

Children and Young People Committee Minutes

Date: Tuesday 30 November 2021

Time: 2.00pm – 4.06pm

Venue: New Shire Hall, Alconbury Weald, Huntingdon

Present: Councillors D Ambrose Smith, M Atkins, A Bulat, C Daunton, B Goodliffe (Chair), A Hay, S Hoy, J King, M King (Vice Chair), M McGuire, A Sharp, P Slatter, S Taylor and F Thompson

Co-opted Members:
Canon A Read, Church of England Diocese of Ely

Apologies: Councillor K Prentice and co-opted member F Vettese, Roman Catholic Diocese of East Anglia

32. Apologies for Absence and Declarations of Interest

Apologies for absence were reported as recorded above. There were no declarations of interest.

33. Minutes – 19 October 2021 and Action Log

The minutes of the meeting held on 19 October 2021 were agreed as an accurate record and signed by the Chair. The action log was noted.

34. Petitions and Public Questions

No petitions or public questions were received.

35. Action to Address Continued Recruitment Challenges in Children's Services

The report contained two appendices which were exempt from publication under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, in that it would not be in the public interest for this information to be disclosed: Information relating to the financial or business affairs of any particular person, including the authority holding that information. The Chair asked whether any members of the committee wanted to discuss the exempt appendices. No Member expressed the wish to do so.

The Committee was advised about a national shortage of qualified and experienced social workers and the short and long-term measures being taken to address this in Cambridgeshire. This included a key decision taken by the Chief Executive on 15 November 2021 in accordance with the arrangements for urgent decisions set out in the Constitution to award a contract for the supply of qualified social workers.

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

- Noted that there had been a number of decisions made under urgency arrangements since May 2021.
- Asked why the shortage in qualified and experienced social workers had not been raised previously with the Committee. The Director of Children's Services stated that this had been a building issue for some time and that it had been reported in his recent Service Director reports. Local authorities were now competing for agency staff on a national basis and the market was highly competitive. The position in Cambridgeshire was at a difficult point when an opportunity had arisen to source a volume of staff. This opportunity occurred between committee meetings and so had been pursued via an urgent decision taken by the Chief Executive.
- Asked whether the committee would have been able to take this decision if the number of committee meetings had not been reduced. The Chair stated that the Committee had met on 19 October and again on 30 November so that was not a factor in this case. The Director of Children's Services stated that this opportunity had arisen at the end of October with only about a week available to make a decision. He had been concerned that any delay to the decision could lead to the loss of the available staff.
- Noted that the published report did not show that it had been signed off by the Monitoring Officer. The Director of Children's Services stated that this was an error and that the report had been approved by the Monitoring Officer.

The Committee:

- a) Noted the details of the urgent decision to award a contract for the supply of staffing on an interim basis, as set out in Exempt Appendix 2.
- b) Noted and comment on the measures being taken to improve the permanent recruitment and retention of our staff.

36. Finance Monitoring Report – October 2021

As of the end of October 2021 there was a forecast overspend of £420k on core budgets within the remit of the Children and Young People Committee. A slightly worsening position was reported in relation to the children in care and home to school transport budgets, but this was offset by savings due to vacancies within children's services. The Dedicated Schools Grant (DSG) was also showing a worsening in-year position with the forecast pressure on High Needs having risen to £13.6m.

A Member commented on the importance in their opinion of continuing to support Outdoor Education facilities for the benefits which they provided to mental and physical health.

The Committee:

- a) Reviewed and commented on the report.

37. Review of Draft Revenue and Capital Business Planning Proposals for 2022-27

The report provided an update on the Council's financial position since the first business planning report was presented to the Committee in October 2021. This included changes to key assumptions impacting financial forecasts and further risks and opportunities.

