

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

Minutes of the meeting held at 7.00 pm on 15 March 2022

### **Present:**

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

Reverend Roger Bristow

### **Also Present:**

Councillor Kate Lymer, Children, Education and Families Portfolio  
Councillor Kieran Terry, Executive Assistant for Children, Education & Families

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

Apologies were received from Councillor McIlveen.

### **63 DECLARATIONS OF INTEREST**

There were no additional declarations of interest.

### **64 MINUTES OF THE EDUCATION, CHILDREN & FAMILIES PDS COMMITTEE MEETING HELD ON 25 JANUARY 2022**

The minutes of the meeting held on 25 January 2022 were agreed, and signed as a correct record.

### **65 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

The following question was received:

**From Alisa Igoe to the Chairman of the Children, Education and Families**

The Children, Education and Families committee continues to have three vacancies for Parent Governor Representatives. Could you kindly tell me if the Council is able to contact governors directly to fill these roles, or do they have to communicate with them through schools, what was the last date this was undertaken and what will the Council continue to do to fill these empty seats?

**Reply:**

*The Council contacts governors across the Borough through its Governor Services. The Committee Clerk continues to proactively work to fill the three Parent Governor Representative vacancies. Over the past four years a number of attempts have been made to attract more volunteers. On the advice of Governor Services, the last time expressions of interest were sought for the three vacancies was at the beginning of the Academic Year – in September 2021. At that time there were no expressions of Interest. At the end of February 2022 arrangements were made with Governor Services to seek further expressions of interest and, if necessary, hold elections. These efforts will continue until such time as the vacancies are filled.*

*This is something the Committee has been regularly monitoring over the past year. Whilst we will continue to seek volunteers for the vacancies on the Committee, it is worth noting that a number of elected councillors are also school governors, and this maintains the Local Authority's links with schools across the Borough.*

**Supplementary Question:**

How are parent governors approached to fill vacancies?

**Reply:**

Governor Services email information to parent governors across the Borough.

**66 MATTERS OUTSTANDING AND WORK PROGRAMME  
Report CSD22043**

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.

The Director of Children, Education and Families provided an update on Children and Adolescent Mental Health Services (CAMHS) reporting that since the last meeting meetings to discuss the provision of services had taken place with Oxleas. During these meetings the need for additional services had been highlighted. Further meetings with Bromley Y were planned and the need for young people to be seen as quickly as possible would be highlighted. The Director agreed to provide details of the waiting list and waiting times for Tier 3 and Tier 4 services following the meeting.

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

**67 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 during the course of the

municipal year. In addition, the Portfolio Holder highlighted the following issues:-

- Since the last meeting the Portfolio Holder had attended a number of meetings including the SEND Governance Board, the Standing Advisory Council for Religious Education (SACRE), and the Corporate Parenting Board.
- The Youth Offending Service was being renamed the Youth Justice Service, bringing the Council in line with national changes.
- The Portfolio Holder had attended a LGA workshop on Political Leadership in Children's Services where useful suggestions had been made for services post Covid. The Committee noted that the Portfolio Holder would be attending the Office on a regular basis and work was being undertaken on Member involvement in the upcoming Practice Week.
- The Celebration Event had been held at the Warren.
- The Corporate Parenting Fun Day would be held in the last week of July 2022.
- The Portfolio Holder had attended the opening ceremony for "Our House" (formally known as the Care Leavers' Hub). Arrangements were being made for a Member visit.
- There had been an additional 150 secondary school applications which underlined the increased need for secondary school places, especially in the North West of the Borough. 90% of applications had received one of their first four preferences.
- The letter had been received following the Ofsted Annual Conversation which would be circulated to Members in due course. Ofsted had recognised the commitment to putting children first at all leadership levels.
- The Portfolio Holder highlighted the following two events:
  - SEND Transition Day on 25 April 2022
  - The SEND Matters Pop-Up Shop in the Glades Shopping Centre from 23-26 March 2022.
- A great deal of work was ongoing behind the scenes to support refugees from Ukraine. A number of supportive measures were being developed including the development of a process to enable families to apply for school places and arrangements for free travel to school where this was required.

