

EDUCATION, CHILDREN AND FAMILIES SELECT COMMITTEE

Minutes of the meeting held at 7.00 pm on 29 January 2019

Present:

Councillor Nicholas Bennett J.P. (Chairman)
Councillor Neil Reddin FCCA (Vice-Chairman)
Councillors Marina Ahmad, Kathy Bance MBE,
Yvonne Bear, Judi Ellis, Chris Pierce and Stephen Wells

Reverend Roger Bristow and Joan McConnell
Emmanuel Arbenser and David Hullah
Angela Leeves

Also Present:

Councillor Nicky Dykes
Councillor Peter Fortune, Children, Education & Families Portfolio
Holder

34 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Cllr Will Rowlands, and Michelle Fribbens (Primary Parent Governor Representative).

The Chairman welcomed the new Director of Education, Jared Nehra, to the meeting. The new Director of Education outlined his background and reported that since taking up his post at the beginning of January 2019, he had spent a considerable time in schools meeting Head Teacher colleagues. The Director outlined that he had inherited a number of priorities which he was looking forward to progressing. These included the key priorities of:

- Narrowing/filling the gap – ensuring that progress for disadvantaged pupils in Bromley was in line with their peers; and
- Implementing the SEND Reforms.

35 DECLARATIONS OF INTEREST

During the course of the substantive item; Cllr Peter Fortune declared an interest as a Non-Executive Director of Clarion Charitable Foundation. The Committee noted that the declaration was reflected on Cllr Fortune's Register of Interest. There were no additional declarations of interest.

**36 MINUTES OF THE EDUCATION SELECT COMMITTEE MEETINGS
HELD ON 16 OCTOBER 2018 AND 12 DECEMBER 2018**

The minutes of the meetings held on 16th October 2018, and 12th December 2018 (excluding exempt information) were agreed, and signed as a correct record.

Turning to matters arising from the minutes and the issue of the proposed transfer of £1m from the Schools' Block to the High Needs Block. A Member queried whether the discussion with Head Teachers had taken place in advance of the Committee's meeting on 12th December 2018. In response, the Portfolio Holder stressed that it was not in the power of the Local Authority to transfer funding between funding blocks. It had been necessary to make a disapplication request to the Secretary of State. The Portfolio Holder reported that conversations between the Council's Education Department and Head Teachers and their Schools took place all the time. The Interim Executive Director of ECHS confirmed that the meeting of the Schools Forum took place in January after the Select Committee's meeting on 12th December 2018.

**37 QUESTIONS TO THE SELECT COMMITTEE CHAIRMAN FROM
MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE
MEETING**

No questions had been received.

**38 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF
THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING**

No questions had been received.

**39 EDUCATION, CHILDREN AND FAMILIES SELECT COMMITTEE
WORK PROGRAMME
REPORT CSD190002**

The Committee considered a report dealing with the Committee's business management.

In relation to the School Place Planning Executive Working Group the following Membership was proposed in addition to the Portfolio Holder and Executive Assistant:

Cllrs Nicholas Bennett, Neil Reddin, Chris Pierce, Marina Ahmad, Stephen Wells, Judi Ellis, Yvonne Bear, Emmanuel Arbenser, and David Hullah. It was noted that the Clerk would canvass Members and Officers for suitable dates.

(NB: Following the meeting the Portfolio Holder confirmed that he endorsed the proposed Membership)

RESOLVED: That

- 1. Progress on matters arising from previous meetings be noted;**
- 2. The following Members join the School Place Planning Working Group for 2018/19: Cllrs Nicholas Bennett, Neil Reddin, Chris Pierce, Marina Ahmad, Stephen Wells, Judi Ellis, Yvonne Bear, Emmanuel Arbenser, and David Hullah; and**
- 3. The 2018/19 work programme be agreed.**

40 PORTFOLIO HOLDER UPDATE

The Portfolio Holder for Children, Education and Families, Cllr Peter Fortune, attended the meeting to respond to questions from the Committee. The Portfolio Holder gave a brief introduction highlighting the following issues:-

- The Council had welcomed the new Director of Education, Jared Nehra, who had joined the Council at the beginning of January. The recruitment process had been very positive involving Members, Head Teachers and Bromley children. The Director had hit the ground running and had already been involved in a number of meetings.
- The Portfolio Holder expressed his thanks to Lynda Doel who had recently hosted him at St John's Primary School.
- The official decision in relation to the Bullers' Wood Planning application had been received and it was pleasing that the application could now be progressed.
- At the beginning of January a week long Ofsted Inspection of Adult Education Services had taken place following the restructure and redesign of the Service. The outcome of the Inspection would be published later in February.
- The Portfolio Holder reported that he was "desperately proud" of the work that had been done within Children's Services at Bromley. Significant investment had been made in improving services. There were now more permanent staff. The Council had invested in technology to ensure sure that the staff had the right tools to do their job and provide support to the most vulnerable children. In addition, schools now had dedicated social workers. The Portfolio Holder stressed that the turnaround, which had been validated by the published outcome of the Ofsted Inspection, was a testament to all those involved including staff, the departmental leadership, and Members. The Portfolio Holder concluded by emphasising that everyone across the Council needed to ensure that "the child was at the centre of all that we do."

