

## Children and Young People Committee: Minutes

Date: 10<sup>th</sup> October 2023

Time: 2.00pm – 3.55pm

Venue: Red Kite Room, New Shire Hall, Alconbury Weald PE28 4YE

Present: Councillors D Ambrose Smith, M Atkins (Vice Chair), M Black, A Bradnam, P Coutts, C Daunton, B Goodliffe (Chair), J Gowing, A Hay, J King, T Sanderson, A Sharp and P Slatter

Co-opted Member: Canon A Read

### 165. Apologies for Absence and Declarations of Interest

Apologies for absence were received from Councillor A Bulat, substituted by Councillor M Black, Councillor S Hoy, substituted by Councillor J Gowing, Councillor M McGuire, Councillor S Taylor, substituted by Councillor T Sanderson, Councillor F Thompson, substituted by Councillor P Coutts and Dr A Stone.

There were no declarations of interest.

### 166. Minutes – 27<sup>th</sup> June 2023 and Minutes Action Log

The minutes of the meeting on 27<sup>th</sup> June 2023 were approved as an accurate record, subject to clarification of the trend over time in the number of children and young people in the Council's care referenced at minute 159. **Action required**

Some actions had not been updated since the last meeting, and the Chair asked that this should be done. The minutes action log was noted. **Action required**

### 167. Petitions and Public Questions

Public questions were received from Liz Day and Antony Carpen, both local residents. A copy of the questions and written responses are attached at Appendix 1.

Mrs Day's question was heard at Item 7: Special Educational Needs Service and Safety Valve Programme Updates (minute 171 below refers).

## Key decision

### 168. Supported Accommodation Services for Young People in care aged 16+ [KD2023/70]

The Committee was invited to endorse the re-tendering of a contract for supported accommodation services for young people in care aged 16+, and to delegate responsibility for awarding and executing the contract and any extension periods to the Executive Director for Children, Education and Families.

Supported accommodation had previously been referred to as unregulated accommodation, and had become the subject to increased attention in recent years. In 2020 there had been around 3000 providers nationally, and in Cambridgeshire this sector offered support to around 15% of the Council's children in care population. A new process was being introduced to regulate this sector and from 1<sup>st</sup> April 2024 Ofsted would begin inspecting providers. Officers proposed re-tendering now to ensure that all of the Council's contracts were legally compliant with the new standards. The aim of the service to allow young people to become more independent while living in supported accommodation and to make a smooth transition to independent adulthood remained unchanged. All providers used by the Council would be required to register with Ofsted.

Individual Members raised the following issues in relation to the report:

- asked whether any of the lots included live-in support. Officers confirmed that some accommodation would provide live-in support.
- sought more information about the support available to separated migrant children. Officers explained that this was a shifting population, with young people moving on as they turned 18 and others arriving. The majority of separated migrant children were aged 16-17. Those coming into care at this age were more likely to be offered a place in supported accommodation rather than a foster home to support the development of independent living skills.
- asked about the number of young people in supported accommodation in Cambridgeshire by district. Officers offered to provide this information outside of the meeting. Action required
- asked whether the Government grant would be sufficient to cover on-going costs. Officers stated that the amount each local authority received was determined using a calculation based on the children in care population and the number of young people aged 17 and under living in county. There would be on-going registration costs each year for providers for Ofsted registration. It would be for each provider to decide how to implement the new regime, and some might require support. Whilst it was hoped that costs would not increase too much it should be expected that any additional costs to providers would be passed on to the Council as the purchaser of services. As more providers registered with Ofsted over time it was anticipated that competition should drive down the cost. The aim was to achieve a spread of locations across the county, and it was hoped to stimulate the market to offer places where they were needed.

The Chair endorsed a request that officers report back on the new arrangements to provide assurance that all was going well. **Action required**

Co-opted members of the committee were eligible to vote on this item.

It was resolved unanimously to:

- a) note the re-tendering process for this contract.
- b) delegate responsibility for awarding and executing a contract for the provision of Supported Accommodation Services pseudo Dynamic Purchasing System (DPS) Agreement for young people in care aged 16 and 17 years old, starting 1st April 2024 and extension periods to the Executive Director for Children, Education and Families.