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

- Noted the removal of the St Neots scheme from the proposed capital plan. The Service Director for Education stated that officers had briefed local Members on this proposal.
- Noted that there was no reference to secondary provision for Wisbech or Soham in the current report. Officers stated that the recommendation to remove those schemes from the capital programme had been considered by the Committee in October.
- Noted the rationale for invest to save in relation to Social Care and Education Transport given the significant and increasing spending this area, but asked whether this might be accelerated beyond the proposed three-year period. The Service Director for Education stated that work was planned around academic years in order to provide certainty for parents and carers. A phased approach over time was one which could be delivered and he was mindful that this was a sensitive area and so wanted to ensure that decisions were taken carefully.
- Asked for a short note setting out the range of options considered to narrow the deficit on the dedicated schools grant (DSG). **Action required**
- Noted that savings in relation to the children in care and special guardianship order budgets were both predicated on the success of the family safeguarding approach and asked whether the sustainability of this approach was dependent on Government grant funding. The Director of Children's Service stated that additional staff for the Family Safeguarding Model would be funded through Government grant in 2022/23 and possibly 2023/24. Discussions had taken place with the Finance team and he was confident that the sustainability plan in place would support continuation of this approach beyond the grant funding period.
- Asked for more information around the £600k savings relating to the unwinding of historical arrangements and a further saving of £174k to reverse planned investment in shared care. The Director of Children's Services stated that these costs had been wrapped up in the placement budget. It was important to support families to keep their children with them at home wherever this was possible so these budget lines were no longer required.
- Welcomed the Government review of arrangements in relation to unaccompanied asylum seeking children (UASC) and asked whether there was any expectation that Government would continue funding this in the longer term. The Director of Children's Services stated that whilst the Government's future plans were not yet known the Council treated UASC in exactly the same way as any other child in its

care. Government was now meeting more than the cost of their placements and it was reasonable to assume this would continue in future years.

The Chair noted that the Strategy and Resources Committee had agreed to remove the words 'and endorse' from the report recommendations when it considered the first round of budget planning reports and exercised her discretion as chair to make the same change to the report recommendations before the committee.

It was resolved unanimously to:

- a) Note the progress made to date and next steps required to develop the business plan for 2022-2027.
- b) Comment on the budget and savings proposals that are within the remit of the Committee as part of consideration of the Council's overall Business Plan.
- c) Comment on the proposed changes to the capital programme that are within the remit of the Committee as part of consideration of the Council's overall Business Plan.
- d) Note the updates to fees and charges for 2022-23.

Co-opted members were not eligible to vote on this item.

38. Establishment of a new primary school at Waterbeach New Town (formerly Waterbeach Barracks)

The Committee was advised that a competition had been launched in May 2021 to seek a sponsor to establish and run the first new primary school for Waterbeach new town. Six multi-academy trusts had applied with three being shortlisted. An assessment panel of Members and officers was convened on 15 September 2021 and was unanimous that the Anglian Learning Trust (ALT) was its preferred sponsor and should be recommended to the Committee for endorsement. In reaching this decision the panel took the view that ALT had the appropriate experience and expertise needed to run a new primary school and was satisfied that ALT provided strong and credible evidence that the new free school would add high quality places to the local area.

The meeting was adjourned from 2.33pm to 2.35pm.

Due to technical difficulties Councillor Bradnam, the local Member for Waterbeach, was unable to join the meeting remotely to share her views on the proposal. Officers stated that Councillor Bradnam had participated in the joint Member and officer assessment panel which had been unanimous in its recommendation of the Anglian Learning Trust.

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

- Asked which other local schools were run by ALT. Officers stated that these included Sawston Village College, Fen Ditton Primary and Bottisham Primary and that the Trust had demonstrated its capacity across this range of schools.

It was resolved unanimously to:

Endorse Anglian Learning Trust as the Council's preferred sponsor for the first primary school to serve the Waterbeach New Town development.

Co-opted members were not eligible to vote on this item.

39. Framework for Early Years Provision

The Committee's endorsement was sought to develop a childcare provider framework. This would help ensure that the Council could act quickly to meet its statutory duty to ensure sufficient childcare places were available should a provider give notice without needing to act as the provider of last resort which involved significant cost. There had been a number of closures of childcare settings in recent months and the situation remained challenging for some providers. The concept of a framework had been soft tested with providers and the response had been positive.