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

- The Portfolio Holder confirmed that in relation to the opening of Bullers' Wood School for Boys at the St Hughes site, representatives from the Council had met extensively with the ESFA and representatives from the School. The Planning Application had been submitted for

temporary accommodation and assurances had been given that subject to planning everything was in place to open on the temporary site in September 2019. A suggestion had been made by the Council that an extension to the use of the Westmoreland site would be a useful safety net, however the ESFA had been clear that they would not entertain this.

- The Local Authority was under pressure in relation to finances. The money that had been invested in Children's Services in the Borough was money well spent. At each visit, Ofsted inspectors had challenged the Local Authority about the sustainability of the budget. The Portfolio Holder confirmed that he was confident that the budget was sustainable and would enable the delivery of further improvements.
- In relation to the provision of a Catholic Secondary School in the Borough; the Local Authority itself did not have the power to open schools, the Diocese would have to do this. Officers from the Council had been liaising with the Diocese, discussions were ongoing but no firm plans were yet in place. The statutory responsibility of the Council was to ensure that there were sufficient school places. Whilst it was acknowledged that there were seven Catholic primary schools in the Borough and no Catholic secondary school for the children to move on to, the Council had met its statutory responsibility to provide sufficient school places.
- In relation to the Dedicated Schools Grant; the Portfolio Holder emphasised that it was unquestionable that school finances were under pressure. Over the last 10 to 15 years there had been a number of changes to the way in which schools operated. In addition to this there was an ever increasing need for provision for children with special educational needs and disabilities funded through the High Needs Funding Block. The Local Authority responding to recommendations from the SEND4Change review to manage these pressures. The Council had also agreed to fund £2m from its reserves as well as applying to the Secretary of State for permission to transfer £1m from the Schools Block to the High Needs Block. Furthermore, the Local Authority had been notified that the DfE had allocated additional High Needs funding of £788k for both 2018/19 and 2019/20. The decision to continue to pursue the disapplication request was taken in order to enable further lobbying on the issue of High Needs Funding as it was important to emphasise that the High Needs Block in Bromley was underfunded. The Portfolio Holder stressed the importance of lobbying in order to ensure that Bromley schools and their pupils had the necessary level of funding. Once a meeting had been secured with the relevant Minister this point would be made.
- The Portfolio Holder confirmed that the disapplication request was made in the context of discussion involving himself, Officers, the Leader of the Council, and the Portfolio Holder for Resources, Contracts and Commissioning. The process that had been followed was the same one that was used in 2017/18. Members of the Committee expressed concern that they had not been given advanced notification of the decision to submit the disapplication request and there had been no scrutiny of this request until this meeting.

- The issue of the impact of lagged funding for new Free Schools was raised at a Primary Head Teachers' meeting. The Council would continue to lobby the DfE over this issue which was having a disproportionate impact in Bromley. Following a meeting between the Portfolio Holder, Headteacher representatives and Bob Neill MP, the MP had written to the Minister of State Nick Gibb MP, seeking a meeting. The issue would, with the approval of Members, be added to the draft Select Committee Report on the Education budget.

Members of the Select Committee expressed concerns in relation to the lack of transparency surrounding the disapplication request to the Secretary of State. The Chairman suggested the process for this type of decision (one taken by a small group of officers and councillors) should be referred to the Council's Constitutional Improvement Working Group for further consideration. The Portfolio Holder informed the Committee that, due to the changes around the National Funding Formula, the option to apply for disapplication would not be available next year. That is why it was important to lobby as extensively as possible to highlight concerns.

The Select Committee also requested that at the next meeting the Portfolio Holder set out the mitigation that was being put in place in relation to pressure on High Needs funding.

The Chairman and Committee thanked the Portfolio Holder for his update.

41 EDUCATION INFORMATION ITEMS

A MINUTES OF THE EDUCATION, CHILDREN AND FAMILIES BUDGET AND PERFORMANCE MONITORING SUB COMMITTEE MEETING HELD ON 30 OCTOBER 2018

The Committee noted the minutes of the Education, Children and Families Budget and Performance Monitoring Sub Committee meeting held on 30 October 2018.