## Decisions

### 169. Finance Monitoring Report for August 2023

The format of the finance monitoring report attached at Appendix 1 had been revised to show both gross and net figures. The main overspend was on the children in care placement budget. The overspend of around £4.4m on the dedicated schools grant (DSG) aligned with the original safety valve submission.

The Department for Education (DfE) had recently advised of an error in national pupil calculations which had resulted in a reduction of around £4m in the overall level of funding available to Cambridgeshire. Officers were currently working through schools budgets and a report would be brought to the committee in January for decision, following consultation with the Schools Forum. Cambridgeshire was currently 136<sup>th</sup> out of the 149 Local Authorities for its per pupil funding.

Individual Members raised the following issues in relation to the report:

- asked what could be done to address the overspend on the children in care placement budget. Officers stated that the Council must provide support where this was needed, but that the service was working with the market to reduce the highest cost placements and looking at cheaper provision.
- asked about the Integrated Front Door. Officers explained that there had not yet been a separation from Peterborough City Council with this provision. Process mapping had identified a better, more agile process for responding when a concern was shared about a child and it was hoped that introducing this would support better decision-making and help divert children away from statutory services.
- asked about agency staffing levels. Officers reported an improvement in the number of permanent staff in place over the previous year's figures, with a reduction to around 30% agency staff. By December there would be a permanent leadership

team in place in the Children, Education and Families Directorate and the new social worker academy was launching in November which would be growing a cohort of newly qualified social workers and supporting international social workers arriving at the start of 2024.

The Finance Monitoring Report for August 2023 was noted.

## 170. Early Years Funded Entitlement and Wraparound Expansion Update

The Committee was advised of the importance of the Council engaging with the issue of Early Years (EY) funded entitlement and the expansion of wraparound provision. This would include deciding how to respond to the Chancellor's announcement about investment in EY care. There were high aspirations around the roll out of the programme, and it would represent a significant change with every child aged between 9 months and 3 years given access to free childcare. This would create a significant increase in the number of eligible children and the type of care they would need at a time when the childcare sector was already under pressure to meet demand. It was important to note Government aspirations for wraparound care for primary school aged children, as this would represent another significant challenge. There would be start-up funding available, but this would not be on-going. Officers were clear about the need to support children with special educational needs and disabilities (SEND) and recipients of pupil premium payments and were working hard to support the sustainability of the sector, but were still seeing settings close. The sufficiency duty would fall on the local authority, so officers were keen to develop the workforce to meet the new age profile of funded provision. Officers would report back to the committee as the situation evolved to take members' views.

Individual Members raised the following issues in relation to the report:

- asked about recent closures of EY settings. Officers explained that EY settings faced two key challenges: workforce, as it was a minimum wage role for many EY practitioners, and the difficulty in keeping the provision financially viable given the requirements around adult to child ratios. Officers were monitoring the situation locally, but there was relatively little they could do. The Chair expressed thanks to those providers who had stepped in when contracts had been handed back.
- asked how sure officers were that there was sufficient provision available. Officers stated that the Council's duty was around sufficiency, not the actual provision of services. Its role would be to identify barriers to growth and how to meet need. There was a need for clarity around demand as EY care was optional. The Council was providing training to try to grow the workforce, but the Committee needed to be aware of the level of challenge.
- asked whether feedback was being provided to district councils about factoring in houses big enough to offer EY care in new developments, and whether schools were being built big enough to offer wraparound provision. The Director of Education confirmed that officers were working closely with district council colleagues and that all schools now being built by the Council had wraparound provision space included.

Much wraparound provision happened off-site, so there was a role for the Council in stimulating that market.

- noted the knock-on effects on school cleaning and maintenance of having school buildings operational for longer hours to accommodate wraparound provision.
- asked about the role of the voluntary sector in meeting the increased demand for EY and wraparound provision. Officers stated that the voluntary sector was seen as a key partner and that the Council was keen to work with all interested parties.
- noted that the provision of wraparound care could be a good selling point for a school, but that it needed to be financially self-sustaining. Officers confirmed that the Council could not subsidise this provision.
- asked whether the Council offered any business advice to EY settings. Officers confirmed that advice and guidance on sustainability and support was provided as part of the offer from the Council's EY team. Information on how to access this was available on the Council's website, and a link to this would be shared with the committee. Action required
- asked about the potential implications for those families in receipt of benefits. The Director of Education offered to look at what the proposals would mean for groups on different incomes. Action required
- welcomed the proactive approach being taken by the Education team.
- noted the complexity of the issue and the resourcing and capacity challenges which lay ahead. In this context they asked how this would be progressed in terms of risk management by the Committee, potential regional variations in access and quality of provision and whether reports would be provided as the situation evolved to examine where it was working and not working. The Director of Education stated that the sufficiency aspect geographically was key. It was probably possible to predict where there would be challenges, and he was happy to provide a report on that, focusing on geography. Action required

