

## **CHILDREN, EDUCATION AND FAMILIES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 20 March 2024

### **Present:**

Councillor Kira Gabbert (Chairman)  
Councillor Jonathan Andrews (Vice-Chairman)  
Councillors Josh Coldspring-White, Sophie Dunbar,  
Robert Evans, Alexa Michael, Chris Price and  
Rebecca Wiffen

Shamilah Martin  
Alice Kirby and Tommy Velvick

### **Also Present:**

Councillor Kate Lymer, Portfolio Holder for Children, Education and  
Families  
Councillor Graeme Casey (observing)

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

Apologies for absence were received from Councillor Hannah Gray and Councillor Ryan Thomson and Councillor Josh Coldspring-White and Councillor Chris Price attended as their respective substitutes. Apologies for absence were also received from Councillor Colin Hitchins, Reverend Roger Bristow and Rosie White.

Apologies for lateness were received from Councillor Alexa Michael.

### **56 DECLARATIONS OF INTEREST**

Councillor Robert Evans declared that he was a Board Member of the Impact Multi-Academy Trust, which included Hawes Down Primary School.

Councillor Chris Price declared that he was on the Local Advisory Council of Midfield Primary School and a Governor of Riverside School.

Shamilah Martin declared that she was a Parent Governor of Glebe School.

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

One question for oral reply was received at the meeting. A copy of this question, together with the Portfolio Holder's response, can be viewed as Appendix A to these minutes.

*20 March 2024*

**58 MINUTES OF THE CHILDREN, EDUCATION & FAMILIES PDS COMMITTEE MEETING HELD ON 1 FEBRUARY 2024**

In considering Minute 48a: CEF Portfolio Draft Budget 2024/25, a Member requested an update on the number of children and young people benefitting from travel training and this would be provided to the Committee following the meeting.

**RESOLVED: That the minutes of the meeting held on 1 February 2024 be agreed and signed as a correct record.**

**59 MATTERS OUTSTANDING AND FORWARD WORK PROGRAMME  
Report CSD24043**

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

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

**60 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. The Portfolio Holder had recently visited Hollybank Children's Short Break Service that had maintained its 'Good' rating following an Ofsted review in November 2023 and Members were encouraged to arrange their own visits to the service. Other activities included attending the annual Celebration of Achievement for Children Looked After and Care Leavers and accommodating a meeting of the 1<sup>st</sup> Hayes Rangers Group in the Council Chamber where the Mayoress had spoken about her experiences as a previous Mayor of Bromley and as a senior officer in the Metropolitan Police.

The Portfolio Holder introduced an additional briefing paper setting out a proposed new approach to the future delivery of Speech and Language services that would be considered at the meeting of the Council's Executive on 27 March 2024. The briefing paper asked the Council's Executive to approve £470k Dedicated Schools Grant funding to strengthen early identification and intervention for Speech and Language services in key local schools. This one-year pilot scheme was part of a wider transformation agenda that aimed to reduce escalation of need through early intervention, and it was anticipated that the impact of the new service would start to emerge within 6-9 months. A Member asked how this would affect other support options such as Pupil Resource Agreements and the Director of Children, Education and Families explained that the new approach would be delivered alongside the existing graduated support offer. A Member

welcomed the proposal as an invest-to-save measure but expressed concern around use of the Dedicated Schools Grant that was already in significant deficit. The Director of Children, Education and Families confirmed that the new approach would be robustly monitored and that this kind of service transformation would be critical to both service delivery and recovering the Dedicated Schools Grant deficit moving forward.

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

**A CHILDREN, EDUCATION AND FAMILIES PORTFOLIO PLAN -  
2023/24 Q3 UPDATE  
Report CEF23073**

The report presented the Children, Education and Families Portfolio Plan Quarter 3 update for the 2023/24 financial year.