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

- Expressed the view that the problem was compounded by salary levels within the early years sector and competition from other sectors and asked what could be done to match salaries and support staff retention. Officers stated that whilst the Council could encourage providers to offer competitive remuneration it had no direct influence. Government had announced an additional £160m of funding in the current year and it was important for the early years sector to be seen as a positive career option which offered career progression opportunities.
- Questioned why there had been a positive response to the proposed framework when childcare providers were withdrawing from local settings. If this was a growing problem they further asked whether the framework would be able to fully meet need and if it would be prudent to also look at options for developing in-house provision. Officers stated that the positive response to the proposed framework had come from those providers not currently experiencing challenges and who felt confident in being in a position to respond quickly. The Council was only the provider of last resort if the market was unable to provide the places required to meet statutory need. It could not intervene in any other circumstances.
- The Service Director for Education stated that there were serious concerns about the local early years market in the short term. As a result of the Council's pay structure it was required to pay the living wage to all staff. Officers were looking at whether there was a way of employing staff without TUPEing them across to the Council as it would be unfair to other providers if Council salaries were higher.

It was resolved unanimously to:

Endorse the development of a childcare provider framework.

Co-opted members were not eligible to vote on this item.

40. Service Director Report – Education

The Committee considered a report setting out the current position in education and the Education Service's short and longer-term objectives. Work in relation to those with special educational needs and disabilities (SEND) was continuing and progress had

been made in supporting educational outcomes. The importance of planning for the future was highlighted.

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

- Noted that the Joint Consultative Committee (Teachers) was not currently active and asked whether planning was taking place in parallel with partners with regards to the need for new teachers and teaching assistants (TAs) to staff new schools and early years settings. The Service Director for Education stated that there was a particular challenge in relation to sourcing TAs, but that a teaching school hub had now been established which it was hoped would help address this.
- Asked whether the recent announcement of the Omicron Covid variant would impact on any of the information set out in the report and whether any additional guidance was available to schools. The Service Director for Education stated that he would circulate a note to the Committee on this and include any further information in his regular weekly update to Members as it became available. **Action Required**
- Commented that they would want to ensure that the right support was available and sustainable in relation to the SEND transformation programme and asked whether there was an expectation of reaching a point where the annual deficit stabilised and the worst-case scenario in relation to education, health and care plans (EHCPs). The Service Director for Education stated that a significant amount of work had been undertaken to model future growth. The current arrangements had been shared with the Department for Education (DfE) and they had not identified anything more which the Council should be doing. Covid was continuing to impact on social, emotional and mental health and as a result the number of EHCPs was expected to continue to rise. It was expected that the cost of this would reach around £60m in three years' time. Six local authorities had had their deficits written off by Government and officers were continuing to press for this facility to be extended to Cambridgeshire which currently had the tenth largest local authority deficit.
- Noted that East Cambridgeshire was not mentioned in the list of partners for the Household Support Fund included in Appendix 1 and that Fenland was mentioned only once. Another Member commented that many of the county's most deprived areas did not have any trusted partner organisations listed and that there might be organisations in those areas that would be able and willing to help. They further asked for details on how the fund would be advertised and how local residents could apply. The Executive Director for People and Communities suggested that the Service Director for Adults and Communities be asked to provide a note on this outside of the meeting. **Action required**
- Asked for more information around the small schools briefing and engagement session referenced in the report, commenting that small schools played an important role in their local communities beyond education. The Service Director for Education stated that the Council was invested in the viability and quality of the county's small schools and all options would be pursued to support them. The co-opted member suggested that working in clusters could be a way to improve their viability.
- Commended the Service Director for Education and his team on the School Improvement Strategy and asked when and how this would be made more widely available. Officers stated that any feedback which committee members would like to

share on the strategy outside of the meeting would be most welcome. The final draft would be shared with schools, partners and county councillors in January 2022 with a view to it being finalised after Easter.

