

## **CHILDREN, EDUCATION AND FAMILIES PDS COMMITTEE**

Minutes of the meeting held at 7.00 pm on 30 January 2020

### **Present:**

Councillor Nicky Dykes (Chairman)  
Councillor Judi Ellis (Vice-Chairman)  
Councillors Marina Ahmad, Yvonne Bear, Kevin Brooks,  
Aisha Cuthbert, Hannah Gray, Neil Reddin FCCA and  
Will Rowlands  
Reverend Roger Bristow and Joan McConnell  
Michelle Fribbens  
Angela Leeves

### **Also Present:**

Councillor Peter Fortune, Portfolio Holder for Children, Education &  
Families  
Councillor Kieran Terry, Executive Assistant for Children, Education &  
Families

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

Apologies for absence were received from Councillor Harris – Councillor Cuthbert attended as substitute. Apologies were also received from Mr Emmanuel Arbenser, Mr David Hullah, and Mr Ben McGowan.

### **39 DECLARATIONS OF INTEREST**

Councillor Fortune declared that his wife was a moderator in Bromley schools.

### **40 MINUTES OF THE EDUCATION, CHILDREN & FAMILIES PDS COMMITTEE MEETING HELD ON 8 OCTOBER 2019**

The minutes of the meeting held on 8 October 2019, were agreed and signed as a correct record.

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

14 questions for response by the Portfolio Holder had been received. The questions are attached at Annex A.

### **42 MATTERS OUTSTANDING AND WORK PROGRAMME Report CSD20003**

The report dealt with the Committee's business management including monitoring progress against actions arising from previous meetings and the work programme for 2019/20.

Members noted that in future compliments and complaints reports would include a paragraph outlining lessons learnt.

The Committee agreed that that issues around the proposed admissions arrangements for Langley Park Learning Trust raised during the questions to the Portfolio Holder would be picked up as part of the School Place Planning Working Group. A further update would also be included in the update to the next meeting provided by the Portfolio Holder.

In relation to School Visits, it was agreed that Members would identify any schools they wished to visit and then ask the Education Department to make the necessary arrangements.

In respect of the numerous Annual Reports considered by the Committee, Members also requested that short quarterly information updates be provided and that the Annual Reports be spread throughout the municipal year.

The Chairman reported that in 2020/21 a meeting of the Children, Education and Families Budget Sub-Committee would be convened to consider the draft portfolio budget.

**RESOLVED: That**

- 1. Progress on matters outstanding from previous meetings be noted,**
- 2. The 2018/19 Work Programme be noted, and**
- 3. A meeting of the Children, Education and Families Budget Sub-Committee be convened in January 2021 to consider the draft portfolio budget.**

**43 PORTFOLIO HOLDER UPDATE**

The Portfolio Holder for Children, Education and Families, Cllr Peter Fortune, attended the meeting to respond to questions from the Committee making the following comments:-

- The Education Department was looking for ways to bring more SEND provision back in borough.
- One bid had been received for the new specialist free school and this would be moving towards evaluation and would need to go through the relevant DfE processes. The Council had no decision making powers in respect of the new free school and as such an update would be presented to a future meeting of the Committee as an information item.
- The Portfolio Holder would pass any suggestions of land for the development of additional specialist provision through to the DfE. Possible options around a permanent unit at Midfield Primary and expansion of Riverside were noted.

- Schools or Academy Trusts were responsible for their own admissions arrangements and required to consult at least every seven years.
- A positive Annual Conversation with Ofsted had taken place on 27 November 2019, and Ofsted had confirmed that they were content with the KPIs and performance and as such there would be a further Annual Conversation before the next visit which would review CLA and Leaving Care. Ofsted had also noted the continued Member support of the Local Authority's improvement journey.

The Chairman and Committee conveyed their congratulations to all the staff across Children's Services involved in the ongoing improvement journey.

The Committee thanked the Portfolio Holder for the update.

