

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

Minutes of the meeting held at 6.30 pm on 8 September 2020

### **Present:**

Councillor Nicky Dykes (Chairman)  
Councillor Judi Ellis (Vice-Chairman)  
Councillors Marina Ahmad, Yvonne Bear, Kevin Brooks,  
Robert Evans, Christine Harris and Neil Reddin FCCA

Emmanuel Arbenser, Parent Governor Representative  
(Special Schools)  
Angela Leeves, Early Years Representative

### **Also Present:**

Councillor Peter Fortune, Portfolio Holder for Children, Education &  
Families  
Councillor Kieran Terry, Executive Assistant for Children, Education &  
Families

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

Apologies for absence were received from Rev. Roger Bristow.

#### **2 APPOINTMENT OF CO OPTED MEMBERS 2020/21 Report CSD20085**

The Committee considered a report which sought confirmation of the appointment of Co-opted members to the Children, Education and Families PDS Committee for 2020/21.

#### **RESOLVED: That**

- 1. The following Parent Governor Representative appointments be made to the Children, Education & Families PDS Committee for 2020/21 with voting rights:**
  - Emmanuel Arbenser, Special School Parent Governor
  - Michelle Fribbens, Primary School Parent Governor
  - David Hullah, Secondary School Parent Governor
  
- 2. Reverend Roger Bristow representing the Church of England and Mrs Joan McConnell representing the Roman Catholic Church be appointed as Co-opted Members to the Children, Education & Families PDS Committee for 2020/21 with voting rights;**

**3. The following Co-opted Membership appointments be made to the Children, Education & Families PDS Committee for 2019/20 without voting rights:**

- Mrs Angela Leeves as Early Years Representative

**3 DECLARATIONS OF INTEREST**

There were no additional declarations of interest.

**4 MINUTES OF THE CHILDREN, EDUCATION & FAMILIES PDS COMMITTEE MEETINGS HELD ON 10 MARCH 2020 AND 13 MAY 2020**

The minutes of the meetings held on 10<sup>th</sup> March 2020 and 13 May 2020 were agreed, and signed as a correct record.

**5 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

The following question, addressed to the Portfolio Holder for written reply had been received:

**Question from Councillor Kevin Brooks:**

Given the Portfolio Holder has repeatedly advised there is no shortage of school places in Bromley, and the local plan was finalised on the basis that a secondary school on the Kentwood site would only be needed if Eden Park did not open (which it has), have officers advised the Harris Federation that the Council does not support building on the site at this time?

**Reply:**

The Bromley Local Plan adopted in January 2019 identifies the need for up to 34 forms of entry across the Local Plan period to 2030. The Local Plan sets out proposals to meet this secondary need, including the development of the Kentwood Site. Accordingly the Kentwood Site is allocated in the Local Plan as Site 28 for secondary education.

The Council consistently meets its statutory duty ensuring that every on-time applicant gets an offer of school place. For National Secondary Offer Day 2020 95% of applicants received a preference, in excess of both London and national averages.

If the remaining secondary mainstream Free School proposal for Harris Kent House is delivered the Council is projected to have sufficient secondary provision up to 2030.

## **6 WORK PROGRAMME AND MATTERS OUTSTANDING**

### **Report CSD20086**

The report dealt with the Committee's business management including monitoring progress against actions arising from previous meetings and developing the 2020/21 Forward Work Programme.

It was noted that arrangements needed to be made for meetings of both the Budget Task and Finish Group and the Youth Engagement Task and Finish Group.

The Committee also requested that in addition to the regular annual reports received a programme of periodic updates from the Teams within Children's Services (including the Fostering and Adoption team, Virtual School and Safeguarding Partnership) be developed to provide Members with more regular updates.

**RESOLVED: That the report be noted.**

## **7 PORTFOLIO HOLDER UPDATE**

The Portfolio Holder for Children, Education and Families, Cllr Peter Fortune, attended the meeting to respond to questions from the Committee. The Portfolio Holder gave a brief introduction highlighting the following issues:-

- It had been a very strange few months since the Committee had last met.
- As the country moved out of the period of lockdown resulting from the Covid-19 pandemic one of the key focuses for Children's Services was the mental health and wellbeing of children across the Borough. The increased level of work on this has been helped by the Council's "Trailblazer" status which has enabled multi-agency teams to be put around every school in the Borough to ensure that a full range of services is accessible.
- One of the biggest challenges for the Department over the past six months had been ensuring that support was provided to SEND families. As the country went into lockdown and schools were required to close their doors to the majority of pupils, the department had to develop increasingly innovative ways of ensuring that outreach to families continued.
- The Department was able to use funding to provide some trips and short breaks to young people and their families during the period of lockdown. Over the summer an innovative approach was taken to meetings with vulnerable families to ensure that any meetings were conducted in a Covid-secure way whilst also ensure that outreach was available for those families in need of support.
- It had been a busy summer for schools with some interesting discussions around exam results. The Department had also supported schools with the development of the back to school measures being

put in place and the response to any reports of Covid infection in schools.

