

Democratic Services

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Date: 3rd November 2016

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To: All Members of the Children and Young People Policy Development and Scrutiny Panel

Councillors: Lisa Brett, Matt Cochrane, Karen Warrington, Peter Turner, Sally Davis, Alison Millar and Liz Hardman

Co-opted Voting Members: David Williams and Andrew Tarrant

Co-opted Non-Voting Members: Chris Batten and Jake Bishop-Ponte

Cabinet Member for Children's Services: Councillor Michael Evans

Chief Executive and other appropriate officers
Press and Public

Dear Member

Children and Young People Policy Development and Scrutiny Panel: Tuesday, 15th November, 2016

You are invited to attend a meeting of the **Children and Young People Policy Development and Scrutiny Panel**, to be held on **Tuesday, 15th November, 2016 at 5.30 pm** in the **Brunswick Room - Guildhall, Bath.**

The agenda is set out overleaf.

Yours sincerely



Mark Durnford
for Chief Executive

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Mark Durnford who is available by telephoning Bath 01225 394458 or by calling in at the Guildhall, Bath (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays notice must be received in Democratic Services by 4.30pm the previous Friday)

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must be received in Democratic Services by 4.30pm the previous Friday). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Mark Durnford as above.

- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Mark Durnford as above.

Appendices to reports are available for inspection as follows:-

Public Access points - Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

For Councillors and Officers papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

- 4. Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

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- 5. Attendance Register:** Members should sign the Register which will be circulated at the meeting.

6. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.

7. Emergency Evacuation Procedure

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

**Children and Young People Policy Development and Scrutiny Panel - Tuesday, 15th
November, 2016**

at 5.30 pm in the Brunswick Room - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 6.

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is a **disclosable pecuniary interest** *or* an **other interest**,
(as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

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

At the time of publication no notifications had been received.

7. MINUTES - 13TH SEPTEMBER 2016 (Pages 9 - 26)

8. CABINET MEMBER UPDATE

The Cabinet Member will update the Panel on any relevant issues. Panel members may ask questions on the update provided.

9. SENIOR IN CARE COUNCIL

Representatives of the Senior In Care Council will give a presentation to the Panel.

10. UNICEF - CHILD FRIENDLY CITY

The Panel will receive a presentation on this item from Penny Hay and colleagues involved in this project.

11. CHILDREN'S CENTRE SERVICES (Pages 27 - 36)

This report will advise the Panel for the need to reduce the operating costs of the Bath and North East Somerset Council managed Children's Centre Services which are projecting a current overspend in this financial year and the need to develop a sustainable Children's Centre Service for the whole of Bath and North East Somerset in the future.

12. ANNUAL REPORT ON CHILDREN'S SERVICES COMPLAINTS AND REPRESENTATIONS PROCEDURE 2015 - 16 (Pages 37 - 58)

This report provides Councillors, service users, parents and carers, managers and staff, with information about the handling of complaints and compliments in Bath and North East Somerset Children's Services.

13. LOCAL EDUCATION RESULTS (Pages 59 - 78)

This report provides an analysis and summary of overall performance of all pupils and key groups in the 2016 external test and teacher assessments across all key stages in Bath and North East Somerset.

14. PEOPLE AND COMMUNITIES STRATEGIC DIRECTOR'S BRIEFING

The Panel will receive a verbal update on this item from the People and Communities Strategic Director.

15. PANEL WORKPLAN (Pages 79 - 82)

This report presents the latest workplan for the Panel. Any suggestions for further items or amendments to the current programme will be logged and scheduled in consultation with the Panel's Chair and supporting officers.

The Committee Administrator for this meeting is Mark Durnford who can be contacted on 01225 394458.

BATH AND NORTH EAST SOMERSET

CHILDREN AND YOUNG PEOPLE POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 13th September, 2016

Present:- Councillors Lisa Brett (Chair), Matt Cochrane (Vice-Chair), Karen Warrington, Peter Turner, Sally Davis, Alison Millar and Liz Hardman

Also in attendance: Richard Baldwin (Divisional Director - Safeguarding & Social Care), Mike Bowden (Strategic Director - People & Communities), Lesley Hutchinson (Head of Safeguarding and Quality Assurance), Sally Churchyard (Service Manager 11 - 19 Outcomes), Sam Plummer (Integrated Youth Team Leader - Somer Valley) and Jackie Deas (Deputy Safeguarding Lead for Children and Quality Assurance)

30 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

31 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure.

32 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

David Williams (Diocese of Bath & Wells) had sent his apologies to the Panel. Claire Hudson was present as his substitute for the duration of the meeting.

33 DECLARATIONS OF INTEREST

There were none.

34 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

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

Pamela Galloway, WWISE Network addressed the Panel. A copy of her statement can be found on the Panel's Minute Book and online as an appendix to these minutes, a summary is set out below.

She thanked them for their support at the last meeting and wished to update them on the latest developments.

She explained that they have put forward a number of suggestions of how a suitable pool could be incorporated into the plans for the refurbishment of the Bath Leisure Centre and that they have been informed that GLL are looking at the feasibility,

potential income & costing implications and will be producing a formal report in due course.

Councillor Liz Hardman asked if it was only the Bath Leisure Centre they had enquired about.

Pamela Galloway replied that the focus was on Bath currently as that site was undergoing a redesign process. She added that they plan to request a similar facility within Keynsham Leisure Centre.

The Chair thanked her for the update on behalf of the Panel.

Penny Hay, Child Friendly City Steering Group addressed the Panel. A copy of her statement can be found on the Panel's Minute Book and online as an appendix to these minutes, a summary is set out below.

She explained that a brilliant opportunity had arisen which she felt would benefit the whole community and that she didn't want the Council to miss the chance as bids close on 31 October.

She said Bath & North East Somerset has been invited to apply to be a UNICEF pilot project, one of only 6 pilots planned in the UK. She added that Childs Rights Partners is a ground-breaking programme - systematically embedding children's rights in public services at both policy and practice level that has never been trialed before in the UK.

She informed the Panel that UNICEF offers a practical framework for working with and for children and young people including mentoring and peer support. She added that the Child Rights project supports us to work with children as rights holders and governments and services as duty bearers.

She said that in B&NES, we want all children and young people to have equal life chances with positive mental health and well-being, with higher aspirations. We know the Council has identified health and socio-economic inequalities and is working towards reducing these; this project would actively support the Council's work.

She stated that she believed systems would be improved by embedding a rights-based approach, not only to improve children's lives and give all children the same opportunity to flourish, but to improve local communities and society as a whole.

She explained that they are drafting the UNICEF bid now with Child Friendly Community partners and were inviting the Council to be a partner. She added that a modest amount of funding from the Council could leverage a strategic investment in the future for our whole community.

Councillor Karen Warrington asked if the profile of this work would enable national grants to be obtained.

Penny Hay replied that strategic national funding does exist and that she was due to have a meeting with Ben Woods (Group Manager - Economy & Culture) to discuss

the matter. She said that the Bath Spa Institute for Education were keen to take part in the project and had previously considered giving £3,500 to the project, but this had not been matched.

Jake Bishop-Ponte said that as part of the Child Friendly City Steering Group he had met with the Bath MP, Ben Howlett and also taken part in a debate with Councillors on local policies.

Councillor Alison Millar asked how much funding the Council would be asked for.

Penny Hay replied that if they were able to at least match the offer from Bath Spa that would be great. She added that a figure of around £20,000 over three years would enable an officer to be employed on the project.

The Chair asked if the figure of £3,500 would lever further external funding.

Penny Hay replied that it would.

The Chair thanked her for statement on behalf of the Panel.

36 MINUTES - 12TH JULY 2016

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

37 CABINET MEMBER UPDATE

The Cabinet Member for Children's Services, Councillor Michael Evans addressed the Panel.

Children's Centre Services

He informed them that the Council is currently facing a significant budget challenge, including a £300,000 budget pressure in the current year for Children's Centre services. The Children's Services team have therefore been asked to review how the Children's Centre services are now working following the changes put into place a couple of years ago.

He stated that he would like to reassure all parents and carers that we are in the very early stages of looking at this - we have not yet undertaken the review, no proposals have been made and no decisions have been taken. He said that the Cabinet are completely committed to helping the most vulnerable and those in greatest need, which includes continuing to provide services that parents rely on.

He explained that some of the buildings are underused and often empty as many services are now delivered directly in people's homes or at other community venues. He added that we therefore need to look thoroughly at the use of the buildings and whether we run all of these in their current form, or whether for example, other local organisations might be better placed to run the buildings and make better use of the available space to offer alternative activities for their communities.

He said that we will continue to keep all parents and users of the centres informed as the review progresses and please be assured we will consult extensively on any ideas that come forward.

SEND – Home to School Transport

He said that a review of Home to School Transport for SEND pupils may take place soon as part of a discussion relating to expanding the number of SEND placements within B&NES.

Bath Community Academy (BCA)

He said that the Cabot Learning Federation would be commencing with a consultation with the Regional Schools Commissioner (DfE) on the future of the academy and we await the outcome.

Exam Results

He said that the initial figures relating to SAT / GCSE / A Level results locally were generally positive and that reports on these would come to the Panel in due course.

The Chair thanked him for his statement and asked if he could elaborate any further on the possible increase of SEND placements.

Councillor Michael Evans replied that there may be some Government funding available in the near future.

The Chair asked if it would be possible to keep education on the BCA site.

Councillor Michael Evans replied that conversations were at an early stage, but that it seemed positive that alternative arrangements could be put in place.

Councillor Liz Hardman asked what the criteria would be for closing a Children's Centre.

Councillor Michael Evans replied that areas of need and vulnerability would be assessed and that if any were to close locations within a geographical area would be taken into account.

Councillor Liz Hardman commented that if the management of the Children's Centres were to be cut it would be a much poorer service. She asked if parents of SEND pupils would be asked to organise their own transport.

Councillor Michael Evans replied that plans relating to Children's Centre Services really were at an early stage at this moment in time.

The Strategic Director for People & Communities added that they were considering piloting a personal budget system for families of SEND pupils.

Councillor Liz Hardman asked if the 200 pupils that attend BCA would be allocated places within B&NES and would they be provided with transport if necessary.

The Strategic Director for People & Communities replied that the Cabot Learning Federation has met with other Secondary School Head Teachers and that the Council has already committed that if required transport would be available for those pupils in Years 7 and 10 to reach St Marks School, where the majority of available places are. He added that some Year 10 pupils had transferred to Bath Studio School but he was not aware of any movement by pupils in Year 7.

Councillor Liz Hardman stated that a plan was required should BCA close within a year.

The Strategic Director for People & Communities replied that the decision was not in the hands of the Council, although it would be involved in the discussion. He said that the Cabot Learning Federation would have to submit a detailed proposal to the Regional Schools Commissioner for their consideration.

38 YOUTH WORK DEVELOPMENT

Councillor Eleanor Jackson addressed the Panel. She explained that she was speaking on behalf of Westfield Parish Council initially to convey that the recent changes to nursery provision in Radstock were not properly consulted upon.

She said that the Parish Council were looking to support the work of the newly appointed Youth Worker and that consultation was due on the needs of children in Westfield.

The Service Manager for 11 - 19 Outcomes gave a presentation to the Panel. A copy can be found on the Panel's Minute Book and online as an appendix to these minutes, a summary is set out below.

Youth Connect – commissioned to help young people to be:

- Emotionally resilient
- Healthy
- Engaged in education, employment or training
- Safe

Youth Connect – commissioned to provide:

- Open access youth work
- Targeted interventions
- Statutory monitoring
- Support to other sectors to develop positive activities and support.

Developing a vision:

- Establishing a Youth Council
- Range of services including open access youth work and targeted support
- Multi-purpose shared facility for youth and community

Building on the work of Radstock Youth Partnership, we will:

- Consult with young people
- Scope model(s) of delivery
- Work in partnership
- Support voluntary / community sector to lead

The Chair thanked her for the presentation on behalf of the Panel.

39 FUTURE OPTIONS FOR THE LOCAL EDUCATION SYSTEM

Paul Mortimer (EBM), Adrian Leggett (EBM) and Stephen Ravenscroft (Stone King) were present to answer questions from the Panel.

The Chair asked if they could confirm for the Panel that the Teckal Company would be a social enterprise, with all profits going back into the provision of services to schools.

Stephen Ravenscroft replied that there would be flexibility within the structure, but in pure terms any surplus would be retained within the company.

The Chair asked if they could expand on how a Teckal Company could continue to be used to help shape the role that the Council plays in a collaborative primary, values-led MAT with B&NES schools.