The Committee:

- a) Noted the report, comment on the elements of the report and request any further information on the areas outlined;
- b) Noted the agreement from the Communities, Social Mobility and Inclusion Committee on the wider support scheme for the Household Support Grant;
- c) Noted that the Director of Education and Head of Procurement will be awarding a contract for the Christmas voucher scheme using the RM6255 for the Household Support Grant.

41. Free School Proposal – Wisbech Secondary School

There had been significant debate at the Committee's October meeting around the position in relation to an additional secondary for Wisbech and other free school programmes running in Cambridgeshire. The Committee was invited to recommend to the Strategy and Resources Committee that a risk should be identified in the corporate risk register around the non-delivery of free schools with an agreement to fund required school places if the free school projects approved through the Department for Education's (DfE's) central Free School Programme were not to proceed and the Council had identified a basic need for places in the area that school would serve.

The Chair invited Councillor Hoy to introduce her proposed amendment to the report recommendations. This had been submitted in advance of the meeting in accordance with Constitutional requirements and circulated to all members of the committee for information.

Councillor Hoy commented that the only reason the lack of a second secondary school in Wisbech was not currently a problem was because of the number of students attending schools out of area. The decision to recommend that the school be removed from the capital programme had been made at the previous meeting, but in her judgement the co-opted members of the committee should have been able to vote on this matter as it related to education and changes to the Constitution in relation to co-optees voting rights had been made after that meeting. Councillor Hoy expressed the hope that all members of the committee would feel able to support her amendment.

In addition to the report recommendation Councillor Hoy, seconded by Councillor Hay, proposed that the Committee:

- b) Commit to building a new school (to meet basic need) rather than using mobile classrooms if the DfE fail to deliver the Wisbech Free School
- c) Write to the DfE to say that a free school on the existing Thomas Clarkson Academy (TCA) site is an unsuitable location.

Speaking to the amendment, Councillor Hay stated her belief that there was a need for an additional secondary school in Wisbech, noting that it had originally been intended that this should have been built by 2020. She was not convinced that the DfE would build on the correct site. She further noted that the committee report in October had stated that there was no current need for additional secondary school places in Wisbech, but that the current report stated that TCA had been asked by the Council to over-admit to its published admissions number (PAN) for the past three years in order to meet the need for places.

Individual Members raised the following issues in discussion of the amendment:

- The Vice Chair thanked Councillor Hoy and other local Members for their continued focus and passion to deliver a new secondary school for Wisbech, which was shared by the Joint Administration. With regards to recommendation b) she expressed reservations about the precedent which this would set in relation to the future use of mobile classrooms. This was not to suggest that this might be a solution in Wisbech, but she would be reluctant to set a precedent in relation to their possible future use. She considered recommendation c) to be a helpful suggestion and one which she would be happy to support.
- Asked for clarification of the position in relation to over admissions and waiting lists at TCA. Officers stated that TCA currently had a PAN of eight form entry, but capacity for eleven form entry so the PAN could be increased in future if this was needed. Conversations around this were taking place with TCA and the Brooke Weston Academy Trust.
- Asked about the process if the DfE decided not to proceed. Officers stated that the Council had begun a free school presumption process for Wisbech, but that this had been paused when the DfE took charge of the process. Should the DfE decide not to proceed officers would bring an update back to the Committee.

Following a request from Councillor Hoy to revise her amendment the Chair stated that in the interests of cross-party collaboration she would, exceptionally, exercise her discretion as chair to permit a revised amendment to be moved.

The meeting adjourned from 3.28pm to 3.43pm.

On the resumption of the meeting Councillor Hoy, seconded by Councillor Hay, moved an amended recommendation that:

- b) If the DfE withdraw from the Wisbech free school process, the Committee will seek to recommence the free school presumption process if there is sufficient demand for a new school (assuming four form entry is the minimum viable number).
- c) Write to the DfE to say that a free school on the existing Thomas Clarkson Academy (TCA) site is an unsuitable location.

On being put to the vote the amendment was carried unanimously. Councillor Hoy expressed her thanks to committee members for their support.