**44 CHILDREN, EDUCATION AND FAMILIES PORTFOLIO PLAN  
2019/20 - UPDATE  
Report CEF19015**

The report presented the refreshed Children, Education and Families Portfolio Plan 2018-22 which had been aligned with the Council's Transformation Programme.

In response to a question the Director of Education confirmed that, as a champion for vulnerable children, it was possible for the Local Authority to undertake a review of Pupil Premium spending in schools. Members noted that the Education Outcomes report to the Committee would provide an update on the use of Pupil Premium to address the disadvantage gap.

**RESOLVED: That the refresh of the Children, Education and Families Portfolio Plan 2018-2022 be noted.**

**45 PERFORMANCE MANAGEMENT 2019/20 Q3  
Report CEF19019**

The report provided the regular update on the performance of services for children along with a management commentary on index indicators performing below expectation.

The Committee noted that a review of permanent exclusion from secondary schools was looking to ensure that early intervention was in place to prevent situations escalating to the point where permanent exclusion was the only option. The primary outreach offer had demonstrated that the early intervention approach worked although it had to be recognised that there was not a one size fits all solution. An update would be presented to a future Committee.

In relation to Education, Care and Health Plans the Committee noted that a root and branch review of processes had been completed. The Director of Education confirmed that he was confident that the statutory annual return for 2019 would be 54% which represented improved performance.

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

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

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

**A CEF PORTFOLIO BUDGET MONITORING 2019/20  
Report CEF19017**

The report presented the budget monitoring position for 2019/20 based on activity up to the end of September 2019. Overall the position for Education was a predicated overspend of £213k related to SEN transport (£88k overspend), Education Psychologists (£54k overspend), and Education Welfare Service £56k overspend). There was currently a projected overspend in Dedicated Schools Grant (DSG) of £877k and this would be deducted from the £2,495k carried forward from 2018/19. Children's Social Care was predicting a £979k overspend (net of management action of £186k). Placements for children, the cost of agency staff, and direct payments in Children with Disabilities all continued to place pressure on the budget. The Committee noted that another ongoing risk area for placements was the Unaccompanied Asylum Seeker Children (UASC) cohort.

Concerning the ongoing budget pressures relating to SEN Transport, the Director of Children's Services highlighted that the Council's Transformation Project was a 4 year programme and due to the complex issues surrounding SEN Transport it was unlikely that proposals would be developed for consideration before 2022.

**RESOLVED: That the Portfolio Holder be recommended to note the latest projected overspend of £1,192,000 forecast on the controllable budget, based on information as at September 2019.**

**B DEDICATED SCHOOLS GRANT 2020/21  
Report CEF19024**

The reported provided an outline of the final Dedicated Schools Grant (DSG) allocation for 2020/21 and an overview of how funding would be spent.

The expected income from the DSG, divided into the four blocks, was

2020/21 Dedicated Schools Grant					
	High Needs Block	Early Years Block	Schools Block	Schools Central Block	Total
Gross Grant Funding	£53,540,004	£22,530,224	£218,400,750	£1,919,714	£296,390,692
Recoupment adjustment	-£8,878,000				-£8,878,000
Net Grant Allocation	£44,662,004	£22,530,224	£218,400,750	£1,919,714	£287,512,692

Each of the four blocks had been reviewed and the related expenditure for 2020/21 forecasted based on information currently available. Full details of the projected grant income and expenditure were included at Appendix 1 of the report. In summary, the Schools Central Block was showing a £360k overspend, which was proposed to be met by a contribution from the Council to offset the deficit. The Early Years block remained balanced, despite a slight decrease in income, the Schools Block remained balanced, and the High Needs Block was showing a £1,100,000 underspend which would be carried forward to offset funding pressures in future years.

The Committee noted that there were strict eligibility criteria for the Falling Rolls fund and if pupil numbers remained static in a school it would not be considered a falling rolls school.

In relation to High Needs Funding, Members noted that there was an expectation that further funding would be received from central government as a result of the numbers and funding arrangements. However, the Portfolio Holder stressed the need for schools and the Local Authority to work together to deal with future funding pressures.

