

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **EARLY YEARS, CHILDREN AND YOUTH POLICY DEVELOPMENT AND SCRUTINY PANEL**

Monday, 29th September, 2014

**Present:- Councillors:** Sally Davis (Chair), Sarah Bevan (Vice-Chair), Liz Hardman, David Veale, Loraine Morgan-Brinkhurst MBE, Colin Barrett (In place of Michael Evans) and Ian Gilchrist (In place of Nicholas Coombes)

**Co-opted Voting Members:-** David Williams

**Co-opted Non-voting Members:-** Chris Batten

**Also in attendance:** Ashley Ayre (Strategic Director, People and Communities), Mike Bowden (Deputy Director, Children & Young People, Strategy and Commissioning), Kevin Amos (Parent Support Services Manager) and Michael Gorman (Headteacher, B&NES Virtual School for Children in Care), Margaret Simmons-Bird (Head of Education Improvement) and Lin Bartlett (Senior Secondary Adviser)

**Cabinet Member for Early Years, Children & Youth:** Councillor Dine Romero

#### **38 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting.

#### **39 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure.

#### **40 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillor Michael Evans and Councillor Nicholas Coombes had both sent their apologies to the Panel. Councillor Colin Barrett and Councillor Ian Gilchrist were their respective substitutes for the duration of the meeting.

Edward Joseph, Member of Youth Parliament had also sent his apologies to the Panel.

Councillor Sarah Bevan announced that Councillor Loraine Morgan-Brinkhurst would be a little late to the meeting.

#### **41 DECLARATIONS OF INTEREST**

There were none.

**42 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none.

**43 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING**

There were none.

**44 MINUTES - 8TH SEPTEMBER 2014**

The Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chair.

**45 THE ROLE OF THE LOCAL AUTHORITY ALONGSIDE ACADEMIES AND FREE SCHOOLS**

The Deputy Director for Children & Young People, Strategy and Commissioning introduced this item to the Panel. He explained that 10 out of 13 secondary schools were now academies and that the majority converted as good or outstanding schools in their own right, or as part of an existing federation; 2 are sponsored by wider academy groups. He added that some of the secondary schools have been established as 'Multi-Academy Trusts (MATs) meaning that they are approved to sponsor further schools to join them as academies under a combined Academy Trust.

He said that all three of our special schools were now academies, with the Fosse Way MAT also expanding with an existing Somerset primary and new Free Special School being established in Somerset. He added that four local Primary schools are now academies– 3 on their own (Chew Stoke Primary, St. John's Midsomer Norton and Trinity in Radstock) and High Littleton in a MAT.

He explained that Free Schools are new schools set up by groups of parents or other organisations (including existing schools and academies) who perceive a need for an additional school to fill a gap in capacity or in the range of education on offer in a particular locality. There is a national approval process through which they must evidence the need/demand for the new school and demonstrate how they would operate it. He added that Free Schools are established as academies and can take several forms, including Studio Schools (one has just opened locally and 2 more have been approved), more traditional Primary or Secondary schools, Special Schools, or alternative provision. In addition to the Special and Studio Schools mentioned above, there is a proposal from the Bath Education Trust to establish a new Primary Free School in Bath and this is currently being examined by DfE. He stated that the Authority has a formal policy on Free Schools and Academies, which takes a neutral stance on schools converting to academies; and a cautious stance on the creation of Free Schools, unless there is good evidence of demand and suitability.

He said that one of the key statutory duties the Authority retains is to ensure a sufficient supply of school places to meet local demand. In the new context, with

academies able to choose independently whether to expand or contract and the opportunity for Free Schools to open regardless of LA place planning strategy, this is potentially an area of increasing challenge for us. Our Schools Organisation Plan sets out our current projections of need for pupil places in both primary and secondary sectors and in each locality within the authority, with specific proposals for expansion of relevant schools as required to meet demand over the next few years.

He added that as academies choose to expand or contract and as Free Schools open, we will have to adjust our plans accordingly and that partnership between all the organisations involved is obviously one of the keys to our being able to undertake this duty effectively.

