

CHILDREN, EDUCATION AND FAMILIES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 1 February 2023

Present:

Councillor Kira Gabbert (Chairman)
Councillor Jonathan Andrews (Vice-Chairman)

Councillors Jeremy Adams, Felicity Bainbridge,
Graeme Casey, Sophie Dunbar, Robert Evans,
Alexa Michael, Thomas Turrell and Rebecca Wiffen

Reverend Roger Bristow
Alice Kirby and Tommy Velvick, Bromley Youth Council
(Part 1 Only)

Also Present:

Councillor Kate Lymer, Portfolio Holder for Children,
Education and Families

49 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Ryan Thomson and Councillor Jeremy Adams attended as his substitute.

Apologies for lateness were received from Councillor Sophie Dunbar.

50 DECLARATIONS OF INTEREST

Councillor Sophie Dunbar declared that she had a close family member in receipt of transport services and a Special Educational Needs-funded placement out of the Borough.

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

No questions were received.

52 MINUTES OF THE CHILDREN, EDUCATION & FAMILIES PDS COMMITTEE MEETING HELD ON 17 NOVEMBER 2022

RESOLVED: That the minutes of the meeting held on 17 November 2022 be agreed and signed as a correct record.

53 MINUTES OF THE CHILDREN, EDUCATION & FAMILIES BUDGET SUB-COMMITTEE MEETING HELD ON 19 JANUARY 2023

RESOLVED: That the minutes of the Children, Education and Families Budget-Sub Committee meeting held on 19 January 2023 be noted.

**54 MATTERS OUTSTANDING AND FORWARD WORK PROGRAMME
Report CSD23018**

The report set out progress against outstanding actions from previous meetings and the forward work programme of the Committee.

The Chairman advised that a report outlining the Local Authority's approach to gambling support for children and young people would be presented to the next meeting of the Committee on 14 March 2023. The Chairman further proposed that the Committee undertake a deep dive on mental health at a future meeting, including representation from Bromley Y and CAMHS, and this was supported by the Committee. Another Member underlined the importance of involving local schools with Local Authority events, including the Holocaust Memorial Event. The Chairman requested that a further meeting of the School Place Planning Working Group be scheduled for April 2023, and arrangements for this would be made following the meeting.

RESOLVED: That the report be noted.

55 PORTFOLIO HOLDER UPDATE

The Portfolio Holder for Children, Education and Families, Cllr Kate Lymer provided an update to the Committee on her activities.

As Lead Member for Children, Education and Families, the Portfolio Holder represented the Local Authority in a range of settings both locally and regionally. Work was underway to prepare for forthcoming service inspections including recent mock Inspections of the Children's Service and Youth Justice Service. A Practice Observation Week was planned for early February 2023 and Committee Members were encouraged to register to attend. Other activities included the Portfolio Holder's attendance at the Bromley Disability Pride Event and the Jack Petchey Foundation's South East London Regional Achievement Awards.

In response to a question from a Member, the Director of Education confirmed that the Local Authority continued to work with the Department for Education to establish a Special Free School within Bromley that would provide 152 place at Key Stages 2, 3 and 4. Whilst the identification of Japanese Knotweed on site had caused some delays to completing the necessary feasibility studies, work was now progressing with a view to moving forward with a planning application as soon as possible. Another Member asked about a recent restructure within Children's Services, and the Director of Children, Education and Families advised that from 1 March 2023, a single

referral route would be introduced for Education, Care and Health Plan applications to support more effective use of resources. The service dealing with residential and fostering placements for children moving into care would also be transferred back into Children's Services to enable direct management of this critical service area.

RESOLVED: That the update be noted.

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

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

**A SECURE CHILDREN'S HOME FOR LONDON AND PAN-LONDON
COMMISSIONING VEHICLE
Report CEF23007**

The report sought approval for the Local Authority to join a Pan-London Vehicle for Commissioning to develop and oversee the running of a secure children's home provision for London and to collaborate with other Pan-London Vehicle members on future joint commissioning programmes

The proposed Pan-London Commissioning Vehicle was the culmination of several years of work by the Association of London Directors of Children's Services to address the lack of secure children's accommodation in the London region and offer linked services such as rehabilitation and move-on facilities. A site had been identified in North-East London for the proposed facility, the building of which would be funded by the Department for Education with Pan-London Vehicle members covering running costs via an annual subscription. Whilst it was not planned to offer discounted places to Pan-London Vehicle members, it was anticipated that significant efficiencies would be derived from reduced travelling time by Children's Social Workers. Service users would also benefit from being housed closer to their families and support networks.