42 SCRUTINY OF THE INTERIM DIRECTOR OF CHILDREN'S SOCIAL CARE

The Chairman welcomed the Interim Director of Children's Social Care and thanked her for the enormous contribution she had made to the transformation of Children's Services in Bromley.

The Interim Director of Children's Social Care, Mrs Janet Bailey, attended the meeting to respond to questions from the Committee. Mrs Bailey gave a brief introduction, reflecting on the previous two years' of the transformation journey:-

- The Interim Director thanked Members, Partners and Social Workers for the support they had provided to the Children's Service improvement process over the past two years.

- The “Roadmap to Excellence” had introduced the Caseload Promise and this had realigned work and added capacity. Social workers now held caseloads of between 12 and 15 children.
- In 2017, there had been only 42% permanent staff in the Service. This had now increased to between 80% and 85%. Managers were ambitious to reach a target of 90% and were also committed to “grow your own”.
- Over the last two years the Atlas Team and MEGA (Missing Exploitation and Gang Affiliation) Panel had been introduced in order to mitigate against the risks associated with Child Sexual Exploitation, Missing and Gangs.
- Social workers continued to be audited and dynamic training resulting from the audits had been introduced.
- Over the past 2 years there had been 7 Ofsted Monitoring visits. Whilst the Local Authority had needed validation from Ofsted the improvements that were being delivered were about providing better services for children in the Borough.
- Over the past two years the culture of the organisation had grown and evolved. The then Executive Director of ECHS had been clear about the vision and values of the Service. Through this vision and the emerging values it had been possible to change the culture across the organisation and staff had come to understand that they were respected and valued. The Senior Leadership Team had been keen to instill a culture of learning. To this end confidential “Tell Me” surgeries were held for social workers to meet with the Interim Director and the Director and Heads of Service regularly visited individual teams to meet with and provide support to social workers.
- A Care Leavers Forum and Hub had been established and Care Leavers were now provided with support in relation to housing issues.
- The Early Intervention Service continued to provide support to families to enable them to remain within their communities.
- Children accessing services had reported that they felt that they were known by everyone within the Local Authority.
- There was still more to do; Ofsted had made 4 recommendations and a number of actions would arise from these recommendations. The Council had 70 days from the publication of the report to return its improvement plan to Ofsted.
- In terms of the next steps; further work needed to be completed on the Bromley Relationship Model, the Social Work Academy would be launched, and the ‘Staying Together’ Team would be further developed. Further consideration would need to be given to professional development for social workers and initiatives such as the bi-annual “Transfer Window” which enabled social workers to transfer to any positions in different teams within the service (subject to service requirements) would be further rolled out.
- The three key challenges remained: the Children’s Social Care Budget, reducing the number of care proceedings, and staff recruitment and retention.

Mrs Bailey responded to questions, making the following comments:-

- Once the Children's Service Improvement Governance Board had been decommissioned the Service would continue with a Practice Improvement Board. Whilst the Chairman of the Children's Service Improvement Governance Board had been fantastic at scrutinising and challenging the Service over the past 18-months, Ofsted would expect to see more robust internal scrutiny. As a result of this there would be a Board but it would not be an external board.
- The turnover of agency staff had slowed and there was 1 locum social worker in the Looked After teams. The increase in the number of permanent staff had provided stability to the children. It was notable that a number of the remaining agency staff had been with the Service through the improvement journey and the Interim Director confirmed that she was confident they would stay with the Local Authority.
- Conversations about the facilities for staff were ongoing and this was a priority for the senior leadership team.
- The Department was no longer progressing with the Eclipse case management system. The Department would go out to tender for an alternative system and a Programme Manager would be brought in. It was likely that the procurement of a new system would take 18-24 months and then implementation beyond this.

Members requested that the Improvement Plan be presented to the Select Committee following submission to Ofsted.

The Chairman thanked the Interim Director for her update and encouraged Members to attend the Corporate Parenting Fun Day which was being held from 3pm to 7pm on 22nd February at The Warren.

43 SHORT ITEM: YOS UPDATE REPORT ECHS19021

The Committee considered a report which provided Members with feedback and an update of progress made by Bromley Youth Offending Service in securing improvement and responding to the inspection findings.

