

CHILDREN, EDUCATION AND FAMILIES PDS COMMITTEE

Minutes of the meeting held at 7.00 pm on 15 June 2021

Present:

Councillor Nicky Dykes (Chairman)
Councillor Judi Ellis (Vice-Chairman)
Councillors Hannah Gray, Christine Harris, Simon Jeal,
Robert Mcilveen, Neil Reddin FCCA and Stephen Wells

Also Present:

Councillor Kate Lymer, Portfolio Holder for Children, Education and Families
Councillor Kieran Terry, Executive Assistant to the Children, Education and Families Portfolio

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Ryan Thomson, Rev. Roger Bristow and Penny Osbourne.

2 APPOINTMENT OF CO-OPTED MEMBERS 2021/22 Report CSD21069

The Committee considered a report which sought confirmation of the appointment of Co-opted members to the Children, Education and Families PDS Committee for 2021/22.

The Committee noted that there were currently vacancies for all parent governor representative positions as it appeared that the nominated Special Schools representative had recently stepped down as a Parent Governor and was consequently disqualified from standing as a Co-opted Member of the Committee.

In response to a question concerning the steps being taken to fill the vacancies, the Clerk to the Committee reported that a nomination from the Catholic Church was awaited and there would be a new ballot for Parent Governor Representatives in September 2021, at the start of the new academic year.

RESOLVED: That

- 1. Further enquiries be made into the status of Parent Governor Representative nominees.**

2. **Reverend Roger Bristow representing the Church of England be appointed as Co-opted Member to the Children, Education & Families PDS Committee for 2021/22 with voting rights;**
3. **The following Co-opted Membership appointments be made to the Children, Education & Families PDS Committee for 2021/22 without voting rights:**
 - **Penny Osborne as Early Years Representative**

3 DECLARATIONS OF INTEREST

There were no additional declarations of interest.

4 MINUTES OF THE, EDUCATION CHILDREN & FAMILIES PDS COMMITTEE MEETINGS HELD ON 10 MARCH 2021 AND 19 MAY 2021

The minutes of the meetings held on 10 March 2021 and 19 May 2021 were agreed, and signed as a correct record.

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

No questions were received.

6 MATTERS OUTSTANDING AND WORK PROGRAMME Report CSD21070

The report set out the proposed programme for scrutiny of reports relating to the Children, Education and Families Portfolio for the 2021/22 municipal year. Members noted that, in respect of the Annual Reports considered by the Committee, the Work Programme needed to be updated to reflect the half-yearly updates that had been requested by the Committee.

The Committee noted that it would receive a further report on the EET (Education, Employment and Training) Strategy at a future meeting.

Following a suggestion by a Member, it was agreed that an update on the Bromley Community Wellbeing contract could be presented at a future meeting with consideration being given to inviting the provider to contribute to the update.

It was also agreed that the following items should be added to the work programme:

- Update on the Response to the Pandemic
- Update on the Family Group Conference Service

RESOLVED: That the report be noted and the Work Programme updated as set out above.

7 PORTFOLIO HOLDER UPDATE

The Portfolio Holder for Children, Education and Families, Cllr Kate Lymer, attended the meeting to respond to questions from the Committee. Prior to the meeting the Portfolio Holder had provided Members of the Committee with a written update outlining activity across the Portfolio since the last meeting. In particular the Portfolio Holder highlighted the following issues:-

- Weekly updates concerning instances of Covid infections in schools were provided by the Director of Public Health.
- There had been pockets of Covid infections in schools with six schools in the Borough involved in surge testing.
- Positive feedback had been received from Public Health England concerning the way in which schools across Bromley had been managing their response to the pandemic.

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

- Following the meeting the Portfolio Holder would provide a further update (attached at Appendix 1) responding to issues including:
 - the support being provided to schools in relation to recent national news reports concerning sexual harassment.
 - The digital divide and the support being given to schools, particularly in relation to the children for whom Members had Corporate Parenting responsibility.
- In relation to the roll out of laptops during the period of partial school closure, the laptops that were available to the Local Authority had been distributed to schools. The Council had sought to ensure access to devices, with children looked after being made a priority.
- In terms of seeking support from local businesses in relation to the provision of devices, there were some challenges around ongoing licensing, especially in terms of safeguarding and security and these would need to be managed. Whilst it would take some time this work remained ongoing.

The Committee thanked the Portfolio Holder for the update.