He stated that the Local Authority continues to deliver a range of school-related services, either because it has a statutory duty to ensure these functions are delivered across all schools; or because there is demand for these services from maintained and/or academy schools. There is the potential for further changes in the realm of service provision over future years, either because the LA chooses to commission or provide services differently to achieve efficiencies; or because the level of 'buy in' from schools and academies increases or reduces. There are no specific plans for significant change at this time.

He said relationships between schools and between the LA and schools have historically been generally strong – although this varies between individual schools. With the advent of academy conversion as a route to greater autonomy and in some localities a greater sense of competition between schools, we saw a more stark contrast in this range. As the system matures and in the wake of significant work to further clarify the new roles and relationships within this system, we are now seeing positive signs of a more mature partnership emerging. Secondary head teachers have recently met with the LA and given positive support for a more regular strategic forum to come together as partners in the system. We have also been working closely with the Teaching School, Diocese of Bath & Wells, and local primary heads to develop proposals for an Education Excellence Board, comprising all primary schools, to promote the concept of the self-improving system as a collaborative venture between all schools and the key strategic partners.

He explained that in the new education landscape, the local authority retains a set of duties in respect of (a) all maintained schools (not including academies); and (b) all children irrespective of which type of school they attend and that from April 2012 the Government had changed the manner in which it funds local authorities for those retained duties. This funding was removed from the Rate Support Grant, the grant for academies was then given directly from the Government to each academy and the remaining funds were returned to local authorities and re-named Education Support Grant.

He said that despite the change in title it remains a form of Rate Support Grant. From next April this grant will be reduced by a further 20% equating to a cut of £507k for Bath and North East Somerset Council. This Council's spend on education related services covers Home to School Transport (HTST), Legacy Pensions and Redundancy costs in schools, service-supported borrowing undertaken in the past to enhance capital works to our schools and the provision of services such as Children

Missing Education, Educational Psychology, Admissions, Place Planning and School Improvement.

He informed the Panel that over the course of the current MTSRP, spending in these areas will reduce by £500,000. This is in addition to a reduction of just under £5m caused by loss of specific government grants since June 2010.

He stated that the biggest “blocks” of spend are HTST, Pensions and Redundancy and Service-supported borrowing - these total £5m and offer little, if any, scope for savings. Therefore to find further reductions from the remaining areas of expenditure will be very difficult given the reality that these services have been pared back already and are all delivering statutory duties which directly impact upon children, families and schools.

Councillor Sarah Bevan asked how much influence the Council has in creating new schools due to population growth.

The Deputy Director for Children & Young People, Strategy and Commissioning replied that where new housing developments are planned the Council has an influence through Section 106 agreements currently and subsequently will do through income of the Community Infrastructure Levy.

Councillor Liz Hardman asked how people wishing to open a Free School show that the school will meet a specific need.

The Deputy Director for Children & Young People, Strategy and Commissioning replied that groups or organisations such as Bath Education Trust (BET) will need to put a case together to the DfE to prove that one should be established.

The Strategic Director for People and Communities added that their case can have more weight if it is fitted around the current School Organisation Plan.

Councillor Liz Hardman asked how savings to services would be made following the planned reduction to the Education Support Grant.

The Deputy Director for Children & Young People, Strategy and Commissioning replied that that would need to be considered as part of future budget setting processes and can be debated at a future meeting of the Panel.

Councillor Liz Hardman commented that she thought that the establishment of an Education Excellence Board with Primary Schools was a good idea and asked if one was planned for Secondary Schools.

The Deputy Director for Children & Young People, Strategy and Commissioning replied that he was open to the possibility of one, but that no plans were in the pipeline.

The Panel **RESOLVED** to note the evolving role of the Local Authority in education and to receive subsequent briefings as further developments occur.

The Parent Support Services Manager introduced this item to the Panel. He explained a total of 1722 children were offered their 1st preference Primary School [92.83%]. The number of children refused their 1st preference school was 133 [7.17%]. He said that in September 2013 these figures were 93.4 % and 6.6% respectively. A total of 98.44% of children were offered one of their overall preferences and only 29 children [1.56%] did not get a place at one of their preferred schools.

On the matter of Secondary Schools he stated that a total of 1998 children were offered their 1st preference school [93.62%]. The number of children refused their 1st preference school was 159 [6.38%]. He added that in September 2013 these figures were 94.9% and 5.1%. A total of 98.9% of children were offered one of their overall preferences and only 22 children [1.1%] did not get a place at one of their preferred schools.