Stephen Ravenscroft replied that a Teckal Company would assume responsibility for services, but the Council could be involved in designing the shape / scope of services and be part of the commissioning services.

He added that their influence must be less than 20% at all times due to the Local Government Act associated and regulated company concerns. He said if B&NES were to become a Member of the MAT any services they provide to the MAT must be charged 'at cost'.

Councillor Karen Warrington asked if there were enough schools locally that had not yet committed themselves to becoming an Academy.

The Strategic Director for People and Communities replied that 50 out of 80 schools had not yet converted although he was aware that 8 were in the process of doing so.

The Chair commented that she felt that this issue was not being discussed by enough School Governors.

The Strategic Director for People and Communities replied that officers and EBM met with Governors in June / July and that they planned to meet again in October.

Councillor Alison Millar asked if the Teckal would be a Private Limited Company.

Stephen Ravenscroft replied that a Teckal could be managed under a range of options. He said that an example of a Teckal involving schools was Hertfordshire

County Council's 'Herts for Learning'. He added that this is a shared company in which the Council has shares in it alongside others.

He stated that other possible options were for it to be run as a Community Interest Company or a Charity.

Councillor Liz Hardman commented that having looked at the options her initial preference would be a Co-operative MAT. She asked if current B&NES staff could work for both B&NES and a Teckal Company as she would like to preserve the level of support and expertise currently available.

Stephen Ravenscroft replied that staff from Hertfordshire County Council transferred to the Teckal.

Councillor Liz Hardman asked to what extent is all of this up in the air at present, given the changing educational landscape with Grammar Schools making a comeback.

The Strategic Director for People and Communities replied that a Green Paper regarding Grammar Schools has been published, but that a lot of work was required over the next 18 months – 2 years and local solutions would be required.

The Panel **RESOLVED** to recommend that:

- i) The Cabinet Member instructs officers to conduct a detailed feasibility study and cost-benefit analysis of B&NES Council facilitating setting up a Teckal Company.
- ii) As part of this process it involves school leaders (Head Teachers and Chairs of Governors) particularly those who have expressed an interest in a Teckal Company with LA involvement.
- iii) If the pricing structure of the Teckal Company is unaffected by B&NES Council being a stakeholder in the MAT that we adopt a policy of engaging with any emerging MAT with a view to becoming a 20% stakeholder.

40 INDEPENDENT REVIEWING OFFICER'S ANNUAL REPORT

The Chair commented that the Panel recommended last year that IRO's had access to independent legal advice and it was welcomed that this is beginning to happen. She asked if the Council has commissioned specialist support for children who have been exposed to modern slavery.

The Deputy Safeguarding Lead for CYP & QA replied that the Council work closely with Unseen, who provide specialist care and support to survivors. She added that this issue is also covered in the LSCB training programme.

The Chair asked for further explanation regarding the figure that 52% of social work reports had not been signed off by managers.

The Deputy Safeguarding Lead for CYP & QA replied that this was raised at the IRO/Social Care Liaison Meeting in November 2015 and that the Children Social Care team were addressing this. She added that this did not mean that there had not been management oversight of their reports. She said that a progress update was due in October 2016 and that efforts are made to discuss reports prior to meetings taking place.

The Chair asked how were Independent Reviewing Officers involved as stakeholders in the development of the new case management system.

The Deputy Safeguarding Lead for CYP & QA replied that this was a large project with discussions ongoing with officers working on the Liquid Logic project.

Councillor Liz Hardman asked what needs to put in place to ensure that the quality of Care Plans is more consistent and that children see their Plan before their review.

The Divisional Director for Safeguarding & Social Care replied that the roll out of the Child Friendly Care Plan was due.

Councillor Liz Hardman asked for an explanation why there appears to be a gap in the recording process for Care Plans and Pathway Plans for 16+ young people in Care.

The Divisional Director for Safeguarding & Social Care replied that this would be resolved through Liquid Logic.

The Panel **RESOLVED** to approve the following recommendations:

- i) That the Independent Reviewing Officers select to focus their attention next on children who are placed in the farthest reaches of Somerset and Wiltshire, as well as those outside the adjacent authorities.
- ii) The Panel would like to add its weight to the recommendation that the Assessment Policy on Tri-X is refreshed to reflect the risk associated with IROs Chairing reviews without an up to date assessment.
- iii) A number of comments have been made about inconsistency in reporting standards. The Panel requests that proposals on how Officers intend to address these issues are brought to a future C&YP PDS Panel meeting.
- iv) The Panel would like to add its weight to the recommendation that a policy and process be developed to ensure a Permanency Plan is submitted to the IRO in a set written format.
- v) The Panel recommends that therapeutic services for our most traumatized and abused children are enhanced and that appropriate resources be prioritized.

41 LOCAL SAFEGUARDING CHILDREN'S BOARD ANNUAL REPORT

The Chair stated that she was very impressed by the report and that the breakdown by Sub-Group was very welcome. She did though highlight the use of acronyms without definition.

Child Sexual Exploitation (CSE) & Missing Sub-Group

She asked if B&NES Council regularly engaged specialist agencies to support complex cases.

The Divisional Director for Safeguarding & Social Care replied that they try to cover most cases within the Council. He added that an expert on CSE has been employed to provide support.

The Chair asked what emphasis has been given to moving towards a whole place budgeting approach to service delivery.

The Strategic Director for People & Communities replied that the LSCB has received some guidance on this matter and that discussions were ongoing.

The Chair asked how open and effective is our information sharing with other statutory agencies.

The Head of Safeguarding & Quality Assurance replied that she was confident that we have good arrangements in place. She added that the Board were going to look at this area of work in more detail over the coming year.

The Chair asked what steps have been taken by B&NES Council to ensure all teaching staff are appropriately trained in identifying children at risk of suffering poor mental health.

The Strategic Director for People & Communities replied that this would be picked in many areas of work including; PSHE Training, Public Health Award, Assist Training and Attachment Aware.

The Chair asked when B&NES Council was last subject to a Local Government Association safeguarding children peer review.

The Divisional Director for Safeguarding & Social Care replied that the Council would need to request such a review. He added they had recently been involved in Peer Reviews carried out by Gloucestershire and Somerset on the topics of CSE and Social Work Supervision.

The Head of Safeguarding & Quality Assurance added that the Council has also been involved in Section 11 Audits alongside other Local Authorities.

Councillor Liz Hardman if we can be assured that there are sufficient safeguarding measures in place, given the continuing financial pressures on funding, especially if funding is at a national or sub regional level rather than a local level, as well as the challenge of recruiting and retaining social workers.

The Head of Safeguarding & Quality Assurance replied that the Board maintains a risk register so that it is fully aware of any financial pressures.

The Divisional Director for Safeguarding & Social Care added that there were currently no Social Worker vacancies, which was a positive position to be in. He said that the Council has worked hard on this area of work over the past 18 months and had introduced a Social Work micro site to its website.

Councillor Liz Hardman asked how effective is our multi agency approach in dealing with missing children, bearing in mind the link between children missing from home or care and sexual exploitation.

The Divisional Director for Safeguarding & Social Care replied that partner engagement on this issue has been brilliant and that the CSE / Missing Sub-Group is well attend by the right people.

The Head of Safeguarding & Quality Assurance added that discussions with the Responsible Authorities Group (RAG) happen alongside those of the LSCB.

The Chair commented that the CSE / Missing Sub-Group are to be congratulated on what appears in many respects to be an excellent example of good practice. She asked if the CSE information meetings result in joint action plans.

The Divisional Director for Safeguarding & Social Care replied that they do.

The Chair asked what support is available to current, potential and historic victims of CSE.

The Divisional Director for Safeguarding & Social Care replied that locally support is provided by BASE (Barnardo's Against Sexual Exploitation) and the Willow Project.

The Chair said that she welcomed the training provided to B&B's, hotels and taxi offices. She asked if training was provided for environmental health officers.

The Divisional Director for Safeguarding & Social Care replied that the training had been well received so far, but they had not yet been able to train any environmental health officers.

The Chair asked how many abduction notices have been issued where they are appropriate to safeguard children from sexual exploitation.

The Divisional Director for Safeguarding & Social Care replied that none have been issued as the current activity with the Police to disrupt incidents is working.

Jake Bishop-Ponte asked as PHSE lessons are being rolled back in some schools how will young people become engaged on this issue.

The Divisional Director for Safeguarding & Social Care replied that they would look to provide information to young people in different ways. He said that the contact details for the Willow Project would be distributed and that further information would be shared with school's Equalities Teams.

The Panel **RESOLVED** the following recommendations relating to CSE:

- i) The CSE Sub-Group should extend its activity to focus on victims needs, the ongoing support and therapeutic interventions that children affected by CSE may need
- ii) The CSE Sub-Group should continue to strive to engage with all communities. The Rotherham Inquiry made it clear that the council had failed to work with and engage local minority ethnic communities and in particular the women of those communities on the issue of CSE and other forms of abuse. Both the Manchester and Rotherham reports made a series of recommendations about engaging with all communities, the C&YP PDS recommend the CSE sub-group evaluate these recommendations to see if they could be appropriately applied within B&NES.
- iii) The CSE Sub-Group should continue to strive for greater awareness and education among professionals and the wider community. The training provide to hotels and taxi offices should be extended to all those in frontline community roles, such as pharmacists, school nurses, bus drivers, housing officers.
- iv) The CSE Sub-Group should ensure professional attitudes and use of language are applied throughout B&NES Council. The Office of the Children's Commissioner's Inquiry and report recommended that the use of the term 'child prostitution' should be removed from all government documents and strategies. The recent Coffey report also recommended that there should be no references to child prostitution in any documentation. The dated language has been found in a number of areas and the CSE Sub-Group should review all of the Council documentation related to CSE and ensure that references to child prostitution are removed.
- v) Maintain robust leadership, challenge and scrutiny around CSE by the LSCB. The Rotherham Inquiry found that "the Rotherham Safeguarding Children Board and its predecessor oversaw the development of good inter-agency policies and procedures applicable to CSE. The weakness in their approach was that members of the Safeguarding Board rarely checked whether these were being implemented or whether they were working." The report drew attention to the vital importance of the challenge and scrutiny function of the LSCB
- vi) Enhance coordinated, strategic responses and performance management. The Panel recommends the Council and LSCB establish joint commissioning arrangements for CSE, sexual assault, rape and domestic abuse support services; common thresholds for interventions across agencies; clear referral pathways; pooling of budgets across the police, council children's services and health services.

Children in Care and Quality Assurance Sub-Group

The Chair said that she felt that this Sub-Group was struggling with its identity in relation to IROs.

The Panel **RESOLVED** the following recommendation relating to the Children in Care and Quality Assurance Sub-Group:

The Panel recommends that the terms of reference for the LSCB Children in Care and Quality Assurance Sub-Group are reviewed and re-developed with the IRO and that clear objectives are set.

Communications Sub-Group

The Chair on behalf of the Panel congratulated the Communications Sub-Group on a very productive, outcome driven year. She asked if the new LSCB web-site was now live.

The Divisional Director for Safeguarding & Social Care replied that it was scheduled to go live in October.

Policy, Procedure and Performance Sub-Group

The Chair commented that she would also like to extend the Panel's congratulations to the Policy, Procedure and Performance Sub-Group on having a very productive, outcome driven year.

She added that as a member of the local Police & Crime Panel as well as Chair of this Panel she would write to Police & Crime Commissioner Mountstevens regarding the lack of Sub-Group attendance by the Police in the sincere hope this regular absence can be rectified.

Professional Practice Group

The Chair commented that the work of the Professional Practice Group appears to be of a very high quality. She asked how the Professional Practice Group engages with the Connecting Families agenda, or with locally targeted interventions aimed at tackling domestic abuse.

The Head of Safeguarding & Quality Assurance replied that members of the Group have taken part in Themed Reviews by the Board. She added that at the last Board meeting a Themed Review took place on Early Help. She stated that the issue of Domestic Abuse was a clear priority for the Board.

Serious Case Review Sub-Group

The Chair stated that the Panel should welcome the fact that the Serious Case Review Sub-Group also provides a mechanism for the LSCB to deliver reviews of cases that do not meet the threshold for a SCR. She asked what psychological support is provided to members of the Serious Case Review Sub-Group to help them manage their own personal response to cases.

The Head of Safeguarding & Quality Assurance replied that each agency has its own counselling service and that members support each other.

