

EDUCATION, CHILDREN AND FAMILIES SELECT COMMITTEE

Minutes of the meeting held at 7.00 pm on 9 May 2017

Present:

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

Emmanuel Arbenser

Also Present:

Councillor Peter Fortune, Education and Children's Services Portfolio
Holder
Councillor Tom Philpott, Education Executive Assistant
Councillors Angela Wilkins

48 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Alan Collins, Alison Regester (Pre-School Settings and Early Years Representative), and Mary Capon (Church of England Representative).

49 DECLARATIONS OF INTEREST

There were no additional declarations of interest.

50 COMMITTEE CONCLUSIONS AND RECOMMENDATIONS FOLLOWING REVIEW OF CHILDREN MISSING EDUCATION

In advance of the meeting the Chairman had circulated a draft report for the Committees consideration. At the start of the meeting the Chairman explained that the majority of the draft report was descriptive, reflecting the statistical, written and verbal evidence that had been gathered at the meeting on 23rd March 2017.

In addition to the minutes of the meeting held on 23rd March 2017, and the skeleton draft report, the Select Committee also had before it two further documents: (1) written evidence from Bromley Youth Council setting out the Youth Council's view on why young people were not attending school; and (2) a report from the Head Teacher, Bromley Virtual School detailing information surrounding the 16+ CLA NEET Cohort.

The Education Select Committee considered the recommendations that it would like to put forward following its meeting on 23rd March 2017.

Turning to page 2, Paragraph 3.3, in relation to caseloads within the Youth Offending Service (YOS), a Member queried whether 12-15 cases per practitioner was considered to be a suitable caseload. The Executive Director for Education, Care and Health Services responded that in his opinion, this level of caseload was very good. The YOS had recently undergone an inspection and the Inspectors had not raised caseloads as an issue. In response to a question from the Chairman surrounding the quality of staff employed within the YOS the Portfolio Holder for Education and Children's Services explained that following the previous Inspection in 2015, when the YOS had been judged inadequate, there had been a process of churn however the quality of staff within the Service was now improving and the Service was once again travelling in the right direction.

Members noted that the Education, Children and Families Select Committee would receive an update on the YOS at its meeting on 17th October 2017.

In relation to paragraph 6.8, timescales for reporting poor attendance and the removal of pupils from school rolls, the Chairman queried whether there should be a recommendation that the Local Authority was alerted more quickly when levels of absence initially caused schools concern. It was noted that the current requirement was for absences to be reported when they reach 10 consecutive days or at the end of the year when attendance was below 90%. One of the problems with these timescales was that a pupil could have a significant number of days off throughout the year, well below 90%, without actually reaching 10 consecutive days trigger meaning that the Local Authority may not be made aware of any potential safeguarding or child protection issues. Whilst agreeing with the points raised by the Committee, the Executive Director for Education Care and Health Services (ECHS) stressed that any recommendation would carry with it a resource implication in terms of ensuring that there was sufficient capacity to respond to and follow up on the likely increase in referrals to the Local Authority if timescales were shortened.

Members felt that it was important that data surrounding poor and irregular attendance was collected and analysed by the Local Authority in order to help shape future policy. Members also recognised that in order to encourage schools to provide data to the Local Authority it was important that the data was actively used to shape policy and initiatives to support schools in improving levels of attendance across the Borough.

Recognising that there would be resource implications which should be set out in any response to the Committee's recommendations, the Committee agreed that the following recommendation would be made in respect of paragraph 6.6:

Recommendation 1: That schools across the Borough be encouraged to alert the Senior Education Welfare Officer where a child's sporadic and irregular attendance becomes a cause for concern.

Members considered paragraph 6.11 of the draft report which addressed children moving into different London Boroughs. The Executive Director for ECHS explained to Members that a London Protocol was in place whereby Local Authorities notified each other when children known to Children's Social Care moved from one Local Authority to another. Compliance with the Protocol varied across London and whilst Bromley did notify other Boroughs when families moved this was not always reciprocated.

The Committee agreed its second recommendation as follows:

Recommendation 2: That the Chairman of the Education, Children & Families Select Committee write to the Department for Education (DfE) to encourage exercise of its powers through the regular to ensure that all London Authorities comply with the London Protocol and provide notification when families move from one Local Authority area into another.

