

CHILDREN, EDUCATION AND FAMILIES PDS COMMITTEE

Minutes of the meeting held at 7.00 pm on 10 March 2020

Present:

Councillor Nicky Dykes (Chairman)
Councillors Yvonne Bear, Kevin Brooks, Hannah Gray,
Christine Harris, Neil Reddin FCCA and Will Rowlands
Emmanuel Arbenser

Also Present:

Councillor Kieran Terry, Executive Assistant for Children, Education & Families

55 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Ellis. Apologies were also received from Angela Leeves, Ben McGowan, David Hullah, and Rev. Roger Bristow. The Portfolio Holder - Councillor Peter Fortune - had also tendered his apologies.

56 DECLARATIONS OF INTEREST

In respect of Minute 63b (Capital Bids for Children and Family Centres), Councillor Nicky Dykes declared that her daughter attended a Children and Family Centre for therapy sessions.

57 MINUTES OF THE EDUCATION, CHILDREN & FAMILIES PDS COMMITTEE MEETING HELD ON 30 JANUARY 2020

The minutes of the meeting held on 30 January 2020, were agreed and signed as a correct record.

58 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

59 MATTERS OUTSTANDING AND WORK PROGRAMME REPORT CSD20048

The report dealt with the Committee's business management including monitoring progress against actions arising from previous meetings, the work programme for 2019/20 and a draft proposed work plan for 2020/21.

It was agreed that in April 2020 a meeting of the School Place Planning Working Group would be convened. The following Members agreed to sit on the Working Group

Councillor Christine Harris
Councillor Neil Reddin
Councillor Nicky Dykes
Councillor Kevin Brooks
Mr Emmanuel Arbenser

During the course of the meeting the Committee recommended that a Task and Finish Group be convened to consider the budget setting process for the Children, Education and Families Portfolio Budget.

RESOLVED: That

- 1. Progress on matters outstanding from previous meetings be noted,**
- 2. The School Place Planning Working Group be convened in April 2020,**
- 3. That a Budget Setting Task and Finish Group be established, and**
- 4. The 2019/20 Work Programme and the proposed draft 2020/21 Work Programme be noted and updated as necessary.**

60 PORTFOLIO HOLDER UPDATE

The Portfolio Holder had tendered his apologies. In the absence of the Portfolio Holder the Chairman congratulated staff within Children's Services for being awarded Best Transformation Team (Silver Award) in the IESE Public Sector Transformation Awards 2020.

**61 PERFORMANCE MANAGEMENT Q.3
REPORT CEF20002A**

The Committee noted the regular update on the performance of services for children and the accompanying Part 2 report.

RESOLVED: That the report be noted.

**62 PRE DECISION SCRUTINY OF DECISIONS FOR THE CHILDREN,
EDUCATION & FAMILIES PORTFOLIO HOLDER**

The Committee considered the following reports where the Children, Education and Families Portfolio Holder was recommended to take a decision:

**A BUDGET MONITORING 2019/20
Report CEF20005**

The report provided the budget monitoring position for 2019/20 based on activity up to the end of December 2019. The current position was an overspend of £1,332k. This position assumed that further management action

would be taken throughout the year to at least maintain the current position. If this did not take place then the position may change.

In response to a question the Head of Children's Services Finance confirmed that where there were savings resulting from staff vacancies it was anticipated that these vacancies would be filled. The Assistant Director for Children's Social Care reported that the Division currently had 80-85% permanent staff which represented a significant improvement on the position in previous years. The Department was considering a number of initiatives – such as recruiting overseas staff – however there remained the ongoing national challenge of a lack of qualified social workers and the competition for staff that resulted from this. Within the Department there was a constant drive and ambition to recruit permanent staff, however standards would not be compromised and it was important to recruit the right staff. Members noted that staffing pressures remained in the “front door” teams within Children's Social Care.

