

## **EDUCATION, CHILDREN AND FAMILIES SELECT COMMITTEE**

Minutes of the meeting held at 7.00 pm on 27 February 2018

### **Present:**

Councillor Nicholas Bennett J.P. (Chairman)  
Councillor Neil Reddin FCCA (Vice-Chairman)  
Councillors Kim Botting FRSA, Alan Collins, Mary Cooke,  
Nicky Dykes, Robert Evans and Angela Wilkins

Emmanuel Arbenser

### **Also Present:**

Councillor Peter Fortune, Portfolio Holder for Education, Children and Families  
Councillor Tom Philpott, Executive Support Assistant to the Portfolio Holder for Education, Children and Families

### **37 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillor Christopher Pierce and Councillor Robert Evans attended as his substitute. Apologies for absence were also received from Councillor Ellie Harmer, Mary Capon, Joan McConnell and Aaron Regisford.

Apologies for lateness were received from Councillor Tom Philpott.

### **38 DECLARATIONS OF INTEREST**

The Chairman declared that he was a Governor of London South East Colleges in relation to Item 16: BTA Pupil Referral Units: Extension and Variation to Contract.

### **39 MINUTES OF THE EDUCATION SELECT COMMITTEE MEETING HELD ON 23 JANUARY 2018 AND MATTERS OUTSTANDING FROM PREVIOUS MEETINGS**

In respect of Minute 23: Living in Care Council Presentation, Councillor Mary Cooke confirmed that she had met with representatives of the Living in Care Council to discuss their ideas on improving the care experience for all children looked after and would be taking this forward with the Portfolio Holder for Education, Children and Families.

**RESOLVED that the minutes of the meeting held on 23<sup>rd</sup> January 2018 be agreed and that matters outstanding be noted.**

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

No questions had been received.

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

No questions had been received.

**42 PORTFOLIO HOLDER UPDATE**

The Portfolio Holder gave an update to Members on work in progress across the Education, Children and Families Portfolio.

A range of events had been delivered in recent months including the annual Celebration of Achievement Event to recognise the academic and personal achievements of Children Looked After, and a highly successful takeover day at the Council which had included pupils from schools across the Borough as well as representatives of the Bromley Youth Council and Living in Care Council. A number of new governance arrangements had also been established including the SEND Governance Board which brought together key partners including schools to ensure suitable services were in place for children and young people with special educational needs and disabilities, and the Corporate Parenting Board which aimed to develop a robust Corporate Parenting Strategy in partnership with the Living in Care Council. The Portfolio Holder continued to attend meetings of the Children's Service Improvement Governance Board and Youth Offending Service Management Board, and had undertaken a number of visits to children's services including the Quality Assurance and Virtual School Teams. A response had been received from the Secretary of State in relation to the Select Committee's review on the Education Landscape in Bromley and would be provided to the Select Committee following the meeting.

A range of work was underway to ensure sufficient school places were in place across the Borough. An alternate temporary site for the proposed Buller's Wood School for Boys had been presented to the Secretary for State for approval. If this proposal was taken forward the building, which was owned by the Education and Skills Funding Agency, would require planning permission for change of use to Class D1 (non-residential institutions) as well as refurbishment, but there was currently no expectation that the Local Authority would contribute towards the cost of these works. National Offer Day for secondary education was 1<sup>st</sup> March 2018 and as this had been undertaken using a 'two track' process, prospective pupils who had applied for a place at Buller's Wood School for Boys would not be disadvantaged if the school did not open as planned in September 2018. There were sufficient places to accommodate all applications for Bromley secondary schools for the 2018/19 academic year with a small surplus of unallocated places.

A Member raised a concern at Harris Girls' Academy Bromley's recent consultation on changing its admissions criteria to favour admissions from Harris primary schools and queried whether the Local Authority had responded to the consultation. The Deputy Chief Executive confirmed that the Local Authority responded to all such consultations and the Local Authority's response would be provided to the Member following the meeting. The Portfolio Holder noted that academy schools were able to set their own admissions criteria, but that there was currently no shortage of school places in the North of the Borough. A number of academies and free school providers had received approval from the Department for Education to establish new secondary education provisions in or around the Borough and work would continue to ensure that sufficient provision was in place for the 2022/23 academic year for which a shortfall of 12 forms of entry was currently projected. This included work with the Archdiocese of Southwark to consider the establishment of a Catholic Secondary School in the Borough.