In response to a question from a Member, the Director of Education was pleased to report that 98.8% and 94% of children had secured a preference for their primary and secondary places respectively which was at or above regional and national comparators. A very small number of families did not secure a preference, and this was due to several factors including proximity or selecting only one preference. The Local Authority always met its sufficiency duty with regard to school places and where a family did not secure a preference, they would be allocated a place at another school with the vast majority of Bromley schools rated as 'Good' or above. A Member observed that 390 children were electively home educated in the Borough and the Director of Education explained that families had the right to determine if they wished to home educate their children. In such cases, the Local Authority met with families to ensure they understood the requirement for their child to receive a satisfactory education as well as to provide resources and guidance. Annual home monitoring visits were undertaken which increased in frequency if any concerns were identified and as a last resort, the Local Authority could utilise the School Attendance process to require a child who was not in receipt of a satisfactory education to be placed on a school roll.

A Member queried work underway to reduce the waits for Child and Adolescent Mental Health Services with 155 total waits reported as of December 2023. The Director of Children Education and Families clarified that long waiting times for a particular treatment did not necessarily mean that service users were not receiving other interventions and treatments and all assessed service users were allocated a support worker. Another Member was pleased to note the eating disorders early intervention pilot was progressing well. The Member observed that the second element to the pilot was the delivery of the 'Me and My Body' and 'Happy Being Me' programmes to promote positive self-esteem/image in 3 Primary and 3 Secondary Schools and requested that an update be reported to a future meeting of the Committee.

*20 March 2024*

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

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

The Committee considered the following Part 1 (Public) reports where the Children, Education and Families Portfolio Holder was recommended to take a decision:

**A BUDGET MONITORING 2023/24  
Report CEF23076**

The report presented the budget monitoring position for the 2023/24 financial year which showed a projected overspend of £7,721,000 forecast on the controllable budget based on activity to 31 December 2023.

The Head of Children, Education and Families Finance outlined a number of factors contributing to the overspend including the demand for and costs of Children's Social Care placements and SEN Transport and additional staffing for Children's Social Care. The Director of Children Education and Families outlined work being undertaken to recruit permanent Children's Social Care staff including a planned overseas recruitment round and an increase in the number of training placements for Social Work students. Five agency staff had applied to become permanent staff following the 'Outstanding' Ofsted judgement and it was anticipated that more agency staff would seek to become permanent in the coming months. In February 2024, the Government had published its new vision to transform Children's Social Care, 'Stable Homes, Built on Love', which included the possibility of differently qualified staff taking caseloads and this would be explored moving forward.

The Chairman asked about future options for more cost-effective children's residential placements and was advised that the Government had indicated that a match-funding opportunity would be available for local authorities to build children's homes in partnership with other organisations. In the meantime, the Local Authority was actively seeking ways to deliver its own residential placements including a recent tender process to secure six block beds for which submissions were being evaluated. A Co-opted Member queried whether funding for children with special educational needs and disabilities was combined with that for young people requiring high placement costs for other reasons such as those at risk of child sexual or criminal exploitation. The Head of Children, Education and Families Finance explained that weekly panel meetings were held to consider individual high needs placements and this included how the education, social care and health costs of each placement would be attributed. Another Member asked about SEN Transport and was advised that two travel trainers were now in place to support young people in moving towards independence and that families were also being offered personal transport budgets in place of traditional SEN

Transport where appropriate which provided a more flexible transport offer that was lower cost for the Local Authority.

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

- 1) Note the latest projected overspend of £7,721,000 forecast on the controllable budget based on information as at 31 December 2023; and,**
- 2) Recommend the Council's Executive agree the release of funds from the Central Contingency as set out in Section 5 of Report CEF23076.**

**B CAPITAL PROGRAMME MONITORING - QUARTER 3 2023/24  
Report FSD24017**

The report presented the capital monitoring position for Quarter 3 of the 2023/24 financial year and the revised capital programme for the period 2023/24 to 2027/28.

The Chairman asked about £300k rephased to the 2024/25 financial year for the capital maintenance in schools programme and was advised that this was related to the rephasing of some capital schemes.