**RESOLVED: That the Portfolio Holder be recommended to approve the Dedicated Schools Grant allocation and the methodology of its distribution.**

### **C CEF PORTFOLIO DRAFT BUDGET 2020/21 Report CEF19022**

The report presented the Portfolio Holder's Draft 2020/21 Budget incorporating future pressures and initial draft budget savings options which had been reported to Executive on 15 January 2020. There were still outstanding issues and areas of uncertainty remaining with further updates included in the 2020/21 Council Tax report to the next meeting of the Executive.

Noting that Children's Services was a demand-led service which currently had a significant overspend, the Committee expressed concern surrounding the levels of savings built into the 2020/21 Portfolio budget. In response the Head of Finance for Education and Children's Services confirmed that there were

challenging mitigations and savings in the budget and there was no guarantee that a balanced budget would be reported in the first quarter of 2020/21. The Committee noted that there had been great strides made in addressing cost pressures around placements and staff recruitment and retention. However, the Portfolio Holder stressed that one complex case could have a dramatic impact on the budget.

In response to a question from the Chairman, the Director of Children's Services confirmed that all possible funding streams were pursued and utilised to their full potential.

The Committee noted the recommendations in the report and further noted an update from Councillor Kevin Brooks who confirmed that the Labour Group would be developing its own budget.

**RESOLVED: That**

- 1. The update on the financial forecast for 2020/21 to 2023/24 be noted,**
- 2. The initial draft 2020/21 budget be noted as a basis for setting the 2020/21 budget,**
- 3. That the Executive note the comments made by the Children, Education and Families PDS Committee.**

**D CAPITAL PROGRAMME - 2ND QUARTER 2019/20**  
**Report CEF19029**

The report presented the revised Capital Programme for the four year period 2019/20 to 2022/23 as agreed by the Executive on 27 November 2019.

The Executive approved the addition of £1,385k S.106 funding to the Capital Programme in respect of additional receipts since the last quarterly report. The Committee also noted that the Council had received an additional £1,208k for the 2018-21 allocation for SEND Provision Capital funding and the Executive approved an increase of £1.208k to the Basic Need Scheme to reflect the funding available. Members also noted that the Devolved Formula Capital (DFC) scheme was funded from a grant from the DfE and the Executive agreed a reduction of £177k on the DFC scheme to reflect the funding available in 2019/20.

**RESOLVED: that the Portfolio Holder be recommended to note and confirm the changes agreed by the Executive on 27 November 2019.**

**E ADOPTION ANNUAL REPORT 2018/19**  
**Report CEF19027**

The report presented an overview of the work of the Adoption Service in compliance with legislation. As a registered Adoption Agency Bromley was subject to the Adoption Agencies Regulations (AAR) 2005 (updated 2011),

the Adoption Agencies (Panel and Consequential Amendments) Regulations 2012, Adoption Agencies (Miscellaneous Amendments) Regulations 2013 and the National Minimum Standards (2014) which accompany the Regulations.

The Committee noted that Standard 25.6 of the National Minimum Standards required the Adoption Agency to produce a report to be received by the agency Executive. Members also noted that the activities of the adoption service reflected the ongoing agenda of Central Government which was to ensure that children looked after achieved permanence in a timely manner and that adoptive families received the support they need.

By way of introduction the Head of Service Adoption, Fostering, Connected Persons explained that during the reporting period the Adoption Service had moved forward into a Regional Adoption Agency within the Coram Partnership. Bromley had also been the first London Borough to achieve the accreditation of Working Towards Quality Mark and the scorecard for the reporting period had also continued to improve. Looking to the future, the Service was seeking to become further imbedded within the Regional Adoption Agency this would enable staff to better follow a child's journey. In terms of the scorecard, the Committee were reminded that the scorecard was a three year average and consequently a 'good news story' such as a child gaining permanence after a period of being in foster care could skew the figures going forward, however in taking decisions, the impact on the scorecard would never negatively impact on the decisions that were taken which always those that were in the best interests of the child. The Head of Fostering, Adoption and Connected Persons confirmed that the Service was currently performing above national average.