Training and Workforce Development Sub-Group

The Chair said that the Training and Workforce Development Sub-Group is to be congratulated on the number of courses run. She said that she would have liked a scorecard of feedback from participants on the courses and that perhaps this could be included in the report next year. She asked how it monitors and evaluates the effectiveness of on-line learning.

The Head of Safeguarding & Quality Assurance replied that it is not monitored currently and that they would give some thought on how this could be done in the future.

Task and Finish Groups

The Chair said that she welcomed the focus on children affected by parental imprisonment as this was an area that could be easily overlooked. She explained she is also Chair of the advisory Board of the government funded National FGM Centre and would be interested in conducting a private review of the output of this task and finish group personally.

Summary of activity

The Chair asked can nursery staff working with private providers of childcare complete a common assessment framework.

The Divisional Director for Safeguarding & Social Care replied that they could.

The Chair commented that all recent evidence indicates that vulnerable children living in Foster Care do better emotionally and academically than those who remain with their families with social worker support. I am concerned that the B&NES stated aspiration to reduce the number of children coming into foster care is driven by cost rather than by acting in the best interests of the child. Can you provide an evidence based, academically accredited, alternative reason for this aspiration?

The Divisional Director for Safeguarding & Social Care replied that results could be due to the impact of the Virtual School and the use of Pupil Premium.

Councillor Liz Hardman said how thorough she thought the report was. She asked if the underspend of 2015-16 can be carried forward and are there plans to spend more money next year.

The Head of Safeguarding & Quality Assurance replied that the underspend is multi-agency money and that the underspend is recognised as a contingency should Serious Case Review be required to be carried out.

The Chair commented that the Local Government Association commissions Safeguarding Children Peer Reviews with local authorities as a national programme available to all Councils at a time that makes sense for them. She added that the

LGA use the learning from the reviews to contribute to the developing body of good practice to be used by Councils in their own improvement journeys.

The Strategic Director for People & Communities informed the Panel that an Ofsted inspection regarding Safeguarding was due and therefore asked that any recommendation regarding a Peer Review on this matter be scheduled appropriately.

The Panel **RESOLVED** to recommend that B&NES Council requests a Local Government Association Safeguarding Children Peer Review within the next six months.

42 FUTURE PROVISION OF ADOPTION SERVICES

Councillor Liz Hardman asked has any progress taken place in setting up a Local Authority trading company for a Regional Adoption Agency and if so, what progress has been made in B&NES.

The Divisional Director for Safeguarding & Social Care replied that Adoption West will be a trading company from April 2018.

Councillor Liz Hardman asked what the future resource implications for Adoption West are.

The Divisional Director for Safeguarding & Social Care replied that there would be no additional resource implications for the Council and that possible efficiencies may be achieved.

Councillor Liz Hardman asked would any redundancies occur when this new model is in place.

The Divisional Director for Safeguarding & Social Care replied that none were planned.

Councillor Lisa Brett asked when B&NES Adoption Services were last reviewed, and will Adoption West also be subjected to an independent review of their adoption service every three years.

The Divisional Director for Safeguarding & Social Care replied that a positive review of the service took place in November 2013 and that Adoption West would be reviewed on their service every three years.

43 UNACCOMPANIED ASYLUM SEEKING CHILDREN

Councillor Dine Romero addressed the Panel. She said on Saturday she had joined the Welcome Summit in Birmingham of all the Welcome Refugees groups in the UK. 500 other people were in attendance including a wide range of faith representatives and refugees from Syria, Poland, Nepal, and the Jewish community.

She said that stories of the refugee's journeys were told and that this was extremely moving, and at times, quite upsetting. She heard of how families had been torn

apart, some permanently and yet the refugees themselves always had something positive to say, invariably about the support and help they had received.

She stated that the most moving were the stories told by those that had come to Bath, and from those who support them here.

She said however it was clear that we, as a nation, are not doing enough as over 300 children have an acknowledged right to come to the UK, but are trapped, on their own, in the camps at Calais.

She stated that reaching Government figures and targets on those we will help is not good enough. We must do as much as we can, not as little as we should.

She wanted to ask the Panel to do everything it could to bring as many of these children to safety in Bath and NE Somerset, and also to support proposals to bring many more families to this area too.

She said she would be bringing a motion on doing more to Full Council in November which she hoped all Councillors would support.

Bernie Howley addressed the Panel. She said that B&NES had become involved with this issue before it was deemed compulsory and she thanked them for that. She urged them not to lose any momentum on the work they have done.

She stated that the support and structure that Councils can give can help children to settle into the area. She made a plea for members of the public to provide help through Fostering and Mentoring.

She explained that some children, referred to as "Dubs" were currently living in refugee camps in both Europe and other countries, were particularly vulnerable by virtue of the fact that they do not have an adult to provide them with the protection that they need and deserve.

She said that applications for young people aged 18 or approaching that age should be fast tracked.

The Chair said that the reason for there being a large number of young men in these camps was because they are the most likely to survive and therefore families in need would prioritise them in seeking to escape.

Bernie Howley said that they would also be seeking to leave affected countries as they would be asked to fight in war and would be killed if they refused to.

Councillor Liz Hardman asked what happens to an Asylum Seeking Unaccompanied Child who turns 18 midway through the process of fostering and integration and is then deemed an adult.

Richard Baldwin replied that the Council was currently helping an 18 year with his application.

Councillor Liz Hardman asked if any additional support was in place for local Foster Carers.

The Divisional Director for Safeguarding & Social Care replied that two events had been held specifically held in March and September to provide them with information.

The Chair said that carers need to be prepared for the reality of the situation regarding the young people that may come into their care. She added that any placement needs to be right for both parties.

Councillor Sally Davis commented that she would encourage the Council to take as many children as possible as long as appropriate support was in place.

Bernie Howley said that if young people were placed in supported lodgings then they would need to be mentored adequately as they would be likely targets for radicalisation.

The Chair asked would the government pledge the same level of financial support per child if a local authority chooses to take above the minimum quota of Un-accompanied Asylum-Seeking Children required.

The Divisional Director for Safeguarding & Social Care replied that he did not know. He said the intention of the Council is to receive 23 children over the next two years. He added that there were likely to be hidden costs within each case.

The Chair asked where does B&NES rank in terms of wealthiest Councils per head of population.

The Divisional Director for Safeguarding & Social Care replied that he imagined that it was in the top quartile.

The Chair asked how many children had left Kent under the National Dispersal System which was introduced in July.

The Divisional Director for Safeguarding & Social Care replied that 45 had been dispersed with 5 of them coming to B&NES.

Councillor Eleanor Jackson commented that she felt that the Council had made a creditable offer of help to the current situation as a number of Local Authorities had not taken any.

The Chair commented that she had previously worked in refugee camps and said that the people there simply want to be safe, for their children to be able to attend school, to receive medicine and to have food to eat. She thanked officers for all their work so far.

44 PEOPLE AND COMMUNITIES STRATEGIC DIRECTOR'S BRIEFING

The Strategic Director for People & Communities addressed the Panel, a summary is set out below.

Connecting Families: He said that during August there had been some national press reporting relating to the Troubled Families Programme, suggesting the suppression of evaluation reports and over-stating of success in local areas.

He explained that following this the DCLG commented that: "It is wrong to say that any report on Troubled Families has been suppressed. There were several strands

to the evaluation work commissioned by the last Government and there is not yet a final report”.

He stated that locally, the Troubled Families work called Connecting Families is delivered by a small core team and wider partners both internal and the voluntary sector. He added that the figure of 215 families was allocated to B&NES by the DCLG for the three year programme. However, in B&NES partners supported significantly more than this number and were able to evidence that at least 300 families made positive outcomes in line with DCLG’s guidance.

Children Missing Education: He explained that all children who are deleted from roll or leave a school without a recorded destination school are defined as Children Missing Education and are followed up. This will include a small number of children excluded from school and awaiting a new school place to be identified / agreed, but also those moving school or moving home, where we do not initially know the new school they will attend as well as those who have not sustained the expected levels of attendance.

He added that all children recorded as Missing Education are followed up and data sought from a wide range of local agencies as well as through regional and national networks to confirm their destinations where necessary.

He informed the Panel that there had been a lot more movement during the last academic year, leading to a rise from 50 children identified in 2013/14 to 85 in the 2015/16 academic year. He stated they continuously review their practise to find ways of improving and sharing information and will be updating their policies in response to new DfE guidance which has just been published.

Bath Community Academy: He stated that on 18th July, the Cabot Learning Federation (CLF) which operates Bath Community Academy (BCA), announced to parents at the school that it would be commencing a dialogue with the DfE regarding the possible closure of the school. He added that officers are liaising closely with the school and CLF to ensure that any implications of this announcement are fully understood and managed appropriately. In particular, we have been working over the summer to support families with children with Special Educational Needs & Disabilities to ensure they can give early consideration to the future education of their children.

New School for Mulberry Park: He said that they anticipate launching by the end of September the process to seek a sponsor for the new primary school being built a Mulberry Park. He added that the Panel will be advised when a sponsor has been determined by the DfE in the spring. The school is expected to open in September 2018.

Academies: He informed the Panel that there have been a steady flow of schools converting to academies, with the current figures at;

Primary – Maintained (47), Academy (14)

Secondary – Maintained (3), Academy (10)

Studio – Maintained (0), Academy (3)

Special – Maintained (0), Academy (3)

Total – Maintained (50), Academy (30)

He said that 4 more primaries were planned for conversion in November and 4 more were planned but with no specific date.

The Chair asked if Hospital Education would still be possible within a Teckal.

The Strategic Director for People & Communities replied that it would and that schools were supportive of this work.

The Chair asked what support was available within schools for apprentices.

The Strategic Director for People & Communities replied that this was due to be discussed at the Schools Forum this afternoon.

The Chair thanked him for his update on behalf of the Panel.

45 PANEL WORKPLAN

Councillor Liz Hardman asked for a Connecting Families update at a future meeting of the Panel.

The Strategic Director for People & Communities commented that in November the Panel would normally receive a report regarding the budget. He asked if the Annual Complaints report could also be added to the workplan.

Councillor Liz Hardman asked for an update on Children’s Centres.

The Cabinet Member for Children’s Services, Councillor Michael Evans said that it was more likely that the Panel would receive a report on the budget in January than November.

The Panel **RESOLVED** to add these items to their workplan.

The meeting ended at 1.20 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

Policy Development and Scrutiny Panel 15th November 2016

Children’s Centre Briefing Paper

Final report - explanatory note and summary of changes

This report considers two related but separate issues. Firstly, the cost of running the B&NES managed Children’s Centre Service, it’s overspend and the options for bringing this service back into balance , and secondly the need to develop a sustainable Children’s Centre Service for the whole of Bath and North East Somerset in the future. The latter involves First Steps, a local charity who are contracted to deliver the Bath West Service and whose contract expires at the end of September 2017.

A number of meetings had taken place between commissioners and First Steps to discuss the various options for commissioning the Bath West contract when the current contract expires. During the course of these discussions a number of changes were agreed to the approach and assurances given and the Children Centre paper was updated to reflect the discussions. Unfortunately, due to an error the draft report rather than the final paper was circulated to Panel Members and published on the B&NES web site. The final report has now been circulated and the table below summarises the changes from the draft version for ease of reference.