- The Portfolio Holder emphasised that as a result of academy status, the majority of schools across the Borough had a certain amount of autonomy and independence in terms of the implementation of health measures advised by Public Health England and the social distancing measures advised by Transport for London. The role of the Local Authority was one of “facilitating agency” and consequently the Council had ensured that it continued to engage in discussions to support the ongoing safe return to school.

Cllr Fortune then responded to questions making the following comments:-

- The Portfolio Holder confirmed that he was not aware of reports that schools had been told by some testing centers that they were taking a “soft” approach to referrals for testing. The Portfolio Holder expressed sympathy for schools, noting that this was traditionally the time of year when lots of coughs and colds circulated. The Portfolio Holder confirmed that he would be willing to highlight any issues with Public Health and that schools were welcome to contact him if they experience any issues.
- The Department was currently undertaking a review of the last five months and digital learning formed part of that review. The issue of disparity in terms of the quality of home learning provided was a national issue. In the event of any further lockdown restrictions affecting schools it would be important to identify at an early stage those families that may require additional support.
- During the period of school closures those children for whom the Local Authority had corporate parenting responsibilities were closely monitored and this would continue as children returned to school.
- In relation to vulnerable children for whom the Local Authority did not have corporate parenting responsibilities, the Director of Children’s Services confirmed that visits had continued to all children subject to a Plan or open to Children’s Social Care. There would inevitably be complications around children that were not known to Children’s Social Care, however significant efforts had been made to expedite detailed assessments for any new referrals. In addition, Core Groups and Case Conferences had continued throughout lockdown, albeit in a different, Covid-secure format. Efforts had also been made to ensure that schools conducted welfare checks for any children in receipt of an EHCP.
- It was inevitable that as school returned there would be some cases of Covid infection. Mechanisms were in place to ensure adequate levels of communication (including ward members of any issues in their wards).
- The Local Authority was currently working with head teachers and schools across the Borough to develop a picture of the impact of the closure of schools. It would inevitably take time to develop the picture however plans were already in place to ensure that all children would

have access to accelerated learning over the coming months. The Government funding that had been identified for accelerated learning had been allocated to individual schools in Bromley.

The Committee thanked the Portfolio Holder for the update and requested that its thanks to be passed to all staff in the Department who had worked extraordinarily hard over the last six months and had done a brilliant job in very difficult circumstances.

## **8 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 PROVISION OF HOLIDAY AND SATURDAY GROUP BASED SHORT BREAKS - AUTHORISATION TO EXTEND THE SHORT BREAKS FOR DISABLED CHILDREN AND YOUNG PEOPLE CONTRACT WITH RIVERSIDE SCHOOL ORPINGTON Report CEF20021**

The contract with Riverside School for provision of Short Breaks for Disabled Children was originally awarded in May 2010 following competitive tender. Further contracts were awarded in 2012, 2015 and 2018 via exemption to competitive tendering due to the specialist nature of the service, with a cumulative value to date of over £1m. The current contract commenced on 1<sup>st</sup> April 2018 and was due to end on 31 March 2021 with the option to extend for a further two years. The estimated annual value of the current contract was £192,213 p.a. with a whole life value, inclusive of extension option, of £968,753.

In order to ensure timely confirmation of service continuity for a vulnerable cohort of children and young people with disabilities and their families the report proposed the application of the two year extension option at an estimated annual value of £196k with a revised end date of 31 March 2023.

The Integrated Strategic Commissioner introduced the report and explained that following publication of the report further comments had been received from the Council's legal team however these comments had not affected the recommendation being made to the Leader.

The Committee noted that in terms of the summer holiday just gone, the service had been innovative and managed to successfully keep going with around 20 'bubbles' each day on the play scheme and the Local Authority was looking to continue to support three excellent local providers.

**RESOLVED: That**

- 1. The high quality of service provision from the staff at Riverside School Orpington, as detailed in the report, be noted; and**
- 2. The Leader, on behalf of the Executive, be recommended to approve the formal two year extension option for the Short Breaks for Disabled Children contract with Riverside School with a revised end date of 31 March 2023 at an estimated annual value of £196,057 p.a. (whole life value of £968,753 inclusive of extension).**

## **B CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2020/21 Report FSD 20064**

On 8<sup>th</sup> July 2020, the Leader received a report summarising the current position on capital expenditure and receipts following the 1<sup>st</sup> quarter of 2020/21 and agreed a revised Capital Programme for the four-year period 2020/21 to 2023/24. The report considered by the CEF PDS Committee highlighted changes agreed by the Executive and the Leader in respect of the Capital Programme for the Children Education, and Families Portfolio. The revised programme for this portfolio was set out in Appendix A to the report, and detailed comments on individual schemes were shown in Appendix B, with details of the 2019/20 outturn position included in Appendix C.

In response to a question the Head of Finance (Education and Children's Services) confirmed that the four post completion reports referenced in the report would be presented to the Committee during the current financial year.