In response to a question from a Member, it was confirmed that one of the existing Deputy Head Teachers had been appointed as Acting Head Teacher at St Olave's and St Saviour's Grammar School until a new Head Teacher could be appointed, with the expectation that a new Head Teacher would start in post in January 2019. The Portfolio Holder would be working with the two Selective Schools in Bromley around the potential to establish additional grammar provision in the North of the Borough.

In concluding, the Portfolio Holder thanked the Select Committee for the excellent work it had undertaken during the 2017/18 municipal year, particularly in relation to children's social care.

The Executive Support Assistant to the Portfolio Holder for Education, Children and Families noted that the School Places Working Group would shortly be convened to consider the demand for school places for the 2018/19 academic year, and requested Members of the Select Committee to notify the Committee Clerk if they wished to participate in the review.

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

#### **43 EDUCATION INFORMATION ITEMS**

##### **A MINUTES OF THE EDUCATION, CHILDREN AND FAMILIES BUDGET AND PERFORMANCE MONITORING SUB-COMMITTEE MEETING HELD ON 17 JANUARY 2018**

The Committee noted the minutes of the Education, Children and Families Budget and Performance Monitoring Sub-Committee meeting held on 17<sup>th</sup> January 2017.

#### **44 EDUCATION SELECT COMMITTEE WORK PROGRAMME**

##### **Report CSD18052**

The Chairman noted that this was the final meeting of the 2017/18 municipal year and that he would be recommending that the Select Committee explore

the issue of non-university technical education and apprenticeships as part of the 2018/19 work programme.

The Deputy Chief Executive and Executive Director: Education, Care and Health Services noted that Special Educational Needs and Disabilities (SEND) Reform including co-production and the Local Offer was another area the Select Committee might consider reviewing during the 2018/19 municipal year.

**RESOLVED that the work programme for the 2017/18 municipal year be endorsed.**

#### **45 ANNUAL SCRUTINY REPORT 2017/18**

The Committee considered the annual report of the Education, Children and Families Select Committee that would be provided to the meeting of Executive and Resources PDS Committee on 21<sup>st</sup> March 2018. The Chairman thanked all Members and Co-opted Members for the significant contribution they had made to the Education, Children and Families Select Committee during the 2017/18 municipal year.

A Member noted that the Select Committee had received the presentation from the Living in Care Council at its meeting in October 2017, and requested that a correction be made to Paragraph 2.5 of the report to reflect this.

**RESOLVED that the report be noted.**

#### **46 SCRUTINY OF THE DEPUTY CHIEF EXECUTIVE AND EXECUTIVE DIRECTOR (ECHS)**

The Deputy Chief Executive and Executive Director: Education, Care and Health Services gave an update to Members on work being undertaken across the Education, Care and Health Services Department.

“The Roadmap to Excellence” was continuing to guide improvement across Children’s Services, with 93% of the 326 key actions identified by the Children’s Service Improvement Governance Board having now been delivered. It was planned to undertake a skills audit to identify the full range of skills available to staff within the Department that could be used to benefit children and young people. The Eclipse IT system was ready to be launched; however in light of the need to work with Ofsted as part of the ongoing monitoring programme, the Local Authority would liaise with the Department for Education before moving over to the new social care recording system as it would require the full migration of existing data with no capacity for parallel running. The number of permanent staff in the Children’s Social Care Service had increased from 42% in March 2017 to 75% in February 2018, with the aim of achieving and maintaining 90% permanent staff. To support this, a robust recruitment and retention programme was in place and the Local Authority continued to participate in recruitment programmes for newly qualified social workers as well as those encouraging former social workers to return to the

profession and to recruit mature entrants to social work, who were able to qualify within 18-24 months via a fast-track programme. A Member underlined the importance of ensuring that sufficient funds had been allocated to support the recruitment and retention of children's social workers, including retention fees and bonus payments, and the Deputy Chief Executive agreed to present a report on the funding of recruitment and retention measures within the Children's Social Care Service in the short to medium term to a future meeting of the Council's Executive.

