

CHILDREN AND YOUNG PEOPLE COMMITTEE: MINUTES

Date: 21 January 2020

Time: 2.00pm – 3.55pm

Venue: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors S Bywater (Chairman), S Hoy (Vice Chairwoman), D Ambrose Smith, P Downes, L Every, A Hay, S Taylor, J Whitehead and J Wisson

Co-opted Members: F Vettese, Roman Catholic Diocese of East Anglia
A Read, Church of England Diocese of Ely

Apologies: Councillor A Bradnam

CONSTITUTIONAL MATTERS

280. CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported with sadness that Dr Alan Rodger had passed away on 3 January 2020 following a period of illness. Dr Rodger had been the long-standing and highly respected Vice Chairman of the Schools Forum and would be greatly missed.

281. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were noted as recorded above. Councillor Every declared a non-statutory disclosable interest in Item 6: Schools Funding Formula 2020/21 as a Governor of Ely St John's Primary School and Chair of Governors at Ely College.

282. MINUTES OF THE MEETING ON 16 DECEMBER 2019

The minutes of the meeting on 16 December 2019 were approved as an accurate record and signed by the Chairman.

283. ACTION LOG

The action log was reviewed. All actions had been completed with the exception of Minute 252: To consider Members' comments on the ambiguity of the term 'triggers' in the People and Communities Risk Register. This was being considered as part of the annual review of risk management which would take place in January 2020. The outcome would be reported when the review was complete.

284. PETITIONS AND PUBLIC QUESTIONS

No petitions were received. A question had been received from Mr Jim Boyle, a resident of St Neots, about planning for secondary school places in St Neots. Mr Boyle was unable to attend the committee meeting to ask his question in person so, exceptionally, the Chairman had exercised his discretion to accept a written question as this was an issue of longstanding interest to residents of St Neots. Mr Boyle's question was:

Please provide an update on the feasibility study which Council officers agreed to commission in March last year, scoping possible options for delivering the increased number of secondary places required to meet the impact of the Eastern Expansion development in St Neots.

A written response would be sent to Mr Boyle within 10 working days of the meeting and would be copied to all members of the Committee for information.

KEY DECISIONS

285. DELIVERY OF OVERNIGHT SHORT BREAKS AND RESIDENTIAL CHILDREN'S HOMES FOR CHILDREN AND YOUNG PEOPLE WITH DISABILITIES IN CAMBRIDGESHIRE AND PETERBOROUGH

The Council had a statutory duty to provide short breaks for disabled children living in the county. In February 2019 the Committee had agreed to extend the contract with the existing service provider for 12 months to allow sufficient time to carry out a meaningful consultation about the future model for the delivery of services. The key findings of this consultation were that families wanted to see a range of short break options made available and that many would like to see greater choice over the use of Direct Payments. An options appraisal had been conducted which had led to a recommendation to bring the service in-house. This would increase the synergy of service provision and support the delivery of the priorities and outcomes identified during the consultation process. It was proposed that 73 full time equivalent staff employed by the current service provider, Action for Children, would be brought into the Council structure under TUPE regulations. There were risks involved in bringing across such a large number of staff, but Human Resources (HR), Pensions and Finance team members had all been involved as advisors to the programme board. There had been an active communications strategy to keep staff informed.

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

- Asked whether the Council vetted those who would be providing the short break. Officers stated that families usually took the lead in identifying their preferred short break provider and that a social worker would then visit them.
- Asked whether families could use Direct Payments to employ family members to provide short breaks. Officers stated that this was the case, provided that the person was a member of the extended family (not resident in the family home) and was providing care in excess of that which would normally be expected from a relative. Members welcomed this as a pragmatic and flexible approach.
- Noted that it was likely there would be issues around the effectiveness and absence rates of some of the staff who would be TUPE'd to the Council and asked about the cost implications of this. Officers stated that the cost of additional HR support had been factored into the business case to enable these issues to be resolved and that the issues were not above and beyond what could be experienced in any service of this nature. Any issues of under-performance would be addressed through the same measures as for any other member of council staff. Officers undertook to submit an update report to the committee in six months' time to provide further information on any known staffing issues. A six month statutory inspection by

Ofsted would take place during this period and the outcome would be included in the report.

(Action: Senior Commissioner (SEND))

It was resolved to :

- a) Agree the TUPE of 73 employees from Action for Children into Cambridgeshire County Council;
- b) Agree to insource our Residential and Overnight Short Breaks service;
- c) Note the outcome of the Overnight Short Breaks Consultation.