	Draft report	Final report
1.2	The current Children’s Centres service delivery model of two separate organisations (i.e: Bath and North East Somerset Council and First Steps, Bath) each requiring back office functions and management	Deleted
2.1	Exploring options to commission and deliver a Bath and North East Somerset Council Children’s Centre Service through one provider when the contract with First Steps for Bath West Children’s Centre service expires at the end of September 2017. This will enable more efficient use of resources (generate efficiencies) and deliver a more sustainable service in the future as well as provide a consistent children’s centre service offer for families with young children across the whole area	Exploring options to commission and deliver a Bath and North East Somerset Council Children’s Centre Service through one provider when the contract with First Steps for Bath West Children’s Centre service expires at the end of September 2017.
3.2	There is an existing budget for externally commissioned service (that is currently provided by First Steps). The projected budget for this commissioned work for 2017/18 is an additional	3.3 There is a separate budget for the externally commissioned service for Bath West (currently provided by First Steps). The projected budget for this

	£425,000.00.	service for 2017/18 is £425,000.00. Whilst the Bath West service is delivered within budget, there is potential to make more efficient use of resources by commissioning one rather than two Children's Centre services. This would create a more sustainable service in the future.
5.8	To explore options to commission and deliver a B&NES wide Children's Centre service through one provider to enable more efficient use of resources and provide a sustainable and consistent children's centre service offer for families with young children across B&NES.	<p>To explore options to commission and deliver a B&NES wide Children's Centre service to enable more efficient use of resources and provide a sustainable service. The options which will be considered as part of the commissioning process currently include:</p> <ul style="list-style-type: none"> • Maintain current arrangements and mixed economy and proceed with tender for Bath West. • Explore and strengthen partnership arrangements between Bath West and B&NES delivered Children's Centre services. • Bring Bath West into the Council to deliver as one Council managed Children's Centre service. • Tender both the council run and external Children's Centre services to procure one new contract for one Children's Centre service. • Include the Children's Centre Service within Your Care, Your Way (YCYW).
5.9	Previous 5.9 has been moved to 5.10	This piece of work will be undertaken with the engagement of both providers and will be

		completed by March 2017. This will inform the future commissioning process.
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Bath & North East Somerset Council

MEETING	Policy Development & Scrutiny Panel	
MEETING	15th November 2016	EXECUTIVE FORWARD PLAN REFERENCE: N/A
		E 9999
TITLE:	Children Centres briefing paper	
WARD:	All wards	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix None		

1 THE ISSUE

1.1 To advise panel members for the need to reduce the operating costs of the Bath and North East Somerset Council managed Children's Centre Services which are projecting a current overspend in this financial year, and the need to develop a sustainable Children's Centre service for the whole of Bath and North East Somerset in the future. This report outlines the options that need to be considered to bring the current budget spend back on track in the medium term and create a sustainable service in the longer term whilst minimising the impact on children and families that most need it.

1.2 The financial pressures are due to:-

- less income than anticipated being generated from nursery provision within the two year units, due to more private businesses starting up in some areas;
- less income than anticipated being generated from some traded activity;
- shortfall in Children's Centre rental income, and associated costs incurred in the maintenance of the Children's Centre buildings.

2 RECOMMENDATION

2.1 To address the issues highlighted above, the following actions will need to be considered and to discuss the emerging proposals and comment and / or make other suggestions to the following items listed below:

- Transferring the management of some outlying Children's Centre buildings to other community organisations
- Reducing Council delivered nursery provision, especially in areas where there is sufficiency
- Ceasing traded activity where this is not viable and increasing activities after the initial trial period that are working well and are viable, extending the business model now tested and operating effectively.
- Exploring options to commission and deliver a more efficient and sustainable Bath and North East Somerset Council Children's Centre Service when the contract with First Steps for Bath West Children's Centre service expires at the end of September 2017.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The budget for the Council run Children's Centre Services was overspent in 2015 / 2016 by £289,000 and is projected to overspend by £259,000 this year 2016 /2017. Changes are required to balance the current approved budget of £1, 373, 000.00.
- 3.2 Actions that can help to reduce this position are already being undertaken, including reducing management costs and other efficiency savings but there is a limit to what can be achieved within the current financial year and/or without further decisions about the future model of service.
- 3.3 There is a separate budget for the externally commissioned service for Bath West (currently provided by First Steps). The projected budget for this service for 2017/18 is £425,000.00. Whilst the Bath West service is delivered within budget, there is potential to make more efficient use of resources by commissioning one rather than two Children's Centre Services. This would create a more sustainable service in the future.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

1. **Children** – Under the Children Act 2004, the Council has to have regard to the need to safeguard and promote the welfare of children in the exercise of any of its functions.
2. **Public Health & inequalities** – the Council has a statutory duty to promote the health & wellbeing of the inhabitants of its area and reduce inequalities amongst its population.
3. **Apprenticeships, Skills, Children and Learning Act 2009** section 198 Arrangements for children's centres are particularly relevant:
 - Section 5A of the Act: The duty to make sufficient provision of Children's Centers to meet local need, so far as is reasonably practicable to ensure all children and families can be reached effectively, especially the most deprived.
 - Section 5D: The duty to consult before establishing, significantly changing or closing a Children's Centre.

4. **Ofsted** – Ofsted inspects Sure Start children’s centres in England under Part 3A of the Childcare Act 2006 (as amended by the Apprenticeship, Skills, Children and Learning Act 2009). (Although we believe this will soon change no announcements have been made to date).

5 THE REPORT

- 5.1 In September 2014, the Council agreed to implement new service models in the Early Years and Children’s Centre Services in order to deliver the £1.535 million cost savings approved in the Medium Term Service and Resource Plan. In terms of Children’s Centres Services, it was agreed to fund only targeted support to children and families; reduce opening times of non –hub centres to match times when the service is running groups and activities, and consolidate back office and management functions by moving from four to two service groupings. The final structure specified that the delivery, including was across Children’s Centre locality areas, through four hub centres: Twerton (Bath), Parkside (Bath), Radstock and Keynsham and beyond especially in the rural areas via outreach support.
- 5.2 This paper does not propose the closure of any children’s centre buildings. However, what is proposed, is a review of the ownership and / or management of the outlying Children’s Centre buildings (at St. Martins Garden, Weston, Paulton, Midsomer Norton, Peasedown St. John, and Chew Valley) is undertaken (i.e.: to alternative organisations (schools/community organisations) via asset transfer. These services could be developed to meet local need by an alternative provider and could be expanded beyond the Children’s centre remit. The services that the Council provide in these buildings could continue to be delivered in the same venue or alternative community venues to meet local need.
- 5.3 Whilst it is acknowledged that they provide an outstanding service (Ofsted Inspection report 2016) - Consider closing two of the nurseries opened as a temporary measure just for 2 year olds (at Midsomer Norton and Keynsham) to help ease the pressure on the sufficiency duty. There is now sufficient alternative provision for 2 year olds in both these areas (the B&NES provision was established when there was a lack of local places). Initial research into local sufficiency shows that both Midsomer Norton and Keynsham have good levels of private nursery places that would be able to accommodate the 24 young children that currently use these nurseries. Within the Midsomer Norton setting: six of the children were naturally leaving the setting in December. The remaining four affected children are being supported to take up places within the immediate locality.
- 5.4 Within Keynsham unit: nine children would be naturally leaving the setting in December. Therefore the remaining affected five children are being supported to access places within other settings.
- 5.5 The closure of these nurseries may require the Council to make some existing staff redundant, although every effort will be undertaken to seek re-deployment of staff affected by these changes.

5.6 Alongside these changes, managers will undertake further business remodelling for the remaining nursery provision catering for 3 and 4 year olds at St Martin's Garden and Radstock so that they are targeted at those most in need and so they become financially viable.

5.7 To cease the non-viable traded nursery provision services, affecting approximately 12 staff (6.81 full time equivalent). When the re-modelling of the Children's Centres was agreed in September 2014, the overall budget of the service was significantly reduced. The service anticipated that the development of "traded services" could generate sufficient financial activity to supplement the reduced budget by developing new income streams. Some elements of traded activity have been popular and covered running costs – for example Baby Massage in Keynsham and Paulton, Childrens' Groups to support the running of adult groups focussed on learning and personal development). However, due to market forces, not all areas have been successful meaning income streams have not been at the level that would be sufficient to address the budget pressures across the whole service. Therefore there is a pressing need for non-viable services to cease to operate. Most staff within the Children's Centres Transacted Team are on fixed term contracts which will end in March 2017. In keeping with HR Policy, staff have already been notified of this.

5.8 To explore options to commission and deliver a B&NES wide Children's Centre service to enable more efficient use of resources and provide a sustainable service. The options which will be considered as part of the commissioning process currently include:

- Maintain current arrangements and mixed economy and proceed with tender for Bath West.
- Explore and strengthen partnership arrangements between Bath West and B&NES delivered Children's Centre services.
- Bring Bath West into the Council to deliver as One Council managed Children's Centre service.
- Tender both the council run and external Children's Centre services to procure one new contract for one Children's Centre service.
- Include the Children's Centre Service within Your Care, Your Way (YCYW).

5.9 This piece of work will be undertaken with the engagement of both providers and will be completed by March 2017. This will inform the future commissioning process.

5.10 These changes would form a complete package of support for families with children under 5 who live in the Bath & North East Somerset area who are most in need and require tailored support.

6 RATIONALE

6.1 This option has been chosen as it can be achieved within the time scale required financial year and has the least impact on families and children as it

maintains early years provision in Radstock and Bath where there are complex needs and insufficient childcare places in the area.

6.2 It has the least impact on staffing and front line services.

6.3 The proposal to transfer the management of some council owned Children Centre buildings is reliant on the outlying Children's Centres being undesignated therefore freeing them from the Ofsted inspection regime. Therefore other organisations will be able make them work more effectively moving forward.

7 OTHER OPTIONS CONSIDERED

7.1 None

8 CONSULTATION

8.1 As this paper is refining the decisions made previously the service has not completed a separate consultation during this phase however individual families affected would be consulted as would all staff especially those affected by those decisions following the council guidelines.

8.2 Options for the future deliveries of the Children Centre Services are being considered with the engagement of all relevant providers including partners and service users

9 RISK MANAGEMENT

9.1 A risk assessment related to the Bath and North Council budget pressures and recommendations to address these has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Paula Bromley 01225 396984</i>
Background papers	<i>None</i>
Please contact the report author if you need to access this report in an alternative format	

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**Bath & North East
Somerset Council**



*Bath and
North East Somerset*

**Children's Service
Complaints and Representations Procedure**

Annual Report 2015 - 2016

1. Summary

draftannualrep15-16childrens02
/sew

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- 1.1 The following report provides Councillors, service users, parents and carers, managers and staff, with information about the handling of complaints and compliments in Bath and North East Somerset Children's Services. The report considers complaints, representations and compliments received between 1st April 2015 and 31st March 2016 and provides an analysis of outcomes, trends and learning from complaints.
- 1.2 Complaints against schools are dealt with by the school under the school's own complaints procedure and are not included in this report.
- 1.3 During the year a total of **109** complaints were received and recorded under the Children's Service statutory complaints procedure or the Council's Corporate Complaints Procedure. The report explains how these were resolved under the procedures. **Two** complaints were referred to the Local Government Ombudsman. **44** compliments or letters of thanks were recorded.

2. The Procedure

- 2.1 This report will consider feedback received about Children's Social Care Services under the statutory procedure which is set out in the Children Act 1989 Representations Procedure (England) Regulations 2006 and accompanying statutory guidance 'Getting the Best from Complaints'. It also considers feedback received about all other services provided directly by Children's Services under the Council's Corporate Complaints Procedure.
- 2.2 A description of the statutory procedure can be found at Appendix 1 and further information about the Corporate Complaints Procedure can be found at www.bathnes.gov.uk
- 2.3 The report considers all feedback which falls under one of the following headings: a complaint, a representation or a compliment:
 - A complaint can be generally defined as an expression of dissatisfaction or disquiet, which requires a response.
 - A representation is feedback which requires a response but it is usually dealt with straight away by the manager of the team and does not require further investigation. It has been found that this is often the way that children and young people want to raise a concern rather than making a formal complaint.

- A compliment is positive feedback about the service or an individual member of staff received from service users or other agencies.

2.4 The key principles of the Complaints Procedure are that:

- People who use services are able to tell the local authority about their good and bad experiences of the service.
- People who complain have their concerns resolved swiftly and, wherever possible, by the people who provide the service locally.
- The procedure is a positive aid to inform and influence service improvements, not a negative process to apportion blame.
- The Service has a 'listening and learning culture' where learning is fed back to people who use services – and fed into internal systems for driving improvement.

2.5 The Children's Service commitment to responding to the concerns of children and young people who are in care is set out in the Care Pledge. The Pledge has been endorsed by the Council's Corporate Parenting Group. It says:

We will work hard to sort out any problems or worries you have.

If we can't do what you ask, we will explain the reasons why.

We will make sure you know how to get an independent advocate - that's someone who will listen to you and work with you to get things changed.

We will make sure you have all the information you need to make a complaint.

We promise to always take your complaints seriously.

3. Complaints and Compliments data

3.1 Representations, complaints and compliments are received by the service team, Chief Executive, Strategic Director or the Complaints and Data Protection Team. Details of the complaint are recorded and monitored by the Complaints and Data Protection Team using the Respond3 database.