In response to a question the Head of Service Adoption, Fostering, Connected Persons explained that prior to embarking on adoption the Service had to ensure that all other adoptions had been considered including special guardianship - adoption had to be the last resort. Members noted that that as long as it was right special guardianship was the likely outcome for children.

In relation to the target to be in the top 10% for the scorecard, the Head of Service Adoption, Fostering, Connected Persons reported that the Service was not quite there yet however it was anticipated that that the target would be achieved in the next 2 to 3 years.

The Committee noted that it would be helpful at a future meeting for Members to receive an overarching report on permanence.

**RESOLVED: That**

- 1. The Portfolio Holder be recommended to endorse the Adoption Annual Report 2018/19.**
- 2. An information report on permanence be presented to a future meeting.**

**F FOSTERING ANNUAL REPORT 2018/19**  
**Report CEF19028**

The Fostering National Minimum Standards 2011 required the Fostering Agency to produce a report on fostering activity to the Agency Executive and an updated Statement of Purpose on an annual basis.

In introducing the report the Head of Service Adoption, Fostering, Connected Persons reported that it had been a positive year with improvements being made in terms of foster carer recruitment and numbers of connected carers.

Head of Service Adoption, Fostering, Connected Persons explained to the Committee that there could be a number of reasons why some foster carers were not approved such as issues around housing and issues identified at initial visits (for example foster carers having young babies, financial issues). Head of Service Adoption, Fostering, Connected Persons emphasised the importance of having the right carers for the children and whilst the Service needed to recruit more foster carers there were good reasons for rejecting some applications. Members noted that potential foster carers were provided with support in terms of research they could undertake in preparation. In response to a question the Head of Service Adoption, Fostering, Connected Persons explained that in an ideal world the Service would be able to recruit 40 more foster carers. However, it was important to remember that that the Service was competing with private agencies and charities which operated using a business model approach. As such they had access to dedicated marketing teams and were able to advertise in a different way. Bromley Fostering Service were competitive in terms of foster carer allowances and there was an acknowledgement that, in order to compete with the advertising and marketing resources available to private agencies and charities, there was a need to operate with a different model. Consequently Officers were looking at a number of separate provisions to meet the needs of the children in the care of the Local Authority.

Members noted that one of the key challenges was housing for foster carers. Whilst the Director of Housing worked tirelessly on behalf of Children's Services and conversations with Housing Associations continued, it had to be remembered that the Council did not have its own housing stock and could therefore only apply influence in terms of securing family sized accommodation for potential foster carers.

**RESOLVED: that the Portfolio Holder be recommended to endorse the Fostering Annual Report 2018/19.**

**G PRIVATE FOSTERING ANNUAL REPORT 2018/19**  
**Report CEF19026**

The Fostering National Minimum Standards 2011 required the Fostering Agency to produce a report on fostering activity (including private fostering) to

the Agency Executive and an updated Statement of Purpose on an annual basis.

The Committee noted that the Private Fostering App had been launched in 2018/19 and as a result of the app there had been a significant increase in the number of notifications. However, there remained many families who were not aware that they were engaged in private fostering arrangements and this remained a challenge going forward.

The Head of Fostering, Adoption and Resources reported that all staff within the Service were proud of what had been achieved.

Members noted that cross-borough partnership training to highlight the need to report private fostering arrangements was ongoing.

**RESOLVED: That the Portfolio Holder be recommended to endorse the Private Fostering Annual Report 2018/19.**

**47 BROMLEY SAFEGUARDING CHILDREN BOARD ANNUAL  
REPORT 2018/19  
Report CEF19023**

The report presented the Bromley Safeguarding Children Board Annual Report 2018/19, covering the period from April 2018 to March 2019. It was a statutory requirement (under Section 14A of the Children Act 2014) for safeguarding partnerships to publish an annual report. The Committee noted that in line with statutory guidance the report would be submitted to Chief Executive, Leader of the Council, the local police and crime commissioner and the Chair of the Health and Wellbeing Board.