286. SCHOOLS FUNDING FORMULA 2020/21

The Service Director for Education tabled revised report recommendations for the Committee's consideration.

On 19 December 2019 the Department for Education published the latest Dedicated Schools Grant (DSG) allocation for Cambridgeshire. The Schools Block included an uplift of around £21m, mainly via an uplift in the national funding formula. However, the High Needs Block (HNB) continued to show a significant deficit. A pressure of £7.2m had been carried forward from the previous financial year and a further pressure of £9m was predicted in the current financial year, creating a total pressure of around £16m. As expected, a reduction of 20% had been made to the Central Services Schools Block as funding for historic commitments began to unwind. A detailed consultation had been carried out with stakeholders during November and December 2019 on proposals to transfer 1.8% from the Schools Block to the HNB, subject to the agreement of the Secretary of State, to address this pressure. 54% of respondents had supported a transfer from the Schools Block to the HNB, but only 18% of respondents agreed that this should be set at 1.8%. On 18 December 2019 the Schools Forum had voted by a majority of one (the Chairman's casting vote) not to support any transfer from the Schools Block to the HNB. For the first time, this meant that officers' recommendations to the Children and Young People Committee were contrary to the recommendation of the Schools Forum. Officers had been requesting a meeting with the DfE for six months to discuss the particular pressures facing Cambridgeshire and this had taken place the previous week. Officials agreed that the Council had the right profile of children and their needs, but had advised that the Secretary of State was not expected to make a decision on a possible top slice before the 21 January 2020 deadline for the submission of the Cambridgeshire schools funding formula to the Education and Skills Funding Agency. The Schools Forum had met again on 17 January 2020 and had resolved that it would reconsider its recommendation for a 0% transfer between the Schools Block and the HNB if the Secretary of State refused the request to permit a transfer of 1.8%. This would keep open the option of a transfer of up to 0.5% which was within the power of the Children and Young People Committee to approve, subject to this being on the recommendation of the Schools Forum. Supportive letters had been received from both the Cambridgeshire Primary Heads Group and the Cambridgeshire Secondary Heads Group recognising the difficult position of both the local authority and schools. Local MPs were being kept fully informed about the position on schools funding in Cambridgeshire and Lucy Frazer MP had facilitated a meeting for the Service Director: Education with Nick Gibb MP, Minister of State for School Funding.

The introduction of minimum per pupil funding levels (MPPLs) meant that a transfer between funding blocks would have a disproportionate impact on some schools. To

address this, officers proposed an additional recommendation at the request of the Schools Forum that, if the 1.8% transfer from the Schools Block to the HNB was approved, an application should be made to reduce the MPPL by 50% to dampen the impact.

The Chairman stated that the Committee faced a hugely difficult decision. More money would be coming into the Cambridgeshire school system, but due to historic issues of underfunding and the increasing pressure on the High Needs Block it was still not enough to meet the need which existed. The revised recommendations tabled by officers reflected their best advice to protect services to schools within the funds available.

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

- Commented that it was difficult to disagree with the recommendation of the Schools Forum. However, in this case they judged it was the right thing to do. It seemed increasingly likely that Government would introduce a hard funding formula in the next financial year so the decision needed to be made now.
- Officers confirmed that they had not been told what years 2 and 3 of the current settlement would contain which undermined forward planning.
- Commented that the combination of tackling the existing deficit in HNB funding now together with the HNB recovery plan and proposed bid for Transformation Funding to look at demand management within special educational needs and disability services (minute 289 below refers) offered a positive and constructive approach.
- Officers confirmed that they would make the Council's preference for the continuation of a soft funding formula clear when they met with the Minister of State for School Funding.
- Noted that there had been an 11% increase in the number of education, health and care plans since April 2019, but no commensurate increase in funding.
- Asked whether the Secretary of State had approved any similar requests. Officers stated that no decisions had been announced so far this year, but in the previous year 24 requests had been made and around half had been approved. However, the individual nature of each request made it difficult to compare these directly with Cambridgeshire's request.

Summing up, the Chairman thanked the Service Director for Education and the Strategic Finance Business Partner for the significant amount of time they had spent engaging with and briefing schools and partners and in pressing Cambridgeshire's case with the Department for Education.

It was resolved by a majority to:

- a) Agree, subject to approval from the Secretary of State, to the transfer of 1.8% from the Schools Block to the High Needs Block and the reduction of £50 to be applied to the minimum per pupil levels (MPPL).
- b) Agree that, should the Secretary of State not approve the local authority request, Schools Forum will be asked to reconsider a transfer of 0.5%. Officers will then

agree the final approach with the Chairman of the Children and Young People Committee.