He said that the two main reasons for not being able to obtain a preferred place were parents not using all three preferences and not meeting the faith criteria set down by religious schools.

The Strategic Director for People and Communities added that the Council has a good track record for allocating places to preferences, but said that the 'catchment' for schools is shrinking. He said that he couldn't stress highly enough the need for parents to use all three preferences.

Councillor Liz Hardman asked how the Council can enable schools to become the first choice within their community.

The Strategic Director for People and Communities replied that the Council does support schools on their improvement journey and does look to partner them with strong schools to assist in that improvement. He added that schools are encouraged to think laterally about their reputation in the community.

Councillor Liz Hardman asked how surplus places are funded.

The Strategic Director for People and Communities replied that funding was provided through the Dedicated Schools Grant. He added that a count of places takes place every January and is validated in September. He said that the formula was due to be simplified / nationalised and would likely see some elements of Small School Funding removed, but that Rural Schools would remain protected.

Councillor Liz Hardman asked how soon these changes would occur.

The Strategic Director for People and Communities replied that he felt that they would take place in either 2016/17 or 2017/18.

Councillor Loraine Morgan-Brinkhurst asked how the Council could help schools prior to this potential pressure point.

The Strategic Director for People and Communities replied that the finance team within the service works closely with all schools.

The Deputy Director for Children & Young People, Strategy and Commissioning added that a minimum funding guarantee was in place which has the effect of limiting the amount by which a school budget can reduce year on year.

The Panel **RESOLVED** to note the pattern of admissions to Primary and Secondary Schools in September 2014.

#### **47 PUPIL PREMIUM**

The Headteacher of BANES Virtual School for Children in Care introduced this item to the Panel. He explained that the Department for Education has allocated local authorities total grants based on £1,900 per Looked After Child in from Reception to Year 11. He added that the grant allocation for Looked After Children is managed by the Virtual School Head in the authority that looks after those children and is to be used for the benefit of the looked after child's educational needs as described in their Personal Education Plan (PEP).

He informed them that the Virtual School pays £1500 Pupil Premium Plus to all schools for each Bath and North East Somerset looked after child on roll where a good Personal Education Plan (PEP) is in place.

He stated that the funding that remains with the Virtual School is used for a variety of purposes, including: top-up funding to schools above £1500 where the designated teacher makes a good case for additional support; transition support for children and young people moving to new schools in line with long-term care plans or foster placement changes; work experience and transition support and for Year 11s moving to colleges; 1:1 tuition for GCSE retakes at college; support for children in care not in education and in need of additional support to return to full time education; training for designated teachers and other staff who work in schools.

He said that one to one tuition is one of the most effective ways of raising standards for many Looked After Children and this was the most common use of the grant by schools. Other uses include: mentoring; extra teaching assistant support; revision materials; art, drama or music therapy; additional SEN equipment.

He announced that – provisionally - 22% of pupils had achieved five A\* - C GCSE grades and that that was in line with their current targets. He added that currently all Looked After Children were in education and that 80% of them were attending Good or Outstanding schools.

Councillor Liz Hardman requested that subsequent reports on this matter contain a value added context. She asked if any school was in receipt of the full £1,900 or higher for a pupil.

The Headteacher of BANES Virtual School for Children in Care replied that several schools had received funding above £1900 - one school for example had received

around £2,500 for a pupil to provide 1:1 tuition, exam attendance assistance and mentoring over the summer prior to attending college.

The Panel **RESOLVED** to note the report.

## **48 NARROWING THE GAP**

The Deputy Director for Children & Young People, Strategy and Commissioning introduced this item to the Panel. He informed them that despite B&NES being a relatively healthy, wealthy, high performing area, we know there are some stark inequalities within our population and that some groups of children and young people have poorer outcomes than others.

He added that this includes educational attainment for children and young people on Free School Meals (FSM), those with SEN and children in care. He said that specifically we know that in the 2013 GCSE results there was a 35.9% gap between the proportion of FSM and non-FSM children gaining 5 A\*-C including English and Maths and although our performance for non-FSM is above the average for England and the South West, our FSM performance is below average, so the gap put us in the bottom three authorities in the South West.