**A CHILDREN, EDUCATION AND FAMILIES PORTFOLIO PLAN
2018-2022 UPDATE - QUARTER 4 2020/21
Report CEF21018**

The report presented the Children, Education and Families Policy, Development and Scrutiny Committee with the refresh of the Children, Education and Families Portfolio Plan 2021-22 and the Quarter 4 update.

In opening the discussion, the Chairman noted that under Priority 5 “Voice of the Children” would be added in order to reflect the participation of young people in PDS meetings.

The Committee noted that whilst a young person’s representative had previously attended PDS meetings, following a review and discussion with young people it had been decided that a more appropriate approach would be for the Chairman, Vice-Chairman and other Members (if they wished) to meet with young people prior to meetings to discuss agenda items. The views of young people could then be reflected in Committee discussions through these Members. The Chairman reported that the recent meetings with both the Living in Care Council (LinCC) and Bromley Youth Council (BYC) had been insightful and positive.

In response to a query concerning the use of virtual reality headsets the Head of Early Intervention and Family Support Services explained that this project was being led by the Fostering and Adoption Service and the headsets were a very useful training tool in providing an insight into the experience of a young person in care. Options for wider application of the technology were also under consideration

The Committee noted that levels of exclusions from schools had previously been heavily scrutinised by the Committee. Following increased partnership working with schools and a detailed review, the performance target for this area had moved from red to green and the Portfolio Plan needed to be updated to reflect this.

RESOLVED: That

- 1. The refresh of the Children, Education and Families Portfolio Plan 2021/22 be noted; and**
- 2. Progress on the actions associated with the Children, Education and Families Portfolio Plan for the fourth quarter of 2020/21 be noted.**

**B PERFORMANCE REPORTING - CHILDREN'S SCRUTINY
DATASET
Report CEF21020A**

The report provided the Committee with its regular update on the performance of services for children. The performance index provided as part of the report was the position as at the end of March 2021.

Members discussed the focus on Corporate Parenting following the Ofsted Inspection in 2016, noting that there remained no space for complacency. Members stressed that there was a need to ensure that there remained a focus on the child at every Committee and that the needs of the children for whom Members had Corporate Parenting responsibility had to be at the forefront of Member's thinking when decisions were being taken.

In relation to Indicator 26: Percentage of Care Leavers in Education, Employment or Training (EET), a Member asked for a detailed breakdown of the reasons why the young people in the cohort were not in education, employment or training.

The Committee noted that the local target for Indicators 7 and 8 had not yet been agreed and the judgement of 'green' reflected performance against London and national averages.

A Member suggested that, in order to reflect the issues emerging from the Covid pandemic, consideration should be given to including performance indicators around mental health.

Noting that much of the discussion had focused on issues around education, employment and training for Care Leavers, the Chairman suggested that it may be helpful for the Head of CLA and Care Leavers to provide Members of the Committee with an informal briefing around this.

RESOLVED: That the report be noted.

**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 SCHOOL PLACE PLANNING REPORT 2021
Report CEF21019**

The report asked the Portfolio Holder for Children, Education and Families to consider the Council's School Place Planning Report 2021 setting out how the Council's planned to meet the forecast need for primary and secondary places and seeking agreement to the recommendations of the School Places Working Party held on 27 April 2021.

In opening the discussion the Chairman welcomed the approval of the planning application for Marjorie McClure and noted that the report had been heavily scrutinised by members of the School Places Working Group. Labour Members had been invited to participate in the Working Fgroup but had not taken the opportunity to be involved.

The Committee discussed issues around the Harris Kentwood proposals, noting that local ward councillors had expressed concerns around the viability of proposals and possible delays to the project. In response, the Head of Strategic Place Planning explained that the Council was working with the DfE and Harris in order to progress the proposal. The site had been identified in the Local Plan and initial conversations with the Council's Planning Department had already taken place. It was recognised that consultation was key and the Council was in the process of finalising terms with the DfE. The Committee noted that Officers anticipated that they would be in a position to report to the Executive in more detail in the Autumn. Members noted that the Local Authority was also in conversation with Harris regarding temporary places and issues would be brought forward as more information was gathered. Harris had bid for the new school through the Free School process and the matter had been determined by the DfE. It was notable that all Harris Schools in the area were oversubscribed and the evidence that was available suggested that the schools would be able to attract local parents.

In response to a question, the Head of Strategic Place Planning explained that there were two reasons for the delays in the Harris Kentwood project: firstly, there were a number of complications with the site which needed to be addressed; and secondly, there had been a requirement to provide an evidential base of the local need for secondary school places.