- c) Approve the formula factors and unit values to be applied in the local Cambridgeshire funding formula, for primary and secondary mainstream schools as set out in Appendix B. (Please note: Unit Values for factors 1-13 in Appendix B are not subject to change should a block transfer be approved. Overall affordability would be achieved by applying a funding cap and/or reducing the minimum per pupil levels(MPPL's)

DECISIONS

287. FINANCE MONITORING REPORT: JANUARY 2020

The position to the end of November 2019 showed a reduction in the predicted overspend from £1.9m to £1.7m. This was mainly due to an improved position on the children in care budget. There had been an increase in home to school transport costs, but this had been offset in part by a reduction in the numbers of children in care needing this service. The High Needs Block position had continued to deteriorate and could deteriorate further by the end of the financial year.

The Chairman welcomed the improving position on the children in care budget which supported the Committee's decision to support the changes recommended by the Service Director for Children and Safeguarding and his team around services to children in care. The Committee noted the pressures around the increasing number of education, health and care plans put in place during the past year and asked that a close watch be kept on this in future reports.

(Action: Strategic Finance Business Partner)

It was resolved to review and comment on the report.

288. TRANSPORT TO AFTER SCHOOL CLUBS RUN BY AREA SPECIAL SCHOOLS

The provision of transport to after school clubs run by some area special schools was a discretionary offer funded by the local authority. It was being reviewed following a suggestion from head teachers, but initial work had not picked up that this might impact on the short-break offer to disabled children. It was a difficult decision, but given the financial pressures which the local authority faced officers sought approval to consult on the proposal to cease funding transport to after school provision to area special schools with effect from 1 September 2020. If agreed, the results of the consultation would be brought to the Committee in May 2020 for final decision.

A Member asked whether the consultation would ask whether families would be willing either to pay for this transport or contribute towards the cost if it was organised by the local authority. Officers confirmed that this would be explored as part of the consultation exercise.

It was resolved:

- a) Note the current arrangements and cost of supporting children and young people with special educational needs (SEND) to attend an After School Club run by their Area Special School.

- b) Approve the proposal that the Council proceed to consult on the proposal to cease funding transport for After School Provision run by one of Cambridgeshire's Area Special Schools effective from 1 September 2020.
- c) Approve the proposal that the Committee receive a further report in April 2020 seeking a decision on whether or not to proceed with the proposal to cease funding transport for After School Provision to those schools effective from 1 September 2020, taking account of the feedback received from the consultation.

289. DEMAND MANAGEMENT IN THE SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) SYSTEM

The number of pupils in Cambridgeshire with an education, health and care plan (EHCP) was high in comparison to its statistical neighbours and continuing to increase, leading to concern at the emphasis on statutory support compared to alternative ways of meeting need. There were significant costs involved in the EHCP assessment process and provision and it was proposed to draw on the processes around the Adult Challenge model to address the level of demand. This would focus on making sure that schools and parents were aware of the full range of non-statutory support available and how to access this effectively. If endorsed by the Children and Young People Committee the proposal would go to the General Purposes Committee for decision as it was requesting finances from the Transformation Fund.

Individual Members raised the following issues in relation to the report

- Asked why the number of EHCPs in Cambridgeshire was higher than in the county's statistical neighbours and why numbers were higher in the south of the county than in the north. It could be hypothesised that those with greater need in the north of the county were not aware of how to access the support available or not taking it up. Officers stated that this would be explored as part of the proposed work stream if it was approved, but it was likely that demand levels were influenced by a number of factors including the location of Addenbrooke's Hospital, higher number of migrant families in the north of the county and parental advocacy skills.
- Commented that some schools came under significant pressure to provide additional support from well-informed parents and that the study should include looking at ways of supporting schools to deal with this. This might include them funding part of the cost of the additional support they provided. Officers stated that under the existing arrangements schools were required to fund the cost of the first £6,000 of additional support from within their own budgets. One option which might be explored was the banding of support. The Executive Director for People and Communities stated that work would be undertaken with staff to give them the knowledge and confidence needed to work effectively with families and to signpost them to the most appropriate types of support available.
- Commented that it was important to be careful about basing hypotheses about the drivers for demand on anecdotal information and welcomed the proposal to gather hard data on which to base future decisions.

The Chairman welcomed the proposals and commented that he hoped to see families directed to the support available at Child and Family Centres as part of the package of non-statutory support available to them.

