

CHILDREN, EDUCATION AND FAMILIES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 4 October 2022

Present:

Councillor Kira Gabbert (Chairman)
Councillor Jonathan Andrews (Vice-Chairman)

Councillors Jeremy Adams, Felicity Bainbridge,
Graeme Casey, Sophie Dunbar, Robert Evans,
Alexa Michael, Thomas Turrell and Rebecca Wiffen

Reverend Roger Bristow and Tommy Velvick (Part 1 only)

Also Present:

Councillor Kate Lymer, Portfolio Holder for Children,
Education and Families

20 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Ryan Thomson and Councillor Jeremy Adams attended as his substitute. Apologies for absence were also received from Alice Kirby, Bromley Youth Council Representative.

21 APPOINTMENT OF CO-OPTED MEMBERS Report CSD22098

The report asked that two non-voting Co-opted Member appointments representing Bromley Youth Council be made to the Children, Education and Families PDS Committee for the 2022/23 municipal year.

RESOLVED: That

- **The following non-voting Co-opted Membership appointments be made to the Children, Education & Families PDS Committee for 2022/23 for the consideration of Part 1 (Public) reports only:**
 - **Alice Kirby, as Bromley Youth Council Representative.**
 - **Tommy Velvick, as Bromley Youth Council Representative.**

22 DECLARATIONS OF INTEREST

The Chairman declared that she was selling a property to Bromley Women's Aid in relation to Item 9d: Proceeding to Procurement: Domestic Abuse

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Services for Victim Survivors. The Chairman further declared that she was acting as a referee to a proposed Private Fostering arrangement.

Councillor Sophie Dunbar declared that she had a close family member in receipt of transport services and a Special Educational Needs-funded placement out of the Borough.

Councillor Robert Evans declared that he was a Governor of St Olave's Grammar School and a Board Member of the Impact Multi Academy Trust.

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

No questions were received.

24 MINUTES OF THE EDUCATION, CHILDREN & FAMILIES PDS COMMITTEE MEETING HELD ON 15 JUNE 2022

RESOLVED: That the minutes of the meeting held on 15 June 2022 be agreed and signed as a correct record.

25 MATTERS OUTSTANDING AND WORK PROGRAMME Report CSD22096

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

The Chairman proposed that the Children, Education and Families Risk Register be reported to the Committee on a quarterly basis to support effective monitoring and this was supported by the Committee.

RESOLVED: That progress on matters arising from previous meetings and the 2022/23 work programme be noted.

26 PANEL DISCUSSION WITH THE CHILDREN'S SERVICES SLT - OVERVIEW OF CHILDREN'S SERVICES

With the Committee's agreement, this item was not considered. A short presentation giving an overview of Children's Services would be provided to Committee Members following the meeting.

27 PORTFOLIO HOLDER UPDATE

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

As Lead Member for Children, Education and Families, the Portfolio Holder had represented the Local Authority at a number of events including the Bromley Youth Games AGM and London Councils' meetings. The Portfolio

Holder also undertook an active programme of local visits, including to schools and a recent visit to the Cudham Shaws Outdoor Centre. With regard to education, the Portfolio Holder was pleased to announce that Downe Primary School had become an academy school at the start of the 2022/23 academic year. Additionally, over 200 children and young people who had moved to the Borough under the *Homes from Ukraine* scheme had been successfully placed in local schools with English language support courses made available to their families. Comprehensive preparations were underway for anticipated inspections of the Youth Offending Service and the Local Authority's Children's Services that were expected to take place in Autumn 2022 and Spring 2023 respectively. The Portfolio Holder further advised that a successful fun day for looked after children and care leavers had taken place on 31 July 2022, and thanked Members who had been in attendance.

In considering the update, a Member underlined the need for children and young people from Ukrainian families to receive the support they needed to thrive in their new school settings, and the Chairman noted that support mechanisms in place included a programme of school visits by Ukrainian and Russian speakers. In response to a further question from the Member, the Head of Service for Early Intervention and Family Support advised that the Homes for Ukraine scheme continued to work well across the Borough and where placements had broken down, families were rehoused locally.

RESOLVED: That the update be noted.

**A CHILDREN, EDUCATION AND FAMILIES PORTFOLIO PLAN -
2022/23 Q1 UPDATE
Report CEF22061**

The report presented the Children, Education and Families Portfolio Plan Quarter 1 Update for the 2022/23 financial year.