**RESOLVED: That the Portfolio Holder be recommended to note the current position in respect of capital expenditure and receipts following Quarter 3 of the 2023/24 financial year and the revised capital programme for the period 2023/24 to 2027/28 agreed by the Council's Executive on 7 February 2024.**

**C EXTENSION OF EDUCATION PSYCHOLOGY SUPPORT  
CONTRACT  
Report CEF23081**

The report requested that an available six-month extension for the provision of Education Psychology support be agreed. The existing contract for the delivery of this service was due to end on 17 April 2024 and the six-month extension period would allow time for an options appraisal to be undertaken to determine the longer-term requirements and procurement options for this service.

In response to a question from the Chairman, the Principal Educational Psychologist advised that there were 13.1 full time equivalent Educational Psychologist posts within the service with nine qualified Educational Psychologists currently employed. The Local Authority did not employ Education Psychology Assistants as these staff were unable to provide Education Health and Care advice which was the major pressure in the service. A Member asked why recruitment in this area was so challenging for local authorities and the Principal Educational Psychologist explained that

*20 March 2024*

agencies offered more flexible working via an attractive day rate of pay as well as virtual roles, whilst Local Authority staff were required to conduct in-person visits. The Member suggested that the Local Authority review how agencies operated in considering its own future service model and the Principal Educational Psychologist confirmed that all options would be considered.

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

- 1) Agree the available six-month extension to the Education Psychology contract with Sanctuary Personnel Limited at an estimated value of £170k for the period 18 April to 30 September 2024; and,**
- 2) Note the intent to set out a further Gateway report for decision on the longer-term arrangements for Education Psychology provision as set out in Paragraphs 3.10 and 3.11 to Report CEF23081.**

## **62 PRE DECISION SCRUTINY OF EXECUTIVE REPORTS**

The Committee considered the following report on the Part 1 (Public) agenda for the meeting of the Council's Executive on 27 March 2024:

### **A BASIC NEED UPDATE REPORT Report CEF23077**

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

The Head of Sufficiency advised that since publication of the report, the Local Authority had been notified that a bid to SALIX for a £500k Public Sector Decarbonisation Scheme grant for the Former Marjorie McClure School had been successful and would enable the replacement of the existing boilers at the site with low carbon air source heat pumps.

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

- 1) Agree the updated Basic Need Programme as set out in Appendix 3 to Report CEF23077, subject to Full Council approval;**
- 2) Agree that new projects at Bromley Beacon Academy (Orpington), Hawes Down Primary School, The Glebe, the former Marjorie McClure school site, and Midfield Primary School be added to the Basic Need Programme as detailed in the scheme appraisals in Appendix 1 to Report CEF23077;**
- 3) Agree that schemes to deliver additional primary places at Scotts Park Primary School and St Marys Cray Primary be removed from the Basic Need Programme as these schemes have been on hold**

**for several years and there is currently no projected need for additional places at either of these schools;**

- 4) Agree the allocation of an additional £177,726 of additional S106 allocations to projects within the Basic Need Capital Programme as outlined in Appendix 2 to Report CEF23077;**
- 5) Note that a further High Needs Capital Provision allocation for 2024/25 for which an estimation of value has been included within Report CEF23077; and,**
- 6) Note that schemes within the Basic Need Programme will be delivered in line with the previously agreed procurement strategy. Awards of contract for schemes within the programme will be delivered in line with the Council's Contract Procedure Rules and, in some instances, grant will be allocated to schools for school-led delivery.**

## **63 POLICY DEVELOPMENT AND OTHER ITEMS**

### **A BROMLEY YOUTH COUNCIL ANNUAL REPORT Report CEF23079**

The Committee heard a presentation from Alice Kirby and Tommy Velvick, Bromley Youth Council Representatives on the work of the Bromley Youth Council. This included the delivery of the 2023/24 Youth Council Manifesto Campaign Objectives of Drug Awareness and Youth Mental Health: Managing Stress and Anxiety, as well as other activities such as a tour of the Borough's youth clubs, the Inspired Youth Conference and participation in the British Youth Council and UK Youth Parliament.