The Chairman noted that 97% of schools in the Borough were rated by Ofsted as either 'Good' or 'Outstanding' and this went some way in explaining the increasing demand for school places in the Borough. In drawing the discussion to a close the Chairman highlighted that Bromley performed above the London average in terms of placing children in their preferred places.

RESOLVED: That the Portfolio Holder be recommended to consider the comments of the School Places Working Group following its meeting on 27 April 2020, in particular its resolutions that:

- 1. That pupil roll projections and other trend data set out in the report be noted;**
- 2. That a planning margin of 5% above the GLA school roll projections is continued to be sought to provide for local variations in need and to meet parental preferences;**
- 3. That whilst there are, at the moment, sufficient places available or planned to meet current and projected demand for school places,**

the Council will work with schools to safeguard the existing supply of school places as required;

- 4. That there are specific pressures for placements for pupils with an Education Health and Care Plan (EHCP) and that the Council works with local schools, trusts and the DfE to bring proposals forward to increase capacity and improve provision where necessary;**
- 5. That discussions be undertaken with schools, multi academy trusts and the DfE, as outlined in this report, to ensure a sufficient supply of mainstream school places in the Borough, including through expansions and opening new schools;**
- 6. That the potential delay to Harris Kent House free school opening is noted and that it is recommended that the Council engages in conversation with Harris Federation and other academy trusts operating in the borough to ensure that there are sufficient school places until the school opens;**
- 7. Where expansion is agreed, to implement through the education capital programme (subject to the availability of funds); and**
- 8. That the direction of travel for the increase in local SEND provision be endorsed.**

**B CONTRACT EXTENSION - FAMILY GROUP CONFERENCE (FGC) SERVICE
Report CEF21022**

The report sought authorisation to apply a formal two-year extension , totalling approximately £180k, and extend the contract with Daybreak from 1 April 2022 to 31 March 2024, increasing the cumulative value of Bromley's contract with the provider to £554k, inclusive of all variations and extensions.

The Committee noted that the budget had been stable for the life of the contract and that staff in social care and contract management would continue to monitor.

The Committee requested that at the end of a year it be provided with an update on the Service to include stakeholder feedback.

RESOLVED: That the Portfolio Holder be recommended to approve the extension of the contract for up to 2 years as specified in the original contract award document , from 1 April 2022 to 31 March 2024 at an estimated annual value of £90k (whole life value of £554k).

**C COMMISSIONING STRATEGY AND PROCEEDING TO
PROCUREMENT: DOMESTIC VIOLENCE AGAINST WOMEN
AND GIRLS SERVICES
Report CEF21015**

The Council held a contract with Bromley and Croydon Women's Aid for the delivery of a range of support services to women and girls at risk of, or who have suffered, domestic violence and abuse ('DVA'). The contract was wholly grant funded and continuation of the service was dependent upon confirmation of recurrent grant funding.

A one-year contract commenced on 1st April 2020, with an option to extend for a further two years. The contract length was set so that it aligned with grant funding arrangements at that time. The estimated annual value was £179K and an estimated whole life value of £546K. Grant funding for 2021/2022 was confirmed for one year only and approval (CEF20015) to extend the contract for one year was granted. In addition, the contract was varied to reduce the scope of the requirement. This reduced the annual contract value by an estimated £30k.

The report sought authorisation from the Portfolio Holder for Children and Families to proceed to tender for the service at an estimated cost of £150k per annum for a total potential period of up to five years on a 1 + 3 + 1 year model (1+3+1) with a total cost of £750k.

The Committee noted that as a result of the uncertainty around the ongoing funding for the 'Drive' initiative, the Service was considered options for the use of Virtual Reality as a perpetrator intervention and positive discussions had been taking place. The Chairman requested that the Committee be provided with an update once those discussions had concluded.

In response to a question, the Head of Early Intervention and Family Support Services confirmed that it was anticipated that funding would continue at the same level.

The Committee noted that recently there had been a large increase in instances and offenses of domestic abuse and historically victims and survivors Service had sought innovative schemes going forward in order to ensure that the contract remained within budget.