He explained that Ofsted has also seen the FSM gap as a key priority in the South West and has written to secondary schools asking how they are addressing this. School plans, implementation of these and the outcomes achieved for FSM pupils will be a key feature of all Ofsted inspections over the next two to three years and schools which lack credible plans, those that have failed to implement and evaluate effectively and those not showing a significant improvement for these children will find themselves with a lowered Ofsted judgement.

The Head of Education Improvement said that attainment and progress had improved and the gaps for vulnerable groups locally were narrowing in primary and secondary schools and colleges.

She informed the Panel of the following provisional data.

### **EYFS**

- The percentage of FSM children who achieved a good level of development improved but the gap between FSM and Non-FSM widened from 26.52% to 33.6% but this is because of the increase in the overall performance of Non-FSM. However the rate of improvement for FSM pupils is faster than for non-FSM pupils
- BME improvement slower than that of non-BME
- A higher proportion of girls achieved a good level of development compared to boys; however the gap between boys and girls narrowed and the rate of improvement for boys higher than for that of girls

## **KS1**

- Overall attainment improved for all pupils in reading and maths compared to 2013 with a small dip in writing but remains above national in all core subjects at L2+, L2b+ and L3+. The performance of pupils in reading and maths is improving at a faster rate than national.
- The gap between FSM and non-FSM pupils at all levels narrowed in all core subjects and at all levels. The attainment of FSM pupils improved in all subjects despite the small dip for non –FSM pupils in reading and writing.
- The attainment of FSM pupils is improving at a faster pace in 2014 than that of non-FSM in all subjects. However closing the gap between FSM and all pupils remains a priority for the LA
- Slight increase in the gap between BME and Non-BME pupils particularly in writing
- The girls outperformed the boys in all core subjects at L2+, L2b+ and in Reading and writing at L3+. The boys performed better than the girls in maths at L3+.

## **KS2**

- Overall attainment and progress has improved on last year's and are above the 2013 benchmarks in all subjects. The percentage of pupils achieving reading, writing and mathematics combined is up on last year at L4+ and L5+.
- The gap between FSM and non-FSM narrowed in all core subjects with the biggest improvement in Reading and writing at L4+. The gap is narrowing because the rate of improvement by FSM pupils is faster than that of non-FSM. The proportion of FSM pupils making expected progress improved significantly in reading and maths compared to 2013.
- Girls outperformed boys in all core subject at L4+ and in reading and writing at L5+; boys performed better than girls in maths at L5+ by a small margin. The proportion of boys and girls making expected progress improved in all core subjects and is higher for girls.
- The attainment gaps between BME and non-BME remains low and the proportions who made expected progress in writing and maths is better than that of non BME pupils

The Senior Secondary Adviser then gave the Panel a first indication of the GCSE and A Level results for this year.

## **GCSE Results**

- % A\*-C including English and Maths 65.9% which is a 2.3% increase on 2013. This year there is a slight improvement and there is a 3 year trend of improvement with three schools showing very good improvements in their results.



## **Pupil Premium – Disadvantaged Pupils (FSM, Looked After Children and Children of Service Personnel)**

- 2 schools have widened their gap – but still less than 30%, one has remained the same.

### **A Level Results**

- Average Points per Entry - This shows the average grade for each subject taken. 6 out of 10 schools are showing improvements on last year with 5 of the schools showing this as a trend for 3 years and 2 showing significant improvements
- Average Points Per Student - This shows the average number of exams taken and the grades awarded. The higher the number, the better the grade. 5 out of 10 schools show an improvement this year with 2 showing significant improvements and 5 schools showing a 3 year trend of improvements.

Councillor Liz Hardman asked if any reason could be given why we were in the bottom three authorities in the South West for FSM performance.

The Senior Secondary Adviser replied that schools were attaining higher and this was having an impact on the gap figures.

Councillor Liz Hardman asked if Academies were being co-operative on this matter.

The Senior Secondary Adviser replied that positive meetings had been held and that all Headteachers would be aware of the need to act having received a letter from Ofsted.

The Panel **RESOLVED** to note the work underway and receive further updates in due course.