In response to a question from a Member, the Director of Children, Education and Families confirmed that all actions within the Portfolio Plan were supported by robust metrics which could be provided to Members on request. The Member requested additional data on the workstream to improve post-COVID education outcomes for children and young people as well as on work to increase take up of multi-agency early help services and it was agreed this would be circulated to the Committee following the meeting.

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

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

**A BUDGET MONITORING 2022/23
Report CEF22046**

The report presented the budget monitoring position for the 2022/23 financial year which showed an overspend of £5,294k based on activity to 31 July 2022.

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In considering the overspend in the Children's Social Care Service, the Chairman observed that the total number of Education, Health and Care Plans had increased by 14% between 1 April 2022 and 31 July 2022. This was due to a range of factors including the Borough's changing demographic and the impact of the COVID-19 pandemic, but it was projected that the trajectory of service demand would level off in the coming months as the post-COVID period continued and in response to management action. Another Member underlined the costs associated with hiring agency staff within Children's Social Care and the Director of Children, Education and Families confirmed that the Local Authority worked hard to recruit and retain permanent staff using innovative strategies including recruitment fairs, university links and overseas recruitment.

With regard to the increasing deficit in Dedicated Schools Grant, the Committee was advised that this was primarily caused by the growth of demand within the High Needs block. The Local Authority had developed a robust deficit recovery plan in consultation with the Department for Education and was also working with the Schools' Forum. In the meantime, a Financial Disregard was in place which meant that the deficit did not have to be counted within the Local Authority's reserves, although the Local Authority took a prudent approach to its financial management and had accounted for it. It was highlighted that many other local authorities were experiencing similar budgetary pressures and the Local Authority had been one of the final London boroughs to go into deficit. The Member queried whether there continued to be an issue with the introduction of a new CSC system that made it difficult to access financial data and was notified that this had been resolved.

In response to a question from a Co-opted Member, the Head of Finance: Children, Education and Families confirmed that whilst wider economic pressures had been taken into account in budget setting, recent increases in inflation were likely to impact service delivery costs moving forward and the Committee would continue to receive regular updates on the Portfolio's budget position. A Member noted the potential to levy fines on providers that did not meet the required service standards for Special Educational Needs transport had previously been discussed by the Committee and an update on this would be provided following the meeting.

RESOLVED: That the Portfolio Holder be recommended to:

- **Note the latest projected overspend of £5,294,000 forecast on the controllable budget based on information as at July 2022;**
- **Agree the release of amounts carried forward from the 2021/22 financial year as set out in Section 5 of Report CEF22046; and,**
- **Recommend the Council's Executive agree the release of funds from the Central Contingency as set out in Section 6 of Report CEF22046.**

**B CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2022/23
Report CEF22060**

The report presented the capital programme monitoring position for Quarter 1 of the 2022/23 financial year and the revised capital programme for the four-year period 2022/23 to 2025/26.

The Chairman requested further information be provided on the allocation of Section 106 funds for education following the meeting.

RESOLVED: That the Portfolio Holder be recommended to:

- **Note the current position in respect of capital expenditure and receipts following Quarter 1 of the 2022/23 financial year; and,**
- **Note the proposed revised capital programme for the four-year period 2022/23 to 2025/26 to be reported to the Council's Executive on 6 October 2022.**

**C SCHOOL PLACE PLANNING REPORT 2022-26
Report CEF22032**

The report presented the Bromley School Places Plan 2022-26 that set out the Local Authority's plans to meet the forecast need for primary and secondary school places and sought agreement to the recommendations of the School Place Planning Working Group which met on 27 July 2022.

The Chairman observed the significant impact that the increase in Education, Health and Care Plans had on school place planning. The Head of Strategic Place Planning further advised of additional pressures identified with Reception pupils who had not yet had their education, care and health needs assessed due to the disruption of early years' provision by the COVID-19 pandemic. In response to a question from a Member, the Head of Strategic Place Planning explained that the COVID-19 pandemic may also be a contributory factor in the increase in children and young people identified as having mental health support needs.

A Member queried the proposal to move to two planning areas for secondary place planning and the Head of Strategic Place Planning advised that this proposal reflected the logistical difficulties of school travel across Bromley which was the largest London Borough by area. There continued to be significant pressure on secondary school places within the Borough and it was anticipated that moving to two planning areas would assist families in securing appropriate school places, particularly in the north of the Borough where pressure on secondary school places was acute. In response to a specific question raised by a Member, the Head of Strategic Place Planning confirmed that following a recent Ofsted inspection, the rating of Kemnal Technology

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College had increased to 'Requires Improvement', recognising work undertaken by the School's Leadership Team to address identified issues.

The Chairman thanked the Chairman and Members of the School Place Planning Working Group for their excellent work.