In considering education, work to strengthen relationships with key partners including academies and free schools was ongoing. The Local Authority continued to work closely with schools in meeting its statutory duty to safeguard children, including through the Local Authority Designated Officer (LADO). The Bromley Safeguarding Children Board had undertaken a Safeguarding Audit of schools which aimed to ensure that schools had due regard to the need to safeguard and promote the welfare of children. The Local Authority had a statutory duty to provide sufficient school places, including for pupils living out-of-Borough who had expressed a preference for attending a Bromley school. A Member noted the growing interest in learning Mandarin across the Borough, particularly in Orpington which had an established Chinese population, and suggested that schools be encouraged to build this into their curriculum.

In response to a question from a Member, the Deputy Chief Executive confirmed that the "Caseload Promise" which ensured social workers had a manageable caseload of 12-15 cases had been delivered across the Children's Social Care Service and that funding was in place within the Education, Children and Families Portfolio budget to maintain this for 2018/19. Funding was also being held within the Central Contingency to deliver recruitment and retention measures that attracted and retained high quality social work staff. The Deputy Chief Executive noted that he had the support of the Council's Executive in driving forward the Children's Service Improvement Plan and felt that sufficient flexibility was in place to enable him to respond to changes within the Children's Social Care Service, such as an increase in referrals. The Chairman highlighted the importance of all Bromley Councillors attending Member training relating to their responsibilities as Corporate Parents at the start of the 2018/19 municipal year. The Chairman suggested it might also be useful to develop a pro forma to support Members in understanding the implications of decisions made as part of future budget setting processes.

With regard to the work of the Select Committee, the Chairman underlined the need to distribute the final reports of the Education, Children and Families Select Committee to schools, and for regular press releases to promote key findings and achievements.

The Deputy Chief Executive and Executive Director: Education, Care and Health Services thanked the Select Committee for its rigorous scrutiny and challenge of education and children's services during the 2017/18 municipal year.

**RESOLVED that the update be noted.**

#### **47 PREVENTING PERMANENT EXCLUSION FROM SCHOOL**

The Committee considered a report providing an update on the level of exclusions from Bromley schools, as well as the steps being taken to help schools reduce the use of permanent exclusions as a sanction and the destinations for children who have been excluded from school.

Having decreased significantly since 2011, the use of both fixed-term and permanent exclusion had begun to increase in recent years, with the performance of Bromley schools comparing unfavourably with the average performance of schools in London and England since the 2015/16 academic year. During the 2016/17 academic year, 17 children had been excluded permanently from Bromley primary schools; however in the 2017/18 academic year to date, just one child had been excluded permanently. The use of fixed-term exclusion in secondary schools was low compared with London and the national average; however the number of permanent exclusions from Bromley secondary schools had been high in recent years, with 68 children excluded permanently during the 2016/17 academic year. This had subsequently reduced and levels were now comparable with the London and national average with 22 children excluded permanently from Bromley secondary schools during the 2017/18 academic year to date. The majority of children excluded permanently from school continued their education in a Pupil Referral Unit with the aim of being reintegrated into a mainstream school after a programme of intervention; however this was often not appropriate for Key Stage 4 pupils who might benefit more from accessing a vocational programme. There were 238 children in Bromley whose parents had elected to teach them at home, which was broadly in line with other local authorities.

A range of measures were in place to prevent the use of permanent exclusion. This included the Inclusion Support Advisory Team, which provided support to children with special educational needs, the Primary Outreach Service, which offered a structured programme for children designed to meet agreed goals and change behaviour, and Alternative Provision, which was typically offered to Key Stage 4 pupils who had disengaged from education for some time. Representatives from Child and Adolescent Mental Health Services were working with the Local Authority and Bromley schools to develop universal and targeted programmes of mental health support to build skills for schools and resilience for children to support them in maintaining their education.

In considering the report, the Vice-Chairman noted that the Local Authority had provided funding to establish and deliver the Primary Outreach Service for a period of two years with the expectation that the service would then be funded directly by primary schools. It was important to ensure that this expectation was made clear to primary schools and that the benefits of continuing the service were communicated. The Interim Director: Education reported that the Primary Outreach Service worked closely with early

intervention services and the Bromley Children Project in forming part of the offer that provided support to vulnerable children and their families.