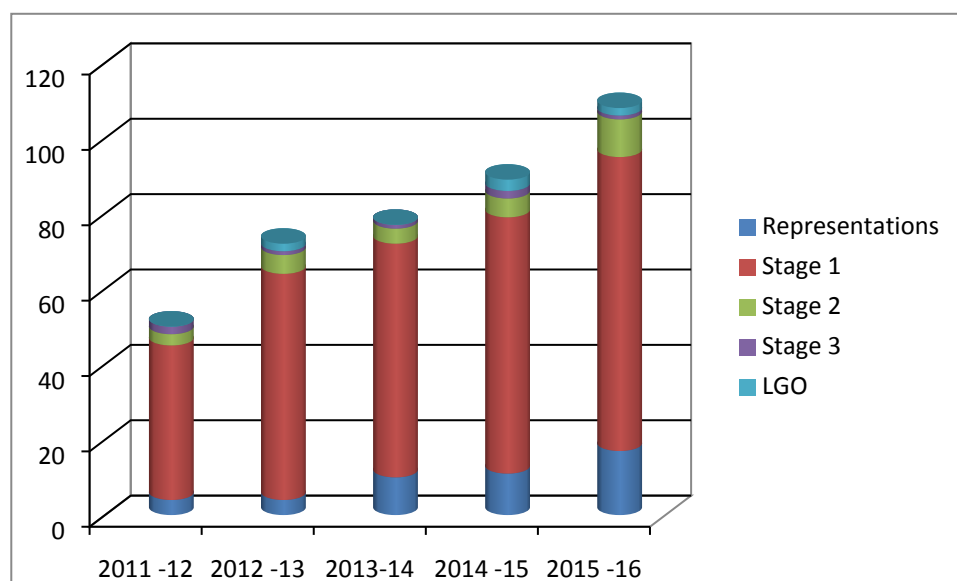
3.2 In the past five years there has been a year-on-year increase in the number of complaints and representations received. During 2015 – 16 the highest number of Stage 1 and requests for Stage 2

investigations were recorded across the service. The table below illustrates how the number of complaints has risen in the past 5 years.

3.3 Table 1: Numbers of complaints received and resolved

	Carried over from 2014 – 15	Received	Resolved
Representation	0	17	17
Stage 1 (Children’s Statutory Procedure)	3	59	56
Stage 1 (Corporate Procedure)	0	18	17
Stage 2 (Children’s Statutory or Corporate Procedure)	1	10	5
Stage 3 (Children’s Statutory Procedure only)	1	0	1
Referral to Ombudsman (regarding outcome of Children’s Statutory or Corporate Procedure)	1	2	3
Outside the scope of the Procedure	0	5	5
Total	5	111	105

3.4 Table 2: Comparison with previous years



3.5 During the year, 5 complaints were registered which were later found to fall outside either the statutory or corporate complaints procedure. This included a complaint which was made outside the statutory time limit, complaints which concerned nursery or school provision and couldn't be dealt with by the local authority. All complainants were advised why their complaint could not be considered by the local authority.

3.6 **Table 3: Complaints by Service Area**

	Rep	Stage 1	Stage 2	Stage 3	LGO
Children & Families Assessment and Intervention - Child in Need	2	3	1		
Children & Families Assessment and Intervention - Court & Child Protection	1	24	3		
Children & Families Assessment and Intervention - Duty	9	20	2		1
Children in Care & Moving on Team	1	9	2	1	1
Children Missing Education	1	2			
Connecting Families Service					
Child Protection Chairs and Safeguarding Administration Team					
Disabled Children's Team		1			
Integrated Working Team (Early Help)		1			
Early Years and Children's Centre Services	2	4			
Educational Psychology					
Family Placement Team		2			
Hospital Education					
Independent Reviewing Service					
Other					1
Principal Children & Families Social Worker					
School Improvement					
Schools Admissions and Transport	1	2	1		
SEN Team		8	1		
Virtual school					
Youth Offending Team		1			
Youth Service					
Service Area Total	17	77	10	1	3

3.7 There are a number of services which received no complaints during the year. The greatest concentration of complaints is in the front line services which is to be expected (Children and Families Assessment and Intervention Teams; Children in Care Moving on Team and the SEN Team).

3.8 **Table 4** (below) illustrates the broader themes drawn from the complaints and gives the number of complaints that were upheld or partially upheld in each category.

Category	Number of complaints	% Stage 1 complaints	Upheld or Partially Upheld	% of complaints upheld/ partially upheld
Attitude or behaviour of staff <i>includes issues with poor communication</i>	40	45%	14	35%
Assessment, Care Management or Review <i>includes delays in completing an assessment and perceived bias in assessments</i>	20	22%	4	20%
Quality of the service <i>Where the service did not meet service user expectations</i>	13	15%	7	53%
Delay in making a decision or providing a service	6	7%	3	50%
Unwelcome or disputed decision	1	1%	1	100%
Appropriateness of Service <i>Includes disagreement with the service being involved or failing to be involved with a family.</i>	9	10%	2	22%

3.9 The area which attracted the most complaints was 'Attitude or behaviour of staff' (45% of complaints). Examples of responses in this category where the complaint was upheld include:

Complaint – ‘I have raised concerns repeatedly, I have tried to get help and support. I even asked for the social worker’s manager to call me if the social worker is not available and yet still I receive no reply all the while my children are being left confused...’

Response – ‘On discussing the complaint and the dates you have presented, it is evident that the social worker has not responded to the phone calls and emails in a timely way which you feel has delayed actions for the children and resulted in you feeling frustrated and let down by Social Care’.

Complaint – ‘Child Protection Social Worker was never around when needed. Found it very difficult to work with her. Made decisions without me knowing. Never making it clear about things’.

Response – In a face to face meeting the manager acknowledged some of the concerns regarding the social worker’s practice and behaviour and confirmed this had been conveyed to the social worker. She also confirmed that she respected the complaints about contact and the Local Authority response to her children’s needs.

3.10 A number of complaints also concerned assessments. Examples of these complaints and the response include:

Complaint - the social worker takes everything that the children say at face value rather than being willing to check what they say with me. She bombards them with questions.

Response – The manager responded ‘The social worker is your children’s social worker and I would therefore expect that she takes anything they say seriously and perceives their interpretation as an accurate. I would expect any other social worker to do the same’. It was agreed however that in the circumstances that it would be best to allocate a new social worker to work with the family.

Complaint - A father complained that the social worker had said the assessment was informal. The social worker ‘did not explain what a formal family assessment was and ... did not ask permission or tell us he was going to do checks on us.

Response - the manager confirmed that she was clear that the social worker gained proper permission for the work he is undertaking. However, she also felt that he may not have explained clearly enough why he needed the information he was gathering and what he was going to do with it.

3.11 Analysis of the complaints which progressed to Stage 2 indicate that complainants consistently give their reasons as not feeling they have been able to get their point across during the Stage 1 process,

feeling they have been overlooked, feeling that the stress placed on the children or family by the situation has not been understood. One young person also said that he felt the letter was written to an adult and not to a child.

4. Learning from complaints

Stage 1 complaints

- 4.1 The complaints procedure, as set out in the statutory guidance, has two primary functions: it enables the service to put things right for the individual complainant when they have gone wrong; and it provides a tool to help improve and develop services and practice.
- 4.2 The examples of complaints above (Sections 3.10 and 3.11) illustrate the type of individual response that is given to complainants. Other responses included:
- Provision of a school place or change or change to allocated school
 - Agreement to record father's comments on his child's record.
 - Retrospective payment of fostering allowance and offer to pay travel expenses.
 - Agreement to undertake delayed parenting assessment within new timescale.
 - Provision of additional support to young person moving to a new flat.
 - Advising the complainant of a new secure online service for obtaining feedback for all young people in care known as MOMO (Mind of My Own). Consideration will be given to providing this service to families living within the foster home to give them the same opportunity to provide feedback or raise issues
- 4.3 As 40% of complaints were partially or fully upheld this also provides a valuable opportunity for learning for the service. Recommended outcomes which have a wider impact on the service included:
- Training for individual staff members and staff groups on issues including: Child Sexual Exploitation and handling challenging and sensitive situations.
 - Review of system for ordering equipment for children and young people through the same system as adult care in Sirona care and health.

- The Young Homelessness Service is considered for review and potential development. This would include ensuring that the young people's views are sought fully and that their childhood and family is considered when appropriate options are being explored. Developing clear information for young people experiencing homelessness about the options that are available, the potential timescales involved, explanation of priorities and where independent advice and support can be sought from.
- Clear guidance to be given to young people in Care moving towards the end of their care episode, planned or unplanned, who may be heading towards independent living and for those presenting as young homeless, about section 20 what this means and what this entitles them to.
- Consideration to be given by the Family Placement Team to capturing the needs of the family members of foster carers and consider whether additional support is required.

Stage 2 complaint investigations

4.4 Between April 2015 and March 2016, 10 requests for Stage 2 complaint investigations were received. One investigation was on – going from the previous year.

Table 5: requests for Stage 2 investigation by service area

Service Area	Action
CFAIT (Duty)	Carried over from 2014-15 Concluded in 2015 -16
Children in Care/ Moving on Team	Issue resolved without completion of investigation
Admissions and Transport	Request rejected Stage 1 response adequate
Children in Need Team	On-going on 31 st March 2016
CFAIT (Child Protect & Court Team)	Issue resolved prior to investigation
CFAIT (Child Protect & Court Team)	On-going on 31 st March 2016
CFAIT (Duty)	On-going on 31 st March 2016
CFAIT (Child Protect & Court Team)	On-going on 31 st March 2016
SEN	Request rejected. Stage 1 response adequate

CFAIT (Duty)	On-going on 31 st March 2016
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- 4.5 The Stage 2 complaint investigation which was concluded during the year led to a number of recommendations being made. These included:
- The policy on recording to be reviewed to include text messaging – staff to be made aware of the new policy.
 - Information is developed for parents on the role and responsibility of Children’s Services in contact and residence matters.
 - Service users attending meetings are advised in advance who else will be attending.
 - Managers are reissued with guidance on responding to Stage 1 complaints.
- 4.6 The implementation of actions of these actions is the responsibility of the managers named on the action plan.
- 4.7 The conclusion of the remainder of the investigations will be reported in the next annual report.

Stage 3 Complaints

- 4.8 One Stage 3 Review Panel was held during the year. Several complaints which were not upheld at Stage 2 were upheld by the Stage 3 Review Panel and recommendations for further work were made. The majority of the recommendations related to the specific circumstances of the complainant, however, 2 procedural issues were raised:
- That the Service reviews joint working with partner agencies (mental health services)
 - That the Service reviews the complaints process where partner agencies are involved (CAMHS)
- 4.9 Both recommendations were implemented following the Panel.

Complaints to the Local Government Ombudsman (LGO)

- 4.10 Three complaints were referred to the Local Government Ombudsman during 2015 -16. The decision of the LGO on each was:

Complaint 1 – the LGO concluded that the Council took appropriate action as a result of the investigation of Mr and Mrs X’s complaint about support and poor practice of social workers when they were foster carers for the

Council. However the investigation of the complaint under the statutory process was delayed and this amounts to fault’.

The Local Authority was required to pay the foster carers £250.

Complaint 2 - The Ombudsman will not investigate Miss A’s complaint about the actions of a social worker who produced a report for the court. The Ombudsman cannot investigate what happened in court and cannot therefore consider the content of the report.

Complaint 3 – The complaint is about the Council’s failure to plan, coordinate and deliver an education suited to a pupil with a long-term medical condition. My decision is that there is evidence of fault by the Council causing injustice.

The Local Authority was required to pay the young person £3,000.

Compliments

4.11 Once again members of staff throughout the service have received compliments from the young people and their families and also from colleagues working in a variety of different agencies. A total of 44 compliments were recorded.

4.12 Compliments reflect good practice and provide valuable information which can be considered alongside complaints to help establish where the strengths and weaknesses of the service are.

4.13 **Table 6** below sets out some of the most notable compliments which shows the range of issues and services covered:

From a young person about a social worker in the Connecting Families Team	M is a kind hearted person and only wants to help children. M can be difficult but she does it in the kindness and lovingness of who she is. M also helps as much as she can and Mostly talks to you as much as she can.
To a social worker in the Children in Care –Moving on Team	S was able to deliver K’s Life Story Book to his adopters when we visited his Nursery yesterday. The Book is really beautiful and was much admired by all. The Nursery staff were really impressed by it and said that had never seen anything like it before.
From a parent to Somer Valley Children’s Centre	I must again express my admiration for H and E who have made the Peasedown Messy Play

	group such a stimulating environment for children
From a parent about a social work in the Duty Team	NP said she wanted to say how brilliant K was. She had previously distrusted social workers and was wary of K initially, thinking she'd not be able to help. However, she said although K was firm and professional, she was absolutely amazing and she can't thank her enough for changing their lives for the better and in future, she would have no qualms about asking for a service. K has changed her view of social workers and she repeated how amazing she is.
From a parent about an Early Years Advisory Teacher	I'd like to highly commend the SEN department in BANES for its work. The ASAT, worked really hard with me to secure an appropriate placement, through somewhat trying circumstances and I really very much appreciated her support and advice.
From an adult previously in care to Bath and North East Somerset to the Data Protection Officer	I just wanted to express my thanks for your hard work in coordinating my file. It has made for interesting reading and I appreciate the time and effort that went into this, particularly given that many of the notes needed to be deciphered and re-typed.
From a Headteacher about a social worker in the Child Protection and Court Team	Throughout the two and a half hour meeting Z stuck to her guns, did not allow herself to be drawn into an argument and was steadfast about her view. I thought she maintained remarkable poise and was very professional. I have no doubt in my mind that Z's tenacity will lead to better outcomes for these children. I have met many social workers in my 30 year career in education and have to say that in my opinion Z compares highly with the best of them.