RESOLVED: That the Portfolio Holder be recommended to:

- **Note the recommendations of the School Place Planning Working Group that:**
 1. **Pupil roll projections and other trend data set out in the report be noted;**
 2. **Members note the continued increase in the number of children and young people with an Education Health and Care Plan (EHCP), above demographic trends;**
 3. **A planning margin of 5% above the GLA school roll projections continues to be implemented to provide for local variations in need and to meet parental preferences;**
 4. **Members note the projections indicating a potential future reduction in the need for primary places;**
 5. **Whilst there are currently sufficient primary places available or planned to meet current and projected demand for school places, the Council will work with schools to safeguard the existing supply of school places as required;**
 6. **There are specific pressures for placements for pupils with an Education Health and Care Plans (EHCPs) and the Council will work with local schools, trusts and the Department for Education to bring proposals forward to increase capacity and improve provision where necessary;**
 7. **Discussions be undertaken with schools, multi academy trusts and the Department for Education, as outlined in this report, to ensure a sufficient supply of mainstream school places in the Borough, including through expansions and opening new schools;**
 8. **Whilst there has been progress in the delivery of both Harris Kent House and Redwood Academy free schools, there remains a potential delay to both projects and that it is recommended that the Council engages in conversation with both trusts to ensure that there are sufficient school places available until each school opens;**
 9. **Members note the Special Educational Needs strategic estates review that will be developing options to enable the delivery of additional specialist capacity when needed;**
 10. **The Council should actively seek to increase the capacity of in-Borough specialist provision;**
 11. **Where expansion is agreed, to implement through the education capital programme (subject to the availability of funds); and,**

12. Officers enter dialogue with the DfE on amending the primary and secondary planning areas.

- **Agree the Bromley School Places Plan 2022-26; and,**
- **Note the ongoing work of officers with the Department for Education to amend the Borough's school place planning areas, comprising moving to two planning areas for secondary place planning, amending the primary planning areas to reflect the 2022 changes in ward boundaries and retaining the principle of planning areas being co-terminus with ward boundaries.**

**D PROCEEDING TO PROCUREMENT: DOMESTIC ABUSE SERVICES FOR VICTIM SURVIVORS
Report CEF22059**

The report presented a request to proceed to procurement for Domestic Abuse Services for victim survivors.

In considering the report, a Member noted that it was still unclear whether the Mayor's Office for Police and Crime would recommission the DRIVE intervention programme to tackle high-harm perpetrators of domestic violence. The Head of Service for Early Intervention and Family Support advised that work was underway to research alternative options for perpetrator programmes should the DRIVE programme be discontinued, and that any alternate programme was likely to include an increased focus on early intervention.

Having discussed the tight timescales for procurement of this service as a result of the Children, Education and Families PDS Committee being rescheduled from 13 September to 4 October 2022, the Committee agreed that the proposed decision be considered as a matter of urgency to enable the procurement process to proceed without delay and that once taken the decision would not be subject to call-in. The report outlined a proposal to progress to contract via an independent Portfolio Holder decision due to the commissioning cycle not matching with the Committee's existing meeting schedule. This was discussed by the Committee and it was noted that whilst it was proposed the contract be awarded via independent Portfolio Holder decision, this would not preclude a special meeting being held if Members felt it necessary.

RESOLVED: That the Portfolio Holder be recommended to:

- **Grant approval to proceed to a competitive tender for the provision of the Domestic Abuse services for victim survivors for a four-year contract (2+2 years) at an estimated cost of £242K per annum with a total proposed value of £968K; and,**

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- **Note the arrangements proposed in Paragraph 1.7 of Report CEF22059 to progress to contract award via an independent Portfolio Holder decision due to the proposed commissioning cycle not matching with the existing PDS meeting schedule.**

29 PRE DECISION SCRUTINY OF EXECUTIVE REPORTS

A ADDITIONAL STAFFING CAPACITY FOR CHILDREN'S SOCIAL CARE

Report CEF22101

The report presented a request for targeted investment of £2.4M to fund additional staffing capacity for Children's Social Care for a four-year period to meet high levels of demand in the post-COVID period and meet the Local Authority's commitment to provide social workers with the right environment to deliver good quality practice across manageable caseloads. A gradual reduction of demand was anticipated over the four-year period, allowing staff funding to be brought back in line with present capacity. A further request was made for the use of £250k Contingency monies to fund short-term support to the Safeguarding Service as a one-off request.

