

**EDUCATION, CHILDREN AND FAMILIES BUDGET AND PERFORMANCE
MONITORING SUB-COMMITTEE**

Minutes of the meeting held at 7.00 pm on 18 July 2017

Present:

Councillor Neil Reddin FCCA (Chairman)
Councillor Nicky Dykes (Vice-Chairman)
Councillors Nicholas Bennett J.P. and Angela Wilkins

Emmanuel Arbenser

Councillor Tom Philpott, Executive Support Assistant to the
Portfolio Holder for Education, Children and Families

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Chris Pierce.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received from members of the public.

4 MINUTES OF THE MEETING HELD ON 15 MARCH 2017 AND MATTERS OUTSTANDING

RESOLVED that the minutes of the meeting held on 15th March 2017 be agreed.

5 CONSIDERATION OF RECOMMENDATIONS ARISING FROM THE EDUCATION CHILDREN AND FAMILY SELECT COMMITTEE SCRUTINY ON THE CHILDREN'S LANDSCAPE IN BROMLEY

The Sub-Committee considered the draft report and recommendations of the Education, Children and Families Select Committee which reviewed the Children's Service Landscape in Bromley at its meeting on 28th June 2017. The draft report had been circulated to all Members and Co-opted Members of the Education, Children and Families Select Committee for their consideration and comment.

In discussion, Members of the Sub-Committee agreed that they supported the draft report and recommendations. Councillor Chris Pierce had confirmed his support for the draft report and recommendations prior to the meeting of the Sub-Committee.

Councillor Nicholas Bennett JP led the Sub-Committee in thanking Philippa Gibbs, Democratic Services Officer for her excellent work in drafting the report of the review.

RESOLVED that the first report of the Education, Children and Families Select Committee for the 2017/18 municipal year be agreed.

6 REFERENCES FROM OTHER COMMITTEES

Report CSD17101

The Sub-Committee considered a report referred from the Executive and Resources PDS Committee following its meeting on 14th June 2017.

At the meeting of the Executive and Resources PDS Committee on 14th June 2017, a report was considered that detailed the provisional final accounts for 2016/17, following which the Chairman of Executive and Resources PDS Committee requested that the report be referred to the Education, Children and Families Budget and Performance Monitoring Sub-Committee to review issues identified in relation to the Recruitment and Retention Fund for Children's Social Care. The Executive and Resources PDS Committee considered that the availability of this fund could have an adverse effect on rigorous adherence to budgets in the Education, Care and Health Services Department and there was a need for Members of the Sub-Committee to identify whether this funding should continue to be held separately.

In considering the report, the Chairman noted the role of the Recruitment and Retention Fund in supporting the increased proportion of permanent staff within Children's Social Care, and highlighted the importance of ensuring rigorous scrutiny was in place.

A Member underlined the need to identify all funding being used to support recruitment and retention within Children's Social Care, and was concerned to note that this included a proportion of Tackling Troubled Families Programme funding for 2016/17. Councillor Nicholas Bennett JP confirmed that the Tackling Troubled Families Programme would be included within the 2017/18 programme of Education Select Committee reviews, and that this would include funding of the initiative.

The Chairman requested that a briefing note on the Recruitment and Retention Fund, including how it was used and any cost savings generated, as well as the difference in costs between agency and permanent staff be provided to Members of the Sub-Committee following the meeting.

RESOLVED that the report be noted.

7 BASIC NEED PROGRAMME UPDATE INCLUDING S.106 ALLOCATIONS

Report ED18015

The Sub-Committee considered a report providing an update on capital schemes within the Local Authority's Basic Need Programme with a project value of over £1M.

The Basic Need Programme was funded by the Basic Need Capital Grant which was provided to the Local Authority from the Department for Education to support the delivery of sufficient school places. A total of £77M Basic Need Capital Grant had been allocated to Bromley schemes between 2011 and 2019, which funded the creation of 1,635 temporary and 2,550 permanent school places in both mainstream and specialist settings across the Borough. The Local Authority had also received a capital allocation of £2,596,530 for Special Educational Needs which was based on projected population growth for children and young people aged 2-18 years between 2018/19 to 2020/21 and would partly be used to fund the expansion of the existing Special Educational Needs unit at Tubbenden Primary School, with the remaining funds considered as part of the High Needs Block review.