RESOLVED: That the Portfolio Holder be recommended to:

- 1. Approve proceeding to a competitive tender for the provision of the Domestic Violence Against Women and Girls preventative services.**
- 2. Note that the proposed tender would be for a total of five years (1 +3 + 1) at an estimated cost of £150k per annum with a total proposed value of £750k. This period has been chosen to align to the anticipated grant funding arrangements and is subject to confirmation of the supporting grant.**

9 PRE DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following reports where the Executive was recommended to take a decision:

**A PROCUREMENT OF CONSULTANTS FOR EDUCATION
CAPITAL PROJECTS
Report CEF21021**

The report sought Executive approval for procurement arrangements for professional consultancy services in relation to the delivery of the Council's Education capital programme. The Council's previous arrangements for consultancy services were procured through LB Lewisham consultants' framework and had expired. The Committee noted the need to ensure that consultants were in place for new projects.

The Committee expressed support for the bespoke approach being taken which Members felt would lead to better outcomes.

RESOLVED: That the Executive be recommended to:

- 1. Approve proceeding to procurement for contracts for professional consultancy support for education capital schemes as detailed in paragraph 4.3.1. The proposed length of the contracts are four years with an estimated overall value of £4m.**
- 2. Grant delegated authority to the Director of Education to award contracts from the Lots, based on the agreed Basic Need Capital Programme, subject to Agreement from the Portfolio Holder for Children Education and Families, the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance.**

**10 QUESTIONS ON THE CHILDREN, EDUCATION AND FAMILIES PDS
INFORMATION BRIEFING**

Contracts Register and Database

Members noted that if approval of a contract was delegated to a Chief Officer the mechanism for reporting to Committee was through the Contract Database would reflect any decisions taken.

Whilst noting that decisions on how the Contracts Register and Database was reported to Committee were left to the discretion of individual chairmen, a Member stressed the need to ensure a level of consistency in the process.

**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 PERFORMANCE REPORTING - CHILDREN'S SCRUTINY DATASET
Report CEF21020B**

The Committee noted the Part 2 (exempt from publication) commentary within the report.

The Meeting ended at 8.10 pm

Chairman

Item 7: Portfolio Holder Update – Responses to Questions

Digital Divide

During the early stages of the Covid-19 pandemic, approximately 700 laptops, tablets and routers were provided by Bromley through a DfE-funded scheme. Our children were prioritised for devices, to supplement those already purchased and provided directly by the Virtual School using Pupil Premium Plus. The remainder of devices were provided to disadvantaged children through Bromley schools, including our special schools. We are grateful for the exhaustive work of schools to identify the children that were struggling to access remote learning and to provide them with devices.

After the initial allocation of devices, schools were provided with a number of opportunities to order additional devices directly from DfE, an offer which we widely promoted and encouraged schools to maximise. We checked regularly with schools for any issues or shortfall of equipment. Aside from some early teething issues with the DfE's supplier, which were appropriately escalated and acted upon, schools reported that they were able to access the devices they needed for their pupils.

We continue to work with Bromley schools and other settings to tackle potential issues with disadvantaged families having access to online learning materials and enrichment activities and will continue to raise any concerns with the DfE.

As part of our partnership working with schools, we are holding the final Headteacher Conference of the academic year next Wednesday 30th June on the topic of Technology in Education. This follows the success of our well-attended session on Closing Achievement Gaps, which was well attended by Headteachers and received very positive feedback.

Ofsted Review of Sexual Abuse in Schools and Colleges

The Children, Education and Families Directorate is working closely with our statutory partners in the Metropolitan Police and with the oversight of the Bromley Safeguarding Children's Partnership (BSCP), following the publication of Ofsted's review. Any concerns about safeguarding children relating to abuse and in this context - sexual abuse in schools - received by the Council are always considered by Children's Social Care, including the LADO where appropriate and multi-agency partners following our procedures and legislation including Working Together to Safeguard Children and Care Act legislation.

The rapid review was commissioned by the Government following testimonies published on the Everyone's Invited website. A number of recommendations were made by Ofsted, in particular:

Multi-agency partners should: work to improve engagement with schools of all types in their local area, tailoring their approach to what their analysis (produced in partnership with schools/colleges and wider safeguarding partners) indicates are the risks to children and young people in their local area

I am pleased to confirm that this partnership work was already in place in Bromley and has been further strengthened since the publication of Ofsted's review. We have written to all secondary schools providing advice and support. Of course, if schools need further support the education safeguarding officer is available, as is their link Head of Service and the MASH number. Our school engagement work continues, with discussions having taken place at both the BSCP and Education Safeguarding Advisory Committee meetings in the past three weeks.