The Committee considered and discussed paragraph 6.12, the Integrated Children's IT system, in detail. A Member expressed concern that there was no IT system in place and that this meant that children and young people could easily slip through the net and go missing. In response, the Executive Director ECHS explained that once children entered the formal education system, now in some cases from 3 years old, there was a system for tracing them as records followed young people as they moved. The challenge for the Local Authority was where children were not in the formal education system (i.e those under 3 years old and those in Elective Home Education). Unless records could be obtained from agencies such as GPs and Health Visitors there was no way of tracing these children and young people.

In relation to paragraph 6.25.3, the NEET Support Programme, Members noted that the Participation Formula used by the Department for Education to identify NEET status did not recognise short courses or young people in part and full-time employment where the accredited training requirements were not met. Despite being in education, employment or training these young people were classified as being NEET. Members felt that the current Participation Formula skewed the data and should be reviewed. It was agreed that the Committee's third recommendation would be:

Recommendation 3: That the Local Authority approach the Department for Education (DfE) to seek a review of the Participation Formula used by the DfE to identify NEET status as the current approach does not take young people's personal circumstances into account and skews the data.

Turning to paragraph 6.26.7, the Chairman expressed concerns surrounding the support provided to 16 and 17 years olds living in semi-independent accommodation. In response, the Executive Director for ECHS highlighted that Members of the Executive had agreed to fund the successful "Staying Put" programme which encouraged young people to stay with foster carers beyond 18 years old. The policy was well used however, it had to be

recognised that not all young adults would want to remain in foster placements and semi-independent living provided a means of transition for any young people who wanted to leave their foster placements. As the title suggested semi-independent units provided young adults with the skills for independent living whilst still retaining an element of protection. The Executive Director assured the Committee that the young adults were provided with support within the semi-independent units.

Following discussion it was agreed that the Committee's fourth recommendation would be:

Recommendation 4: That the Council's newly established Housing Panel ensure that young and vulnerable people are always given priority in respect of available support in line with the Local Authority's Corporate Parenting responsibilities.

In relation to paragraph 6.26.12, the Committee noted that the Executive had supported the apprenticeship scheme and had agreed that, in line with corporate parenting responsibilities, care leavers should be prioritised for apprenticeships offered by the Local Authority. The Portfolio Holder for Education and Children's Services reported that the initiative had not been met without challenge. A Member of the Committee also noted that young people known to social services but still living with their families with a Child Protection Plan or classified as a Child in Need would not be prioritised in the same way. Yet, these young people were as much in need of support to help them access apprenticeships as those young people where the decision had been made to take them into public care. In response, the Executive Director highlighted that whilst it was clearly recognised that young people subject to a Child Protection Plan or those classified as a Child in Need required the support of the local authority in terms of signposting to services, these young people remained the legal responsibility of their parents. In contrast, the Local Authority had Corporate Parenting responsibility for any young person taken into care.

The Committee agreed its fifth recommendation was:

Recommendation 5: The Committee notes that as Corporate Parents the Council maintains a responsibility to support young care leavers into any suitable education, employment and training.

In noting paragraph 6.26.3 and 6.26.9 in relation to young people aged 16 or older with unidentified special needs who entered into care later but had been known to children's social care for many years, the Vice-Chairman questioned whether the unidentified needs should be being picked up at an earlier stage through the early intervention programme. The Executive Director reported that in a number of cases, where young people entered care later, families had often not challenged behaviour that was indicative of an unidentified need and had not championed the development of their child. This meant that there was more work to do when the young person eventually came to the attention of children's social care.

In response to a question surrounding counselling support, the Executive Director explained that Bromley was in a fortunate position. Due to the support of the Council's Executive, anger management and counselling support was provided through the Bromley Y contract. This type of support was not available in other Local Authorities due to a tiered approach to Child and Adolescent Mental Health Services (CAMHS).