Mr Jim Gamble, Chairman of the Bromley Safeguarding Children Board (BSCB) attended the meeting to present the report and answer questions from the Committee.

The Committee noted that the report covered 2018 – 2019 and a great deal had changed in the intervening year. The data and analysis within the report was being agreed by Ofsted and the headline data demonstrated that the Early Intervention services continued to be “the diamond in the Crown” and other services (such as the MASH) were developing well. Partners participated well, particularly in the context of austerity. It was important to acknowledge that it had been a year of instability for many partners. Of particular note were organisational changes within the Police and National Probation Service which inevitably had an impact on the partnership.

Going forward, the ‘number one’ priority for the partnership was the health and wellbeing of the workforce. As such a close watch was being maintained on caseloads, workloads and supervision. There was also an ongoing watch on understanding vulnerability, listening to and reflecting the child’s voice in everything the partnership did. Taking a strategic approach to vulnerability and considering issues such as County Lines, Child Sexual Exploitation,

radicalisation, and harmful practices within vulnerability rather than as standalone issues.

Another focus for the partnership was ensuring that strong, viable leadership which invited challenge remained in place. There was also a need to ensure that the partnership continued to apply the lessons that had been learnt in more difficult times. The Chairman of the Bromley Safeguarding Partnership suggested that, going forward, it would be helpful if the Partnership were to report to the PDS on trends, themes and patterns on a more frequent basis.

In response to a series of questions from the PDS Committee, the Chairman of the Bromley Safeguarding Children Partnership made the following points –

- Access to technology was acting as an accelerator to mental health issues and unhappiness at home and as such consideration needed to be given to the integration of online harms with offline circumstances.
- Whilst it was important that the Adult Safeguarding Board and the Children Safeguarding Partnership remained separate it had to be recognised that children were often at risk because they were in close proximity to adults who were putting them at risk or were vulnerable themselves. Consequently there needed to be collaboration between both the adults' and children's partnerships in relation to practice learning reviews and neither partnership was missing opportunities to collaborate.
- The Bromley Safeguarding Partnership recognised the need for a more comprehensive understanding of gangs. "Digital collateral" was of particular concern as this allowed gangs to have coercive control and influence over vulnerable young people. As a result of the work that had already taken place the Bromley Safeguarding Children Partnership now had a profile that it did not have before and a task force had been established through the MEGA (Missing Exploitation and Gang Affiliation) Panel which remained alive to the issue.
- The Chairman of the Bromley Safeguarding Children Panel had been in contact with the Housing Department and was confident that going forward their attendance would improve. The Chairman of the partnership emphasised that he was being extremely robust about attendance. The Committee noted that going forward one of the concerns was that agencies would be willing to attend meetings but unable to deliver.
- There was a concern that going forward hubris to set in amongst elected councillors and co-opted members which is why it was important that there was more frequent reporting of trends, themes and patterns to the PDS Committee.
- Learning and improvement were an important element of the work of the Partnership. Training was available through the Apps that had been developed by the Partnership. The Partnership also audited and analysed reports from other Safeguarding partnerships across the UK.

On behalf of the Committee, the Chairman thanked Mr Jim Gamble for his attendance at the meeting. The Committee also agreed that it would be helpful for members to receive more frequent reporting of trends, themes and patterns identified by the Bromley Safeguarding Children Partnership.

**RESOLVED: that going forward the Children, Education and Families PDS receive more frequent reporting of trends, themes and patterns identified by the Bromley Safeguarding Children Partnership.**

#### **48 CORPORATE PARENTING ANNUAL REPORT Report CEF19022**

The Corporate Parenting Annual report captured all activity undertaken by the Council to support the lives of children in the Council's care and young people transitioning from care to independent living over the year March 2018 to March 2019.

Members welcomed the new Head of CLA and Care Leavers to the meeting.

