

CHILDREN, EDUCATION AND FAMILIES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 14 March 2023

Present:

Councillor Kira Gabbert (Chairman)
Councillor Jonathan Andrews (Vice-Chairman)
Councillors Felicity Bainbridge, Graeme Casey,
Sophie Dunbar, Robert Evans, Alexa Michael,
Ryan Thomson, Thomas Turrell and Rebecca Wiffen

Alice Kirby and Tommy Velvick

Also Present:

Councillor Kate Lymer, Portfolio Holder for Children, Education
and Families
Councillor Jeremy Adams (observing)

Item 9a: 0-25 Progress Report only

Councillors Mike Botting, Mark Brock, Dr Sunil Gupta FRCP
FRCPATH, David Jefferys and Diane Smith
Vicki Pryde and Rona Topaz

61 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Reverend Roger Bristow.

The Chairman welcomed the Portfolio Holder for Adult Care and Health and Members and Co-opted Members of the Adult Care and Health Policy Development and Scrutiny Committee who were attending the meeting in respect of Item 9a: 0-25 Progress Report which was a service that came within the remit of both Portfolios.

62 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.

Councillor Kira Gabbert declared that she was the Local Authority's nominated representative on the Management Committee of Woodlodge Living Skills Centre.

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

No questions were received.

64 MINUTES OF THE CHILDREN, EDUCATION & FAMILIES PDS COMMITTEE MEETING HELD ON 1 FEBRUARY 2023

RESOLVED: That the minutes of the meeting held on 1 February 2023 be agreed and signed as a correct record.

**65 MATTERS OUTSTANDING AND WORK PROGRAMME
Report CSD23043**

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

With regard to Minute 18b: Future Use of the Phoenix Centre, the Director of Education advised that the Riverside School provision at the Phoenix Centre was well-established and that the potential to further expand special school provision across the Borough would continue to be an area of focus moving forward.

In considering the forward work programme, the Chairman observed that a deep dive on mental health (including representation from Bromley Y and CAMHS) would be undertaken by the Committee at its meeting on 20 June 2023. The Committee agreed further deep dives be scheduled on Education, Health and Care Plans and Youth Services (including the findings of the Youth Services review) at the Committee's meetings on 13 September and 22 November 2023 respectively. The Chairman advised that Committee Members would shortly be consulted on reverting to annual reporting in a number of service areas comprising Corporate Parenting, Youth Justice, Private Fostering, Independent Reviewing Officers, Local Authority Designated Officer and the Virtual School but that this would not preclude updates being provided where there were any concerns identified around service provision.

RESOLVED: That the report be noted.

66 PORTFOLIO HOLDER UPDATE

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

As Lead Member for Children, Education and Families, the Portfolio Holder continued to represent the Local Authority in a range of settings both locally and regionally. Work was underway to prepare for forthcoming service inspections including a recent mock Inspection of the Youth Justice Service.

Other activities included Practice Observation week and the annual Celebration of Achievement for Bromley's Care Leavers and Children Looked After. The annual Fun Day for Bromley's Care Leavers and Children Looked After had been scheduled for 13 July 2023 and all Members were invited to attend.

The Chairman emphasised how useful she had found Practice Observation week and asked that more notice be provided for next year's event to maximise participation by Members.

RESOLVED: That the update be noted.

**A CHILDREN, EDUCATION AND FAMILIES PORTFOLIO PLAN –
2022/23 Q3 UPDATE
Report CEF23009**

The report presented the Children, Education and Families Portfolio Plan Quarter 2 update for the 2022/23 financial year.

In responding to Members' questions, the Director of Education advised that 82% of eligible children aged 2-years took up funded Early Years places which was well above the London and National averages and that work to raise awareness of this entitlement was ongoing. National offer day for secondary schools for the 2023/24 academic year had taken place on 1 March 2023 and the proportion of Bromley children securing their first choice of school had been in line with and in some cases exceeded that of other London Boroughs.

Another Member raised a significant concern about Bromley SEND annual visits in Bromley primary schools and the Director of Children, Education and Families thanked the Member for bringing this matter to his attention. Work was being undertaken to address this matter with the affected school as well as to identify whether there were any other Bromley schools which had experienced a similar issue, and it was underlined that the Local Authority worked closely with Bromley schools to resolve issues, including via the Schools' and Head Teacher's Forums as well as the SEN Governance Board. The Committee agreed to undertake a deep dive of Education, Health and Care Plans at its meeting on 13 September 2023.