In considering the Basic Need Programme, the Head of Strategic Place Planning advised Members that works were underway to expand and refurbish the former Burwood School site to meet the needs of Key Stage 2 and 3 pupils with social, emotional and mental health needs, and that external works to the car park and play area would be undertaken during Summer 2017.

After a proposed scheme to expand Farnborough Primary School by one form of entry had failed to obtain planning permission due to concerns around the impact of the scheme on the openness of the green belt, the Head of Strategic Place Planning confirmed that consideration was being given to possible modifications within the school to accommodate two existing bulge classes. In general discussion, Members noted that there continued to be demand for a further form of entry within Strategic Planning Area 5, and specifically at Farnborough Primary School where the 2017/18 Reception class would comprise 27 sibling pupils with only 3 places available to other pupils within the community. The Sub-Committee requested that the proposed expansion of Farnborough Primary School be revisited at the next meeting of the School Places Working Group and that Appendix 1: B8: Farnborough Primary School – Description be amended to state.

“The permanent expansion of this school from 1 to 2 FE is deferred following the failure of the scheme to obtain planning permission.”

Phase 1 of the scheme to expand Bishop Justice CE Secondary School from 6 to 8 forms of entry had started, but the contractor had become insolvent and works had ceased. The Local Authority was working with the appointed administrator to recover funds and it was proposed that the remaining Phase 1 works be tendered with the remaining phases as a single package of works, with works expected to resume in 2018.

The Education, Children and Families Sub-Committee discussed the importance of publicising schemes funded through Section 106 monies, and requested that the Council's Executive consider how schemes funded by the Local Authority via Section 106 monies could be better promoted (such as through signage at the site of works). Information on the Section 106 funds held for education purposes including deadline dates would be provided to Members of the Sub-Committee following the meeting.

RESOLVED that the Council's Executive be recommended to:

- 1) Agree the updated Basic Need Programme as set out in Appendix 4 of Report ED18015, subject to Full Council approval;**
- 2) Agree the use of £2.89M of unallocated Section 106 Education monies as detailed within Appendix 3 of Report ED18015;**
- 3) Agree an increase to the Basic Need capital scheme of £2,597k to reflect the SEND Provision capital grant allocation as detailed in paragraph 3.3 of Report ED18015;**
- 4) Approve the fully costed appraisal for the new schemes at Beacon Academy (Orpington), Bishop Justus CE Secondary School, Castlecombe Primary School, St John's CE Primary School and Tubbenden Primary School in addition to the projects outlined in the previous report agreed by the Council's Executive on 2nd April 2014 and 20th May 2015;**
- 5) Authorise the Director: Education to support schools to submit planning applications in association with these works; and,**
- 6) Consider how schemes funded by the Local Authority via Section 106 monies could be better promoted.**

8 BUDGET CLOSEDOWN 2016/17

Report ED18008

The Sub-Committee considered a report outlining the provisional budget outturn position for the Education Portfolio for the 2016/17 financial year. This showed an underspend of £109k for the "controllable" element of the Non-Schools' Budget, a reduction from the last reported figure of £75k overspend based on activity at the end of December 2016. This was largely due to an underspend on staffing and running expenses for the Early Intervention Service including additional recharge of Public Health grant, as well as a small underspend on the Youth Offending Service relating to staffing and running costs. There was also an underspend of £226k on the Schools' Budget which was funded by the Dedicated Schools Grant, and would be added to £1.4M carry forward funding remaining from 2015/16, giving a total of £1.6M to be carried forward into 2017/18. A number of carry

forward requests had been agreed by the Council's Executive at its meeting on 20th June 2017, which related to either unspent grant income or delays in expenditure where cost pressures would follow through into 2017/18.