In response to a question from a Member, the Director of Children, Education and Families confirmed that it was proposed to fund twenty additional social worker posts to reduce caseloads which had risen to an average of 21 cases per social worker against Bromley's 'caseload promise' of 12-15 cases. It was planned to decrease this additional staffing capacity by five posts per annum to be met by natural wastage as demand reduced in the post-COVID period and earlier effective interventions led to better and safer outcomes for children and families. A Member queried how the Local Authority was performing in relation to comparator boroughs and the Director of Children, Education and Families advised that local authorities tended not to share this information; however, the increase in referrals was a national issue and it was likely that other local authorities were experiencing similar service pressures.

A Co-opted Member asked for a progress update on two teams of social workers established in June 2022 for a six-month period to address immediate issues with caseload demand. The Director of Children, Education and Families reported that the temporary teams had been working effectively by reducing caseload pressures as well as by strengthening practice. A Member queried whether there was potential to extend the period of additional staffing capacity should demand remain high, and the Director of Children, Education and Families confirmed that pressures on Children's Social Care would be monitored closely and if necessary, further action would be taken. The Portfolio Holder observed that a similar model of short-term additional funding had been effectively used by the Local Authority during a previous period of high demand for Children's Social Care.

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

- **Endorse and support the proposal for time-limited funding for additional staff for Children’s Social Care (£2.4M);**
- **Approve the use of £250k of Contingency monies to fund short-term support to the Safeguarding Service as a one-off request; and,**
- **Agree the additional funding cover a period of four years during which time it was expected there would be a reduction of five posts per annum, bringing staff funding back in line with present capacity at the end of the period by:**
 - **An anticipated reduction of demand which would allow between 5-10 posts to be absorbed into existing agency social worker posts and/or vacancies as they arose; and,**
 - **Allowing more effective working of cases by reducing periods of intervention and allowing cases to be closed sooner, reducing the overall number of open cases across the service by between 65-70 per year for the next four years.**

**B CONTRACT FOR DYNAMIC PURCHASING SYSTEM FOR EDUCATION AND CHILDREN SERVICES
Report CEF22056**

The report sought authorisation to award a new contract to ADAM to run and manage the Dynamic Purchasing System for the Home and Tuition Service via a direct award calling off of the g-cloud framework for an initial term of two years commencing 2 March 2023 followed by two prospective 12-month extensions. ADAM was the current provider of this service which met the Virtual School’s statutory duty to promote the education of children looked after and performance of the Dynamic Purchasing System had been identified as being generally good with further work being undertaken to improve aspects of service delivery. A number of commissioning options had been considered for this service and the recommissioning of ADAM had been identified as the most viable option as it offered the best reporting system and could be managed within the existing administrative capacity.

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

- **Approve the procurement strategy outlined in Report CEF22056 to award a new contract to ADAM to run and manage the Dynamic Purchasing System for the Home and Tuition Service via a direct award calling off of the g-cloud framework for an initial term of two years commencing 2 March 2023 followed by two prospective 12-month extensions;**

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- **Note the projected value of the contract per annum of £25k for the Dynamic Purchasing System and £700k of services purchased through the system with an approximate full life contract value of £2.9M; and,**
- **Delegate authority to the Chief Officer to authorise the two 12-month extension options.**

30 POLICY DEVELOPMENT AND OTHER ITEMS

A SPENDING BY PRIMARY, SECONDARY AND SPECIAL MAINTAINED SCHOOLS IN 2021/22 Report CEF22033

The report presented information on all revenue and capital balances held by Primary, Secondary and Special Maintained Schools as at 31 March 2022, and also provided a comparison to the balances held at the same time in the previous year.

RESOLVED: That the financial position of Primary, Secondary and Special Maintained Schools at the end of the 2021/22 financial year be noted.

B PERFORMANCE REPORTING - CHILDREN'S SCRUTINY DATASET PART 1 (PUBLIC) REPORT Report CEF22048A

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

As at the end of June 2022, the majority of key performance indicators were rated as 'Green'. There was one 'red' marked performance indicator on the number of Education Health and Care Plans issued within the statutory 20-week timescale (excluding exception cases). There were also three 'amber' marked performance indicators comprising Children Looked After cases which were received within required timescales, the number of in-house foster carers recruited, and average caseloads within Children's Social Care which were 19 per social worker against the 'caseload promise' of 12-15 at the time the report was drafted. Management action continued to be taken across all areas of concern including placing a clinician on the Needs Assessment Panel to allow Education, Health and Care Plans to be progressed where it could be confirmed that no further health assessment with external providers was necessary.

