know what it knew. Excellent multi-agency links existed however; there could well be young people in the Borough who had never come to the attention of any agency. If a child had not formally entered mainstream education there was no duty on parents to engage with the Local Authority and this meant that children could not always be tracked. Until Parliament enacted legislation in this respect there was always a real possibility that children were not known to the Local Authority and therefore not included in any official statistics.

The Committee noted that the Bromley Safeguarding Children's Board had a duty to take action on any concerns that were formally raised with it.

In response to a question surrounding legislative changes that would assist professionals with carrying out their duties, the witnesses indicated that a formal registration process would be the ideal scenario and would allow young people to be better tracked.

The Chairman thanked the witnesses for their contribution to the very interesting and informative discussion.

20 COMMITTEE CONCLUSIONS AND RECOMMENDATIONS

The Committee agreed that it would await the minutes from the meeting and the additional evidence provided by the witnesses prior to formally drawing up and agreeing recommendations. The Chairman would draft the report and, if necessary, a further meeting could be held in order to agree the report and the recommendations.

The Meeting ended at 9.55 pm

Chairman

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DEVELOPMENT CONTROL COMMITTEE

Extract from Minutes of the meeting held at 7.30 pm on 6 September 2016

Present:

Councillor Peter Dean (Chairman)
Councillor Richard Scoates (Vice-Chairman)
Councillors Vanessa Allen, Graham Arthur, Douglas Auld,
Nicholas Bennett J.P., Eric Bosshard, Katy Boughey,
Kevin Brooks, Lydia Buttinger, Nicky Dykes, Simon Fawthrop,
William Huntington-Thresher, Charles Joel, David Livett,
Alexa Michael, Neil Reddin FCCA and Michael Turner

14 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Pauline Tunnicliffe; Councillor Nicholas Bennett JP attended as substitute.

20 FIRST REPORT OF THE EDUCATION SELECT COMMITTEE 2016/17 - THE EDUCATION LANDSCAPE IN BROMLEY

Report CSD16124

Members considered recommendations made by the Education Select Committee at its first meeting held on 25 May 2016. In particular, the Committee were requested to consider recommendation 5 (the provision of education sites) and recommendation 6 (the use of CIL funding for education purposes).

In regard to recommendation 5, the Chairman stated that education sites were identified and put forward through the Local Plan which had yet to be finalised. As a result, he did not feel Members were currently in a position to ensure the provision of education sites could be achieved.

Councillor Bennett explained that this matter had already been considered by the Portfolio Holder for Renewal and Recreation who had confirmed that sufficient sites had been identified and given his assurance that provision would be achieved through the Local Plan.

Councillor Huntington-Thresher reported that whilst the Draft Local Plan had identified a number of sites across the Borough, further consideration should be postponed until public consultation on the Local Plan was complete.

Councillor Dean moved that Members could not support consideration of recommendation 5 for the reasons stated above. This was seconded by Councillor Buttinger.

With regard to recommendation 6, the Chairman considered it was not within the remit of DCC to determine how CIL funds should be spent. The onus was on specific Council departments to apply through Resources. The CIL would be operated through the Local Plan with funds being allocated to various community services. Therefore the Committee could not comply with the Education Select Committee's request.

The Chief Planner explained that the collection of CIL was governed by regulations and the Council was required to justify its need to charge £35 per sq m. A plan would be formalised indicating how CIL funds would be spent; it was possible that infrastructure costs may amount to more than the Council collects. The plan would be reviewed on a yearly basis. The CIL was closely linked to the draft Local Plan and would be implemented shortly after the adoption of the Local Plan in 2017.

Councillor Bennett agreed to convey Members' views back to the Education Select Committee.

The Chairman moved that it was premature to consider recommendation 6 until the operational structure of CIL had been formally approved. Councillor Fawthrop seconded the motion.

RESOLVED that:-

- 1) Members could not support consideration of recommendation 5 for the reasons stated above or at least until public consultation on the Local Plan was complete; and**
- 2) Consideration could not be given to recommendation 6 until the operational structure of CIL had been formally approved.**

The meeting ended at 8.05 pm

Chairman

Interim Schools Partnership Board (SPB)

Context

Bromley is likely to be one of the first boroughs in England where all schools have become academies, with our remaining maintained schools expected to convert by the end of 2017. Given that schools are the main universal service to children and young people in Bromley, it is vital that we create a system that is designed to secure strong partnership working in the new educational landscape and to support the needs of our most vulnerable children. The legal and moral imperative to close the gaps experienced by our vulnerable children will require partnerships across the new landscape to not only identify the gaps but to capture and share good practice to improve the life chances of all of our children. It is proposed to create a Schools Partnership Board (SPB), made up of key partners in Education across the borough, to drive this new agenda forward.

Within the new education landscape, as described in the government's recent White Paper, the Local Authority (LA) will have the key responsibility of being champions of children and families while maintaining core education services including Special Educational Needs & Disability (SEND), place planning, education welfare and admissions. We will continue to have the statutory duty to ensure that all our schools are safe places for children and it is in this context that the partnership board is expected to operate; covering the full breadth of safeguarding expectations.

Purpose

The ambition for the SPB is that it becomes the strategic interface between schools and partners for all aspects of work with schools and that it will set the agenda for key operational projects and activities, delivered by all partners, to ensure the agreed strategic objectives are achieved. Examples of areas the SPB would facilitate include:

- Fair Access Protocol and in-year admissions, ensuring that vulnerable children are able to access a school place in as short a time as possible;
- Mental health strategy;
- Closing the gap in academic performance for children on free school meals;
- Reducing the rate of permanent exclusions;
- Ensuring schools share attendance data to support the missing children agenda;
- Improving academic outcomes for white working class boys;
- SEND strategy including place planning for children with Education, Health and Care plans;
- Virtual school and the education of Looked After Children;
- School based gangs work;
- Support for children with health issues.

It is expected that the SPB would create task and finish groups to oversee specific, shared projects. These may be very school based, such as looking at curriculum content to engage particular groups of children; or include a wider group of partners when multi-agency input is required.

Process

The LA's role in school improvement has changed from being one where we lead on the quality of teaching and learning, taking direct responsibility for school performance, to a position where we need to strengthen the oversight of and the impact on the outcomes for the most disadvantaged members of our community within the context of our broader safeguarding duty. We are currently in the process of redesigning our school improvement service to meet these aims and have secured the services of an experienced school leader to support the setting up of the SPB. They will also advise on what will be required to support this structure going forwards. The first step is to create an interim School Partnership Board to agree the role, purpose, membership and operation of a permanent SPB

Proposed Membership of the Interim SPB

- Representative from the Regional School Commissioner's office;
- Primary and secondary school headteachers to represent the Bromley community of school children;
- Clinical Commissioning Group;
- Public health;
- Police;
- Youth Offending Service;
- Virtual headteacher;
- Director/Assistant Director Children's Social Care;
- Director Education;
- Portfolio Holder Education;
- Executive headteacher Bromley Trust Academy/Bromley Beacon Academy;
- Special school headteacher.

Governance

It is proposed that outcomes from the SPB will be reported into the Children's Services improvement governance board.

Timescale

This is a major exercise and we want to create a model that has lasting and significant impact. It is proposed that we have the first interim board meeting in September which will be a representative group that is tasked with designing a workable and meaningful SPB.