The Committee expressed concerns around processes for budget setting noting that none of the current budget pressures were new pressure for the Council. Members expressed concern at having a budget that was constantly overspending and it was suggested that it would be better practice to set a realistic budget for the start of the financial year. The Committee agreed to set up a Task and Finish Group to consider the issues around budget setting. The following members agreed to sit on the Task and Finish Group:

Councillor Yvonne Bear
Councillor Neil Reddin
Councillor Kevin Brooks
Councillor Nicky Dykes

RESOLVED: That

- 1. The Portfolio Holder be recommended to**
 - a) Note that the latest projected overspend of £1,332,000 forecast on the controllable budget, based on information as at December 2019.**
 - b) Recommend that the Executive approve the allocation of £365k from contingency for Tackling Troubled Families as set out in the report.**
 - c) Recommend that the Executive approve the allocation of £52k from contingency for Family Group Conferences as set out in the report.**
 - d) Recommend that the Executive approve the allocation of £79k from contingency for the refurbishment of North Lodge as set out in the report.**

2. **A Budget Setting Task and Finish Group be established with the following Members sitting on the Group: Councillor Yvonne Bear, Councillor Neil Reddin, Councillor Kevin Brooks, Councillor Nicky Dykes.**

B CAPITAL PROGRAMME 2019/20 Q.3
Report FSD20031

On 12th February 2020, the Executive received a report summarising the current position on capital expenditure and receipts following the 3rd quarter of 2019/20, and presenting for approval the new capital schemes in the annual capital review process. The Executive agreed a revised capital programme for the five year period 2019/20 to 2023/24. The report highlighted changes agreed by the Executive in respect of the Capital Programme for the Children, Education & Families Portfolio. The revised programme for the portfolio was set out in Appendix A to the report and detailed comments on individual schemes were set out in Appendix B. New schemes approved for the Portfolio at Full Council on 24 February 2020, were set out in paragraphs 3.4 to 3.8 of the report.

RESOLVED: That the Portfolio Holder be recommended to note and confirm the changes agreed by the Executive on 12th February 2020.

63 PRE DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following reports on the Part 1 agenda for the meeting of the Executive on 1 April 2020:

A SEN TRANSPORT AWARD REPORT
Report ACH20015

In July 2019 (Report ECHS 19041), Executive agreed to proceed to procurement for a multi-provider framework contract for Passenger Transport Services for both children and adults. The report, to be read in conjunction with the corresponding Part 2 report, set out the results of the tendering process and sought approval to award framework contracts to multiple providers for the delivery of Transport Services, via call off contract and mini-tender arrangements from the framework. The proposed framework would commence from 1 September 2020 for a five year period with the option to extend for up to a further two years. The estimated annual value of the framework was £7m (whole life value £49m).

In response to a question, the SEN Transport Project Manager confirmed that the service had never found itself in the position where it was unable to deliver a service, although there were sometimes issues with availability near the end of the academic year, particularly the availability of services for children with more complex needs. However the requirement for transport was always met by the service.

The Committee noted that the proposal was for resources to be efficiently utilised and shared between adults and children's services however, adults would not travel with children, except in the case where young adults (e.g. 18/19 year olds) were travelling to educational provision. The Director of Education stressed that the Council would not compromise the safety of vulnerable adults and children however the use of the transport buses would be maximised.

Members also noted that the contract stipulated the requirement for continuity of staff. It was recognised that sometimes staff would be absent from work for various reasons and this may impact on continuity of staffing however it was noted that staff would remain the same in an academic year wherever possible.

In response to a question the SEN Transport Project Manager confirmed that there were a range of travel assistance options available to parents, and reimbursement of parental mileage was one of these options for parents who chose to take their own children to school. However under DFE guidelines it was up to the parents as to whether they chose to take up this option.