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

- The meeting with the Borough Commander referenced at the previous Committee meeting had taken place. The Portfolio Holder for Public Protection and Enforcement had attended on behalf on Bromley and the notes from the meeting could be circulated to the Committee following the meeting.
- A meeting to discuss the support that could be provided to Ukrainian refugees would take place on 16 March 2022 and a further update could be provided following the meeting.

The Committee thanked the Portfolio Holder for the update.

**A CHILDREN, EDUCATION AND FAMILIES PORTFOLIO PLAN  
UPDATE  
Report CEF22011**

The report presented the Children, Education and Families Policy, Development and Scrutiny Committee with a Children, Education and Families Portfolio Plan 2021-22 Quarter 3 update.

**RESOLVED: That progress on the actions associated with the Children, Education and Families Portfolio Plan be noted.**

**68 CHILDREN'S SCRUTINY PERFORMANCE DASHBOARD  
Report CEF22021A**

The report provided the regular update on the performance of services for children as at the end of December 2021.

Members of the Committee complemented the Department on the improvements that had been delivered in terms of the length of time for care proceedings.

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

**69 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 CONTRACT EXTENSION - CLEANING SERVICES CONTRACT  
FOR THE CHILDREN AND FAMILY CENTRES, CHILDREN'S  
CONTACT CENTRES, AND NURSERIES  
Report CEF22025**

The Council held a contract with Chequers Contract Services to provide cleaning services to the Children and Family Centres, Family Contact Centres and Nurseries. The service was for the provision of all cleaning requirements for the Children and Family Centres and associated sites, including daily cleans as well as annual deep cleans. The current contract commenced on 1<sup>st</sup> August 2019 for a three-year period with the option to extend for up to two years. The contract had a current annual value of £83,394 including the option to extend for a further two years with an estimated whole life value of £416,970. The report sought authorisation to use the option to extend the contract for a further two years at a cost of £89,789 for year 2022-2023 and £92,483 for year 2023-2024 with a whole life value of £432,454. The explanation of the overall cost increase of 7.7% and a further 3% for the

extension years was provided in the report. The report also requested an extension beyond term of two months past the current contract term to end on the 30<sup>th</sup> September 2024 at an estimated cost of £15,414 with a whole life value of £447,868. As part of the LBB implementation of the corporate landlord model of property management and to seek best value and consistency of service, the property division had suggested that the demand for cleaning services across the directly delivered services within the operational estate was consolidated and procured with an appropriate lotting strategy. This procurement will have been concluded so that any new contracting arrangements go live on 1<sup>st</sup> October 2024. The additional two-month extension of the contract with Chequers until 30<sup>th</sup> September 2024 was therefore recommended so that the contract was co-terminus with the cleaning contract for the Civic Centre and Walnuts Offices to allow for participation in this wider procurement exercise.

In response to a question, the Interim Assistant Director for Children's Social Care confirmed that the 3% uplift had been added by the current contractor to reflect recent increases in the National Minimum Wage, the uplift also brought the cleaning contract for Children's Centres in line with the Council's other cleaning contracts.

A Member questioned why the contract was being extended without a further tendering exercise. In response, the Interim Assistant Director for Children's Social Care explained that within the current contract there was an option to extend for two years. The Service was pleased with the performance of the current contractor and felt that extension was the most appropriate option at the current time. The Director of Children, Education and Families confirmed that the option to extend was an acceptable option within commissioning procedures where the Service felt that good value for money was being provided.

Another Member highlighted the need to give weight to how the service was delivered and the good performance of the contractor. Many cleaning companies had faced challenges with recruitment as a result of the impact of Covid and if the Service was satisfied with the performance of the contractor, it made sense to grant the extension - an option within the contract.

In response to a question, the Director of Education confirmed that across the Council 3-year contracts, with the option to extend for a further two years, was a typical approach as this enabled services to maintain control and ensure value for money. As part of the Transformation Programme there was the possibility of joining the Children's Services Cleaning Contract with the wider corporate cleaning contract. A Member expressed concern that this may mean that smaller, local providers could be outbid by larger regional or national companies and suggested that the issue should be raised at the next meeting of ERC PDS.

