

**CHILDREN AND YOUNG PEOPLE COMMITTEE: MINUTES**

**Date:** Tuesday, 8<sup>th</sup> December 2015

**Time:** 2.00pm – 4.35pm

**Present:** Councillors D Brown (Vice-Chairman), P Brown, S Bywater, D Divine, P Downes, S Frost, D Harty, M Leeke, M Loynes, M Mason (substituting for S Van de Kerkhove), J Whitehead (Chairwoman) and F Yeulett (substituting for J Wisson)

Mr P Rossi (Roman Catholic diocesan representative)

**Apologies:** Councillors F Onasanya, S Van de Kerkhove and J Wisson and Mrs P Stanton (Church of England diocesan representative)

**125. DECLARATIONS OF INTEREST**

There were no declarations of interest. However under item 7 on the agenda (Establishment of a New Secondary School in North West Cambridge), Councillors P Downes, D Harty and M Mason declared that they had formed part of the joint Member/officer assessment panel which had met to interview and assess each potential sponsor for the new secondary school.

**126. MINUTES 10<sup>th</sup> NOVEMBER 2015 AND ACTION LOG**

The minutes of the meeting of the Committee held on 10<sup>th</sup> November 2015 were confirmed as a correct record and signed by the Chairwoman.

The action log was noted. A Member asked for an update on the progress of the outstanding action in respect of Minute 123. In response, it was reported that the information requested in the action log (namely: (a) a written explanation on why the number of Statements of Special Educational Needs and Education and Health Care Plans had temporarily reduced in 2014/15; and (b) information concerning the estimated number of staffing reductions in the context of the overall size of the workforce) had been circulated to all members of the Committee by email earlier that day.

**127. PETITIONS**

No petitions had been received.

**128. BUILDING FAMILY RESILIENCE: A STRATEGY FOR CAMBRIDGESHIRE'S CHILDREN, FAMILIES AND ADULTS SERVICES**

The Committee received and considered the initial draft of the Building Family Resilience Strategy (a copy of which was attached at Appendix 1 to the report) and Action Plan (Appendix 2). The strategy developed new and innovative ideas aimed at preventing children becoming looked after and ensuring that where children did come into care, they were able to leave care on a timely basis, whether to return to their families or other permanence options.

During discussion, Members:

- Were informed that further work was being undertaken on the development of mechanisms to monitor the activities in the Action Plan.
- Noted that the item had been listed as a “Key Decision” but concurred that as the strategy was still draft and had to come back for approval and adoption by the Committee following the conclusion of consultation, it was not a “Key Decision”.
- Requested a review of the title of the strategy and expressed a preference for including “Looked After Children” in the title.
- With reference to paragraph 4.2 (Outcome 1), which proposed increasing the number of children who had a Family Common Assessment Framework (CAF), suggested that it was more important that the *right* children and families had a CAF assessment.
- On paragraph 4.6 (Outcome 5), expressed a preference for the outcome to state the aim for children to move through the care system “in a timely manner” rather than “quickly”, as currently stated.
- Were further updated on arrangements for emergency provision for children who required a single placement.
- Received confirmation that the top 50 high cost placements were reviewed weekly to ensure the placement remained appropriate for the young person and was attaining best value for money.
- Noted that the reference to “Higher risk being managed in the community” in paragraph 5.1.1 was intended to reflect the aim for the key social worker to target early help and intervention and to take the “Think Family” approach to providing support by involving other partners and voluntary groups in the locality, as appropriate.
- Were advised that foster carers already had a high degree of flexibility and delegated decision taking relating to the children in their care.
- Noted that every effort was made to place siblings together.
- Requested that paragraph 2.5 of the report be amended to also refer to children with emotional and behavioural difficulties.
- Suggested that Outcome 3 should not refer just to children *remaining* in education but also to children *getting* into education.
- Received further information on proposals for a new regional adoption agency and acknowledged the importance of Cambridgeshire being in a position to influence the emerging model.
- Were informed that the financial implications arising from the strategy had already been built into the Business Plan.
- Requested that the number of unaccompanied asylum seeking children be monitored. In response it was agreed that the number of such children should be identified separately in future Finance and Performance reports. **Action required.**
- Noted that a further report would be submitted to the Committee in March 2016, following conclusion of consultation on the draft strategy.