The Head of Education, Care and Health Services Finance advised Members that the Secretary of State for Education had recently announced additional funding of £1.3B for schools in England comprising £400M for 2018/19 and £880M for 2019/20 to be drawn from savings within the Department for Education budget, the free schools budget and 'healthy pupils' projects that would be provided as a 'per pupil' cash increase. From 2018/19, the new National Funding Formula would be introduced. This would initially be via a 'soft' formula that could be directed by the Schools' Forum, but from 2020/21, the National Funding Formula would be centrally-controlled and the Schools' Forum would have no input on how funding was allocated to Bromley schools. The Schools' Forum would retain a role in considering how funding should be allocated in other areas, such as the High Needs block. A briefing note on the Ministerial Statement on Schools Funding would be provided to Members of the Sub-Committee following the meeting.

In considering the provisional budget outturn position, the Chairman noted that there had been an overspend of £504k for Special Educational Needs transport for 2016/17 which was lower than projected due to increased income, and that additional funding had been agreed within the Education, Children and Families Portfolio budget for 2017/18 to ensure sufficient funding was available to meet the costs of Special Educational Needs transport.

In response to a question from a Member, the Head of Education, Care and Health Services Finance confirmed that the overspend of £95k relating to Community Vision and Blenheim nurseries was due to lower than expected take up of the places reserved for social care clients.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Note the underspend of £109k on controllable expenditure at the end of 2016/17;**
- 2) Note the carry forward requests agreed at the meeting of the Council's Executive on 20th June 2017; and,**
- 3) Approve the provisional budget outturn for the Education Portfolio for 2016/17.**

9 BUDGET MONITORING 2017/18

Report ED18010

The Sub-Committee considered a report setting out the budget monitoring position for the Education, Children and Families Portfolio for 2017/18, based on expenditure to the end of May 2017.

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The Non-Schools budget was forecast to be in an overspend position of £627k for 2017/18, with a projected full year cost pressure effect of £1,130k for which further management action would need to be taken. This was largely due to a predicted overspend of £491k for the Children's Social Care Service as a result of an increase in placements for children, expenditure related to leaving care and staffing pressures. The Schools Budget which was funded by the Dedicated Schools Grant was forecast to be in an underspend position of £705k during 2017/18, which would be added to £1.6m carried forward funding.

Members were advised that at its meeting on 20th June 2016, the Council's Executive approved a number of carry forward requests for funding to be transferred into contingency for 2017/18. These carry forward requests which totalled £218k related to either unspent grant income or delays in expenditure where cost pressures would follow through into 2017/18.

It was requested that the Council's Executive agree the release of £800k from an earmarked reserve funded by the Bromley Clinical Commissioning Group to contribute towards the health costs of children's social care placements that comprised a one-off payment of £500k and further contributions totalling a maximum of £500k per annum for 2017/18 and 2018/19, to be utilised towards the provision of Children's Social Care for 2017/18. It was also requested that the Council's Executive agree the release of £115k from the Central Contingency for 2017/18 to fund additional staffing to meet statutory obligations in relation to transferring all existing statements of special educational needs to the new Education, Care and Health Plans by 31st March 2018.

The Head of Education, Care and Health Services Finance advised Members that plans were in place to reduce the level of spend on agency staff within Children's Social Care, with a target for agency staff to make up no more than 10% of the workforce by September 2017, and that this was being supported by a robust recruitment campaign for permanent staff. Councillor Nicholas Bennett JP outlined a number of ongoing pressures within Children's Social Care including increase in placements for children, and emphasised that the level of demand for these services should be reflected in the budget setting process for 2018/19.

In considering the reserve funded by the Bromley Clinical Commissioning Group, Members were generally concerned that £200k had been set aside to undertake a review of Hollybank, its use and funding. The Head of Education, Care and Health Services Finance confirmed that discussions were ongoing with the Bromley Clinical Commissioning Group regarding the proposed review and that final costings had not been agreed.