In considering the Campaign Objective around Drug Awareness, a Member was concerned to note that some young people felt apprehensive about calling the Emergency Services in relation to drugs issues. Tommy Velvick was pleased to advise that the Bromley Youth Council had directly addressed this concern in its well-received short stop motion video by encouraging children and young people to report drug selling to Trading Standards or the Police. Another Member asked about the Youth Mental Health Campaign Objective and Alice Kirby explained that Bromley Youth Council had hosted a highly successful event for children's mental health week in the Glades Shopping Centre including a programme of activities for children and young people. Youth Councillors and other young people in Bromley had also worked to produce a mental health magazine with content ranging from articles to investigative journalism, quizzes and artwork. Whilst primarily a digital magazine, a limited number of paper copies were being printed for Bromley schools and youth clubs and the QR code would be provided to Members when available for transmission across their networks.

*20 March 2024*

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 2023/24.

**RESOLVED: That progress made towards delivering the actions identified in the Bromley Youth Council 2023/24 Campaigns Work Plan be noted.**

**B BROMLEY VIRTUAL SCHOOL ANNUAL REPORT 2022/23: 'A TRAUMA-INFORMED APPROACH TO TEACHING VULNERABLE CHILDREN INCLUDING THOSE IN OUR CARE' Report CEF23080**

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.

The Chairman asked the Virtual Head Teacher to share three highlights of the year. The Virtual Head Teacher outlined work undertaken to bring together children's services and schools to promote the education of children with a social worker and children in kinship care arrangements that had delivered improved outcomes for children facing additional barriers in education. Other highlights of the year included the recognition of the work of the Virtual School in the report of the 'Outstanding' Ofsted judgement and the expansion of the Virtual School's highly respected training offer to local, regional and national groups of professionals.

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

**C EDUCATION OUTCOMES FOR CHILDREN IN BROMLEY SCHOOLS 2022/23 Report CEF23078**

The report summarised the education outcomes for children in Bromley schools for the 2022/23 academic year, including comparisons with national and regional data where available.

The Vice-Chairman welcomed many areas in which Bromley was outperforming the national average but queried the trajectory of performance in the percentage of pupils receiving a good level of development in the Early Years Foundation Stage and the Attainment 8 score of Key Stage 4 pupils, although performance for both indicators remained above the national average. The Head of Educational Effectiveness explained the significant impact that the COVID-19 pandemic had on education outcomes across a number of areas. Work was ongoing to support Bromley schools to maintain and improve performance across affected areas and this including the provision of rigorous school improvement resources and targeted support,



including language skills at the Early Years Foundation Stage and Key Stage 1.

In response to a question from a Member, the Head of Educational Effectiveness explained that the criteria for defining a child or young person as disadvantaged was based on several factors including whether a child received pupil premium (which was based on their eligibility for benefit-based free school meals) and whether they were looked after or formerly looked after children. A comprehensive inclusion dashboard was being developed to add further context to existing data around disadvantaged pupils and a Member suggested that best practice be sought from local authorities that had successfully narrowed the disadvantage gap. Whilst the vast majority of Bromley schools were academies for which the Local Authority had limited oversight, a highly regarded programme of workshops was offered to schools including sessions with national leading experts and school leaders who had successfully narrowed the attainment gap. The Chairman was also concerned to note the gender gap in the Early Years and Key Stage 1 stages and further details would be provided to the Committee following the meeting.

Another Member asked about the destinations of Bromley school leavers, including those that were identified as being 'Not in Education, Employment or Training' (NEET). The Director of Education advised that the Local Authority did not hold information on the destinations of Bromley school leavers but that the Bromley Youth Support Programme undertook a range of work with young people identified as being NEET including supporting them to engage with Information, Advice and Guidance services and other opportunities.