It was resolved:

to review and comment on the draft Strategy (Appendix 1), the commissioning intentions and the areas of priority within the Action Plan (Appendix 2).

## **129. PROPOSAL FOR THE FUTURE APPROACH TO SUPPORT COMPLEX SPECIAL EDUCATIONAL NEEDS FOR CHILDREN IN EARLY YEARS SETTING**

A report was submitted which invited the Committee to consider a change in the approach to supporting and funding complex special educational needs in the early years. The report additionally proposed criteria that would deliver spending that remained within budget limitations.

During discussion, Members:

- Noted that there was currently no limit on the maximum number of hours the Local Authority would provide for Early Years Access Funding support.
- Requested that a briefing note be provided to the Committee regarding Education, Health and Care Plans (EHC Plans). **Action required.**
- Asked why there had been an underspend on the budget for Early Years Access Funding in 2011-12 given the overspends in other years, as shown in Table 2, paragraph 1.4 of the report. It was agreed that a written response should be provided to the Member raising this question. **Action required.**

It was resolved:

1. to support a move from funding children in early years settings with complex Special Educational Needs and Disabilities (SEND) through Early Years Access Funding to funding through Education, Health and Care Plans by 2018.
2. to support the introduction from April 2016, for two years, of a limit on the maximum amount of hours per week (15 hours) the Local Authority funds per child through the Early Years Access Funding unless the child is eligible for free school meals, when the maximum would be 30 hours.

### **130. RECRUITMENT AND RETENTION STRATEGY: SOCIAL CARE SERVICES**

Further to Minute 100 (30<sup>th</sup> June 2015), the Committee received a report inviting it to review and agree the proposed strategy to improve the recruitment and retention of social care staff. A copy of the Recruitment and Retention Strategy 2015 – 2020 was attached at Appendix A to the submitted report, whilst a summary action plan was attached at Appendix B.

During discussion, Members:

- Were informed that the Adults Committee had requested that reference to the monitoring of staff turnover and 7 day working be included in the strategy.
- Pointed out that there was no reporting mechanism involving Members relating to exit interviews and suggested that any trends arising from exit interviews should be reported to the appropriate Committee. The Executive Director: Children, Families and Adults Services undertook to put the necessary arrangements in place for such reporting. **Action required.**
- Drew attention to the reference in paragraph 2.1 of the report to the Council's reliance on "high quality social work". In response the Executive Director explained the processes used to review the quality of the work delivered by the workforce, including case audits and discussions with individual social workers.
- Questioned why the staff benefits highlighted did not include the Local Government Pension Scheme and noted that consultation with staff on recruitment incentives had indicated that younger staff would not necessarily be attracted by the Pension Scheme.
- Suggested that a major disincentive to relocating to Cambridgeshire was the cost

of housing and that some form of mortgage support scheme, akin to the former key worker schemes, might increase the incentive to relocate. The Executive Director agreed to investigate the proposal further. **Action required.**

It was resolved:

to endorse the Children, Families and Adults Services Social Care Recruitment and Retention Strategy, as set out in Appendix A to the report.

### **131. ESTABLISHMENT OF A NEW SECONDARY SCHOOL IN NORTH WEST CAMBRIDGE**

Members were reminded that this item had been deferred at the meeting of the Committee held on 10<sup>th</sup> November 2015 in the light of a request from one of the potential sponsors for a review of the Assessment Panel's recommendation regarding the preferred sponsor for the new secondary school to serve the North West Cambridge and Darwin Green developments.

The Chairwoman agreed to exercise her discretion under Section 100B (4) (b) of the Local Government Act 1972, to take this item as an urgent item of business. Whilst notice of the item had been given on the agenda, owing to the timing of the receipt of detailed appeals case from the appellant's solicitors, there had not been sufficient time for the Executive Director: Children, Families and Adults Services to complete his review of the Panel's recommendation and for the outcome to be reflected in the report to Committee in time for the first despatch. The reason for urgency was that the matter had originally been scheduled for consideration by the Committee on 10<sup>th</sup> November 2015 and accordingly there had already been a month's delay in the Council's process creating anxiety and uncertainty for those involved. The decision was therefore urgent to avoid any further delay in concluding the award of the sponsor process.