RESOLVED: That the Executive be recommended to

- 1. Approve award of contracts to the Transport Services framework to the providers detailed in Appendix 1 of the Part Two report, for the purpose of call-off contracts and mini-tender arrangements from the framework. The framework will commence from 1 September 2020 for five years with the option to extend for up to a further two years at an estimated overall annual value of £7m (estimated whole life value £49m);**
- 2. With reference to paragraph 4.10, grant delegated authority to the Chief Officers for Adult and Children's Services to secure additional capacity, as required, for transport provision through suitable compliant procurement routes, including refreshing the framework, subject to consultation with the relevant Portfolio Holders and Officers as determined by the Contract Procedure Rules;**
- 3. Grant delegated authority to the Chief Officers for Adult and Children's Services to approve the two year extension option for the framework, subject to consultation with the relevant Portfolio Holders and Officers as determined by the Contract Procedure Rules;**
- 4. Agree that the additional costs of £363k in 2020/21 for SEN Transport from the outcome of tendering is met from the Council's 2020/21 Central Contingency sum.**

- 5. Note that any further cost pressures will be reviewed, including the identification of any mitigating actions, as part of the Children, Education and Families Transformation programme.**
- 6. Note that the Adults transports additional costs will be contained within existing budgets.**

B CAPITAL BIDS FOR CHILDREN AND FAMILY CENTRES
Report CEF20007

Bromley had six Children and Family Centres located in the areas of highest deprivation and supporting families through universal provision to targeted support and specialist services. The Six Children and Family Centres were key hubs within their communities and since merging with Early Intervention and Family Support in 2012, usage had grown significantly, and they were embedded within the community and provided advice, support and interventions for families serving a large proportion of Bromley's families.

The six Children and Family Centres had been operational and open to the public for a varying number of years, between 12 to 18 years, with the exception of Castlecombe which opened to public use in 2014. Over this extended period of time there had been little to no investment in the fabric of the buildings and exterior play-areas. Repairs had been undertaken to maintain the premises, but there had been no improvements or enhancements to the premises. Over the past 10 years since the Children and Family Centres moved into Early Intervention and Family Support Services, there had been an exponential growth in the visits by families to the sites, reflecting the growth in the range of services operating from these premises. In 2018/19, there were 99,982 visits across the six sites by over 25,000 unique individuals. The increased footfall alone had an effect on the building itself and play-areas. The centres now look 'well-used' and required investment to keep them operational, safe and inviting.

The Committee expressed support for the proposals.

In response to a question the Assistant Director for Children's Social Care confirmed that, where necessary, temporary arrangements would be put in place to ensure the ongoing provision of services whilst the repair work was ongoing.

Members noted that it was likely that the extension to the Cotmandene Children and Family Centre would require planning permission and discussions would need to take place.

RESOLVED: That the Executive be recommended to

- 1. Approve the capital bids outlined in this paper for the five named Children and Family Centres improvement works to the value of £1.42m. This is an increase to the capital programme of £250k as outlined in paragraph eight of this report.**

- 2. Approve the Capital Bids outlined in this paper for the Saxon Contact Centre DDA improvement work to the value of £160k.**
- 3. Approve proceeding to procurement, at an estimated overall value of £1.58m, for capital works contracts as detailed in this paper via a suitable compliant route; and to delegate authority to the Director of Children's Services to finalise the procurement arrangements and approve any resulting Contract Awards in consultation with the Portfolio Holder.**

C UPDATE ON TACKLING TROUBLED FAMILIES COVERING OUTCOMES AND GRANT DRAWDOWN
Report CEF20006

The report set out expenditure on the Tackling Troubled Families Programme being delivered in Bromley through the Early Intervention and Family Support Services (EIFS) and requested agreement to drawdown grant funding from central contingency.

The Committee noted that demand for services had not reduced as there were always new families receiving support from the Tackling Troubled Families Programme.

Members noted that the Ministry for Housing, Communities and Local Government had allocated funding for 2020/21 and a review of funding for a potential Phase 3 of the Programme was awaited.

In relation to school exclusions, the Committee noted that schools were able to refer families to the Programme. There were a variety of contributory factors in respect of school exclusions and it was possible that the early intervention work of the Tackling Trouble Families Programme could prevent certain issues - which may contribute to school exclusion - from emerging.

RESOLVED: That the Executive be recommended to

- 1. Approve the drawdown of income and expenditure of £365k from the Tackling Troubled Families Grant for 2019/20 held in contingency.**
- 2. Approve the drawdown of income and expenditure of £891k from the Tackling Troubled Families Grant for 2020/21 held in contingency.**

64 VIRTUAL SCHOOL ANNUAL REPORT 2018/19
Report CEF20003

Local authorities had a duty under the Children Act 1989 to safeguard and promote the welfare of a child looked after by them. This included a particular duty to promote the child's educational achievement, wherever they live or are

educated. The Authority was therefore required give particular attention to the educational implications of any decision about the welfare of those children, including children who had been placed for adoption until the court made the adoption order giving parental responsibility to adoptive parents.