**RESOLVED: That the education outcomes for children in Bromley schools for the 2022/23 academic year be noted.**

**D CHILDREN, EDUCATION AND FAMILIES RISK REGISTER -  
2023/24 Q3 UPDATE  
Report CEF23075**

The report set out the Children, Education and Families Risk Register update for Quarter 3 of the 2023/24 financial year.

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

**E PERFORMANCE REPORTING - CHILDREN'S SCRUTINY  
DATASET PART 1 (PUBLIC) REPORT  
Report CEF23074A**

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

The Vice-Chairman queried the Amber rating in performance for the number of Education, Health and Care Plans issued within the statutory 20-week

timescale. The Head of Service Strategy and Performance (Children and Education) advised that high levels of demand had resulted in a dip in performance at the end of the 2023 calendar year but that there was improved performance for the 2024 calendar year to date with 67% and 100% of EHC Plans issued within statutory timescales for January and February 2024 respectively. In response to a question from the Chairman regarding an increase in average caseloads in Children's Social Care at the end of the 2023 calendar year, the Assistant Director: Children's Social Care explained that referrals tended to increase in the run-up to school holiday periods as schools raised concerns about children that would be out of their care and children and young people disclosed issues to trusted parties.

**RESOLVED: That the December 2023 outturn of key performance indicators and associated management commentary be noted.**

**F CONTRACT REGISTER PART 1 (PUBLIC) REPORT  
Report CEF23083A**

The report set out the Contract Register for the Children, Education and Families Portfolio.

The Commissioning Support Officer advised that this report was based on data as at 15 January 2024 and that as of the current date, there were no contracts flagged as a concern.

**RESOLVED: That Members' comments on the Contracts Register as at 15 January 2024 be noted.**

**64 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**

**65 EXEMPT MINUTES OF THE CHILDREN, EDUCATION &  
FAMILIES PDS COMMITTEE MEETING HELD ON 1 FEBRUARY  
2024**

The Part 2 (Exempt) minutes of the meeting held on 1 February 2024 were agreed and signed as a correct record.

**66 POLICY DEVELOPMENT AND OTHER ITEMS PART 2  
(EXEMPT)**

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

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

**B CONTRACT REGISTER PART 2 (EXEMPT) REPORT**

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

The Meeting ended at 9.04 pm

Chairman

This page is left intentionally blank

## CHILDREN, EDUCATION AND FAMILIES PDS COMMITTEE 20 MARCH 2024

### QUESTIONS FOR ORAL REPLY

#### 1. From Debra Rose, Local Resident

Following the LGSCO ruling in 2022, Bromley agreed, "Within three months of my final decision the Council will review its alternative provision policy / procedure to ensure it promptly secures alternative provision for children who don't have access to full-time education at school." Which specific changes did Bromley make?

#### **Reply:**

*The Local Government and Social Care Ombudsman decision required the Council to review its policy and procedures in relation to accessing its alternative provision. Officers carried out a review of the Council's policy and found this to be suitable and appropriate. Some internal procedures were revised in relation to the officer decision functions designed to improve the speed of the ARP procurement process. The Local Government and Social Care Ombudsman wrote to the Council on 31 October 2022 confirming that the remedial actions were satisfactorily completed.*

#### **Supplementary Question:**

So how is it that in two subsequent rulings with exactly the same stock ruling on failure to provide statutory alternative provision, one that was given on 5 October 2023 and the other one was given on 14 November 2023 with exactly the same issues towards Bromley's lack of provision of alternative provision?

#### **Reply:**

*Officers always seek to work in partnership with families to put in place suitable alternative provision where a child is unable to attend school. The Council has sought to review its arrangements for putting alternative provision in place including an Education Otherwise than at School (EOTAS) package and access to alternative resources and provisions but this remains an area of challenge. The Local Authority is aware of all Local Government and Social Care Ombudsman rulings and has taken all required actions.*

This page is left intentionally blank