Whilst not constituting an interest under the Members' Code of Conduct, Councillors P Downes, D Harty and M Mason declared that they had formed part of the joint Member/officer Assessment Panel which had met to interview and assess each potential sponsor for the new secondary school.

The Committee received a report which advised of the outcome of the process adopted by the Council to discharge the statutory requirement, under the Education Act 2011, to seek a sponsor for the new secondary school to serve the North West Cambridge and Darwin Green developments. The report explained that proposals had been received from three potential sponsors by the deadline. The report drew attention to a public meeting held on 29<sup>th</sup> September 2015 and outlined the recommendations of the joint Member/officer Assessment Panel. A copy of the assessment criteria used by the Panel, together with details of its membership, was attached at Appendix 1 to the report. The Panel, after careful consideration of all that they had read and seen, had concluded that Chesterton Community College should be awarded the opportunity to establish and run the school. The particular strengths of their proposal were set out in paragraph 3.6 of the report.

The report went on to refer to the request submitted by one of the potential sponsors, Cambridge Meridian Academy Trust (CMAT) for an appeal of the Panel's recommendation and outlined at paragraphs 3.9 – 3.10 the process followed by the Executive Director: Children, Families and Adults Services in considering the appeal. The Executive Director, having considered all the documentation and received responses from the officers involved to questions over points raised in the appeal letter, had concluded

that whilst there was evidence of some administrative errors during the process, as set out in paragraph 3.11 of the report, these had not had a material effect on the Panel's recommendation of Chesterton Community College as the Council's preferred sponsor.

The Committee was advised that the next step would be to refer all the documentation, including CMAT's appeal, and the Executive Director's response to this, to the Regional Schools Commissioner.

In response to a question, it was confirmed that this was the first appeal which had been received from a potential sponsor. Whilst the Council's process did not specifically provide for an appeal given it was not the decision making body, the Executive Director had nonetheless reviewed the Panel's recommendation. The opportunity would now be taken to review the Council's process, seeking guidance from the Department for Education, as necessary.

The Chairwoman sought and gained the agreement of the Committee to delete the word "Endorse" in recommendation (c) and to replace it with "Note".

It was resolved:

1. to note and comment on the outcome of the joint Member/officer Assessment Panel process.
2. to note the subsequent appeal request lodged by CMAT and that the Executive Director: Children, Families and Adults Services has undertaken a review of this and reached the conclusion that, whilst there had been some administrative errors, these had had no material effect on the outcome of the assessment process.
3. to note the proposal that following the Executive Director's review of and response to the appeal lodged by CMAT, all documentation, including the correspondence in respect of the appeal, be forwarded to the Regional Schools Commissioner, accompanied by a letter confirming Chesterton Community College as the Council's preferred sponsor for the new secondary school.

## 132. FUTURE CONFIGURATION OF TRINITY SCHOOL

The Committee received a report which invited consideration of the responses received to the consultation undertaken by the Council on the future configuration of Trinity School and sought the Committee's approval to proceed with the implementation of the proposed changes outlined therein.

The Chairwoman drew attention to feedback received from local members, a copy of which had been tabled at the meeting.

During discussion, Members:

- Received confirmation that Trinity School was one school operating on three sites and was currently in special measures.
- Noted that the report related solely to the future configuration of the school, not its future management. However a briefing note would be issued to Members providing further information regarding the management of the school. **Action required.**
- Received confirmation that there were no plans to move Trinity School from the

Wisbech site.

- Sought an assurance that students at the Wisbech site would not become socially isolated. In response, it was reported that there was close working with the Thomas Clarkson Academy, to enable sharing of facilities, peer-to-peer support etc.
- Were advised that Longsands College was keen to be an active partner in the development of the Almond Road, St Neots site and to explore opportunities for co-provision with Trinity.
- Noted that officers would respond to the local members in respect of the points they had raised. **Action required.**

It was resolved:

1. to note the feedback from the consultation undertaken on the future configuration of Trinity School.
2. to approve the proposal for the relocation of the staff and students from the Hartford and Foxton sites of Trinity School to new accommodation provided specifically for this purpose in Almond Road, St Neots, at the start of the autumn term 2016 and the subsequent closure of the Foxton and Hartford centres.
3. to approve continued use of the Wisbech site of Trinity School which is leased by the Council.