Every local authority was required to ensure that a Virtual School Head Teacher was in place, giving that officer responsibility for arrangements which ensured that looked after children had access to a suitable range of high quality education placement options and that there were robust procedures in place to monitor the attendance and educational progress of the children in its care.

The Children and Social Work Act 2017 placed significant new statutory duties on the role of the Virtual School Head Teacher, extending it to include promoting the interests of children who had been adopted or who were in long term care permanent arrangements (under an adoption, special guardianship or a child arrangements order). These responsibilities came into force in September 2018.

Reporting on the progress, performance and development of the Virtual School was a key activity and the annual report of the Virtual School Head Teacher was a requirement of Ofsted during an inspection.

Introducing the report, the Virtual School Head Teacher highlighted that 2018/19 had been a successful year for the Virtual School and this had been recognised in the positive feedback reflected in the Ofsted Inspection Report.

In respect of GCSE results, a Member queried whether it would be possible to present the data in a way which identified whether pupils had an Education Care and Health Plan (EHCP). It was noted that the current data was skewed by the high number of EHCPs within the cohort and Members felt that further detail would enable more meaningful comparison.

The Virtual Head Teacher provided an update on the current cohort for Year 11 and Year 12.

In response to a question, the Virtual Head Teacher confirmed that the performance of the Bromley Virtual School was good in comparison to other local authorities. More work needed to be done around progress from Key Stage 2 to Key Stage 4 and plans had been put in place to undertake a review of the use of Pupil Premium funding.

Noting that this would be the last meeting attended by the Virtual Head Teacher, who would be leaving in June 2020, the Chairman and Committee thanked Helen Priest for her service and dedication to vulnerable children over a number of years.

RESOLVED: that the Virtual School Annual report 2018/19 be noted.

65 EDUCATION OUTCOMES
Report CEF20004

The report summarised the 2019 education outcomes for children attending Bromley schools. The report drew on the outcomes of statutory teacher assessments, tests and examinations across the early years, primary and secondary phases in Bromley and nationally and included comparative data for London and for the ten highest performing authorities in England, where these were available.

The Director of Education introduced the report, highlighting that there had been strong outcomes across the Key Stages. Closing the progress and attainment gaps for disadvantaged children would continue to be a priority with the positive outcome of the Local Authority funded project focusing on this issue being disseminated to all schools in Bromley via a conference at the end of March 2020. It was agreed that an update on the Closing the Gap conference would be provided to the next meeting of the PDS Committee.

Action Point 1: That an update on the Closing the Gap conference be provided to the next meeting of the PDS Committee.

In response to a question concerning whether it would be possible to provide Ward-level data concerning the progress and attainment gap. The Director of Education confirmed that school-level data was collected and Officers would look to identify how this could best be shared with Members. A Member also suggested that it may be helpful to link the school-level data to a review of the use of Pupil Premium funding.

The Committee noted that the threshold for determining persistent absence had been reduced during the year. Members noted that the data included all pupils and did not take account of situations where pupils had special or additional needs which may require higher than average absence from school for medical appointments. The Director of Education emphasised that persistent absence, although variable between schools, was not a significant problem in Bromley. However, where necessary the Local Authority would support and challenge schools to reduce levels of persistent absence.

RESOLVED: That the report be noted.

66 PART 1 CONTRACTS REGISTER AND CONTRACTS DATABASE
Report CEF20001A&B

The report presented an extract from January 2020's Contracts Register for detailed scrutiny by PDS Committee with the accompanying Part 2 report including a commentary on each contract to inform Members of any issues or developments.

The Committee noted that no contracts had been flagged for concern.

RESOLVED: That the report be noted.