The Committee noted that the Annual Report for 2018/19 demonstrated that the Service was making rapid improvements as there had been significant progress with the five priorities set out in the report.

In relation to intergenerational projects to address loneliness and isolation, the Head of CLA and Care Leavers reported that an Active Involvement Team had been put in place which would encourage more group work and an increase in outreach work.

The Committee noted that there were currently 316 children in the care of the Local Authority. The Portfolio Holder highlighted that there were weekly panel meetings to review the children entering the care of the Local Authority. It was agreed that Members of the Committee would be sent details of the upcoming Practice Week to enable them to observe the weekly panels and work of Children Services.

*Action Point 1: That Members of the Committee be sent details of the upcoming Practice Week.*

In response to a question from the Chairman, the Director of Children's Services confirmed that all new contractors would be required to offer work placements to the Local Authority's children looked after.

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

#### **49 OUTCOME FROM SEND INSPECTION Report CEF19025**

The report presented an overview of the Bromley SEND Local Area Inspection and the ongoing plan for improvement. The Ofsted and Care Quality Commission (CQC) SEND Local Area inspection took place between

16<sup>th</sup> and 20<sup>th</sup> September and considered the effectiveness of the Bromley local area in implementing the SEND reforms determining whether the Council or CCG would be required to submit a Written Statement of Action. The outcome of this inspection was published in a letter published on Monday 23<sup>rd</sup> December 2019 outlining the findings including areas of strength and some areas for further development.

The Director of Education confirmed that the inspection was a validation of the Council's self-evaluation and demonstrated self-awareness. Going forward the Department had to continue its focus on ensuring a consistent provision for all families.

In relation to staff, the Director of Education confirmed that he supported the drive to professionalise the role of EHCP Co-ordinator. In Bromley vacancies were filled when they arose however, due to the stiff competition for staff some personnel had been lost to other boroughs.

The Committee noted that the areas of development identified by inspectors aligned to those already identified in the self-evaluation. The recommendations included improvements to IT software within health providers and increased focus on reassuring parents for specific learning difficulties such as dyslexia.

The Portfolio Holder highlighted that the Council had received a letter from the Under Secretary of State expressing congratulations on the outcome of the inspection.

The Chairman expressed thanks on behalf of the Committee to all those involved in the inspection. The Committee requested that it be provided with regular updates on the progress against the action plan.

**RESOLVED: That the Ofsted and CQC Local Area SEND Inspection outcome letter be noted.**

## **50 ST OLAVES UPDATE** **Report CEF19018**

The report provided the Committee with a final update on the actions taken to address the recommendations made in the independent Report of Investigation into St Olave's Grammar School issued in July 2018. Independent monitoring had been undertaken by an experienced School Improvement Partner (SIP), jointly appointed by the school and Local Authority. A final review was undertaken with participation by the school, Local Authority, Rochester Diocesan Board of Education and the Foundation Trust. The School Improvement Partner had reported that all of the 49 recommendations had now been completed.

The Committee noted that there had been significant cultural change within the School which had also been acknowledged by the Rochester Diocesan Board of Education.

**RESOLVED: That**

1. The final independent monitoring report on the implementation of recommendations arising from the St. Olave's investigation report be noted, and
2. The Investigation into St. Olave's Grammar School be closed.
- 3.

**51 INFORMATION ITEMS**

The Children, Education & Families PDS Information Briefing comprised one item:

- Risk Register

**RESOLVED: that the Information Briefing be noted.**

**52 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.

**53 EXEMPT MINUTES OF THE EDUCATION, CHILDREN & FAMILIES PDS COMMITTEE MEETING HELD ON 8 OCTOBER 2019**

The exempt minutes of the Children, Education and Families PDS Committee meeting held on 8 October 2019, were agreed and signed as an accurate record.

**54 PERFORMANCE MANAGEMENT 2019/20 Q3 - PART 2 UPDATE**

The Committee noted and discussed the Part 2 Update.

The Meeting ended at 9.45 pm

Chairman