It was resolved to:

- a) Note the current deficit position within the High Needs Block;
- b) Recommend to the General Purposes Committee that up to £130k of transformation funds are released to provide additional resources to support staff in new ways of working.

290. HOUSING RELATED SUPPORT SERVICES

The Committee received an update on the service redesign work which had been taking place following its decision to endorse this approach on 21 May 2019. Work was continuing with partners and stakeholders around a different model of service provision in Cambridge City and this work would inform service provision across the rest of the county. In order to allow sufficient time for the on-going re-modelling work the Committee was asked to agree to the further short extension of a number of contracts to 31 March 2021. This would impact on the amount of savings generated, but officers judged that the value in creating additional time for the completion of the re-modelling work outweighed this cost. This would identify the amount of accommodation needed and where it should be located to deliver maximum benefit. The establishment of a Member Reference Group comprising representatives of the Adults Committee and Children and Young People Committee was also proposed to support the service redesign work.

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

- The Chairman of the Corporate Parenting Sub-Committee commented that this was a vital piece of work for children in care and care leavers and would complement the Sub-Committee's work on the Local Offer. Care leavers were particularly vulnerable to homelessness through no fault of their own and it was important that support was available;
- Asked for more information about the St Basil's Pathway referenced in the report. Officers stated that this was a support model established in Birmingham. It set out a broad programme of support, but it was the element dealing with homelessness which had been drawn on in this instance.
- Asked that future reports should state in which district the commissioned services were located and the unit cost (paragraphs 2.1.1 and 2.1.2 refer).
(Action: Commissioner – Housing Related Support Services)
- Expressed concern about the number of homeless people moving away from their local areas and into towns and cities. Officers stated that an outreach service was operating in East Cambridgeshire, Huntingdonshire and South Cambridgeshire to identify homeless people in more rural areas and offer support. Details would be circulated to the Committee for information.
(Action: Commissioner – Housing Related Support Services)

- Commented that the proposal to have 10 members on the Member Reference Group seemed excessive. However, given that the Adults Committee had already appointed five members the Children and Young People Committee would wish to have the same number of places. Councillors Ambrose Smith, Every, Hay, Hoy and S Taylor indicated their willingness to take on this role and appointments were made accordingly (minute 293 below refers).

Summing up, the Chairman stated that it was crucial not to lose sight of the young people behind the data and that this focus should be clearly communicated throughout the service redesign process.

It was resolved to:

- a) Note the content of the report;
- b) Agree to the requested contract extension (paragraph 2.3.3 refers)

INFORMATION AND MONITORING

291. SERVICE DIRECTOR EDUCATION'S REPORT: EDUCATIONAL OUTCOMES

The Committee reviewed the unvalidated educational outcomes data for Cambridgeshire's maintained schools and academies for 2018/19 and the action being taken to continue to improve educational outcomes across the county. The data tables appended to the report set out Cambridgeshire's performance in relation to the national average and the county's statistical and regional neighbours. Improvements had been seen across many areas, but there also remained areas of challenge. Key Stage 2 boys' attainment was almost 10% lower than girls and there was not yet any impact on attainment levels evident in the outcomes for the Opportunity Areas of East Cambridgeshire and Fenland.

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

- The attainment levels of summer-born children and the impact of these on overall attainment levels. The Service Director for Education acknowledged this as an area of concern and one which had been highlighted to schools.
- Expressed concern that no impact on attainment levels was being seen in the East Cambridgeshire and Fenland Opportunity Area. The Service Director for Education stated that Opportunity Area support had seen a greater focus on supporting schools to address recruitment and retention issues and to develop school leadership teams. More teachers were now being attracted to schools in these areas and the impact of this should begin to be seen. An update report would be provided.
(Action: Service Director for Education)
- A planned briefing in December 2019 on local Member involvement in schools had been cancelled due to officer illness and would be rescheduled in the New Year.
(Action: Service Director for Education)
- Suggested that it would be valuable to look at why some children experiencing deprivation were able to attain positive outcomes and some did not. This would enable learning and successful techniques to be shared between schools. The example was given of the difference in outcomes at Peckover Primary School and St

Peter's Junior School in Wisbech. The Service Director for Education stated that this type of work was already happening, but that it would be worth considering setting up a forum in Wisbech to progress this. The Chairman suggested this might be discussed more fully at the Educational Achievement Board.