**RESOLVED: That the Portfolio Holder be recommended to note the changes agreed by the Leader on 8<sup>th</sup> July 2020.**

## **9 TRANSFORMATION PROGRAMME**

The Committee considered the following report presenting proposals arising from the Council Transformation Programme:

### **10 SEN TRANSPORT - SUPPORTING CHILDREN AND FAMILIES IN COST EFFECTIVE WAYS Report CEF20018**

The report sought agreement to the exploration of the introduction of demand management initiatives for SEN Transport, including personal transport budgets, independent travel training and maximising flexible approaches to procurement and transport delivery options. The report also outlined the potential efficiency gains arising from the review of SEN Transport operations in Bromley and highlighted the potential benefits to children and families accessing SEN transport support.

The Director of Education reported that the proposals outlined in the report formed a key part of the Council's Transformation Programme. It was

considered that the set of proposals before the Committee would deliver genuine transformation in the way that the Local Authority worked with families whilst delivering financial efficiencies without a negative impact on the service provided to vulnerable children and young people.

The Head of Access to Education and Inclusion reported that initially there had been a desk top exercise to look at muster points as one of the initiatives. However, the financial benefits of muster points were limited and would have resulted in a disproportional impact on children and families. Consequently, this proposal had not been taken forward.

In the case of personal transport budgets, there was a proven track record of this being successfully delivered in other areas such as Kent. Personal budgets were one of the few initiatives that had the potential to deliver benefits to all parties and would offer additional flexibility in the way in which families and the Local Authority were able to support children in accessing education.

The Committee noted that the table identifying the financial projections within the report was presented by academic year. In the interests of transparency, going forward the decision report would reference savings by financial year.

Members acknowledged that the delivery of the benefits outlined in the report would be governed by the pace of introduction as well as the level of take up. Consequently, one of the key issues going forward would be bringing families on board and engaging with them to support their understanding of the availability of a range of other opportunities for the delivery of transport services. The proposals outlined in the report were about delivering flexibility in the provision of transport services not removing services. It was anticipated that in order to reach the level of savings set out in the report there would need to be take up of around 10% however to date there had been no soft market testing. Until the engagement exercise had been completed it was hard to gauge the level of take up. If the offer of a personal budget did not suit a particular family's circumstances, there would be no compulsion for the family to take up the offer. For some families however it was hoped that a personal budget would provide increased flexibility and the proposals were about offering flexibility and choice.

In response to a question, the Committee heard that the professionals identified in the report would be undertaking a review of engagement with families, the present transport offer and how offers were made. It was noted that if the Department was able to identify those families who would prefer a personal budget this would influence decisions around the commissioning of transport. Personal budgets would only be on offer to children who had a statutory entitlement to transport. If parents chose not to engage there would be no requirement for them to engage. However, for some families the option of a personal budget may present opportunities that had not previously been available.

In relation to the consultation exercise, the Director of Education confirmed that there was an established approach to engagement and this consultation would be aligned with the agreed Engagement Strategy. Members noted that the finer details of the scheme would be developed once the engagement and consultation exercise had taken place. The proposals currently before the Committee sought agreement to commence the engagement exercise concerning the principle of introducing the option of personal transport budgets and the other options outlined in the report in order to improve services and reduced costs.

In response to a question, the Head of Finance (Education and Children's Services) confirmed that despite the best efforts of the Local Authority to lobby for change, transport continued to be Revenue Support Grant (RSG) funded and there were strict limitations placed on the amount that could be charged to the Dedicated Schools Grant (DSG).

Members thanked the Officers for the considerable work that had gone into developing the proposals and in endorsing the recommendations in the report supported the next step of the engagement and consultation exercise.

**RESOLVED: That the Leader be recommended to**

- 1. Support a parental consultation and equalities impact assessment of proposed policy changes to open up opportunities to roll out successful SEN transport improvements.**
- 2. Support the introduction of SEN Transport initiatives, including the use of Personal Transport Budgets and Independent Travel Training initiatives.**
- 3. Agree to the commissioning of short term, focused professional support, to secure engagement from the SEN community for the delivery of transformation of SEN Transport and encourage a shift away from commissioned transport.**
- 4. Support the transformation efficiency savings, increasing to £298k in 2022/23.**

**11 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.**

**The following summaries  
refer to matters involving exempt information**

**12 EXEMPT MINUTES OF THE CHILDREN, EDUCATION & FAMILIES  
PDS COMMITTEE MEETING HELD ON 10 MARCH 2020**

The Part 2 (exempt) minutes of the meeting held on 10 March 2020, were agreed and signed as a correct record.

**13 PART 2 (EXEMPT) TRANSFORMATION UPDATES**

The Committee considered the following Part 2 (exempt from publication) report presenting proposals arising from the Council's Transformation Programme:

**A FAMILY CONTACT SERVICES REVIEW TRANSFORMATION  
Report CEF20017**

The Committee considered the report and endorsed the recommendations in the report.

The Meeting ended at 7.50 pm

Chairman