### **133. HOME TO SCHOOL/COLLEGE TRANSPORT – BUSINESS PLAN PROPOSALS**

Further to Minute 123 (c) (iv) (10<sup>th</sup> November 2015), the Committee considered a report which provided further detail regarding the proposals within the Business Plan for home to school/college transport. The report presented an overview of home to school transport legislation and of the Council's policy, both mainstream and Special Educational Needs and Disabilities (SEND). Additionally the report outlined the reasons for the current pressures on these budgets and the actions being taken to reduce demand on those budgets. Information was provided on the funding that the Government gave direct to schools, colleges and other education providers to provide bursaries for post-16 students who needed financial help to stay in education.

With reference to paragraph 5.4.1 of the report, it was reported verbally that 7 responses had now been received from schools/post-16 providers who had been invited to comment on the proposals for changes to the post-16 transport policy. Those responding had expressed concerns over the impact of the proposed changes on the most vulnerable students (with a potential for increase in students not in education, employment or training (NEET)) and on students living in rural areas. Concerns had also been expressed that few students met the criteria for the vulnerable groups' bursary and that the demand for discretionary funding would increase.

During discussion, Members:-

- Noted that the projected overspend on mainstream home to school transport had decreased by £160,000 as a result of a data cleansing exercise. As further checking of commitment records proceeded that overspend might reduce further. The reduction in the overspend might allow the Committee flexibility to decrease the required saving of £770,000 in the service and to retain financial support for

low-income families, reducing the anticipated saving to £519,000. However this could not be confirmed until checking of commitment records had been completed. It might therefore be prudent to await a further update on the outturn forecast at the January meeting before deciding which changes to consult upon.

- Concurred that the Council should promote a targeted campaign to ensure that young people were aware of the availability of bursaries. It was suggested that this initiative could be linked to the Pupil Premium “Count me in” campaign.
- Expressed concerns that many students would not qualify for financial support from bursaries and that there was a potential for an increase in young people who were NEET, which could lead to increased costs for public authorities in the longer term.
- Were reminded that the Council was not under a duty to provide free transport for students over 16 as they were no longer of statutory school age, although it was required to ensure access to further education and learning for students aged 16 – 19 and noted the apparent inconsistency between these duties.
- Noted that whilst the Education and Skills Act 2008 had raised the age of participation, requiring young people to remain in education or training until the age of 18, there had been no change to the compulsory school age.
- Sought guidance on the scope for legal challenge of the proposed policy changes and noted that a Community Impact Assessment had been prepared, a copy of which was attached at Appendix A, and that this had been reviewed by LGSS Law.
- Commented on the scope to utilise community bus services and noted how such services could bid for contracts under the Council’s Dynamic Purchasing System.
- Noted that the Cambridgeshire Future Transport group was also exploring community transport options.
- Noted that funding for post-16 education was not being protected by the Government.
- Remarked upon the potential impact of removing financial support for post-16 transport on the viability of 6<sup>th</sup> forms.

The Committee agreed to defer further discussion on the recommendations until after consideration of the item on the Business Plan when the savings proposals would be presented in a wider context.

#### **134. FINANCE AND PERFORMANCE REPORT – OCTOBER 2015**

The Committee considered the Finance and Performance report for Children, Families and Adults (CFA) outlining the financial and performance position as at the end of October 2015. The report was for the whole of CFA services and as such, not all the services were the responsibility of this Committee.

Members were reminded that the September report had identified a forecast overspend at year end of £1.377m. At the end of October the overspend had reduced to £896k. The Executive Director: Children, Families and Adults Services reported verbally that at the end of November the overspend had reduced to £800k.

In response to a question, the Director provided further information about the data cleansing exercise which had led to a reduction in the forecast overspend for home to school transport (mainstream).

It was resolved:

to review and comment on the report.