**RESOLVED: That the Portfolio Holder be recommended to:**

- 1. Approve the request to extend the contract from the 1<sup>st</sup> August 2022 to 30<sup>th</sup> September 2024 at a cost of £89,789 for year 2022-2023, £92,483 for year 2023-2024 £432,454**
- 2. Approve the request for an extension beyond term of an additional 2 months (1<sup>st</sup> August 2024 to 30<sup>th</sup> September 2024) at a cost of £15,414 increasing a whole life value to £447,868.**

**B CAPITAL PROGRAMME 2021/22 Q.3**  
**Report FSD22028**

On 9 February 2022, the Executive received a report summarising the current position on capital expenditure and receipts following the 3<sup>rd</sup> quarter of 2021/22 and agreed a revised Capital Programme and an updated Capital Strategy for the five-year period 2021/22 to 2025/26. The report highlighted the current position agreed by the Executive and the Leader in respect of the Capital Programme for the Children, Education and Families Portfolio. The latest programme for this portfolio was set out in Appendix A of the report and detailed comments on individual schemes are shown in Appendix B of the report.

**RESOLVED: That the Portfolio Holder be recommended to note and acknowledge the current position in respect of Capital Schemes, as agreed by the Executive on 9<sup>th</sup> February 2022.**

**C BUDGET MONITORING 2021/22**  
**Report CEF22014**

The report provided the budget monitoring position for 2021/22 based on activity up to the end of December 2021.

In response to a question, the Head of Children, Education and Families Finance confirmed that detailed budget monitoring was undertaken at certain points in the financial year and since the December round of budget monitoring there had been no changes to the expected budget position for 2021/22. There continued to be pressures in terms of demand at the front door, although caseloads had remained static.

In relation to the overspend in SEND Transport, mitigations were in place for the 2022/23 budget and the Director of Education confirmed that the Committee would receive a full report and recommendations in the Summer.

The Committee noted that increasing cost pressures arising from the post-16 reforms were being addressed through the Dedicated Schools Grant (DSG), although the possibility remained that recent events in the world may cause costs to fluctuate.

In relation to the contribution from Bromley Clinical Commissioning Group (BCCG), Members noted that for the last 4- or 5-years attributable costs were

reviewed on a line by line basis. The assumption for 2022/23 was that there would be an increase in the contribution from the BCCG.

In response to a question, the Head of Children, Education and Families Finance confirmed that various initiatives to increase in-house fostering and reduce reliance on Independent Fostering Agencies were in place. Bromley was also working with other London Boroughs to review the way in which places were procured. The Director of Children, Education and Families highlighted, in respect of the 3 or 4 placements costing £4k a week, that this was a very demanding area and that the children involved had complex needs with very few suitable placements available within the system. Bromley had developed the *New Horizons* scheme which was an in-house initiative encouraging foster carers to take on some of the more complex cases. Meetings had also taken place with providers of residential placements.

The Chairman noted that good progress had been made in respect of increasing numbers of permanent staff and the Assistant Director for Children's Social Care set out the initiatives that had been utilised, including two new cohorts of student social workers and an increase in the number of overseas applications being received.

**RESOLVED: That the Portfolio Holder be recommended to note that the latest projected overspend of £1,987,000 is forecast on the controllable budget, based on information as at December 2021.**

## **70 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS**

The Committee considered the following reports on the agenda for the meeting of the Executive on 30 March 2022:

### **A BASIC NEED PROGRAMME UPDATE Report CEF22015**

The report provided an update on the capital schemes included within the Council's Basic Need Programme,.