A Member queried the statutory guidance regarding groups vulnerable to exclusion, and the Interim Director: Education confirmed that this related to the responsibilities of schools in ensuring they identified, recognised and responded to a pupil's individual needs before taking the decision to exclude the pupil, in essence, ensuring that children were not excluded because their school had failed to meet their needs.

In response to a question from the Chairman, the Head of Service: Access and Inclusion confirmed that in cases of elective home education where there had been persistent non-attendance at scheduled meetings and a referral had been made to Children's Social Care, any concern of risk of harm to the child was followed up and would be escalated where appropriate. Information relating to the number of cases that had been escalated would be provided to the Select Committee following the meeting. The Chairman suggested that work be undertaken to identify good practice around exclusion, such as the use of managed moves and requested that further information on the number of pupils who had been permanently excluded following a period of temporary exclusion be provided to the Select Committee following the meeting.

**RESOLVED that the report be noted.**

#### **48 WITNESS SESSION: EARLY YEARS, CHILD MINDING AND THE 30 HOUR CHALLENGE**

The Committee had been provided with a range of written evidence in advance of the meeting. This included a report explaining the position in relation to Early Years, Childminding and the 30 Hours Challenge in Bromley, as well as a link to the Department for Education Evaluation of the pilot schemes that had been run in relation to the provision of 30 hours funded childcare.

The Chairman was pleased to welcome Carol Arnfield, Head of Early Years, School Standards and Adult Education (LBB), Liz Hodgeman, Early Years Strategy Manager (LBB), and Angela Leeves, Chairman of the Early Years Foundation Stage Forum and Early Years provider to the meeting.

#### Context

The Head of Early Years, School Standards and Adult Education clarified that one of the Local Authority's duties in relation to childcare provision was to provide information, advice and assistance to parents and prospective parents, which included people who were expecting or planning a child. The majority of childcare provision in Bromley was delivered through the private, voluntary and independent sectors; however the Local Authority provided two maintained nurseries at Blenheim Children's Centre and Community Vision Children and Family Centre. Charges to attend the maintained nurseries were currently set at the lower end of the market rate, although increases in

charges were planned for April and September 2018 that would bring nursery fees in line with other local provision. A new structure would also be introduced to the two maintained nurseries to make them more commercial and create additional places.

The Chairman emphasised the importance of promoting the excellent quality of Early Years provision available in Bromley as well as upcoming opportunities for training and employment in the Early Years sector.

### *Early Years Provision*

The Early Years Strategy Manager explained that Bromley had a significantly higher number of childminders than any other London Boroughs, supplying 2877 childcare places which was 25.7% of the total number of Ofsted registered Early Years places within the Borough. People who provided care in their home for children for more than two hours a day as a paid provision were required to register as childminders unless they had a close family relationship to the child they were caring for.

With regard to specialist provision, the Early Years Strategy Manager confirmed that all Early Years providers were expected to offer care to children with special educational needs and disabilities that met their individual needs, and that this was supported by a programme of assessment and additional funding. The Outreach and Inclusion Team provided support to Early Years providers in meeting the needs of children with high level special educational needs and disabilities, and this could include the involvement of other professionals. The Phoenix Centre offered a range of Early Years services to children with special educational needs and disabilities such as classroom assessment, but the emphasis was on supporting children to remain within mainstream settings where appropriate.

### *The 30 Hours Challenge*

The Head of Early Years, School Standards and Adult Education reported that the Local Authority had taken steps to ensure that Early Years providers were delivering funded provision within statutory guidance by requiring all providers to submit their admissions policy when agreeing provider contracts. Early Years providers were able to charge for hours over and above the funded entitlement.

The Chairman of the Early Years Foundation Stage Forum and Early Years provider confirmed that the exercise of reviewing her provision's admissions policy to ensure compliance with statutory guidance had been a useful exercise. It ensured that her admissions policy was up-to-date but had also assisted with the identification of budget implications in relation to changes to funded entitlement.

### *Training*

The Chairman of the Early Years Foundation Stage Forum and Early Years provider advised Members that Early Years providers from across the full

scope of provision including pre-schools, childminders and after-school clubs were invited to attend a termly meeting of the Early Years Childcare Development Partnership to share information and promote best practice.