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

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

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

**A BUDGET MONITORING 2022/23
Report CEF23013**

The report presented the budget monitoring position for the 2022/23 financial year which showed an overspend of £8,933k based on activity to 31 December 2022.

A Member expressed concern regarding the overspend. The Head of Children, Education and Families Finance advised that since the 2022/23 budget had been agreed there had been significant increases in service delivery costs and demand for services, particularly at the higher end of need. Another Member suggested that an increased proportion of permanent staff would help contain costs and requested a comparison of permanent pay against Agency rates be provided. In responding to a question on the increasing deficit within the Dedicated Schools Grant, the Head of Children, Education and Families Finance explained that this was a national issue caused by growing pressures within the High Needs Funding Block. The Local Authority had developed a robust Deficit Recovery Management Plan in consultation with the Department for Education to help contain and ultimately recover the deficit and was continuing to work to identify best practice in this area. As an interim measure the Government had put a Financial Disregard in place which meant that such deficits did not have to be counted within the reserves of local authorities.

In response to a question, the Head of Children, Education and Families Finance confirmed that recharges were made to Adult Social Care to cover costs related to young people who had transitioned to adult services. On a related note, the Integrated Commissioning Board was approached to fund the health needs of children and young people, including the medical element of any individual care packages. A Member queried references within the budget report to the under collection of income and the Head of Children, Education and Families Finance clarified that this related to sold services where it had not been possible to achieve the anticipated income due to staff shortages or a change in demand or behaviour post-COVID. This included Adult Education where the number of learners had not yet recovered to pre-COVID levels. A Member asked a question around the increase in demand for services supporting children and young people with social, emotional and mental health needs during the COVID-period. The Director of Children, Education and Families advised that whilst there was still significant demand for such services, Child and Adolescent Mental Health Services had reported a recent reduction in the number of children and young people presenting with acute need.

RESOLVED: That the Portfolio Holder be recommended to:

- 1) Note the latest projected overspend of £8,933,000 forecast on the controllable budget based on information as at December 2022; and,**

- 2) Recommend the Council's Executive agree the release of funds from the Central Contingency and from the Reserves as set out in Section 5 of Report CEF23013.**

**B SUPPORT FOR WOODLODGE LIVING SKILLS CENTRE,
BICKLEY
Report CEF23022**

The report proposed the allocation of Dedicated School Grant to Marjorie McClure School to support the operation of the Woodlodge Living Skills Centre.

The Chairman praised the excellence of this provision which supported children and young people with special educational needs and disabilities to develop their independence and social skills and also provided an important respite function for parents and carers. A Co-opted Member queried whether this provision could be expanded to include children with Education, Health and Care Plans attending mainstream schools and the Chairman advised that this provision was specially adapted to meet the needs of children with a higher level of need. In response to another question from a Member, the Head of Strategic Place Planning confirmed that this was an existing area of spend within the Dedicated Schools Grant and that the proposals simply aimed to regularise the funding arrangements now that Marjorie McClure School, which operated the Centre, was a foundation school and was able to enter directly into the lease with Sanctuary Housing Association.

RESOLVED: That the Portfolio Holder be recommended to agreed that Dedicated Schools Grant funding of £70k per annum be allocated to Marjorie McClure School for a period of five years to support the operation of the Woodlodge Living Skills Centre.

68 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

**A BASIC NEED UPDATE REPORT
Report CEF23014**

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

RESOLVED: That the Council's Executive be recommended to:

- **Agree the updated Basic Need Programme as set out in Appendix 3 to Report CEF23014, subject to Full Council approval;**
- **Agree that new projects at Burnt Ash Primary School, Oaklands Primary School, The Highway Primary School and Trinity CE Primary be added to the Basic Need Programme as detailed in the scheme appraisals in Appendix 1 to Report CEF23014;**

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- **Agree the allocation of an additional £43k of S106 allocations to projects within the Basic Need Capital Programme as outlined in Appendix 2 to Report CEF23014; and,**
- **Note the additional High Needs Provision Capital Funding allocation of £8,478k received for the 2022/23 and 2023/24 financial years for improving and expanding SEN and Alternative provision.**

69 POLICY DEVELOPMENT AND OTHER ITEMS

A 0-25 PROGRESS REPORT Report CEF23021

The report provided an update on the progress of the 0-25 Service to support young people with special educational needs and disabilities moving into adult services which had been launched on 1 September 2022.