(Action: Service Director Education)

- Asked whether academies might want to buy in the support services offered to maintained primary schools if sufficient capacity existed to offer this. The Service Director for Education stated that there was no school improvement function for the local authority in relation to academy schools.
- Asked where the national average figures were obtained. Officers stated these were provisional figures taken from Nexus, the Department for Education's own system. They related to the maintained sector only.
- Commented that challenges in relation to attainment levels in some part of Huntingdonshire were comparable to those experienced in the East Cambridgeshire and Fenland Opportunity Areas. Officers stated that Opportunity Areas had been identified on the basis of five measures of deprivation based on district council boundaries. Across these five measures East Cambridgeshire and Fenland had scored lower than Huntingdonshire and that was why they had received Opportunity Area funding. A further year of Opportunity Area funding had been agreed by Government, but this would go to those areas previously identified for support.
- Welcomed the positive numbers of young people in sustained education and employment.
- Commented that the Combined Authority was devoting significant time and resources to the issue of those young people not in education, employment and training (NEET) and asked what synergy existed with this work and the work carried out by the local authority. Officers suggested requesting a report from the Combined Authority.

(Action: Service Director Education)

It was resolved to note the findings of the paper and comment as appropriate.

292. CAMBRIDGESHIRE AND PETERBOROUGH CHILDREN'S SAFEGUARDING PARTNERSHIP BOARD ANNUAL REPORT 2018/19

The Chairman welcomed Dr Russell Wate QPM, Independent Chair of the Cambridgeshire and Peterborough Children's Safeguarding Partnership Board, to the meeting to present the Board's annual report for the period April 2018 to March 2019.

Dr Wate stated that the Board was required to present its annual report to the Chief Executive and that by convention it was also presented to the Children and Young People Committee. In response to feedback the 2018/19 report was more concise and focused on four key priorities: child sexual exploitation; child criminal exploitation; neglect; and learning from serious case reviews. Strong links continued to exist with key partners and stakeholders including the Cambridgeshire Health and Wellbeing Board and an annual themed audit plan was carried out to support continuous evaluation and improvement. A

comprehensive programme of multi-agency safeguarding training had been delivered with 99% of attendees grading the training as either good or outstanding. No serious case reviews had been carried out during the 2018/19 reporting period, but two cases had been received so far during the current year and these would be reflected in the 2019/20 annual report. Serious case reviews were a statutory process which was undertaken in cases where a child died or was seriously injured and abuse or neglect was suspected. Cases would usually be notified to the Board by the police or social services and a rapid review carried out to decide whether it met the criteria for a serious case review. Government and the national review panel would be informed.

Members welcomed the new format of the report. The Chairman stated that, as a member of the Children's Safeguarding Partnership Board, he was aware of the great work being carried out and offered his thanks to Dr Wate and his team.

It was resolved to receive and note the contents of the 2018/19 Children's Safeguarding Partnership Boards Annual Report.

DECISIONS

293. AGENDA PLAN, APPOINTMENTS AND TRAINING PLAN

The Committee reviewed the agenda plan, committee appointments and the training plan. Councillor Topping's resignation as a county councillor had created vacancies on the Shepreth School Trust and the Fostering Panel. Members were content that the Shepreth School Trust appointment should be offered to local members following the appointment of Councillor Topping's successor. Councillor Hay expressed interest in the Fostering Panel vacancy and the Committee endorsed her appointment, subject to the planned review of the future composition of the Fostering Panel. Officers would liaise with Councillor Hay on this direct and keep the Committee informed.

(Action: Service Director Children and Safeguarding)

Members sought clarification of which if any of the Outcome Focused Reviews (OFRs) to which the Committee had made appointments were still in operation and whether the Cambridgeshire Music OFR Member Reference Group had concluded its work.

(Action: Democratic Services Officer)

Councillor Hoy asked whether any Members would consider taking on an appointment to the Standing Advisory Council for Religious Education as the timing of its public meetings made it difficult for her to attend.

It was resolved to:

- a) note the following changes to the committee agenda plan:
 - i. March 2020: Housing Related Support (Children and Young People) – deferred to July 2020
 - ii. March 2020: Placement sufficiency for children in care update report – to be included as part of the Service Director's Report: Children and Safeguarding
- b) Note that vacancies had arisen on the Shepreth School Trust and the Fostering Panel.

- c) To appoint Councillors Ambrose Smith, Every, Hay, Hoy and S Taylor to the Housing Related Support Member Reference Group.
- d) note the Committee training plan.

294. DATE OF NEXT MEETING

The reserve meeting date of 18 February 2020 was not required. The Committee would meet next on Tuesday 10 March 2020.

Chairman
(date)