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

**C CHILDREN, EDUCATION AND FAMILIES RISK REGISTER -
UPDATE QUARTER 1
Report CEF22058**

The report set out the Children, Education and Families Risk Register update for Quarter 1 of the 2022/23 financial year.

The Children, Education and Families Risk Register comprised 11 risks identified across the Children, Education and Families Portfolio. Of these risks, one was rated as 'red' which comprised Risk 1: Failure to Deliver Children's Service Financial Strategy and management action to mitigate this risk was being taken. In considering the Risk Register, the Chairman noted that Risk 6: SEND Transport was now rated as 'Amber' which reflected the extensive work undertaken to improve service provision and address cost pressures. Independent travel training had been completed with a small number of young people during the Summer 2022 break with optimised transport routes recommissioned at the start of the 2022/23 academic year. The Chairman queried the numbering reference given to removed risks and this would be clarified following the meeting.

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

**D BROMLEY VIRTUAL SCHOOL ANNUAL REPORT 2021/22 - 6-
MONTH UPDATE
Report CEF22049**

The report presented a mid-year 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, identifying progress made against the outcomes identified in the Corporate Parenting Strategy.

In response to a question, the Headteacher of the Bromley Virtual School explained that effective arrangements and interventions were in place to support the attainment of children looked after who performed well compared with national benchmarks. The Vice-Chairman queried attendance and the Headteacher of the Bromley Virtual School advised that this varied across children looked after with attendance by primary-aged children tending to improve when coming into care, whilst older children had often already disengaged from education by the time they came into care. Attendance was closely monitored for all children looked after including via a monthly multi-agency meeting where consideration was given to how individual children could best be supported. In response to a question about care leavers, the Headteacher of the Bromley Virtual School confirmed that there were 5-6 care leavers starting their undergraduate university courses during the 2022-23 academic year with a further cohort of young people attending Year 14 who may choose to move into higher education next year. The Local Authority had a comprehensive financial and emotional support package in place for young people looked after moving into higher education that included a mentoring

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scheme. A pilot scheme was being run in partnership with Cambridge University for children looked after in Year 8 and above to encourage aspiration in attending the highest rated universities.

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

**E CORPORATE PARENTING UPDATE REPORT AUGUST 2022
Report CEF22052**

The report presented a mid-year update on the progress of children in care and care leavers in Bromley, identifying progress made against the outcomes identified in the Corporate Parenting Strategy.

The Chairman welcomed the report which outlined a range of initiatives in place to support children in care, including the establishment of 'Our House' on the Civic Centre site.

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

**F DEEP DIVE REPORT ON RECRUITMENT AND FOSTERING
ACTIVITY JANUARY 2022-JUNE 2022
Report CEF22055**

The report outlined fostering recruitment and retention activities during the six-month period between January to June 2022.

In considering the report, the Chairman underlined the need to ensure that in-house foster carers were paid competitive rates. The Head of Service – Permanency advised that foster carers were paid a professional fee plus an additional amount based on the type of placement they offered, and that this total rate was often higher than independent fostering agencies. The Local Authority also offered extensive support which was highly valued by its foster carers. The Chairman was concerned that the target of recruiting 20 new foster carers for the 2021/22 financial year would not be met and suggested the Local Authority consider how to make its offer more attractive. The Head of Service – Permanency outlined a number of ways in which the Local Authority aimed to attract new foster carers including offering comprehensive information and support and via its wide-ranging marketing strategy which included social media advertising and a recent pop-up in *The Glades* shopping centre. Advertisements could also be targeted at specific demographic groups where particular experiences or expertise would benefit individual children looked after.

RESOLVED: That fostering recruitment and retention activities during the six-month period between January to June 2022 be noted.

31 CHILDREN, EDUCATION AND FAMILIES INFORMATION ITEMS

The items comprised:

- Children's Voice Hub

RESOLVED: That Information Items be noted.

32 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

33 EXEMPT MINUTES OF THE CHILDREN, EDUCATION & FAMILIES PDS COMMITTEE MEETING HELD ON 15 JUNE 2022

RESOLVED: That the Part 2 (Exempt) minutes of the meeting held on 15 June 2022 be agreed and signed as a correct record.

34 POLICY DEVELOPMENT AND OTHER ITEMS PART 2 (EXEMPT)

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

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

B ADOPTION REPORT

The Committee considered a report outlining the activity of the Bromley Adoption Service for the 2021/22 financial year.

C ANNUAL PRIVATE FOSTERING REPORT

The Committee considered a report outlining Private Fostering activity for the 2021/22 financial year.

The Meeting ended at 9.47 pm

Chairman