Committee members noted and commented on the information outlined in the report.

## 171. Special Educational Needs Service and Safety Valve update

The Committee was advised that officers were working with the Department for Education (DfE) to develop a sustainable budget for special educational needs and disabilities (SEND) services. This was based on a local transformation programme and national policy changes, as many of the challenges faced in Cambridgeshire were replicated nationally. The greater complexity of need being seen created a significant challenge.

The Committee heard a public question from Liz Day. A copy of the question and written response are attached at Appendix 1. There were no questions of clarification from committee members.

Individual Members raised the following issues in relation to the report:

- welcomed the announcement by the Secretary of State for Education of a new special school in March offering 210 places, and a social, emotional and mental health (SEMH) special school in Gamlingay for young people aged 11-16. This represented significant capital expenditure by Government of £50m+. A member asked about the revenue implications for the Council of running these schools. Officers stated that local provision avoided the need for children to be placed away from home which offered better outcomes for children and better value for money. Parents had been made aware of the new provision which would be available locally, but the Council would not insist on moving children from their existing provision if they were settled. Officers would work with parent and carer forums on this.
- spoke of the need to provide early support, and to ensure that every school had a supported SENCo. The Director of Education agreed that the role of the SENCo was critical. The Council had a team to support and develop this group, and there was a new national qualification for SENCOs. Cambridgeshire was an inclusive county with the number of children with education, health and care plans (EHCPs) placed in mainstream schools higher than many areas. There was also a focus on support for those children and young people with additional needs below the threshold for EHCP support.
- asked whether the education team needed to be strengthened or provided with additional resources to deliver the additional safety valve and early years work. The Director of Education stated that his team was receiving good corporate support, including creating some new roles, but that challenges remained in some areas such as recruiting educational psychologists and caseworkers. He was working closely with the S151 Officer to ensure compliance with the Council's statutory duties.
- asked about the delivery of a new special school in Waterbeach New Town. Officers stated that there was no special school planned for Waterbeach at the current time. [Note: Following the meeting, the Director of Education clarified that the Section 106 Agreement for Waterbeach New Town West site included the provision of a special school located on the west side of the development. The terms of the Section 106 Agreement stated that the special school would be subject to a SEND Review that would take place between 2,000 and 3,500 occupations. The latest trajectory indicated that 2,000 occupations would not be reached until 2030 or 2031. On that basis, it was unlikely that a new school would be built until the early to mid-2030s. Given the timescale, this new school was not included in the safety valve application recently submitted to the Department for Education and was not included in the current work to implement this.]
- noted the steady increase in the number of EHCPs issued between 2018-2023 and asked whether these numbers were likely to stabilise. Officers stated that this was one of the issues which had been considered as part of the safety valve work. Growth was mainly being seen in the number of EHCPs being issued to support children and young people with social, emotional and mental health needs or were

autism-related. All the Local Authority (LA) could do was to try to plan for the increased demand and respond to it. The situation was similar in other LAs. The proportion of children with SEND was growing faster than the population increase, and these figures could be provided outside of the meeting. **Action required**

- noted that a key element of the EHCP process was hearing the voice of the family and the child.

The Committee noted the updates provided on SEND in the County, SEND Transformation and Safety Valve Agreement.

## 172. Preparation for Children's Inspection Readiness Activity

The Council was last subject to an Ofsted inspection of local authority children's services (ILACS) in January 2019, where the judgement was 'Requires Improvement'. Cambridgeshire's Youth Justice Services were inspected by HM Inspectorate of Probation in August 2023, and its report would be shared with the Committee when received. The Council was also subject to inspection of its special educational needs and disability (SEND) services by Ofsted and the Care Quality Commission, with the last inspection taking place in March 2017. It was expected that the next visits would be for a full ILACS inspection and a SEND inspection, and preparation for these was being built into business as usual.