5. Complaint handling and Monitoring

Response to Stage 1 complaints

- 5.1 Compliance with timescales is monitored very carefully in recognition of the need to deal with complaints as swiftly as possible.
- 5.2 An acknowledgement of a Stage 1 complaint should be sent in 2 working days and a full response within 10 working days (w/days). This can be extended to 20 w/days when an advocate is requested or the complaint is particularly complex. This extension should be in agreement with the complainant.
- 5.3 In 2015/16, 92% of complainants were sent an acknowledgment within 2 working days. Late notification of complaints resulted in failure to meet the target of 95% acknowledgments sent within 2 days.

5.4 **Table 7 – Response to Stage 1 complaints**

	Response in 10 w/days	Response in 20 w/days	Response in excess of 20 w/days
2011 - 2012	35%	17%	48%
2012 - 2013	16%	31%	53%
2013 - 2014	32%	15%	53%
2014 - 2015	30%	16%	54%
2015 - 2016	20%	39%	41%

- 5.5 The number of complaints receiving a response within 10 working days is once again very low (20%), however, there has been a significant improvement in the number of responses which are sent during the 10 – 20 w/day extension period. As a result the number of complainants waiting for more than 20 w/days for a response to their complaint has dropped to 41%.
- 5.6 Closer analysis shows that the response times were particularly poor during the second quarter of the year but this had improved by the fourth quarter. The improvements need to be sustained during the year with particular emphasis on the number of responses taking longer than 20 working days.

Response to Stage 2 complaints

- 5.7 A stage 2 investigation followed by the adjudication should take 25 working days from the date the complaint is agreed with the complainant. This can be extended up to a maximum of 65 working days with the agreement of the complainant if the investigator requires more time.

- 5.8 The timescale of 25 working days is very challenging for the investigating officer and independent person as most investigations require a significant amount of reading and time spent interviewing staff and other agencies.
- 5.9. On complaint was concluded during the year. The time taken to complete this investigation was 155 w/days. There were a number of reasons for the investigation over running to this extent. This is an area needing improvement as a prolonged investigation can be distressing for the complainant and the staff.

Response to Stage 3 complaint

- 5.10 A Stage 3 Review Panel should be held within 30 working days of the request being received. The Stage 3 Review Panel held during 2015 -16 was not held within this time scale but again there were a number of contributory factors including the unavailability of the advocate

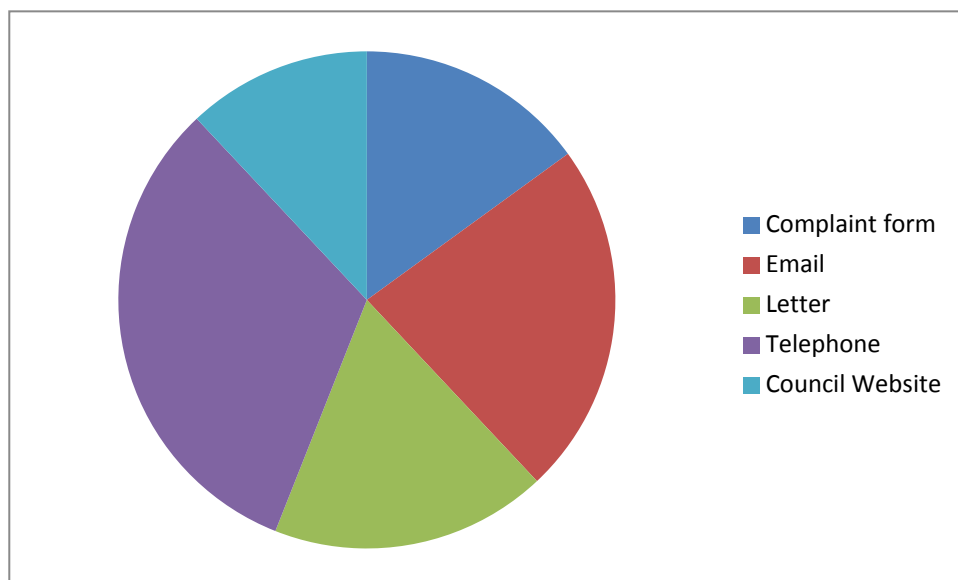
6. Accessing the procedure

6.1 Information for the public

- 6.1.1 Information about the Complaints Procedure should be given to all children and young people, their parents and carers at the initial contact. Workers are encouraged to check that the child/young person is aware of the complaints procedure when a case is transferred to them and throughout their time working with them.
- 6.1.2 The Independent Reviewing Officers will also ensure that all young people are made aware of their right to make a complaint at each review.
- 6.1.3 An information sheet is available on the Local Authority's website. The information can also be provided in large print and Braille and can be translated into other languages.
- 6.1.4 A complaint leaflet has been designed specifically for children and young people and is available on the website. It is also included in the Child in Care Pack which is given to each young person when they become 'looked after'.
- 6.1.5 A complaint can be made in a number of different ways e.g. by telephone, in person or by email as demonstrated in Table 8 below.

6.1.6 In February 2016 a new 'App' was introduced for young people who are In Care called MOMO (Mind of My Own). The App can be used to send a complaint to the Complaints Team. None have been received via the App yet but it is early days and the App is likely to become more widely used over time.

Table 8 – Methods used to make a complaint



6.2 Complaints made by children and young people

6.2.1 The statutory Complaints Procedure was first introduced to give children and young people a way of telling the Local Authority when they are unhappy about something that is affecting their life. It is important that the Service finds every means possible to enable children and young people to tell the Service when they are unhappy.

6.2.2. Of the 77 Stage 1 complaints, five were made by a young person (2 by the same young person). One complaint progressed to Stage 2 but the Investigating Officer and Independent Person were able to propose a way of resolving the complaint without needing to complete the full investigation which the young person was finding distressing. The young person was pleased with this outcome.

6.2.3 The remainder of the complaints were made by adults complaining about their own contact with the service or on behalf of children. The majority of complainants were parents, but nine were grandparents, five were other relatives, one was a special

guardian, four were foster carers and three were staff from other agencies.

6.3 Advocacy

- 6.3.1 Section 26A of the Children Act, 1989 requires the local authority to 'make arrangements for the provision of advocacy services to children or young people making or intending to make complaints under the Act'. The advocacy service commissioned by Bath and North East Somerset is 'Shout Out!' which is part of 'Off the Record'.
- 6.3.2 Information about the advocacy service is available to children and young people through their social worker, Independent Reviewing Officer and is in The Children in Care Pack. Children and Young People who become looked after are automatically referred to Shout Out and an advocate will contact the young person before their review to ask if they want any support. Advocacy support is also offered to children/young people to support them to attend a Child Protection Case Conference. Shout Out! will support any of these young people to make a complaint if they want to.
- 6.3.3 Shout Out has produced a wallet sized card on 'the Pledge' and this includes information about the Complaints Procedure Manager with contact details.
- 6.3.4 Two young people who made a complaint had the support of an advocate. The Complaints Team will always make young people aware of their right to support from an advocate but they sometimes chose someone they are working with such as a Young Homelessness Worker.
- 6.3.5 Parents and carers wanting to make a complaint do not have the same automatic right to an advocate as children and young people but Bath and North East Somerset has commissioned a specialist advocacy service at the Care Forum in Bristol to provide a service to those parents who meet their criteria.
- 6.3.6 Between April 2015 and March 2016 two parents used the advocacy service to support them with a Stage 1 complaint and a Stage 3 complaint.
- 6.3.8 Feedback collected by the advocacy service is always very positive and indicates that parents and carers who use the service feel well

supported with their complaint and achieve a better outcome than they would if they had pursued the complaint on their own.

6.3 Gender, ethnicity and disability

6.3.1 Complainants are invited to provide information about their ethnicity, gender and disability if they make a complaint using the complaint form (on line or paper format). If the complaint is made by any other method the complainant is not currently asked for this information.

6.3.2 This data can be a helpful indicator of the make-up of the population which is accessing the complaints procedure and whether there are complaints made by, or on behalf of, specific service user groups.

Table 9 – Equalities Monitoring

Disability	Disability		Ethnicity	Ethnicity		Gender	Gender	
	% Service User	% Complainant		% Service user	% Complainant		% Service User	% Complainant
Disabled	5	0	White British	21	24	Male	49	28
Not known/ Not declared	95	100	Black/British Caribbean	2	1	Female	33	61
			Black/ British African	1	1	Trans- gender	0	0
			Mixed White/ Black Caribbean	2	0	Male & Female	48	11
			Asian/ British Indian	1	1			
			White Other	1	0			
			Not known / Not declared	72	73			

6.3.3 The figures indicate that there is a significant difference in the number of women and men making a complaint. (61% to 28% respectively). 11% of complaints were made by more than one person and 48% of complaints concerned more than one person (usually siblings).

6.3.4 Improving equalities monitoring is an objective for 2015 – 16. The aim will be to generate more meaningful data that can be used to inform issues such as access to the complaints procedure.

7. An overview of the Complaints Procedure during 2015/16

7.1 The Complaints and Data Protection Team has three members of staff. All are part-time and work in the following roles:

- The Complaints and Data Protection Team Manager manages the complaints service and data protection service for People and Communities.
- The Complaints Officer is the first point of contact for complainants and works with them to ensure their complaint is understood before it is passed to the relevant manager. She also works with managers to assist them to respond to complaints in accordance with the procedures. The Complaints Officer also provides the administrative support for Stage 2 independent investigations and Stage 3 Review Panels.
- The Data Protection Officer deals with Subject Access Requests under the Data Protection Act 1998 and with requests from the Police under the 2013 Protocol for Disclosure of Information and from other Local Authorities (see 7.7 below).

7.2 During the year the Complaints and Data Protection Team has worked hard to ensure they have a comprehensive record of each complaint before it is passed to the manager for a response. They achieve this by talking with the complainant to make sure they have understood the complaint and the outcomes that they are looking for. Spending time at the beginning of the process in this way should improve the quality of responses Stage 1 complaints.

7.3 The Complaints and Data Protection Team Manager continues to provide quarterly monitoring reports on complaints against social care services and corporate complaints. Data is also provided to other services areas on request to help with service monitoring and planning.

7.4 The Complaints and Data Protection Team Manager delivers a session on Complaints and Data Protection in the induction programme for social care. She also attends management meetings throughout People and Communities to discuss the handling of complaints.

7.5 The Complaints and Data Protection Team Manager is currently the Chair of the South West Regional Complaints Managers Group and a member of the National Complaints Managers Group representing

the South West Region at meetings and events. She also links with complaints managers in 7 neighbouring authorities to operate a Register of Independent Investigators and Stage 3 Panel Members.

- 7.6 In addition to the complaints work, the team also deals with Subject Access Requests (SARS) under the Data Protection Act 1998. The numbers of contacts has remained very similar to the previous year with 119 pieces of work completed compared with 113 the previous year.

Table 10 – Requests for information

	Completed		On-going	
	2014 - 15	2015 - 16	2014 - 15	2015 - 16
Subject Access request	44	30	7	1
Advice and signposting	5	37	0	0
Information sharing (requests from police and other agencies)	64	43	0	5
Court Order	5	4	0	0
Response to Internal Review	1	0	0	0

- 7.7 There has been a decrease in the number of Subject Access Requests and the number of Information Sharing requests has also decreased. During the previous year, however, the number of requests was artificially inflated because of one large scale investigation by the Police. The number of requests in 2015 -16 is in line with the predicted figure.

- 7.8 The average time taken to respond to a SAR is 37 (calendar) days. The requirement under the Data Protection Act is that the response is provided within 40 days. Some responses can take longer than 40 days but the person making the request is kept informed of the reason for delay.

8. Areas for development in 2016 - 17

- 8.1 To continue to work with managers with the support of the Divisional Director to improve the response times for complaints at Stage 1.