In response to a question, the Head of the Youth Offending Service reported that in terms of staffing, the workers in the Youth Offending Service were specialist and there was a limited supply of workers with the specialist skills that were required. There was a pool of people who worked via agencies and this resource would be utilised until it was possible to recruit permanent workers with the required skill set. Within the last two years there had been a 75% turnover in staff. All inadequate staff had now moved on from the service and those that were in post had the necessary competencies. The Director of Children's Social Care highlighted that the Service had been realigned to ensure that there was now an emphasis on qualified workers and this in turn increased the skill set of the Team.

The Select Committee requested that an updated structure chart be circulated following the meeting along with information concerning the number of cases held by each worker.

The Select Committee noted that the actual number of young people who reoffended was small and this number was reducing year-on-year. A number of different interventions were being considered in order to reduce the risk posed by re-offending.

In response to a question concerning work with other Boroughs, the Head of the Youth Offending Service reported that there was a London-wide Officer Forum which met. In addition to this best practice was shared across the London network.

In relation to restorative justice, the Head of the Youth Offending Service explained that there was an effort to make reparations more offence focused and youth offenders were encouraged to reach out to the Community. Young people were also engaged in victim empathy work.

The Head of the Youth Offending Service explained that there had been good outcomes from the Liaison and Diversion provision and it was hoped that it would be possible to develop a Liaison and Diversion programme for the Borough in partnership with NHS England.

In response to a question concerning the 'RAG' report that had been circulated, the Head of the Youth Offending Service reported that there remained two 'red' actions outstanding. One related to drawing up and putting in place a bespoke programme to support parents, and the other concerned working with Bromley Y to review mental health services for young people.

The Head of the Youth Offending Service confirmed that once young people convicted of violent offences had received their sentence they were picked up by the Youth Offending Service directly from Court. The Service then worked directly with the young person and saw them on a regular basis at the Youth Offending Service offices. In relation to the support services aimed at knives and gangs, the Head of the Youth Offending Service reported that there were a range of initiatives as 'one size did not fit all'. It was agreed that a briefing note on this issue would be provided to the Select Committee following the meeting.

The Chairman and Committee thanked the Head of the Youth Offending Service for her update and noted a further update was due in October 2019.

44 WITNESS SESSION: THE IMPACT OF BENEFIT CHANGES ON CHILDREN AND FAMILIES

The Chairman welcomed Ms Sara Bowry (Director of Housing), Mrs Rachael Dunley (Head of Early Intervention and Family Support Services), Mr Colin Smith (Welfare Reform Manager), and Ms Tracey Wilson (Head of

Compliance and Strategy) to the meeting. Members of the Committee explored a number of themes and issues with the witnesses.

The Chairman opened the discussion noting that there were in excess of 1600 families in temporary accommodation in the Borough. Rent level across the Borough had become unaffordable and many vulnerable families faced additional financial pressures as a result of rising costs.

The Director of Housing confirmed that many of the pressures faced by vulnerable families were a result of the cumulative impact of the changes that had been introduced as part of the roll out of Universal Credit. The Director of Housing confirmed that there were over 1600 families in temporary accommodation and this included 1815 children aged 0-16 years old. An increasing number of families were now being placed outside the Borough, with over 600 school aged children housed in temporary accommodation outside the Borough. 300 were placed in Medway and Kent. Of these, an increasing number were required to travel back into the Borough to attend school which placed additional financial pressure on the families.

One of the aims of the introduction of Universal Credit had been to encourage families to budget on a monthly basis. This was a skill that did not necessarily come instinctively to vulnerable families and many required intensive support in order to learn how to manage their monthly budget. It was critical that there was intervention at an early stage in terms of debt and housing advice if it became evident that families were not able to manage their monthly budget.

In response to a question from the Chairman, the Director of Housing provided the following data in relation to families living in temporary accommodation:

1815 school aged children (0-16 years) living in temporary accommodation
504 children attended school in Bromley
286 families were placed in Croydon
178 families were placed in Lewisham
99 families were placed in Bexley
40 families were placed in Southwark
22 families were placed in Lambeth

The bulk of the remaining families (686) were placed in Kent (e.g. Gravesham, Swale, Thanet etc) and Medway. 229 families were placed in Medway and 86 families placed in Dartford.

It was agreed that the data provided by the Director of Housing would be circulated with the minutes.

The Select Committee was also provided with three case studies based on families from Bromley. The case studies illustrated that the vulnerable families tended to struggle with debt having started in a negative position as a result of significant rent arrears arising from the 5-week delay in the benefit payment. In addition the unaffordably high rents across the Borough placed

additional pressure on families. The withdrawal of the additional bedroom subsidy also caused issues and many families were forced to take in lodgers. The Head of Early Intervention and Family support Services highlighted that this raised a number of other issues (such as safeguarding) as many of these families were vulnerable and were not always good at making choices.

