

**COUNTY COUNCIL – 21 JULY 2020
WRITTEN QUESTION UNDER COUNCIL PROCEDURE RULE 9.2**

1. Question from Councillor Susan van de Ven

On Monday 29th June 2020 in an online public meeting organised by the National Association of Headteachers, the National Education Union and Early Education, the Parliamentary Under Secretary of State for Children and Families, Vicky Ford MP, told an audience of teachers, support staff and parents that she strongly supported the continuation of the provision that maintained nursery schools deliver across England. She said that she was arguing strongly for the Treasury to provide the funding required to save nursery schools from the threat of closure that currently exists from April 2021 when the current funding arrangements are scheduled to end. The minister recognised the enhanced education and support for vulnerable children and families that is provided by maintained nurseries.

However, despite the government's clearly stated public position being that they wish to see maintained nurseries remain open to provide the high quality education they currently provide, Cambridgeshire County Council is choosing to pursue plans for the closure of the seven existing maintained nursery schools. The Department for Education has publicly stated, through the relevant minister, that it expects to find a solution to keep the schools open. It is therefore unclear why the council is choosing to pursue such an aggressive approach to forcing the closure of the seven nursery schools in the county.

Would the council leader care to explain why Cambridgeshire is choosing to seek to close down this exceptional provision that supports so many children and families in the face of government plans to find a way to save the provision with funding as stated by the Minister for Children and Families?

Response from Councillor Simon Bywater, Chairman of Children and Young People Committee

Thank you for highlighting this critical area. Cambridgeshire has a rich history in supporting its nursery schools and this commitment remains. There are however financial concerns as a subsidy paid by the government to support nursery schools was due to be withdrawn. We made representation to the Department for Education on this last year including a letter from the Leader of the council to the Secretary of State for Education to ask for this funding to be mainstreamed. A paper was brought to the Children and Young People Committee on the 12th July 2019 outlining the challenges and how we would look to maintain this provision if this funding ended. We have worked with Heads and Governors on this review. We have no funding stream to subsidise the loss of the £1.1m the subsidy currently brings. However in education funding announcements in the autumn, the government agreed to continue to fund this subsidy for a further year and we have put on hold any plans to review the nursery schools until we

have more information on the future funding. We hope the government will make a long term financial commitment to Nursery schools. Officers have not followed an aggressive approach to forcing their closure, quite the opposite and there are no plans to close them. I kindly request the councillor supports our challenge to government to sustain funding for this essential provision.

2. Question from Councillor Lorna Dupré

Shocking figures have been collated by Layla Moran MP and published in the media this week which show that almost 2,500 children have been admitted to hospital with malnutrition in the first six months of this year—double the number for the corresponding period last year.

The largest number of cases reported (915) was from Cambridge University Hospitals NHS Trust. Fewer than two-thirds of NHS Trusts responded, suggesting that the real total figure is much higher; and data from the Food Foundation published in May revealed that almost one-fifth of households with children had been unable to access enough food in the preceding weeks.

These figures do not include adult cases of malnutrition.

Bearing in mind that

- this news strikes at the heart of this Council's corporate priorities (a good quality of life for everyone, thriving places for people to live, and the best start for Cambridgeshire's children), and
- this Council is responsible for a number of services that could alleviate this situation, and is a partner with other public bodies which it can influence,

will the Leader of the Council

1. Instruct the Chief Executive of this Council to liaise as a matter of urgency with CUH NHS Trust and other health partners to obtain more information about the cause of the rise in cases and the nature of the cohort of children involved including location as far as possible;
2. Request officers to work with partner organisations to identify the current sources of support in Cambridgeshire for families struggling for whatever reason with access to nutritious food, review these to find out why they have not been able to address the very significant number of cases of child malnutrition in Cambridgeshire, and consider what could be done to improve the effectiveness of multi-agency systems for addressing food poverty and its consequences;
3. Arrange for an initial report to be brought to the August meeting of the Health Committee outlining findings to that date and recommending an appropriate council-wide programme of action; and

- 4 Write to Government calling on it to implement the recommendation of the Environmental Audit Committee that a minister be appointed with responsibility for tackling hunger and food insecurity in the UK?