**135. CHILDREN AND YOUNG PEOPLE COMMITTEE REVIEW OF DRAFT REVENUE AND CAPITAL BUSINESS PLANNING PROPOSALS FOR CHILDREN AND YOUNG PEOPLE'S SERVICES 2016/17 TO 2020/21**

The Committee received a report which provided an overview of the draft Business Plan revenue and capital proposals for Children, Families and Adults Services that fell within the remit of the Children and Young People's Committee. The report additionally provided updates to the capital proposals since the meeting of the Committee held on 10<sup>th</sup> November 2015 and a summary of the latest available results from the budget consultation, details of which were set out at Appendix C to the report. Community Impact Assessments in respect of the savings proposals were presented in Appendix D to the report.

The Committee was advised that the business planning proposals would be presented to the Committee again at its January meeting. The report had been written prior to the Chancellor of the Exchequer's Autumn Statement and work was now being undertaken to review the implications of the Autumn Statement and to investigate opportunities to mitigate some of the required savings.

Given that the business planning proposals would be discussed again at the January meeting, the Chairwoman explained that she proposed to focus the discussion on three areas, as indicated in a document circulated prior to the meeting.

The Chairwoman accordingly invited discussion on the report as follows:-

**(a) Update on Corporate Financial Context**

The Executive Director: Children, Families and Adults Services advised the Committee of the main areas of interest in the Autumn Statement, although he indicated that some of these were more of relevance to the Adults Committee:

- The Council would have the flexibility to raise council tax by up to 2% above the existing threshold, with the funding being ring fenced exclusively for spending on adult social care;
- Local authorities would be able to spend capital receipts on the revenue costs of transformation projects;
- The Better Care Fund would be increased, but this funding would not be available until 2017 and was exclusively for adult social care;
- There would be a reduction by £600m nationally in the education services grant; and
- The Government intended to consult on a proposal to reduce the local authority role in running schools and to remove a number of statutory duties; a policy announcement was expected in the spring of 2016.

The Executive Director elaborated on the further work being undertaken in the light of the Autumn Statement, including work by the Chief Finance Officer to increase corporate capacity for invest to save projects.

**(b) Discussion on the proposed Council Tax**

Following introduction by the Executive Director: Children, Families and Adults Services, Members:-



- Questioned whether the capping limit for 2016/17 had been announced. In response, officers indicated that whilst the formal capping regime had not been clarified, the expectation was that council tax rises would be limited to 2% plus the additional 2% ring fenced for adult social care.
- Noted the expectation that any proposal to increase council tax beyond 2% + 2% would require a referendum and that it was understood that the referendum question was prescribed by regulation.
- Sought further information on the possible impact of the additional 2% funding for adult social care and noted that the resultant income would not even cover the cost of funding the national living wage.
- Acknowledged the need for greater clarity around the option to increase the council tax by an additional 2% for adult social care, including whether this would be baselined for future years. The Executive Director: Children, Families and Adults Services agreed to request the Chief Finance Officer to provide a briefing note to Members. **Action required.**
- Noted that it was not intended to borrow externally to meet the cost of funding invest to save projects.
- Received further information on the capital scheme relating to the Children, Family and Adults Management Information System which would replace the three main systems in use in the Department.
- Referring to funding for schools in Cambridgeshire, noted that the Government had announced that there would be a national funding formula for schools from 2017. Further details were expected in spring 2016.
- Discussed and shared initial political group reactions on council tax options for 2016/17, with some Members however indicating that, prior to drawing any conclusions, further information was needed on the new social care precept; invest to save options; scope for income generation and use of reserves. Another Member suggested a longer term option might be a review of public service delivery.

(c) Discussion on the potential that, if extra money should become available, which of these proposed cuts Members would most like to avoid

During a general discussion on which cuts Members would most wish to avoid, should additional funding become available, the following services were highlighted:-

- Recommissioning of Early Help
- Locality Teams
- Speech and Language Therapy
- Children's Centres
- Early Years workforce
- Home to school/college transport

In response to comments on Early Help, the Executive Director: Children, Families and Adults Services commented that officers had concluded that whilst the proposals for reductions in support for the Private, Voluntary and Independent (PVI) sector were not easy, they might have less impact than the proposals relating to Children's Centres. He pointed out that the proposed Children's Centres savings were earmarked for the subsequent financial year. This would allow time for exploring alternative ways of working and the scope for greater alignment and integration with a range of other County Council and partner

services, as well as options for income generation.