**RESOLVED: That Executive be recommended to:**

- 1. Agree the updated Basic Need Programme as set out in Appendix 3 of the report subject to Full Council approval.**
- 2. Agree the allocation of an additional £981k of S106 allocations to projects within the Basic Need Capital Programme as outline in Appendix 2.**
- 3. Note the additional SEND Provision Capital Funding allocation of £2,451k received during 2021/22 for improving and expanding SEN and Alternative provision.**

4. **Agree that the schemes at Farnborough Primary School, Marian Vian Primary School (Phase 2) and St John's CE Primary School be brought forward to the Projects in Delivery (Funded) Programme, that the existing allocation to fund secondary bulge classes be maintained and that a new contingency fund be set aside to support additional specialist provision, should it be required for the Council to meet its statutory duty and that two new accessibility schemes at Bishop Justus and Chislehurst School for Girls (Appendix 1) be approved.**
5. **Agree that where required funding be delegated to schools for local delivery subject to there being sufficient mechanisms in place to control expenditure and ensure delivery of outcomes.**
6. **Note that schools will be submitting planning applications in association with these works.**

**B PROVISION OF HOLIDAY AND SATURDAY GROUP BASED SHORT BREAK SERVICES FOR DISABLED CHILDREN AND YOUNG PEOPLE  
Report CEF22021**

The contract for provision of Holiday and Saturday Short Breaks for Disabled Children was originally awarded to Riverside School in May 2010 following competitive tender. The purpose of the service was to provide meaningful and fulfilling activities for children and young people with a range of disabilities, while offering valuable respite for parents and carers. Studies showed that Short Breaks could provide a vital preventative service for families which could support family cohesion and guard against breakdown. 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 extension period commenced on 1 April 2021 and was due to end on 31 March 2023 with all existing contractual options to extend further exhausted. The estimated annual value of the current contract was £196,057 p.a, with a whole life value, inclusive of the extension options used, of £968,753.

In order to ensure a timely recommissioning of the service, for a vulnerable cohort of children and young people with disabilities and their families, it was proposed to reprocure the service during 2022 at an estimated annual value of £196,057 p.a. It was further proposed to offer an initial contract term of three years with two options to extend for periods of up to two years each, making a whole life contract term of seven years if both extension clauses were utilised. This would mean that the full potential contract term would be for seven years from 1 April 2023 – 31 March 2030. The approximate full life value of the service would consequently be £1,372,399.

The Committee noted that there would be a further Gateway 1 report presented in June 2022.

In response to a question, the Integrated Strategic Commissioner confirmed that it was envisaged that there would be an increase in demand for the Service. The Service was currently able to manage a high level of medical need and bearing in mind the complexity of the children accessing the services the proposed costs were unavoidable. The costs set out in the report were based on existing costs. As part of the Gateway 1 process Officers would be reviewing any changes to the budget that may be necessary.

The Committee noted that a market engagement exercise was being undertaken and there had been interest from around 10 providers.

Members of the Committee recognised the value of the Service which was based on the needs of the children.

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

- 1. Approve the procurement strategy outlined in this report for a new contract for a Weekend and Holiday Short Breaks Service for Children with Disabilities. It is proposed that the service will have an estimated annual value of £196,057 p.a. If the initial term (3 years) and both extension clauses (2 years + 2 years) are utilised, the approximate full life value of the service would be £1,372,399. The new contract would commence on 1 April 2023 and terminate on 31 March 2030.**
- 2. Note that the results of the Prior Information Notice (PIN) that has been sent to providers, and further consideration of the risks to the service inherent in a formal tender for the continuation of the Holiday and Saturday Short Breaks service will be considered and a Gateway 1 seeking approval for the preferred procurement route will be presented at a later date.**

**71 INDEPENDENT REVIEWING OFFICER REPORT 2021-22**  
**Report CEF22016**

The report provided an account of the activity of the Independent Reviewing Service between 1 April 2021 and January 2022. The report evaluated the effectiveness of the Independent Reviewing Officer (IRO) Service in ensuring the local authority, as a corporate parent, discharged its statutory responsibilities towards looked after children.

In opening the discussion, the Vice-Chairman highlighted the transformation of the Service, noting that it was pleasing to see the voice of the child reflected. The importance of young people knowing their IRO was also recognised, and the Chairman highlighted that previous feedback from young people demonstrated that knowing their IRO made a difference.

In response to a question, the Head of Quality Improvement confirmed that recruitment remained a challenge, strategies for recruitment were being considered and two new IROs has been brought into the service. In terms of

recruitment, the service had not reached the 90% target but the stability of the group of IROs had been improved.