## **49 CABINET MEMBER UPDATE**

Councillor Dine Romero, the Cabinet Member for Early Years, Children & Youth addressed the Panel. She said that as part of her role as a member of the Health & Wellbeing Board she had received a lot of information about the Care Bill and wanted to bring it to the attention of the Panel.

She explained that the Care Bill says that if a child, young carer or an adult caring for a child (a 'child's carer') is likely to have needs when they, or the child they care for, turns 18, the local authority must assess them if it considers there is 'significant benefit' to the individual in doing so. This is regardless of whether the child or individual currently receives any services or requests an assessment.

She added that services at transition should be aimed at moving a person into work/adult life in such a way as to promote their independence and so reduce their long term needs for care and support.

She said that she was pleased to say that the subject of Children's Mental Health was becoming a mainstream topic of conversation and was hopeful that this would continue to lessen the stigma.

She informed them that she had attended meetings on the matters of 'Healthy Weight', 'Active Play' and 'Risks in Play' that included a viewing of a film entitled Wild Things.

She said that she wanted to promote the Book Bugs project which was due to commence very soon. She explained that the project would link male volunteers with early years settings to raise boys' engagement with books and support their early reading skills.

Finally, she wished to encourage all who were present to attend or promote the Children's Literature Festival which had just begun.

## **50 PEOPLE AND COMMUNITIES STRATEGIC DIRECTOR'S BRIEFING**

The Strategic Director for People and Communities addressed the Panel, a summary of his briefing is set out below.

### **Child Sexual Exploitation**

He informed the Panel that the Local Safeguarding Children's Board (LSCB) for B&NES had recently agreed a draft Child Sexual Exploitation (CSE) Strategy which had engaged with Police, Health, Local Authority services and the Voluntary and Community Sector. He added that a review of the report by Alexis Jay OBE into CSE in Rotherham would be presented to the LSCB at its December meeting.

### **Ofsted Inspection Preparation**

He explained that Ofsted have announced the dates when Local Authorities will be contacted to start the Single Inspection Framework inspection. He informed them that Michelle Mohamed had been appointed to lead on our preparation for inspection. He said that Michelle would bring together and refresh all of the information required by Ofsted for when they first arrive.

### **Early Help Strategy**

He stated that a key element of our work was prevention / early help where we seek to help children, young people and families without the need for the more formal vehicles of Child Protection or Care arrangements. He said that Richard Baldwin had been working with colleagues on a new Early Help Strategy which brings together the range of services so that families and professionals know what services are available and how they can be accessed.

### **National Audit Office Visit – 30<sup>th</sup> September 2014**

The National Audit Office have asked to visit the Council to discuss the quality of care and stability of placements as part of a national survey. He added that he has

suggested to the Chair of the Panel that it would be useful to bring a report on our care systems and costs to a future meeting.

Councillor Liz Hardman suggested that the Panel's report on Child Sexual Exploitation should contain information on how practices have changed since the details of what took place in Rotherham had been made public.

The Chair thanked the Strategic Director for People and Communities for his briefing on behalf of the Panel.

## 51 PANEL WORKPLAN

The Chair introduced this item to the Panel. She said that she agreed to the suggestion made by the Strategic Director for People and Communities to receive a report on Placement Stability.

She said that she had also been approached by Councillors Romero and Hall to discuss the Child and Adolescent Mental Health Services (CAMHS) at a future meeting.

Councillor Sarah Bevan suggested the Panel receives a report in January on the upcoming Peer Challenge with Bournemouth on the matter of Child Sexual Exploitation.

Councillor Liz Hardman requested an update on the Staff Mutual and Children's Centres for the January meeting of the Panel. She also asked if the Council tracked 17 year olds who should be in Education, Training or Employment with Training.

The Strategic Director for People and Communities replied that the Council was required by law to track the most vulnerable.

Councillor Liz Hardman suggested that following on from Councillor Romero's earlier comments that the Panel should look at the implications of the Care Bill for Children.

Councillor Loraine Morgan-Brinkhurst commented that the NSPCC had recently announced a pledge to visit all Primary Schools. She wondered if the Panel would like a representative from the NSPCC to attend a future meeting and give them a presentation of their work.

The Panel **RESOLVED** to agree with all of the proposals above.

The meeting ended at 6.30 pm

Chair(person) .....

Date Confirmed and Signed .....

Prepared by Democratic Services