The Chairman noted that where waivers were agreed, contracts could be exempted from the normal requirement to obtain competitive quotations under the Council's Contract Procedure Rules, including some contracts for care placements in Children's Social Care. The Chairman requested that a redacted summary be provided in future Budget Monitoring reports for contracts costing in excess of £100k where a waiver had been agreed and this was supported by the Sub Committee.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Note the latest projected overspend of £627k forecast on the controllable budget, based on information as at May 2017;**
- 2) Note the full year effect of cost pressures of £1,130k for the Education Portfolio budget for 2017/18;**
- 3) Agree the release of carry forward amounts held in contingency relating to Early Years Grant – Supporting Early Education of Disadvantaged Children, LA Conversion Academies Sponsor Support, High Needs Strategic Planning Fund, SEN Reform Grant and SEN Pathfinder Grant;**
- 4) Request the Council's Executive agree the release of £800k from an earmarked reserve provided by the Bromley Clinical Commissioning Group to contribute towards the health costs of children's social care placements which would be utilised towards the provision of Children's Social Care for 2017/18;**
- 5) Request the Council's Executive agree the release of £115k from the Central Contingency for 2017/18 to fund additional staffing to meet statutory obligations in relation to transferring all existing statements of special educational needs to the new Education, Care and Health Plans by 31st March 2018; and,**
- 6) Approve the Education Portfolio Budget Monitoring Report 2017/18.**

10 LOCAL AUTHORITY DESIGNATED OFFICER (LADO)

Report ED18014

The Sub-Committee considered a report outlining the work carried out across the Borough to manage allegations made against staff who worked with children and young people in a paid or unpaid capacity during the 2015/16 financial year. There was a statutory requirement for local authorities to have clear procedures in place for responding to allegations of harm or abuse of children by staff or foster carers within the Children's Act 2014, and the Local Authority Designated Officer had overall responsibility for managing and coordinating allegations against those who worked with children in Bromley.

During the 2015/16 financial year, a total of 193 allegations had been reported to the Local Authority which represented a 73.87% increase in the number of referrals received and recorded from all agencies across the Borough compared to the previous year. A number of factors had been identified as contributing to this increase, including the robust recording of all allegations whether or not they met the threshold for further action (which had been further supported by the

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introduction of a new IT application), the delivery of regular multi-agency Allegation Management Briefings and the drive to raise awareness of allegation management procedures. Where it was identified that the threshold for harm or potential harm to a child was met or there were concerns that a professional might not be suitable to work with children, a strategy meeting was convened. In 2015/16, 112 strategy meetings were convened as a result of allegations, following which 47 referrals were made to the Police for investigation. Where the threshold for a strategy meeting was not met, referrals were passed back to employers for internal management action which might involve training, a formal warning or disciplinary management investigation.

In considering the report, the Chairman was concerned to note the low number of referrals from Health partners and the Police. The Local Authority Designated Officer highlighted that this was a common issue across local authorities, but that work was being undertaken to raise awareness of allegation management procedures with all key partners and to encourage participation in training. The Bromley Safeguarding Children Board had requested a 'deep dive' review be undertaken to investigate this issue, and was working with the Quality Improvement Service to raise awareness of 'other' agencies, such as faith groups and sports clubs. An Early Years Quality Improvement Manager and Safeguarding Lead was working to support increased reporting by the Early Years sector.

In response to a question from Councillor Nicholas Bennett JP, the Local Authority Designated Officer confirmed that the allegations management process was applicable to professionals where concerns about their personal lives raised questions about their suitability to work with children, including inappropriate physical chastisement of their own children, and that clarification on the current position in law around the physical chastisement of children would be provided to Members following the meeting. Statutory guidance setting out the role of the Local Authority Designated Officer would also be provided to Members of the Sub-Committee following the meeting, and the Local Authority Designated Officer report for the 2016/17 financial year would be provided to the next meeting of the Sub-Committee on 26th September 2017.

RESOLVED that the report be noted.