Referring to the Finance and Performance report and the Home to School/College Transport reports earlier in the meeting, the Executive Director reminded Members that in the light of the improved projected financial position, and subject to further financial review, there might be scope to reverse some of the lower value savings proposals. For example, this might give Members the scope to retain financial support for home to school/college transport for low-income families of post 16 students; to retain the Assistant Locality Managers and to retain £200k for the short breaks service.

Following debate, the Chairwoman suggested that there appeared to be a degree of consensus around the following services being protected, should additional funding become available:

- Home to school/college transport for post 16 students – as indicated at Minute 133 there was additionally support for a campaign to promote the take up of bursaries. There was also a need for further review of the possibility of any decision to withdraw support leading to a potential increase in the number of young people not in employment, education or training (NEET).
- Assistant Locality Managers – The importance of early intervention and the work of the locality teams was emphasised.
- Children's Centres – further work was needed to investigate the scope for greater partnership working and income generation.

The Executive Director requested that the proposals relating to personal budgets for children with disabilities also be considered if any additional funding became available.

It was resolved:

1. to note the overview and context provided for the 2016/17 to 2020/21 Business Plan revenue proposals, updated since the last report to the Committee in November.
2. to comment on the draft revenue savings proposals that are within the remit of the Children and Young People's Committee for 2016/17 to 2020/21.
3. to comment on the changes to the capital programme that are within the remit of the Children and Young People's Committee and note them.
4. to note the ongoing stakeholder consultation and discussions with partners and service users regarding emerging business planning proposals.

### **136. HOME TO SCHOOL/COLLEGE TRANSPORT – BUSINESS PLAN PROPOSALS**

Further to the earlier discussion at Minute 133 above, the Committee considered the recommendations in the report regarding the Business Plan proposals for home to school/college transport.

During discussion, it was suggested that there was a need for greater clarity on the formula used by the Education Funding Agency to allocate funding for bursaries to

schools, colleges and other education providers. The Executive Director: Children, Families and Adults Services agreed to arrange for a briefing note to be provided to Members. **Action required.**

With the consent of the Committee, it was agreed to add a further resolution to indicate the Committee's support for the Council taking a more proactive approach to encouraging the provision and take up of bursaries.

It was resolved:

1. to note the legislation governing the provision of home to school/college transport and the Council's current policy.
2. to note and comment on the reasons for the pressures on both the mainstream and Special Educational Needs and Disabilities (SEND) budgets and the actions being taken to manage these and reduce demand.
3. to note the information provided on the financial support available to post-16 students to offset the costs of their transport to and from college.
4. to note and comment on the information provided on the financial support available to post-16 students to offset the costs of their transport to and from college.
5. to note and comment on plans for consultation on the proposals set out in the draft Business Plan for 2016/17, i.e. for the Council to cease to provide any form of financial subsidy for mainstream post-16 students commencing a new course of study with effect from 1 September 2016.
6. to agree to receive a further update on the outturn forecast spend this financial year at the Committee's January 2016 meeting to inform the decision on which of the proposed changes will be taken forward to consultation.
7. to agree to take a proactive approach to encourage the provision and take up of bursaries.

#### **137. CHILDREN AND YOUNG PEOPLE COMMITTEE AGENDA PLAN AND APPOINTMENTS TO OUTSIDE BODIES**

The Committee received a report which presented the agenda plan for the Children and Young People Committee, as set out in Appendix A, and invited reports back from representatives on outside bodies.

Members received a verbal update on the following amendments to the published agenda plan:-

- Establishment of Denominational Schools moved from January to February
- Child and Adolescent Mental Health Services (CAMH) moved from January to March
- Early Years and School Performance moved from January to February
- Chatteris and Whittlesey Primary Provision items in March merged into a "Fenland Primary Review" item
- Gamlingay School – Consultation on Governance Arrangements added to March.

Following a question from a Member, it was clarified that the item on Denominational Schools was intended to establish a policy position. The Head of 0 – 19 Place Planning and Organisation Service undertook to speak to the Member concerned regarding the position at Waterbeach. **Action required.**

Councillor Downes reported that he had attended meetings of the Accelerated Achievement Group, the School Improvement Board and Cambridge Music Hub and that he would report with more detail at a future meeting.

It was resolved:

to note the agenda plan, as set out at Appendix A, and the oral update.

Chairwoman