- 8.2 To continue to support managers with the Complaints Procedure through individual support sessions and meetings and develop a programme to provide bespoke training as required.
- 8.3 To review the internal procedures for managers and staff and develop the internal web page to provide a resource for managers on all aspects of the Complaints Procedure.
- 8.4 To ensure that the outcome of individual complaints is captured and shared with the service in a format that can be incorporated into service planning and delivery.
- 8.5 To review the information on the website to ensure it is accurate and accessible for children, young people and their parents and carers.
- 8.6 To introduce a customer satisfaction survey in line with the survey used for the Corporate Complaints Procedure.
- 8.7 To support the implementation of the Caldicott Function Plan through the Data Protection Service.
- 8.8 To review equalities monitoring to ensure it provides data which informs improvement to the complaints and representations procedures.

Sarah Watts
Complaints Procedure Manager
June 2016

Appendix 1

Summary of the Complaints Procedure

Stage One – Local Resolution

The majority of complaints should be considered and resolved at Stage 1. Staff at the point of service delivery and the complainant should discuss and attempt to resolve the complaint as quickly as possible.

Complaints at Stage 1 should be concluded within 10 working days. This can be extended by a further 10 days where the complaint is complex or the complainant has requested an advocate.

If the complaint is resolved at Stage 1 the manager must write to the complainant confirming what has been agreed. Where the complaint cannot be resolved locally or the complainant is not satisfied with the response, the complainant has 20 working days in which to request a Stage 2 investigation.

There are some complaints that are not appropriate to be considered at Stage 1 and these can progress directly to Stage 2.

Stage Two - Investigation

Once the complainant has decided to progress to a Stage 2, the Complaints Manager arranges for a full investigation of the complaint to take place. The investigation is carried out by someone who is not in direct line management of the service or person about whom the complaint is made.

The complainant should receive a response to their complaint in the form of a report and adjudication letter within 25 days of making the complaint. This can be extended up to a maximum of 65 working days where the complaint is particularly complex or where a key witness is unavailable for part of the time.

The Adjudicating Officer should ensure that any recommendations contained in the response are implemented. This should be monitored by the Complaints Manager.

Stage Three - Review Panel

Where Stage 2 of the procedure has been completed and the complainant remains dissatisfied, he can ask for a Review Panel. The purpose of the Panel is to consider whether the Local Authority adequately dealt with the complaint in the Stage 2 investigation. The Panel will be made up of three people who are independent of the local authority.

The Panel should focus on achieving resolution for the complainant and making recommendations to provide practical remedies and solutions.

The complainant has 20 working days in which to request a Review Panel from receipt of the Stage 2 report and adjudication letter and the Panel must be held within 30 days of receiving the request.

If the complainant remains dissatisfied he can refer his complaint to the Local Government Ombudsman.

Bath & North East Somerset Council	
MEETING/ DECISION MAKER:	Children and Young People Policy Development & Scrutiny Panel
MEETING/ DECISION DATE:	15th November 2016
TITLE:	School Performance in the 2016 External Tests and Teacher Assessments for maintained and academy schools
WARD:	All
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report:</p> <p>Appendix 1: Guide to the new performance measures at KS1, KS2, KS4 and KS5</p> <p>Appendix 2: Ofsted Judgements by school</p> <p>Appendix 3: KS4 Results by school</p>	

1 THE ISSUE

1.0 This report provides an analysis and summary of overall performance of all pupils and key groups in the 2016 external test and teacher assessments across all key stages in Bath and North East Somerset. The performance data outlined in this report is reported against national comparisons, is unvalidated and publicly available. The report outlines where performance is strong and where there is need to improve performance with recommendations.

1.1 This is the first year in which primary age pupils have been assessed without national curriculum levels. The 2016 tests are based on the new more challenging national curriculum against the new primary assessment framework. It is important to note that the interim assessment frameworks were released in September 2016 to guide teacher assessments for the KS1 and KS2 SATS in May. This gave Year 2 and 6 teachers seven months to familiarise themselves with the new assessments, prepare pupils appropriately and apply the new assessment arrangements. In addition there were changes to the Reading, Mathematics and Grammar, Punctuation and Spelling (SPAG) tests.

1.2 Significant concerns have been expressed about the implementation of the new primary assessment resulting in the Commons Select Committee launching an inquiry into 'The implementation of the new assessment system' on 23.09.2016. Ofsted has advised inspectors to use caution when interpreting the KS2 teacher assessment in writing when inspecting schools. The DFE has also issued guidance that no Warning Notices should be issued to schools based on writing assessment alone.

- 1.3** The 2016 national KS2 data shows 53% of primary age pupils reached the new expected standard and 5% the high standard in reading, writing and mathematics. This compares with 80% and 24% respectively in 2015. There are substantial differences in teacher assessment of writing across local authorities and this questions the consistency of moderation and teacher confidence in the new assessment system. There is a weak correlation between reading and writing scores. Education Datalab's analysis found the writing assessments has been too harsh in 13 authorities and too generous in 17. In Bath and North East Somerset overall pupil performance in 2016 is at least in line or above the national averages across the primary phases and strong in secondary.
- 1.4** It is worth noting that the Head of Profession for Statistics at the DfE made the following comment about making comparisons of pupil outcomes for this year with previous years; "Children sitting KS2 tests this year were the first to be taught and assessed under the new national curriculum. The expected standard has been raised and the accountability framework for schools has also changed. These changes mean that the expected standard this year is higher and not comparable with the expected standard used in previous year's statistics. It would therefore be incorrect and misleading to make direct comparisons showing changes over time." A short guide to the new assessment and accountability changes is contained in Appendix 1.

2 RECOMMENDATIONS

- 2.0** To raise the teacher expectation in the Reception classes; validate the on entry data and extend EYFS moderation beyond the DfE statutory requirements (to moderate 25% of Reception classes on a four year cycle) to all schools where the proportion of children achieving a good level of development is below the national average.
- 2.1** To work collaboratively with the Bath and Mendip Partnership Teaching School and Bath Spa University to provide a programme of support for teachers to improve boys writing across the primary phase.
- 2.2** As part of our statutory duty for assessment, work in partnership with surrounding local authorities and headteachers in Bath and North East Somerset to ensure consistency in the interpretation and application of the new assessment system, including any recommendations from the Parliamentary Inquiry into the new primary assessment system.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.0** There are no financial implications arising directly as a result of this report.

4 THE REPORT

- 4.0** The latest national data shows that 95% of pupils attend a Good or Outstanding school in Bath and North East Somerset compared with 88% in the South West and 83% nationally. This is 92% for primary pupils and 98% for secondary pupils. Since March 2016 there have been 6 inspections of primary schools and 1 secondary inspection. Four of the primary schools remained Good, one school moved from Requires Improvement to Good. One

primary academy was judged Inadequate (Special Measures) and one secondary academy was judged Inadequate (Serious Weaknesses). There have been no inspections this term. Appendix 2 contains current Ofsted Judgements by school.

Ofsted Good or Outstanding	Percentage of learners attending			Percentage of schools		
	All	Primary	Secondary	All	Primary	Secondary
B&NES	95	92	98	92	92	92
South West	88	91	86	90	91	83
National	83	86	79	86	87	76

March 2016 Data – Ofsted Dataview

4.1 Performance in the Early Years and Foundation Stage (EYFS)

In 2016 the proportion of children achieving a good level of development (GLD) in the EYFS fell slightly (70% to 69%) and this is in line with the national average of 69%.

- The proportion of boys and girls achieving a good level of development remains the same as 2015 levels. The gender gap has not changed and is in line with national at 14.7%.
- The gap between children in the bottom 20% of scores and the rest increased by 2% from the previous year. However, the overall trend since 2013 has been a narrowing of the gap by 5% to 27%, a good indication that the floor is gradually being lifted. This compares favourably with the national gap of 31%.
- Outcomes in Communication and Language are improving and this remains a key priority for B&NES.

The trend over 4 years for the proportion of children achieving the GLD in the EYFS is improving. However, the percentage of children exceeding the ELGs has fallen, particularly in literacy. The overall impact of this is a lower average point score compared with 2015. Further work with early years practitioners is needed to strengthen communication, language and literacy teaching in the foundation stage.

The EYFS Team continues to use local intelligence to target support, however, not all schools fully engage in external moderation of the on-entry and end of year assessments in reception classes (the statutory requirement is that 25% of schools are moderated on a three year cycle). In addition early years practitioners must raise their expectations of what children can achieve. Strong integrated working with Health Visitors and Children’s Centre Services has been established to support the early identification of children’s additional needs and to develop a holistic approach to supporting families, with an aim to narrow the attainment gap for disadvantaged children.

Three year trend for the percentage of children achieving a good level of development at the end of the Foundation Stage

EYFS	2014	2015	2016
LA (National)	63% (60%)	70% (66%)	69% (69%)
Average points score	34.5 (33.8)	35.0 (34.3)	34.2 (34.5)

National average in brackets

FSM gap in the EYFS

GLD %	2013			2014			2015		
	FSM	Other	Gap	FSM	Other	Gap	FSM	Other	Gap
B&NES	29	54	-25	33	67	-34	54	71	-17
National	36	55	-19	45	64	-19	51	69	-18

NB Data on disadvantaged children in the foundation stage is not available.

4.2 Year 1 Phonics Performance

The proportion of pupils who achieved the national threshold standard in the Y1 phonics test remained at 79% whilst the national average increased by 4%.

- Girls continue to perform better than boys, the gap has increased by 2% to 6% and this is lower than national.
- The gap between disadvantaged pupils and other pupils has fallen from 22% to 16% due to the rise in the proportion of disadvantaged pupils meeting the threshold. Over three years the proportion of disadvantaged pupils meeting the threshold has improved from 56% (2014) to 65% (2016) and this group has made the biggest improvement over this time.
- Pupils with support for special education needs and disability at the SEN Support level perform better than their peers nationally by 6% but those with statements or Education Health Care Plans (EHC) were 4% below national average.
- The proportion of ethnic minority pupils meeting the year 1 threshold for is just below national figures.
- 91% of pupils who did not meet the Phonics threshold in year 1 achieved the threshold in Year 2 and this is in line with the national figure.

Three year trend for the percentage of children achieving the phonics threshold						
Year 1 Phonics	2014		2015		2016	
	LA	National	LA	National	LA	National
All pupils	74	74	79	77	79	81
Boys	70	70	77	73	76	77
Girls	78	78	81	81	82	84
Disadvantaged	56	63	61	66	65	n/a
Other	78	78	83	80	81	n/a

NB National data for disadvantaged children is not yet available.

4.3 Key Stage 1 Performance at the expected standard

Overall attainment at the end of KS1 has fallen to be in line with national having been significantly above in the previous four years. The proportion of pupils achieving the expected standard is almost exactly the same as national.

- The gender gap in the proportion of pupils reaching the expected standard is very similar to national in all three subjects.
- National data for disadvantaged pupils is not yet available and whilst it is not possible to compare the proportions achieving at a particular level with last year, the disadvantaged pupil gap is much higher than last year in reading, writing and mathematics.
- The proportions of pupils from ethnic minority backgrounds reaching the expected standard are also just below national figures.

- Pupils with support for special education needs at the SEN Support level perform better than their peers nationally by 5% but those with statements or Education Health Care Plans (EHC) were 2% below national average.

KS1 Proportion reaching the expected standard	Reading		Writing		Mathematics	
	LA	Nat	LA	Nat	LA	Nat
2016 (2015) %						
All Pupils	74 (87)	74 (82)	64 (76)	65 (72)	73 (86)	73 (82)
Boys	70 (83)	70 (78)	58 (69)	59 (65)	73 (86)	72 (80)
Girls	78 (90)	78 (86)	71 (84)	73 (80)	73 (87)	74 (83)
Gender gap	-8 (-7)	-8 (-8)	-13 (-15)	-14 (-15)	- (-1)	-2 (-3)
Disadv	48 (71)	n/a (72)	39 (55)	n/a (59)	49 (68)	n/a (71)
Non Disadv	79 (90)	n/a (86)	69 (81)	n/a (77)	78 (90)	n/a (85)
Disadv gap	-31 (-19)	n/a (-14)	-30 (-26)	n/a (-18)	-29 (-22)	n/a (-14)

2015 data (in brackets) shows the proportion gaining 2B+.

4.4 KS1 Performance at the higher standard

The proportion of pupils working at greater depth (Higher standard) is now below the national average having been significantly above in previous years.