11 EDUCATION SAFEGUARDING OFFICER - TERMS OF REFERENCE AND VERBAL UPDATE

The Sub-Committee received a verbal update from Gillian Halden, Interim Head: Quality Improvement Service and Rita Dada, Local Authority Designated Officer on the role of Education Safeguarding Officer which had been introduced in Bromley in April 2017 and was funded through Dedicated Schools Grant.

The Education Safeguarding Officer was a qualified social worker based in the Quality Improvement Service who worked to enhance communications between the Local Authority and schools. This included the provision of child safeguarding information to schools and supporting schools to better understanding of the

threshold for referrals to the Multi-Agency Safeguarding Hub and Local Authority Designated Officer. The Education Safeguarding Officer had recently met with Designated Lead Officers to identify common concerns and information gaps on child safeguarding, and would be supporting schools to review their safeguarding procedures and develop robust safeguarding policies going forward. The Education Safeguarding Officer role was a model used by a number of other Local Authorities rated as 'Good' or 'Outstanding' for their children's social care services.

In response to a question from the Chairman, the Local Authority Designated Officer confirmed that feedback from schools about the Education Safeguarding Officer had been very positive and would be used to inform a six month review of the role to consider how it could be further developed.

RESOLVED that the verbal update be noted.

12 VERBAL UPDATE: HOW QUALITY ASSURANCE WORKS IN BROMLEY - QUALITY ASSURANCE OVERVIEW

The Sub-Committee received a verbal update from Gillian Halden, Interim Head: Quality Improvement Service providing an overview on how quality assurance worked within the Borough.

The Quality Improvement Service had been established in October 2016, introducing an ambitious programme of case audits to Children's Social Care which aimed to capture the quality of social work practice and measure improvement. All managers within Children's Social Care were expected to undertake case audits as part of the programme, the outcome of which was reported to the Children's Service Improvement Governance Board on a monthly basis, with over 300 case files audited since October 2016. Any case assessed as being 'Inadequate' was subject to a further audit, and managers discussed the outcomes of all case audits with social workers to support their understanding of good practice.

The Quality Improvement Service had delivered a highly successful social work practice week between 26th and 28th April 2017 which had provided a range of opportunities for Senior Leaders and managers to better understand frontline practice and observe practice in a range of service areas, and for Members to participate in their role as Corporate Parents. A similar event was planned for October 2017 which would be widened to include a range of key partners such as Health. The Quality Improvement Service also chaired Child Protection Conferences and had worked with key partners over the past year to review all Child Protection Plans and ensure that these plans were only being used where appropriate and that all children at risk of suffering significant harm had a Child Protection Plan in place.

In April 2016, there had been 360 children within the Borough who were subject to a Child Protection Plan. During the review process, it had been identified that a Child Protection Plan was not appropriate for a number of these children, for example where children had become looked after, and as at July 2017 there were

260 children within the Borough who were subject to a Child Protection Plan, which included a number of sibling groups. An emphasis had been placed on early intervention and preventative work to safeguard children with Child Protection Plans, such as by reducing any delays in legal proceedings. A robust procedure had also been introduced to keep track of vulnerable children moving into or out of the Borough, which included 'transfer in/out' conferences.

In response to a question from the Chairman, the Interim Head: Quality Improvement Service confirmed that Independent Reviewing Officers worked to review care plans for all children looked after to ensure there was no drift or delay in delivering their care plans.

RESOLVED that the verbal update be noted.

13 ANY OTHER BUSINESS

Councillor Mary Cooke had requested to join the membership of the Education, Children and Families Budget and Performance Monitoring Sub-Committee for the 2017/18 municipal year, and this was agreed by the Sub-Committee

RESOLVED that Councillor Mary Cooke be added to the membership of the Sub-Committee for the 2017/18 municipal year.

14 DATE OF NEXT MEETING

The next meeting of the Education, Children and Families Budget and Performance Monitoring Sub-Committee would be held at 7.00pm on Tuesday 26th September 2017.

The Meeting ended at 8.23 pm

Chairman