Response from Councillor Peter Hudson, Chairman of Health Committee

Concerns were raised by Cllr Dupré regarding the numbers of children admitted to hospital due to malnutrition as reported in various news articles this week: <https://www.independent.co.uk/news/uk/home-news/food-poverty-hunger-child-malnutrition-hospital-layla-moran-coronavirus-a9615161.html>

<https://www.cambridge-news.co.uk/news/local-news/county-council-leader-says-incumbent-18599742>

<https://www.theguardian.com/society/2020/jul/12/cases-of-child-malnutrition-double-in-last-six-months>

<https://www.fenlandcitizen.co.uk/news/incumbent-on-cambridgeshire-county-council-to-act-on-child-malnutrition-9116300/>

“Whilst the story headlines concentrates on children it is clear a number of statements require further examination, as their sensational nature have much more complex answers. For example the age group is adults and children over 5 and these figures represent the Addenbrooke’s catchment area which is far wider than just Cambridgeshire. Additionally special factors such as Addenbrooke’s specialist services dealing with illnesses, transplants mean there is a higher incidence of specific dietary requirement malnutrition’s due to impacts of treatments including surgery in some cases. The full details are below.”

We thank Cllr Dupré for raising this important issue as children and young people experiencing malnutrition in Cambridgeshire is something we take very seriously and our top priority is always the welfare and wellbeing of all our children and young people. This is why we are working very closely together with our partners on initiatives such as the Best Start in Life programme¹ which was launched at the end of last year to improve outcomes for all children and particularly the most vulnerable. Responses to the concerns raised are summarised below.

1. Liaising with health partners to obtain more information about the cause of the rise in cases and the nature of the cohort of children:

1.1 Cambridge University Hospital

- Colleagues from CUH have informed us that they have had no FOI requests regarding admissions of children with malnutrition.

¹ <https://cambridgeshireinsight.org.uk/health/popgroups/cyp/>

- However, in February 2020 there was an FOI request for the number of inpatients (**children and adults**) with malnutrition codes during the period 2015 to the 31st January 2020 in addition to information about food budgets etc. The total number provided as part of this FOI was 915 (Table 1) which consisted of adults and children with any of the following malnutrition codes: Kwashiorkor, Marasmic Kwashiorkor, Unspecified severe protein-energy malnutrition, Mild protein - energy malnutrition, Unspecified protein-energy malnutrition, Other malnutrition syndrome.

Table 1. *Number of inpatients (adults and children) with malnutrition codes at CUH provided in an FOI request in February 2020. *May include the same person being re-admitted on more than one occasion. Includes data up to the 31st of January 2020.*

Year	Number
2015	98
2016	186
2017	195
2018	192
2019	219
2020	25
Total	915

- Hence the widely quoted figure of 915 includes children and adults admitted over 5 years from the CUH catchment area and not just Cambridgeshire. It is unclear what the doubling in numbers refers to.
- CUH is quaternary specialist centre for intestinal failure and small bowel transplantation which by definition is accompanied by malnutrition and hence the numbers may be higher than elsewhere in the country.
- In addition, while the COVID-19 pandemic is likely to increase the number of families experiencing food poverty and we should be monitoring this and supporting these families, the data quoted from the FOI does not show this for the following reasons
 - Includes data up to the 31st of January 2020, prior to the start of the pandemic.
 - Chronic malnutrition due to food poverty is likely to develop over many years and hospital admissions may not capture issues related to food poverty but may rather reflect underlying health conditions.

In order to explore this issue further we have looked at other data sources

1.2 National Child Measurement Programme:

The latest National Child Measurement Programme (NCMP) data from the 2018/19 academic year includes information on the prevalence of underweight children. The figures are outlined in the table 2 below:

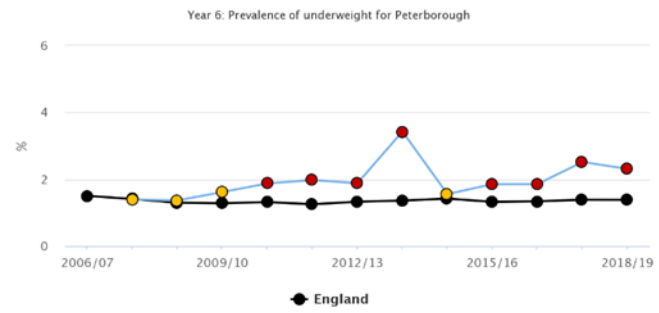
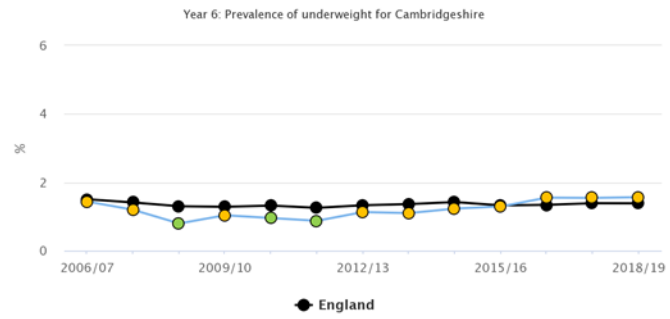
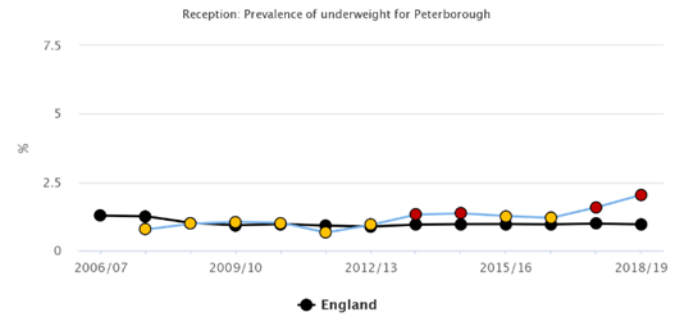
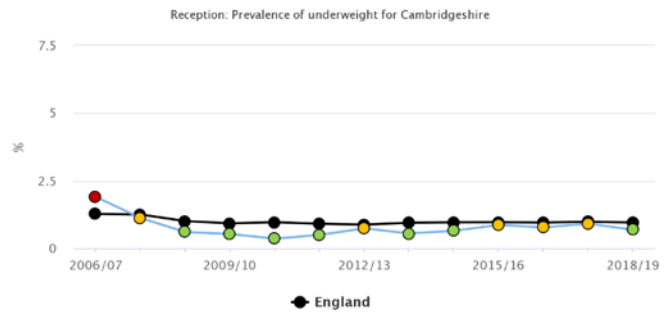
Table 2: Prevalence of underweight across Cambridgrshire and Peterborough NCMP data 2018/19

Underweight 2018/2019	Cambridgeshire	Cambridgeshire Nearest Neighbour	Peterborough	Peterborough Nearest Neighbour	England
Reception	N=45, 0.7%	0.8%	N=57, 2.0%	1.2%	1.0%
Year 6	N=99, 1.6%	1.3%	N=64, 2.3%	1.5%	1.4%

Green: Statistically lower than England, Yellow: statistically similar to England, Red: Statistically higher than England.

As can be seen, the prevalence in both Cambridgeshire and Peterborough increases between Reception and Year 6, and is worse than the England average in Peterborough for both age groups. When considering the latest 5 year trend data (graphs below), there has been a slight increase in Cambridgeshire among Year 6 aged children and an overall increase in Peterborough for both age groups.

There are some marked inequalities in the prevalence of underweight children across England in relation to both deprivation and ethnicity (particularly within BAME groups), although data is not available down to a local level.