A Member queried how the service was funded and the Head of Service explained that the service brought together four existing teams from across Children and Adults' Social Care Services but that a small amount of additional funding (0.5 FTE) had been identified to fund a third full-time worker within the Preparing for Adulthood Team. The co-location of these services was anticipated to lead to stronger partnership working and had already been successful in identifying some gaps in service provision. The Portfolio Holder for Adult Care and Health expressed her support for the 0-25 project and underlined the need for clear action plans to be put in place for the four team areas that included specific goals and timeframes. Another Member suggested that Key Performance Indicators would also be helpful in monitoring performance and the Head of Service reported that action plans were already in place and would be further developed in the coming months.

In response to a question from a Co-opted Member, the Head of Service confirmed that the 0-25 Service took account of any additional needs of young people in transition, including ensuring that mental health support needs were picked up by the Community Mental Health Team as young people moved into adult services. Another Member queried plans to review the transition process for young people receiving Occupational Therapy services. The Head of Service advised that the current transition arrangements within the Occupational Therapy team worked well but that further work would be undertaken to identify whether extending transition until an Education, Health and Care Plan ceased would be beneficial. This work would commence once a review of the service offer alongside the Bromley Healthcare Occupational Therapy Service had been completed. Members agreed that a further update report would be provided to the Children, Education and Families and Adult Care and Health Committees in September 2023.

RESOLVED: That the update on the new 0-25 Service be noted.

**B BROMLEY YOUTH COUNCIL MID YEAR REPORT
Report CEF23018**

The report heard a presentation from Alice Kirby and Tommy Velvick, Bromley Youth Council Representatives presenting a mid-year update on the work of the Bromley Youth Council. This included progress in delivering the 2022/23 Youth Council Manifesto Campaign Objectives which comprised 'Youth Anti-Social Behaviour and Knife Crime' and 'Relationships, Sex and Education'.

In response to a question from a Member, Tommy Velvick explained that Bromley Youth Council was run by and for young people aged 12-18 years (up to 25 for young people with disabilities) who were recruited from schools and youth services across the Borough, as well as the Living in Care Council. Another Member asked about how the work of Bromley Youth Council tied in with the National Youth Parliament and the London Youth Assembly and Tommy Velvick advised that the Bromley Youth Council had representatives on both of these bodies and that students at Bromley Schools participated in an annual voting process to determine the key priorities of the National Youth Parliament.

In considering the 2022/23 Youth Council Manifesto Campaign Objectives, the Committee was advised that the workstream for the 'Relationships, Sex and Education' Objective had been successful in identifying limitations placed on schools in this area. A Member queried whether the Bromley Youth Council had undertaken any work around the use of vapes and/or the sale of nitrous oxide to young people as part of its objective on 'Youth Anti-Social Behaviour and Knife Crime' and Alice Kirby advised that whilst this was not something Bromley Youth Council had particularly focused on, representatives of Bromley Youth Council had met with Trading Standards Officers to discuss the issue of young people being illegally sold vapes, creating both health and environmental concerns. The Chairman observed that an information item on 'Gambling Support for Children and Young People' had been put to the Committee and asked whether the Youth Council Representatives had any views in this area. Tommy Velvick suggested there was scope to raise awareness amongst young people on how gambling was disguised in video games and Alice Kirby further added that free or low stakes online gambling also posed a danger to young people. A Member outlined a recent meeting he had with a representative of a leading provider of guidance, advice and support for gambling addiction and suggested that Bromley Youth Council play a role in raising awareness of the support on offer to young people.

The Chairman led the Committee in thanking Tommy Velvick and Alice Kirby for their excellent presentation and commended the Bromley Youth Council for its work during 2022/23.