In response to a question from a Member, the Director of Children, Education and Families advised that it was difficult to predict demand for secure placements, but that the Local Authority made an average of 0-3 secure placements per annum with the critical shortage of secure children's home provision exposing the Local Authority to potential high-cost placements. The plans for the secure children's home were being led by an identified member of the Association of London Directors of Children's Services to provide consistency and were also being developed in line with best practice, including open space and homely accommodation. The annual cost of membership of the Pan-London Commissioning Vehicle had been set at £20K (subject to inflation adjustment) which included a three-year break clause should Members be concerned about value for money. As a member of the Pan-London Commissioning Vehicle, the Local Authority would be part of all

future discussions around membership costs and it was further noted that as this was an initiative run by local authorities, it would be exempt from income, corporation and capital gains tax.

A Member queried how the secure children's home provision would operate and the Director of Children, Education and Families explained that the secure children's home would offer a total of 24 places which members of the Pan-London Commissioning Vehicle would have priority access to. There would be an option to sell unused places to other local authorities which could reduce the annual membership contribution, but a small number of places would be kept free for use as emergency provision. Another Member asked whether all London Boroughs had joined the Pan-London Commissioning Vehicle. The Director of Children, Education and Families confirmed that all London Boroughs who had considered the proposals to date had agreed to join the Pan-London Commissioning Vehicle. A small number of local authorities had yet to decide but a recalibration of the proposals would be undertaken in the event that a Local Authority opt not to join, including cost implications.

RESOLVED: That the Portfolio Holder be recommended to:

- **Agree the Local Authority becomes a member of a not-for-profit company, limited by guarantee, provisionally to be known as the Pan-London Vehicle, to:**
 - a) **Develop and then oversee the running of London's secure children's home provision for a five-year period from 1st April 2023 to 31st March 2028, with a break-point after three years once the refreshed business case has been developed as well as the service pricing structure, commissioning approach, operating model, practice model and the secure children's home's location is confirmed. Once the provision has launched, membership will be at a fixed annual cost of £20K (subject to inflation adjustment), unless an alternative model for funding the Pan-London Vehicle, that does not require annual subscription, is agreed by members during the development phase; and,**
 - b) **Collaborate with other Pan-London Vehicle members on future joint commissioning programmes.**
- **Commit in principle to joint oversight and risk/benefit sharing of the secure children's home provision, through the Pan-London Vehicle, for a five-year period to 31st March 2028 (with three-year break point), that includes the build, service development and service commissioning phases, subject to ratification after the revision of the secure children's home business case, and renewable on a ten yearly cycle thereafter, with break-point after five years; and,**

- **Delegate authority to the Director of Children's Service's in consultation with the Director of Finance and the Council's Monitoring Officer to:**
 - a) **Finalise the legal documents required to set up, join and run the Pan-London Vehicle; and,**
 - b) **Make the final determination on the Council's membership of the Pan-London Vehicle, following completion of the revised secure children's home business case and, if appropriate, enter into all the legal agreements, contracts and other documents on behalf of the Council required to implement and run any aspect of the Pan-London Vehicle arrangements.**

57 POLICY DEVELOPMENT AND OTHER ITEMS

A BROMLEY VIRTUAL SCHOOL ANNUAL REPORT 2021/22 Report CEF23004

The report presented the annual update on the performance of the Virtual School for children in care and children previously in care, currently adopted or cared for under a Special Guardianship Order, identifying progress made against the outcomes identified in the Corporate Parenting Strategy.

The Chairman was pleased to note the Virtual School's role in promoting the education of all children with a social worker and queried the potential to support further vulnerable groups, such as children who were refugees. The Headteacher of the Bromley Virtual School advised that the Virtual School had a statutory role in supporting certain vulnerable groups and that this included children who were unaccompanied asylum seekers. The Virtual School also worked in partnership with London South East Colleges on its provision of English for Speakers of Other Languages to refugees. A Member expressed concern at the attainment levels for Mathematics and English at Key Stage 4 for the 2021/22 academic year and the Virtual Headteacher explained that this partly reflected the return to more stringent assessment methods in the post-COVID period but that attainment at Key Stages 4 and 5 was also impacted by a small cohort, many of whom faced complex challenges. The Virtual School worked to support every child to make progress in their learning through bespoke support, such as a post-16 years pilot scheme on the Bromley campus of London South East Colleges where staff delivered on-site support to young people.

A Member noted the use of Pupil Premium to fund interventions and support for Children Looked After. The Virtual Headteacher explained that Education Advisors scrutinised the use of Pupil Premium for each child to ensure it met the needs of their Personal Education Plans, including for enrichment activities where appropriate, and that additional funding could be provided

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where there was an escalation of need. A portion of Pupil Premium was retained centrally to fund a Senior Education Psychologist as well as laptops or other specialist equipment for children and young people. In response to a question from another Member, the Virtual Headteacher confirmed that Personal Education Plans were in place until the end of Year 13 and that this included work to keep young people engaged with education, employment or training, including the “Fresh Start” scheme, mentoring and careers advice. A Member was pleased to note that six Care Leavers had embarked upon Higher Education in the 2022/23 academic year, and the Virtual Headteacher advised that bursaries were in place to support Care Leavers attending university and that some universities offered further top-up bursaries. The Local Authority was currently working with Cambridge University to deliver a London-wide Higher Education event specifically aimed at young people in care, with a higher education mentoring programme in place from Year 10 onwards. Support was also offered to young people interested in training or apprenticeship opportunities.