2. Current sources of support in Cambridgeshire for families to address food poverty:

- In March 2020, a network of COVID-19 Coordination Hubs were established across Cambridgeshire and Peterborough . This comprises of the countywide coordination hub and local hubs led by district/city councils. The hubs support local arrangements, connecting with and supporting mutual aid and other community led initiatives, supporting residents across their communities, and responding to individual offers of help or requests for support.
- In collaboration with partner agencies, the hubs have been identifying the current provision that exists across Cambridgeshire to better understand how those experiencing food poverty are being supported, the current levels of demand but also identifying whether further support is needed and ensuring there is consistent access to nutritious food.
- Existing provision will be supported across the hub network and further supported through access to food via the County food warehouse when needed as a supply of emergency food will be retained and delivered to local hubs when needed. In addition, plans are being developed to use the DEFRA support funding (nationally £63million) to support and maintain local food networks.
- To ensure families are aware of what is available in their area, a range of communication channels have been identified and a campaign developed to proactively share messages across communities. This will also bring together a wider enablement offer including general wellbeing support and skill development in addition to support in accessing food.
- Learning from the short-term response over the summer will feed into the broader food poverty/insecurity work being developed as part of recovery.
- Public Health has worked with representatives across the region to better understand the problem of food poverty/insecurity in the region, particularly in relation to how this may be exacerbated due to COVID-19. These partners have included representatives from district councils, CEDAR (Centre for diet and activity research) at the University of Cambridge, Think Communities team and the COVID-19 Coordination Hubs.
- In addition to the immediate summer response, recommendations being explored by the partnership include:
 - Improve the nutritional content of food parcels as per [PHE guidance](#) or [Scotland's FSA guidance](#) and consider working in partnership with Trussell Trust Food Banks who have expertise in this area
 - Work with the local system to increase the uptake of free school meals and to ensure that the national [guidance](#) is followed with regards to provision of parcels and vouchers during the school holidays and school closures due to the pandemic.
 - Work with the local system to increase the uptake of healthy start vouchers which is currently low across Cambridgeshire and Peterborough (~43-53% uptake among eligible families).
 - Work with Child and Family Centres to relaunch the Healthy Start vitamin distribution programme once the centres re-open
 - Improve signposting of families to healthy start vouchers, free school meals and food banks. This can be done at schools and when individuals sign up for Universal Credit

- Connect and align more of the activity, linked with food poverty/insecurity, taking place across the system to ensure a consistent approach across Cambridgeshire

3. Report to Health Committee outlining findings to that date and recommending an appropriate council-wide programme of action:

Given the responses to questions 2 & 3, is this still required? If yes, it would be good to clarify what further information would be helpful.

4. Write to Government calling on it to implement the recommendation of the Environmental Audit Committee:

In order to support members in consideration of this question, please see below information regarding the Environmental Audit Committee's key points and recommendations.

- [The Environmental Audit Committee](#) met in January 2019 to discuss the Sustainable Development Goals (SDGs) in the UK. In particular to discuss SDG2 which relates to hunger, malnutrition and food security.
- Some of the key points from the committee were as follows:
 - There is evidence that food poverty is worsening in the UK.
 - The Trussell Trust (the largest food bank provider in the UK) have reported a 45% increase in emergency food supplies to people in crisis in 2017-2018 compared to 2013-2014.
 - In 2017-2018, the Trussell Trust distributed 1,332,952 three-day emergency food supplies of which 484,026 went to children.
 - Single parent household were most likely to access food assistance schemes.
- A summary of the recommendations made by the committee were as follows:
 - The UK is committed to implementing all of the UN Sustainable Development Goals (SDG) by 2030. This includes SDG 2 which aims for zero hunger.
 - The Government should appoint a minister with responsibility and accountability for combatting hunger and food insecurity in the UK.
 - Investigation in to the scale, causes and impact of hunger, food insecurity and malnutrition is required in order to implement strategies for improvement, and to subsequently monitor progress
 - The Government should work with the Office for National Statistics to measure the potential impact that Universal Credit may have on rates of hunger, food insecurity and malnutrition in pilot Universal Credit areas.
 - An under-nutrition assessment tool should be developed to assess under an overweight individuals, and,
 - Stunting (small height for age) in children should be recorded as part of NCMP.

3. Question from Councillor Lucy Nethsingha

At the Children and Young People Committee for July one of the financial losses for the council was £197,000 in losses from fines not imposed on parents. Please could you tell me the amount of income which the council has taken in fines from parents in Cambridgeshire for 2017, 2018 and 2019, broken down to each term.

If the information is available please could I also have information on how many of the children to whom such fines relate were on free school meals, how many were for children who have English as an additional language, and how many had a parents with a disability or mental health problem.

Please could I also have a breakdown of how many fines were levied by school.

Response from Councillor Simon Bywater, Chairman of Children and Young People Committee

Statutory Responsibilities

Cambridgeshire monitors school attendance through its Education Attendance team which operates under the [DfE guidance for schools attendance](#) developed under the coalition government in 2013. This guidance was updated to provide further guidance to Local Authorities on The Education Act 1996 that enshrined the local authorities role in promoting high school attendance.

The guidance outlines that –

‘Central to raising standards in education and ensuring all pupils can fulfil their potential is an assumption so widely understood that it is insufficiently stated – pupils need to attend school regularly to benefit from their education. Missing out on lessons leaves children vulnerable to falling behind. Children with poor attendance tend to achieve less in both primary and secondary school.