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RESOLVED: That progress made towards delivering the actions identified in the Bromley Youth Council 2022/23 Campaigns Work Plan be noted.

**C INDEPENDENT REVIEWING OFFICER 6 MONTH UPDATE REPORT
Report CEF23015**

The report provided a six-month update of the activity of the Independent Reviewing Service to January 2023.

In response to a question from a Member, the Head of Service Quality Improvement explained that approximately 70% of Independent Reviewing Officers were permanent staff and that the Local Authority continued to work to increase this number, including promoting the benefits of becoming permanent to its existing locum staff. Another Member was pleased to note the increase in advocacy referrals for Children Looked After at the end of the 2021/22 financial year and the Head of Service Quality Improvement advised that Independent Reviewing Officers were working to raise awareness about the right and entitlement of Children Looked After to access advocacy services and that this would continue to be an area of focus moving forward.

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.

**D LOCAL AUTHORITY DESIGNATED OFFICER SIX MONTH UPDATE REPORT
Report CEF23016**

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

In response to a question from the Chairman, the Head of Service Quality Improvement advised that whilst every effort was made to conclude LADO referrals as soon as possible, the complexity of allegations and/or need for criminal investigations to be undertaken by the Metropolitan Police could cause delays.

RESOLVED: That the report be noted.

**E EDUCATION OUTCOMES FOR CHILDREN IN BROMLEY SCHOOLS 2022
Report CEF23011**

The report summarised the education outcomes for the 2021/22 academic year for children attending Bromley schools.

A Member was pleased to observe that the attainment of pupils with special educational needs and disabilities was higher at Key Stage 4 in Bromley than at a national level and the Director of Education outlined different ways that attainment was supported, including early identification and via a range of interventions. In response to a question from a Member about attainment of all pupils at Key Stage 4, the Director of Education explained that whilst attainment was often extremely high in Bromley schools, this was not always reflected in pupil progress and that work was underway to address this, including training in schools and targeted work with the Education Endowment Foundation. Attainment data for Key Stage 5 for the 2021/22 academic year was not yet available but this would be provided to the Committee once it had been released.

In considering exclusion outcomes, a Member was concerned to note that Bromley secondary schools had fallen 51 places in the percentile rankings between the 2020/21 and 2021/22 academic year for fixed period exclusion rates. The Director of Education advised that this statistical variation in part reflected the significant reduction in fixed term exclusions during the COVID-19 period; however, there were identified issues around increased pupil anxiety and challenge in the post-COVID period that was impacting the number of fixed term exclusions. There had also been a disproportionate increase in permanent exclusions in some Bromley schools for the 2021/22 academic year which was subject to challenge as part of an ongoing monitoring exercise. A Member proposed that an information briefing exploring truancy in Bromley schools be provided to a future meeting of the Committee and this was supported by Members.

RESOLVED: That education outcomes for children in Bromley schools for the 2021/22 academic year be noted.

**F PERFORMANCE REPORTING - CHILDREN'S SCRUTINY
DATASET PART 1 (PUBLIC) REPORT
Report CEF23010A**

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

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

**G CHILDREN, EDUCATION AND FAMILIES RISK REGISTER -
UPDATE QUARTER 3
Report CEF23008**

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

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

**H CONTRACT REGISTER PART 1 (PUBLIC) REPORT
Report CEF23017A**

The Committee considered a report setting out the Contract Register for the Children, Education and Families Portfolio.

RESOLVED: That Members' comments on the Contracts Register as at 19 January 2023 be noted.

70 CHILDREN, EDUCATION AND FAMILIES INFORMATION ITEMS

The items comprised:

- Children's Performance Management Framework
- Gambling Support for Children and Young People

RESOLVED: That Information Items 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.

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

72 EXEMPT MINUTES OF THE CHILDREN, EDUCATION & FAMILIES PDS COMMITTEE MEETING HELD ON 1 FEBRUARY 2023

The Part 2 (Exempt) minutes of the meeting held on 1 February 2023 were agreed and signed as a correct record.

73 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.

B CONTRACT REGISTER PART 2 (EXEMPT) REPORT

The Committee considered a report setting out Part 2 (Exempt) aspects of the Contract Register for the Children, Education and Families Portfolio.

The Meeting ended at 9.55 pm

Chairman