RESOLVED: That the drafted Fourth Report of the Education Select Committee be agreed, subject to the inclusion of the following five recommendations:

- 1. That schools across the Borough be encouraged to alert the Senior Education Welfare Officer where a child's sporadic and irregular attendance becomes a cause for concern.**
- 2. That the Chairman of the Education, Children & Families Select Committee write to the Department for Education (DfE) to encourage exercise of its powers through the regular to ensure that all London Authorities comply with the London Protocol and provide notification when families move from one Local Authority area into another.**
- 3. That the Local Authority approach the Department for Education (DfE) to seek a review of the Participation Formula used by the DfE to identify NEET status as the current approach does not take young people's personal circumstances into account and skews the data.**
- 4. That the Council's newly established Housing Panel ensure that young and vulnerable people are always given priority in respect of available support in line with the Local Authority's Corporate Parenting responsibilities.**
- 5. The Committee notes that as Corporate Parents the Council maintains a responsibility to support young care leavers into any suitable education, employment and training.**

**51 RECOMMENDATIONS FOR THE EDUCATION, CHILDREN AND FAMILIES SELECT COMMITTEE WORK PROGRAMME 2017/18
Report CSD17070**

The Committee considered a report seeking recommendations from Members for items for consideration by the Education, Children and Families Select Committee in 2017/18.

The Terms of Reference for the Education, Children and Families Select Committee, which was due to be constituted at the Annual Council Meeting on 10th May 2017, were circulated to the Members present. In addition to this,

the Executive Director (ECHS) tabled a document setting out suggested areas for scrutiny.

The Committee agreed to recommend to Council that the Education Budget Sub-Committee be renamed *Education, Children and Families Budget & Performance Monitoring Sub-Committee*. It was agreed that the membership of the Sub-Committee should comprise:

Cllr N. Bennett
Cllr A. Collins
Cllr N. Reddin
Cllr A. Wilkins
Mr Emmanuel Arbenser (Co-opted Member – Special Schools Parent Governor)

(Cllr N. Dykes to be approached regarding membership following the meeting)

It was also agreed that it be recommended that a representative from the Living in Care Council be sought as a Co-opted Member of the Education, Children and Families Select Committee.

Turing to the Work Programme for the Education, Children & Families Select Committee for the 2017/18 municipal year the Committee agreed to recommend the following:

At each meeting the Portfolio Holder for Education and Children's Services to be scrutinised along with one of the following:

The Deputy Chief Executive and Executive Director for ECHS (bi annually)
The Director for Education (annually)
The Director for Children's Social Care (annually)

Quarterly Monitoring Report and Monitoring Visits by Ofsted to be standing items on every agenda.

The following issues to form Substantive Items for scrutiny:

SEND Strategy – short breaks, SEN transport
Child and Adolescent Mental Health Services (CAHMS)
Troubled Families/Early Intervention/Child Poverty
Early Years, Child minding and the 30 hour challenge

The following issues to form Short Items for scrutiny:

Permanent Exclusions: Prevention Strategy
Adult Education: Follow up to Ofsted
YOS/Youth Service Developments (in October 2017)

The following items to be delegated to the Education, Children and Families Budget and Performance Monitoring Sub-Committee:

Annual Adoption Agency Report
Annual Corporate Parenting Report
Annual Complaints Report
Sufficiency and commissioning of Children`s Services Placements
Private Fostering Annual report
Annual assurance report of the Statutory Director of Children`s Services
Audit report
Budget monitoring
Contracts
Business plan and portfolio plan monitoring
Risk management
Business continuity

In addition to this, Pupil Place Planning would be dealt with by the Pupil Place Planning Executive Working Group if required.

Finally, the General Purposes and Licensing committee to be asked to undertake an annual review of Licensing – participation issues relating to children.

The Committee agreed that the Chairman and Vice-Chairman of the Education, Children & Families Select Committee, once formally appointed at Annual Council on 10th May 2017, should liaise with the Executive Director ECHS and the Clerk to the Select Committee to schedule items for specific meetings.

A Member queried whether there had been any further follow up of the response provided by Lord Nash to the concerns expressed by the Education Select Committee surrounding Elective Home Education. The Chairman report that there had been no further follow up but the issue would be placed on the Matters Outstanding report to ensure that the issue was followed up.

A Member suggested that in the interests of transparency and increased participation some of the Committee`s meetings in the 2017/18 municipal year could be held at external venues such as schools where there was better access for local communities. It was agreed that a request for a suitable venue should be placed in the Education Circular that was distributed to schools.

RESOLVED: That the Education, Children and Families Select Committee consider and adopt the recommendations outlined above for its 2017/18 Work Programme

Prior to the close of the meeting, the Portfolio Holder for Education and Children`s Services reported that Ofsted were currently undertaking their Second Monitoring Visit. The Portfolio Holder and the Committee expressed

their thanks to the staff and management team for their tireless work in driving and delivering ongoing improvements within the Service.

The Meeting ended at 8.30 pm

Chairman