The government expects schools and local authorities to:

- Promote good attendance and reduce absence, including persistent absence;
- Ensure every pupil has access to full-time education to which they are entitled; and,
- act early to address patterns of absence.
- Parents to perform their legal duty by ensuring their children of compulsory school age who are registered at school attend regularly.
- All pupils to be punctual to their lessons.

Local authorities and all schools have legal powers to use parenting contracts, parenting orders and penalty notices to address poor attendance and behaviour in school. In addition to using these powers, local authorities and schools can develop other practices to improve attendance. Local Authorities cannot act independently on attendance issues and have to have close working relationships with schools and share information to enable action to take place.

Parenting contracts, parenting orders and penalty notices are interventions available to promote better school attendance and behaviour. Good behaviour and attendance are essential to children's educational prospects. In exercising these powers governing bodies, head teachers and local authority officers should have regard to their safeguarding duties.

Local authorities also have other powers to enforce school attendance where this becomes problematic, including the power to prosecute parents who fail to comply with a school attendance order, or fail to ensure their child's regular attendance at school.

Penalty Notices

The Education (Penalty Notices) Regulations 200717 set out the details of how the penalty notice scheme must operate. This includes a requirement that every local authority must draw up and publish a Code of Conduct for issuing penalty notices, after consulting all schools, including academies, and the police. The code should set out the criteria that will be used to trigger the use of a penalty notice. These could include: a number of unauthorised absences, perhaps within a rolling academic year; one-off instances of irregular attendance such as holidays taken during term time without the school's permission; and where an excluded child is found in a public place during school hours without a justifiable reason.

Cambridgeshire code of conduct can be found here - <https://www.cambridgeshire.gov.uk/asset-library/penalty-notice-code-of-conduct-november-2018-amended-march-2020-covid-19.pdf>

Non-attendance at school

Failure to ensure a child's regular attendance at school is a criminal offence and if, with support from the school's attendance officer and / or the local authority Education Welfare Officer, your child's attendance fails to improve, the Education Welfare Officer will consider one of two courses of action:

- Penalty fine of £60 (if paid within 21 days), rising to £120 (if paid after 21 days but before 28 days have lapsed). Failing to pay the fine will result in prosecution.
- Prosecution in the magistrates' court.

Cost of Service

The service costs around £657k to operate annually employing 12 number of staff as outlined below –

- Admissions and Attendance Strategic Manager– 1FTE
- Education Welfare Legal Officer – 1FTE
- Education Welfare Officer – 9.6FTE

We also buy legal support from LGSS Law when required.

Information Requested

Appendix 1 outlines the income we have received. We are unable to provide detailed data at this time on the pupil characteristics. A list by school can be produced if required but not in time to respond to the formal question.

Appendix 1 – termly income from attendance since 2017

Term	Non-School Attendance Penalty Notices	Term Time Leave Penalty Notices
Autumn 2017 – East Cambs & Fenland	£1500	£21,050
Autumn 2017 – Hunts	£540	£8040
Autumn 2017 – South Cambs & City	£0	£4560
Spring 2018 – East Cambs & Fenland	£960	£19,260
Spring 2018 – Hunts	£1020	£11,700
Spring 2018 – South Cambs & City	£1320	£16,380
Summer 2018 – East Cambs & Fenland	£720	£62,580
Summer 2018 – Hunts	£1560	£43,320
Summer 2018 – South Cambs & City	£1980	£19,840
Autumn 2018 – East Cambs & Fenland	£960	£43,620
Autumn 2018 – Hunts	£1020	£28,560
Autumn 2018 – South Cambs & City	£1200	£18,360

Spring 2019 – East Cambs & Fenland	£2580	£30,120
Spring 2019 – Hunts	£3180	£24,120
Spring 2019 – South Cambs & City	£3120	£32,760
Summer 2019 – East Cambs & Fenland	£1260	£67,470
Summer 2019 – Hunts	£1680	£42,860
Summer 2019 – South Cambs & City	£1080	£32,940
Autumn 2019 – East Cambs & Fenland	£1260	£62,940
Autumn 2019 – Hunts	£1020	£46,020
Autumn 2019 – South Cambs & City	£1320	£41,280