The report and amended recommendations were opened to the committee for debate. Individual Members raised the following issues:

- Noted that although the report title specifically referenced Wisbech secondary school the report also covered secondary provision in Soham and St Neots as capital funding had been recommended for removal from all three schemes. Whilst DfE funding was available they agreed that recommendation a) represented the correct route to take.
- Sought clarification of whether local Members were in favour of removing these schemes from the capital programme. In her capacity as a local Member for St Neots Councillor Taylor confirmed that she was content for the capital funding to be removed as recommendation a) provided a safeguard should the DfE not deliver the expected secondary provision through its Free School Programme. The Service Director for Education clarified that the position in relation to Soham and St Neots was different in that there was an expectation of expanding the existing secondary schools in those areas rather than the addition of a new school.
- The co-opted member commented that much was predicated on good quality relationships between the local authority and the DfE and suggested that an invitation might be extended to the new Regional Schools Commissioner to meet with the committee when he took up his appointment in March 2022. The Chair endorsed this suggestion. **Action required**

It was resolved unanimously:

- a) To recommend to the Strategy and Resources Committee that a risk is identified in the corporate risk register around the non-delivery of free schools; and agree to fund required school places if free school projects approved through the DfE's central Free School Programme were not to proceed and the Council has an identified basic need for places in the area that school would serve.
- b) If the DfE withdraw from the Wisbech free school process, the Committee will seek to recommence the free school presumption process if there is sufficient demand for a new school (assuming four form entry is the minimum viable number).
- c) To write to the DfE to say that a free school on the existing Thomas Clarke Academy site is an unsuitable location.

Co-opted members were not eligible to vote on this item.

42. Schools Revenue Funding Arrangements 2022-23

The Committee received an update on school budget setting. Each year the Department for Education (DfE) published indicative figures based on the previous year's pupil numbers. The figures contained in the report were purely illustrative at this point, pending receipt of the figures provided by the DfE which were usually received just before Christmas. In Cambridgeshire it was anticipated that about 13 additional small rural primary schools would benefit from small school sparsity funding in the coming year. Most other changes would have little impact in Cambridgeshire and

although the data sets were slightly different to previous years the impact at individual school level should be minimal. An uplift of 6.5% to the High Needs Block was welcome as this was an area of particular challenge, but this would not address the pressures which were being experienced. A consultation had been sent to all schools, but the response rate had been understandably low given their current focus on the Covid response. The provisional information had been shared with the Schools Forum and it would be considered again in January. The final decision would then rest with CYP in January, taking into consideration the recommendations of the Schools Forum. Given the number of new county councillors it was proposed to offer a briefing for all Members on this topic.

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

- Asked how far changes in the formula would lift the Council up the local authority (LA) education funding rankings. Officers stated that Cambridgeshire was previously ranked 145 out of 151 LAs. This year it would be ranked 137, so a slight improvement. The differentials between LAs were also decreasing, although the differential in comparison to some London boroughs remained significant.
- Noted that inflation was currently running at a higher rate than the 2.9% uplift on the Schools Block and asked whether there were any concerns in relation to real purchasing power. Officers highlighted increasing costs in relation to Covid and the significance of any pay award. In addition, schools were funded on a per pupil basis so those with falling rolls would be under particular pressure as there was no protection afforded to them under the National Funding Formula. This could be significant for some schools.
- Highlighted the concerns around affordability which had been expressed at the Schools Forum. Officers stated that this was an issue with how the funding formula worked and it was not yet known how this would translate to individual school budgets. If any headroom was available a weighting would be applied to all formula factors to uplift them. If there was no headroom consideration would be given to applying a funding cap to limit the uplift. If the resulting figure was still unaffordable consideration would need to be given to reducing the minimum funding guarantee.

The Committee:

Reviewed and commented on the report.

43. Children and Young People Committee Agenda Plan, Training Plan and Appointments to Outside Bodies and Internal Advisory Groups and Panels

The Committee reviewed and noted its agenda plan, training plan and committee appointments. Members were reminded that a training session on the Ofsted Inspection Framework would be run virtually on Thursday 2 December at midday.

(Chair)