**RESOLVED: That the progress and actions of the Independent Reviewing Officers in discharging their statutory duties and contributing to the aims of the Corporate Parenting Strategy be noted.**

**72 LOCAL AUTHORITY DESIGNATED OFFICER ANNUAL REPORT  
2021-22  
Report CEF22017**

The report provided an overview of the activity of the Local Authority Designated Officer (LADO) for the period April 2021-January 2022 in managing allegations against people who work or volunteer with children and were therefore in a position of trust.

In response to a question, the Head of Quality Improvement confirmed that the increase in the number of referrals was one of the impacts of the Covid pandemic. There had also been an increase in referrals resulting in a finding of failure to follow due process and it was felt that this was also attributable to the stress and mental health pressures arising from the pandemic. The LADO had grown the training offer and it was hoped that this would address some of the issues that had been identified.

The Committee noted that in September 2021, there had been a change in legislation with schools now required to manage lower level concerns themselves. However, the LADO service had found that schools continued to make referrals which had led to the LADO being required to determine thresholds. Consequently, the LADO was now working with schools around this particular challenge.

In response to a question, the Head of Quality Improvement confirmed that there were regional and national challenges in terms of engagement with the unregulated sector. In order to address this the LADO was aiming to establish twilight sessions for charities and voluntary organisations. Members noted that well attended sessions had been run for the Early Years sector and the LADO worked closely with the Safeguarding Partnership.

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

**73 CORPORATE PARENTING MID YEAR REPORT  
Report CEF22019**

The report provided a mid-year update of the progress of children in care and care leavers in Bromley and reported progress made against the outcomes identified in the corporate parenting strategy.

In opening the discussion, the Chairman noted that the considerable successes and improvements reflected in the report, especially in terms of the

positive data around Education, Training and Employment, the opening of 'Our House' and the introduction of a Mental Health Practitioner.

In response to a question, the Head of CLA and Care Leavers confirmed that the Active Involvement Team had developed some exciting new material which could be used to support the post-election Member induction. The Portfolio Holder highlighted that a video which had been produced "I'm not Tracy Beaker" was particularly impactful. The Committee agreed to recommend that the video should be shown to all Members, via post-election Group Meetings.

**RESOLVED: That**

- 1. The report be noted, and**

**The Video produced by the Active involvement Team: "I'm not Tracy Beaker" be shown to all Members of the Council via post-election Group Meetings.**

**74 CONTRACT REGISTER**  
**Report CEF22018**

The report presented an extract from February 2022's Contracts Register of contracts with a whole life value of £50k or higher, for detailed scrutiny. The Contracts Register contained in 'Part 2' of the agenda included a commentary on each contract to inform Members of any issues or developments.

In response to a question, the Head of Complex and Long-Term Commissioning confirmed that following the last meeting of the Committee, the Violence Against Women and Girls (VAWG) Contract had been extended. The Committee also noted that the replacement for contract 1465 – IT Network (which expired on 31 January 2022) was now in operation and listed on the Contracts Database.

With reference to the flagged contract for the Appropriate Adult Service, the Head of Complex and Long-Term Commissioning explained that when the previous extract of the contracts database had been taken no particular issues with the contract had been identified, although the contract had been listed on the Contracts Database. The Director of Children, Education and Families confirmed that lessons had been learnt from this particular contract, which, due to its cross-departmental nature, should have had a longer lead in time. The Committee received assurances that the contract had now been brought back on track and the contract would start on time.

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

**75 ANNUAL SCRUTINY REPORT 2021/22**

The Chairman reported that the Annual Scrutiny report, reflecting the work of the Committee over the municipal year, had been drafted and would be presented to the Executive, Resources and Contracts PDS Committee on 24 March 2022.

**76 CHILDREN, EDUCATION AND FAMILIES INFORMATION ITEMS**

The items comprised:

- Education Outcomes
- Risk Register
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**77 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**

**78 PART 2 PDS ITEMS**

**A PART 2 CHILDREN'S SCRUTINY PERFORMANCE DASHBOARD**

The Committee noted the Part 2 report.

**B PART 2 CONTRACTS REGISTER**

The Committee noted the Part 2 commentary.

The Meeting ended at 8.37 pm

Chairman