67 UPDATE FROM YOUTH ENGAGEMENT TASK AND FINISH GROUP

The Chairman confirmed that the Task and Finish Group had met on 4th February 2020. It had been agreed that the Task and Finish Group would send a survey to Members and young people and the outcome of this survey would inform the next steps for the Task and Finish Group. As it was unlikely that this work would be completed by the end of the current municipal year it was agreed that the Committee should recommend that the Task and Finish Group be reconvened for the next municipal year.

RESOLVED: That the Children, Education and Families PDS Committee consider reconvening the Youth Engagement Task and Finish Group in 2020/21.

68 SCRUTINY OF THE DIRECTOR OF EDUCATION

The Director of Education attended the meeting to respond to questions from the Committee. The Portfolio Holder gave a brief introduction highlighting the following issues:-

- The Department continued to build on the positive outcome of the SEND Inspection. The Action Plan which set out key priorities for the next year was being overseen by the SEND Governance Board.
- The Local Authority had maintained its high performance for the allocation of secondary school places with over 95% of pupils being allocated one of their preferred options.
- Langley Park Academies Trust had taken the decision not to proceed with any of their proposed options in relation to feeder schools. The Local Authority had formally opposed the proposals and was therefore pleased with the outcome.
- In relation to the admissions proposals being put forward for Harris Academy Beckenham, this was now being considered by the Schools Adjudicator and the Local Authority had formally written to the Schools Adjudicator to set out its objection to the proposals.
- 97% of Bromley Schools had been judged by Ofsted to be either Good or Outstanding and consequently 96% of Bromley pupils were able to attend a Good or Outstanding School.
- Secondary permanent exclusions remained a priority. Positive outcomes were now being seen from the vocational offer to Year 10 pupils. Compared to 2018/19 there had been a 25% reduction in permanent exclusions. The Local Authority was continuing to implement the external review and there had been good engagement from schools, providers and other agencies.
- The Department was well prepared for the ongoing impact of the coronavirus. Regular updates were shared with schools including information from the Department for Education (DfE) and Public Health England. Over the coming weeks and months the Department would continue to support schools as necessary.

- Bromley had received the first ever ministerial visit from the new Minister for Children and Families. It had been a positive visit and represented a good opportunity to showcase the Council's services to children and families.

The Director of Education then responded to questions making the following comments:-

- Where possible, children who had not been allocated one of their preferred schools would be directed to good or outstanding schools with vacant places. Some allocations had been made to schools in Croydon.
- As yet there were no timescales in relation to a decision from the Schools Adjudicator concerning the admissions proposals made by Harris although a decision was expected within three months. The Committee noted that the Local Authority had made its position clear in terms of the detrimental impact of the proposals on children living close to the school. It was agreed that an update would be provided to the Committee when a decision had been made.

Action Point 2: That the Committee be provided with an update concerning any decision of the Schools Adjudicator in relation to the Harris admissions proposals.

The committee thanked the Director of Education for the update.

69 ANNUAL SCRUTINY REPORT 2019/20

The Chairman confirmed that she was drafting the Annual Scrutiny Report which would be shared with Members of the Committee prior to submission to the Executive, Resources and Contracts PDS Committee on 26th March 2020.

70 EXPENDITURE ON CONSULTANTS 2018/19 AND 2019/20 Report CSD20035

At its meeting on 9th October 2019, the Executive, Resources and Contracts PDS Committee considered a report on expenditure on consultants across all Council departments for both revenue and capital budgets. The Committee requested that the report be considered by all PDS Committees.

RESOLVED: That the report be noted.

71 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.

**72 EXEMPT MINUTES OF THE EDUCATION, CHILDREN & FAMILIES
PDS COMMITTEE MEETING HELD ON 30 JANUARY 2020**

The Part 2 (exempt) minutes of the meeting held on 30 January 2020, were agreed and signed as a correct record.

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

The Committee considered the following reports on the Part 2 agenda for the meeting of the Executive on 1 April 2020:

**A RELOCATION AND REBUILDING OF MARJORIE MCCLURE
SCHOOL INCLUDING ASSOCIATED PROPERTY TRANSACTION**

The Committee considered the report and made recommendations to the Executive.

The Meeting ended at 8.42 pm

Chairman