The Chairman requested that a glossary of terms be included in the Bromley Virtual School Annual Report for future years. Additionally, a Member noted that attainment figures provided in the cover report at 13.6 did not match those within the Annual Report at 8.4.7: Statistical Release Data Comparisons (Year 11). This would be reviewed following the meeting with clarification provided to Members.

RESOLVED: That progress made towards the actions identified in the Corporate Parenting Strategy be noted.

B TRANSFORMING SEND TRANSPORT - 6 MONTH REVIEW Report CEF23006

The report presented a six-month review of changes made to the Local Authority’s arrangements for SEN Transport which had been introduced to enable a better offer of support for families including greater access to preferred schools, improved transport options and increased flexibility in the assistance offer. The proposals formed part of a wide range of transformation initiatives designed to introduce greater efficiencies in transport operations, deliver improved value for money and help mitigate the growing pressures on the SEN Transport budget, in light of the shift in market forces driving up costs in addition to the anticipated growth in pupil numbers.

In response to a question from a Member, the Head of Access to Education and Inclusion explained that the introduction of a Vacant Seat Payment Scheme had required both a change in policy and a six-week consultation which had delayed its introduction until January 2023. Another Member was pleased to note the success of Independent Travel Training but underlined the need to ensure that young people were not pressured to join the scheme. The Head of Access to Education and Inclusion advised that the in-house trainer worked closely with schools who provided an introduction to individual learners and that feedback from learners and their parents and carers had

been very positive. A review would be undertaken at the end of the 2022/23 academic year to identify whether there was sufficient demand to further expand this offer. A Member observed that the planned Special Free School was likely to reduce demand for SEN Transport to out-of-borough education provisions in the medium to long-term as more children and young people were able to attend a school within their own community.

RESOLVED: That:

- **Progress made by officers in developing efficiencies in route optimisation and the resultant cost reductions be noted;**
- **The adoption of new Transport Assistance Policies in January 2023 following formal consultation be noted;**
- **The update on the establishment of an in-house Independent Travel Training Officer and the compound financial returns expected be noted; and,**
- **The ongoing growth pressures and inflationary increases which continue to present significant challenges to the service budget in the medium-term be noted.**

**C CHILDREN, EDUCATION AND FAMILIES RISK REGISTER -
UPDATE QUARTER 3
Report CEF23005**

The report set out the Children, Education and Families Risk Register update for Quarter 3 of the 2022/23 financial year.

A Member queried how risks around mental health were captured within the Risk Register. The Director of Children, Education and Families advised that risks around mental health were reflected in a number of risk areas including Risk 11: School Attendance for which an existing control was the prioritisation of mental health and wellbeing initiatives.

RESOLVED: That the current Children, Education and Families Risk Register and the existing controls in place to mitigate the risks be noted.

**D PERFORMANCE REPORTING - CHILDREN'S SCRUTINY
DATASET PART 1 (PUBLIC) REPORT
Report CEF23003A**

The report presented a regular update on the performance of services for children across a suite of performance measures.

In response to a question from a Member, the Assistant Director: Strategy, Performance and Corporate Transformation explained that some data within the report was suppressed in order to minimise the risk of sensitive personal

information being identified with a specific individual in compliance with the General Data Protection Regulations. Another Member observed that performance against Key Performance Indicator 32: Percentage of Education, Health and Care Plans Issued within Statutory 20 Week Timescale varied significantly on a monthly basis, and it was agreed that further context would be provided in the commentary of future reports.

RESOLVED: That the November 2022 outturn of key performance indicators and associated management commentary be noted.

58 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**

59 EXEMPT MINUTES OF THE CHILDREN, EDUCATION & FAMILIES PDS COMMITTEE MEETING HELD ON 17 NOVEMBER 2022

The Part 2 (Exempt) minutes of the meeting held on 17 November 2022 were agreed and signed as a correct record.

60 POLICY DEVELOPMENT AND OTHER ITEMS PART 2 (EXEMPT)

A PERFORMANCE REPORTING - CHILDREN'S SCRUTINY DATASET PART 2 (EXEMPT) REPORT

The Committee considered a report setting out Part 2 (Exempt) aspects of performance reporting against the Children's Scrutiny Dataset.

The Meeting ended at 8.55 pm

Chairman