The Select Committee noted that within the Council's Housing Services there was increased debt advice, floating support services, and assessments of need were undertaken. The Citizens Advice Bureau (CAB) was also funded to provide advice concerning Universal Credit. The Welfare Reform Manager reported that the CAB were also very good at signposting families to the other support services that were available as well as providing basic budgeting support to families. To date the take up of the CAB support had been disappointing. Universal Credit was launched in Bromley in July 2018, and since that time there had been 400 approaches to the CAB service. In response to a question, the Welfare Reform Manager confirmed that there should be no correlation between take up and levels of literacy as any claimants struggling with literacy would have needed help and support filling in the online claim form. This in turn should have highlighted that they may need ongoing help to access support and advice services. The Portfolio Holder highlighted that Housing Associations and Credit Unions also provided valuable support to families experiencing financial problems.

For the purposes of the Select Committee's report, the Director of Education agreed to provide information concerning the number of children travelling to Bromley schools from neighbouring Boroughs, Kent and Medway. The Interim Executive Director of ECHS reported that the Education Department held generic data on children receiving SEN or Early Help in schools. If children had a CAF they would be known to the Department by name.

In response to a question, the Director of Housing confirmed that there were a number of initiatives within the Housing Strategy to address the limited supply of family properties across the Borough. The Under-Occupation Scheme aimed to facilitate a move to a smaller property for those that were over-accommodated, such as older people whose families had grown up and moved out. One of the biggest issues was that people looked to move from 3 bed properties to 2 bed properties. However there was competing demand as 2 bed properties had the highest demand from homeless families. The Housing Strategy was looking at way to increase supply but this was a longer-term solution.

The Director of Housing also highlighted that for many families living in temporary accommodation housing supplied by housing associations was becoming unaffordable.

In response to a question, the Director of Housing confirmed that the Council operated a Placement Policy which took into consideration particular support needs such as schooling and employment and gave families meeting the specific criteria priority for in-borough or placements nearer to Bromley.

A Member noted that if more families were enabled to remain in-borough the Council would require significant additional school places.

The Select-Committee noted that 40% of people approaching Housing Services for support were losing private sector accommodation due to affordability. This was a result of the failure of real incomes to keep pace with cost increases. The Committee also noted that there were few options available to enable people to move on from insecure and unstable accommodation. Members noted that there were now a number of people in full-time employment with little option but to access night shelters and temporary accommodation due to the unaffordability of housing.

The Head of Early Intervention and Family Support Services reported that often Family Workers in schools were the first to identify a family who was struggling. A referral into the Council's Early Intervention Service could then be made and a debt plan could be agreed if necessary. There was no procedure for communicating with schools outside Bromley and the Early Intervention Service would continue to provide support to a family who had move to a different area until the new host authority confirmed that the family had been picked up.

The Select Committee considered the issue of families who owned their home and had a mortgage. It was noted that 9 Universal Credit payments would have to be made before mortgage support could be claimed. In addition to this there was a 4-5 week delay in the payment of the first month's Universal Credit. This meant that a significant amount of mortgage arrears had built up and if families had already utilised their "mortgage holiday" during an earlier period of unemployment they were at significant risk of losing their property. The Director of Housing reported that in 2011 there had been an influx of homeowners losing their accommodation as a result of mortgage arrears. The numbers had now fallen although it was acknowledged that the small number known to the Local Authority may be masked by larger numbers who have sought help from family and friends before approaching the Council.

The Select Committee also expressed concerns surrounding the impact of overcrowding on school aged children. Members suggested that consideration should be given to expanding the provision of study facilities available to children living in overcrowded accommodation. The Director of Housing confirmed that overcrowding and space to study was one of the criteria in the Placement Policy. It was however acknowledged that there was more work to be done around this issue.

The Director of Housing reported that the Council was working with Housing Associations to address the issue of increased rents resulting from 'home swaps'. It was not an easy issue to address and the Council was looking at re-profiling. Some issues may be resolved as reassessments of rent took place and the Council was working with Clarion and other Housing Associations to identify a sustainable solution.

The Chairman thanked the witnesses for attending the meeting and assisting Members with their review.

The Select Committee requested that in future information be sent to Members as part of the agenda pack, although the Chairman noted that in this instance it had been hard to identify all the relevant evidence.

45 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.

46 PART 2 (EXEMPT) MINUTES OF THE MEETING HELD ON 12 DECEMBER 2018

The Part 2 (exempt) minutes from the meeting held on 12 December 2018, were agreed, and signed as a correct record.

The Meeting ended at 9.15 pm

Chairman