Two engagement meetings were held each year, with a self-evaluation conducted ahead of these against the inspection standards. Improvement boards had been established for social care and SEND, with a focus on improved timeliness and better evidenced decision-making at the integrated front door, putting the child's voice at the centre of planning, ensuring that there were clear and well understood pathways for children at risk of exploitation, improving workforce stability and improving quality assurance processes and the timeliness of education, health and care plans (EHCPs). The Department for Education (DfE) had funded Essex County Council (ECC) to work as an improvement partner and officers welcomed the full system diagnostic being carried out for each social care team which would give a view on their strengths and areas for development. The Council's own self-evaluation and the independent review by ECC would be completed by the end of the year, by which time the permanent senior leadership team would be in place.

Members emphasised the importance of regulatory visits and asked about member involvement in the inspection preparation process. Officers stated that the outcomes of the self-evaluation work and independent review by ECC would be shared with members once complete. **Action required**

It was resolved to note the preparations for future Government inspections of children's services, as detailed in the report.

### 173. Children and Young People Committee Agenda Plan, Training Plan Committee Appointments and Local Authority School Governor Nominations

The Committee was advised of changes to the agenda plan, as listed below.

A member briefing was suggested on the role of the Standing Advisory Council on Religious Education (SACRE), and the Council's statutory responsibilities. It was noted that one committee appointment to SACRE remained vacant, and that it was not quorate if elected member representatives did not attend. **Action required**

On being proposed by Councillor Atkins, seconded by Councillor Slatter, it was resolved unanimously to appoint Councillor Goodliffe as the Committee's representative to the Cambridgeshire SEND Executive Board.

It was resolved unanimously to:

- a) Note the following changes to the published committee agenda plan:
  - i. Small Schools' Strategy – added to November committee
  - ii. Childrens Residential Strategy Options Paper – removed from November committee
  - iii. Business Planning – deferred from November committee to January.
- b) Note the possible addition of training around business planning.
- c) Appoint Councillor B Goodliffe to the Cambridgeshire SEND Executive Board (CSEB).
- d) Note local authority school governor nominations and appointments April to July 2023.

(Chair)

Children and Young People Committee  
10<sup>th</sup> October 2023

Item 3: Petitions and Public Questions

	<b>Question from:</b>	<b>Question/ comment:</b>
1.	Antony Carpen Local resident	<p>The Chair of the CYP Committee responded to my PQ at Cambridge City Council's East Area Committee on Citizenship Studies GCSE for Cambridgeshire. See <a href="https://www.youtube.com/watch?v=l7rguMwVj00&amp;t=57m20s">https://www.youtube.com/watch?v=l7rguMwVj00&amp;t=57m20s</a> for the question, and the response by Cllr Goodliffe.</p> <p>I also tabled a question about citizenship studies in the lifelong learning sector to the Combined Authority, and their response is in the responses document on the <a href="#">Combined Authority website</a>.</p> <p>With only 145 students in Cambridgeshire having taken the GCSE in Citizenship Studies in 2022, what assessment has the County Council made of the distribution of places across the county that offer Citizenship Studies GCSE? Please could I urge the County Council to lobby the academy chains across the county to work together and employ some specialist teachers that could cover more than one school in order to make the GCSE in Citizenship Studies available.]</p>
	<b>Response from:</b>	
	Councillor Bryony Goodliffe, Chair, Children and Young People Committee	<p>Thank for you raising this concern.</p> <p>We encourage all secondary schools to offer as wide a breadth as possible of subjects for all pupils. This is however in a context of teacher shortage, financial constraints and an accountability framework which places greater focus on a limited number of subjects. All secondary schools in Cambridgeshire are part of academy trusts, but we will certainly pass on the helpful suggestion you make around sharing specialist teachers across a trust or local area.</p>