The Early Years Strategy Manager reported that information sessions for Early Years providers were run on a termly basis at different venues across the Borough and were very well attended. Regular e-bulletins outlining changes to funding were supplied to Early Years providers by the Early Years Funding Team.

The Head of Early Years, School Standards and Adult Education added that relevant items from the Schools Circular were also supplied to Early Years providers.

### IT Systems

The Head of Early Years, School Standards and Adult Education confirmed that the Local Authority had received £31k from the Department for Education to develop a bespoke system that could interact with the Local Authority's Oracle system in processing funding claims for Early Years entitlement. This had been necessary due to the increased complexity of funding claims and the short notice in introducing 30 hours funded childcare. There was potential to explore whether this bespoke system might be saleable to other Local Authorities with a comparable IT infrastructure.

### Future Capacity

The Head of Early Years, School Standards and Adult Education informed Members that a bid had been made to the Department for Education's 30 Hours Delivery Support Fund for 9 projects totalling £69k which aimed to increase capacity within the Early Years sector and that the outcome of the bid would be confirmed shortly. This included the delivery of a childminder recruitment and training programme with the aim of recruiting 30 new childminders for the Orpington and Mottingham areas.

The Early Years Strategy Manager confirmed that it was difficult to project future demand, particularly in relation to 30 hours funded childcare which was not taken up by every parent or carer, and that a part-time staff member had been recruited to undertake work on sufficiency of childcare places. The distribution of capacity across the Borough was subject to market forces. Some wards with a perceived shortage of places were served by surplus provision in neighbouring wards whilst attempts to introduce additional Early Years provision in other areas of shortage, such as Darwin ward, had not proved popular with parents and carers. A number of Bromley schools had expressed an interest in establishing their own nursery provision which was expected to build further childcare capacity across the Borough.

The Early Years Strategy Manager advised Members that there was a shortage in qualified Early Years practitioners locally and nationally that was partly due to a change to the entry requirements for Level 3 Early Years

qualifications which had now been amended. To address this, work was being undertaken to explore the potential to develop the two Local Authority maintained nurseries as 'training hubs' for students and apprentices working in partnership with Bromley Adult Education Service, local training providers and children and family centres.

The Vice-Chairman noted that new Early Years providers sometimes struggled to establish their business as they were unable to obtain Class D1 (non-residential institutions) permission, and suggested that the Local Authority develop a similar approach towards Early Years policy and planning as that used for the schools expansion programme.

#### Universal Funding for 3 and 4 Year Olds

The Early Years Strategy Manager confirmed that parents were eligible for 30 hours funded childcare if they were in paid work (with both parents in work in a two parent family) and were earning the equivalent or more of 16 hours at the national minimum or living wage; however if one parent's wage exceeded £100k, they were no longer eligible. This applied to parents who were employed, self-employed or on zero-hours contracts, including people in receipt of Universal Credit. In considering the funded childcare offers available, the Two Year Old funding was primarily aimed at children identified as being more vulnerable for reasons of low household income or with identified special educational needs or disabilities, the Three to Four Year Old funding was a universal free entitlement, and the extended entitlement for 30 hours funded childcare was to support parents in or moving into employment.

The Chairman thanked Carol Arnfield, Liz Hodgeman and Angela Leeves for their excellent contribution to the review.

The Chairman invited Angela Leeves, Chairman of the Early Years Foundation Stage Forum and Early Years provider to join the Education, Children and Families Select Committee as a Co-opted Member representing Pre-school Settings and Early Years from the 2018/19 municipal year.

## **49 COMMITTEE CONCLUSIONS AND RECOMMENDATIONS**

The Committee agreed that a further meeting of the Select Committee be arranged once the provisional report had been drafted to enable Members to contribute to the report before it was presented to the next meeting of Council.

## **50 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.

**51 PRE-DECISION SCRUTINY OF PART 2 (EXEMPT) EXECUTIVE  
REPORTS**

**A BTA PUPIL REFERRAL UNITS: EXTENSION AND VARIATION  
TO CONTRACT**

The Committee considered the report and supported the recommendations.

The Meeting ended at 9.20 pm

Chairman