Item 7: SEND Service and Safety Valve update

	<b>Question from:</b>	<b>Question/ comment:</b>
2.	Liz Day Local resident	<p>Information within the report is aspirational in wording towards improving SEND Support as early as possible in the educational journey of children and young people, with special educational needs and disability. I am totally in support of that sentiment. I do hold concerns that there is zero mention of statutory requirements under the Children's and Families act that the local authority hold significant responsibility and therefore outcomes including Key Performance Indicators towards achievement</p> <p>The report updates on implementation of work streams agreed as part of the Safety Valve Deal, shows a strong bias towards monitoring of financial sustainability, as detailed within the Local Government act. I totally agree that financial sustainability is essential and important to well managed local government and education for children and young people in the local area. It is a huge concern to me that there are priorities within the conflict between these two statutory acts and the Department for Education has pushed pressure onto the local authority to accept the Safety Valve Deal, as a way to resolve an increase in a deficit budget of the Designated Schools Grant found in the High Needs Block Fund. The only budget that seemingly has been allowed to accrue an accumulated deficit over time. The fact there has been an accumulated deficit during several years and since the inception of the Children's and Families act would suggest there has consistently been insufficient funding provided to the local authority to adequately fund demand for support by a demographic that has protected characteristic under the Equality act. That really is poor management of resources and intentionally underfunding causing ongoing detriment and harm to many thousands of children and young people.</p> <p>The report suggests that increase in demand has been largely due to schools pushing for Education, Health and Care assessments with a view of securing the legal document known as and Education, Health and Care plan. That details specific needs and how to meet those needs in a suitable and accessible way. To game the system to secure more funding.. There is not statistical data included that shows that premise to be true or otherwise. As a peer supporter to many families of children and young people within the local area and beyond and from feedback within my networks, I can can confidently state that no parent carer supports schools to make spurious formal requests for EHC assessments to secure additional funding for educational settings. All parent carers will be focused on securing an accessible and suitable</p>

	<b>Question from:</b>	<b>Question/ comment:</b>
		<p>education that meets their child's needs adequately. As it states within the law (C&amp;Fa). Schools often appear ill equipped to attend to their part in the process. Examples are available upon request.</p> <p>My question is how are the Local Authority going to meet it's statutory requirements under that detailed within the Children's and Families act?</p>
	<b>Response from:</b>	
	<p>Councillor Bryony Goodliffe, Chair, Children and Young People Committee</p>	<p>Thank you for your time in addressing the Children and Young People (CYP) Committee on 10<sup>th</sup> October 2023.</p> <p>All our services aim to meet the requirements of both the Children's and Families Act and the SEND code of practice. Both Officers and Members have been clear the programme supporting the Safety Valve arrangements will continue to meet our statutory duties. The Safety Valve process is a financial programme which supports improvement in SEND service delivery including transformation and efficiency measures. The deal agreed was proposed by Cambridgeshire County Council and the workstreams contained within it were designed locally to meet the needs of our children and young people and all stakeholders that work within SEND. The focus is on early intervention and local delivery and not to deny any child or young person the support they need.</p> <p>In terms of funding, the County Council has made many representations over an extended period, including meeting with Ministers, for further funding for SEND in Cambridgeshire to reflect our unique challenges. These have been unsuccessful, but the recent Green Paper on SEND and the response in the SEND and Alternative Provision action plan both reference a further reform of SEND funding. We will continue to make representations on the low level of funding.</p> <p>You referenced in your question the challenges of funding and schools using the education, health and care plan (EHCP) process to secure further funding. This is just one of the areas we believe has led to an increase in our EHCP numbers. Our observation here relates to the low level of funding for Cambridgeshire Schools and school leaders have told us they would like more resources to provide support for all children with SEND earlier as this could avoid the</p>

	<b>Question from:</b>	<b>Question/ comment:</b>
		<p>need for statutory process. The current level of budget challenges means that more children are being referred into statutory assessment. Cambridgeshire is 136<sup>th</sup> out of the 149 Local Authorities for its level of funding. This has a significant impact on the schools notional SEND funding to support early work with children with additional education needs, support for those at SEND support and to meet the element 1 and 2 of funding for an EHCP. We are working hard with schools to improve practice in SEND through aspects of our work (and safety valve deal) including the Ordinarily Available toolkit.</p> <p>The County Council is fully committed to meeting all its statutory processes and it welcomes the additional investment the Safety Valve process brings to develop new provision and move towards a more sustainable funding position.</p>