- Gender gaps are similar to national in reading, but above national in both writing and mathematics.
- National data for disadvantaged pupils is not yet available and it is therefore not possible to compare the proportions achieving at a particular level with last year. The disadvantaged pupil gap is much lower than last year in reading, writing and mathematics. Together with the previous expected standard data this would suggest that schools have been more effective at targeting the more able disadvantaged pupils.
- Data for BME groups working at greater depth is not yet available nor is national data for SEND pupils.

KS1 Proportion working at greater depth	Reading		Writing		Mathematics	
	LA	Nat	LA	Nat	LA	Nat
2016 (2015) %						
All Pupils	21 (39)	24 (32)	9 (21)	13 (18)	15 (29)	18 (26)
Boys	18 (33)	20 (27)	5 (15)	10 (13)	17 (32)	19 (28)
Girls	25 (45)	27 (37)	14 (26)	17 (23)	12 (26)	16 (24)
Gender gap	-7 (-12)	-7 (-10)	-9 (-11)	-7 (-10)	-5 (-6)	-3 (-4)
Disadvantaged	7 (15)	n/a (19)	3 (6)	n/a (9)	5 (13)	n/a (15)
Non Disadv	24 (44)	n/a (37)	11 (24)	n/a (21)	17 (33)	n/a (30)
Disadv gap	-17 (-29)	n/a (-18)	-8 (-18)	n/a (-12)	-12 (-20)	n/a (-15)

2015 data (in brackets) shows the proportion achieving level 3+

4.5 Key Stage 2 Performance

Nationally the proportion of pupils reaching the expected and the higher standards has fallen substantially reflecting the more challenging national curriculum and tests. The proportion of pupils in Bath and North East Somerset who achieved the expected standard in reading, writing and mathematics is above the national average. The proportion of children who

achieved the higher standard is the same as national. The gender gap has increased slightly and the disadvantaged gap has also increased at the expected standard when compared to last year. However the gap at the higher standard has fallen for both groups.

Reading, Writing and Mathematics	Expected Standard (Level 4+ 2015)		Higher Standard (Level 5+ 2015)	
	LA	Nat	LA	Nat
2016 (2015) %				
All	54 (82)	53 (80)	5 (25)	5 (24)
Boys	50 (80)	49 (77)	4 (24)	5 (22)
Girls	58 (85)	56 (83)	6 (27)	6 (26)
Gap	8 (5)	7 (6)	2 (3)	1 (4)
Disadv	30 (67)	n/a (70)	2 (10)	n/a (13)
Non Disadv	60 (86)	n/a (85)	6 (29)	n/a (29)
Disadv gap	-30 (-19)	n/a (-15)	-4 (-19)	n/a (-16)

2015 data (in brackets) shows the proportion gaining level 4/5+.

4.6 KS2 performance at the expected standard

The proportion of all pupils attaining the expected standard is the same as national for Grammar, Punctuation and Spelling, slightly below for writing and mathematics, and well above for reading.

- Girls outperformed boys in all core subjects at the expected standard and the gaps between the attainment of girls and boys are all above the national average.
- The gap in the proportion of disadvantaged pupils' achieving the expected standard is higher than national for all subjects.
- National data is not yet available for BME and SEND pupils.

Expected Standard %	Reading		Writing TA		Mathematics		Grammar, Punctuation and Spelling	
	LA	Nat	LA	Nat	LA	Nat	LA	Nat
All	70 (92)	66 (89)	70 (89)	73 (87)	68 (88)	70 (87)	72 (82)	72 (80)
Boys	67 (91)	62 (87)	62 (90)	67 (87)	67 (84)	70 (83)	67 (80)	67 (76)
Girls	75 (93)	69 (91)	78 (88)	79 (87)	68 (92)	70 (91)	78 (85)	77 (84)
Gap	8 (2)	7 (4)	16 (-2)	12 (-)	1 (8)	0 - (8)	11 (5)	10 (6)
Disadv	50 (83)	n/a (83)	47 (76)	n/a (79)	46 (77)	n/a (80)	53 (66)	n/a (71)
Non Disadv	76 (94)	n/a (92)	76 (91)	n/a (90)	73 (92)	n/a (90)	77 (80)	n/a (84)
Disadv gap	-26 (-11)	n/a (-9)	-29 (-15)	n/a (-11)	-27 (-15)	n/a (-10)	-24 (-14)	n/a (-13)

2015 data (in brackets) shows the proportion achieving level 4+

4.7 KS2 performance at the higher standard

The proportion of pupils attaining the higher standard is the above national for Grammar, Punctuation and Spelling, slightly below for writing and mathematics, and well above for reading.

- The gap between boys and girls performance has narrowed for all subjects but is above national for all subjects except Grammar, Punctuation and Spelling.
- The attainment gap for disadvantaged pupils has fallen compared with last year.

Higher Standard %	Reading		Writing		Mathematics		Grammar, Punctuation and Spelling	
	LA	Nat	LA	Nat	LA	Nat	LA	Nat
All	27 (56)	19 (48)	12 (37)	14 (36)	16 (43)	17 (41)	24 (59)	22 (55)
Boys	22 (51)	16 (44)	7 (29)	11 (28)	20 (51)	18 (45)	20 (54)	18 (50)
Girls	31 (61)	22 (53)	18 (44)	19 (44)	13 (35)	15 (37)	29 (65)	27 (61)
Gap	9 (10)	6 (9)	11 (15)	8 (16)	-7 (-16)	-3 (-8)	9 (9)	9 (11)
Disadv	11 (34)	n/a (34)	6 (17)	n/a (22)	5 (27)	n/a (28)	12 (42)	n/a (43)
Non Disadv	31 (61)	n/a (55)	14 (41)	n/a (42)	19 (47)	n/a (48)	28 (63)	n/a (61)
Gap	-20 (-27)	n/a (-21)	-8 (-24)	n/a (-20)	-12 (-20)	n/a (-20)	-16 (-21)	n/a (-18)

2015 data (in brackets) shows the proportion achieving level 5+

4.8 Progress from Key Stage 1 to Key Stage 2

Expected progress is no longer reported and value added scores are now used to show progress in each core subject separately. A score of 0 means that pupils have made the progress that they should from their starting points; a positive score means that on average pupils have made more progress than similar pupils nationally; whilst a negative score means that pupils have made less progress than similar pupils nationally. National and local authority data for groups will be published in December but local analysis is shown in the table below.

- Overall progress is below national for writing and mathematics.
- There is low progress for boys' writing and girls' mathematics.
- FSM pupils have made lower progress than other pupils.
- Progress of SEND pupils continues to be low.
- There is a correlation between prior ability and progress, with lower prior ability pupils making less progress.

Key Stage 1 to Key Stage 2 Value Added (Progress)			
	Reading progress	Writing progress	Maths progress
All pupils	0.1	-2.1	-1.4
Boys	-0.5	-3.3	-0.8
Girls	0.7	-0.9	-2.0
Gender gap	1.2	2.4	-1.3
FSM6	-2.4	-4.5	-3.4
Not FSM6	0.8	-1.5	-0.9
All pupils	-3.2	-3.0	-2.5
EHC Plan	-4.6	-7.8	-6.9
SEN Support	-2.1	-5.2	-3.1
Not SEN	0.8	-1.2	-0.8
Low prior attainment	-1.6	-4.5	-3.1
Middle prior attainment	0.1	-2.2	-1.4
High prior attainment	0.6	-1.4	-1.0

P4.9 Primary schools that are below the floor or coasting

There are 3 maintained primary schools and 4 primary academies that are below the floor standard in 2016. There are 3 maintained primary schools and 1 primary academy that meet the new coasting definition.

4.10 KS2 summary

Overall attainment at the end of KS2 remains above the national average but progress across KS2 in mathematics and writing is low, especially for girls in mathematics and boys in writing. There is low progress for disadvantaged pupils, lower ability pupils and those with SEND.

4.11 Moderation

Headteachers have questioned the impact of local authority moderation of writing. As a result officers have carried out a full investigation of the moderation of writing teacher assessments to identify if there was any discrepancy between the results of moderated and non-moderated schools. This analysis found no effect on the results of moderated schools and this was shared with all primary headteachers. We will work with headteachers to ensure that updated guidance is carefully disseminated.

4.12 Mathematics

Low progress across KS2 and more able girls' attainment in mathematics was identified as a key area for improvement in 2015. The Better Maths Project was launched in September with 23 schools participating. The project has been commissioned from the Bath and Mendip Partnership Teaching School with a clear focus on effective strategies to build teachers' confidence and help pupils achieve the higher standard. Officers have also organised a one day mathematics conference for primary and secondary school teachers; 'Deepening Mathematical Understanding', on the 9th December. This conference seeks to strengthen teachers' subject knowledge and skills in delivering the new, more challenging, mathematics curriculum in schools. Senior School Improvement Advisers visits will focus on challenging those schools with low progress in mathematics.

4.13 Boy's writing

Boy's attainment and progress in writing is below national particularly at the higher standard. Officers have identified those schools with the biggest gap to participate in a writing project jointly with the Bath and Mendip partnership Teaching school and Bath Spa University to develop strategies to support teachers to improve outcomes for boys.

4.14 Performance of vulnerable groups

Attainment and progress for disadvantaged pupils, those with SEND and lower ability pupils continue to be low and a challenge for the local authority. The Achievement for All project will provide an interim report on the impact of its work on narrowing the gap for disadvantaged pupils once data becomes available. The school improvement team are working more

closely with the Education Inclusion service to improve outcomes for pupils with SEND.

4.15 KS4 (GCSE) Performance

Pupil attainment at KS4 as shown by the Attainment 8 measure remains well above the national average at 51.9 compared to 49.8. The average grade point score is 5.2 which is just above a grade C at GCSE. On average pupils achieved a fifth of a GCSE grade above the national figure in all of their subjects. The proportion of pupils achieving 'The Basics', (at least a C grade in both English and mathematics) has risen for the past 3 years and now stands at nearly 70%. This is a substantial increase over the past three years. Information for groups of pupils has not yet been published. The table in Appendix 3 shows the school by school results for these attainment indicators and for Progress 8.

Attainment 8	2014	2015	2016
Bath & North East Somerset	NA	50.4	51.9
Average Grade Points	NA	5.4	5.2
National	NA	48.6	49.9
National average grade points	NA	4.9	5.0
A*- C in English and Maths (The Basics) %	2014	2015	2016
Bath & North East Somerset	63.6%	65.6%	69.5%
National	58.9%	59.5%	62.8%

NB Attainment 8 is equivalent to 10 GCSEs using a point score where 5 = C, 6 = B etc

4.16 English Baccalaureate

This measure of performance identifies success at A*-C level in all of English, mathematics, science, a modern or classical language, and either history or geography as qualifying subjects. Pupils' in the local authority outperform the South West, statistical neighbours and national for the proportion of pupils who achieve the English Baccalaureate (EBacc). There has been a slight fall in the proportion of pupils entered for the EBacc in contrast to the national picture where the proportion of pupils being entered has risen. This national change is due to schools adjusting their curricula to match the headline measures and has resulted in a particular increase in lower ability pupils being entered for the EBacc. However, these pupils have lower performance in the EBacc this year compared to last year.

	England	South West	Statistical Neighbours	B&NES
2014	24.3	23.7	25.3	30.7
2015	24.4	23.5	25.3	33.3
2016	24.6	22.4	24.1	33.3

Proportion achieving the EBacc

	England	South West	Statistical Neighbours	B&NES
2014	38.8	38	39	47.7
2015	38.8	38.1	39.5	53.9
2016	39.7	37.6	39.5	52.3

Proportion entered for the EBacc

4.17 Progress 8

Progress 8 aims to capture the progress a pupil makes from the end of key stage 2 to the end of key stage 4. There has been a steady rise in the

progress achieved in the secondary phase so that it is now in line with national. Two years ago pupils in this area on average achieved a seventh of a GCSE grade below what they should have, given their prior attainment in all their subjects. They now achieve the grade they should achieve given their prior attainment.

Progress 8 (Best 8 VA 14, 15)	2014	2015	2016
Bath and North East Somerset	-0.14	-0.07	-0.02
National (state funded schools)	0	0	-0.03

NB For 2014 and 2015 the Best 8 VA scores have been rescaled to match the Progress 8 definition.

4.18 Secondary schools below the floor or coasting

There are two secondary academies that are below the floor. There is one secondary academy and one maintained school that are below the coasting standard over three years.

4.19 Secondary summary

Overall pupils' performance at KS4 is very strong and this has been maintained over a sustained period of time. Figures for groups of pupils, including disadvantaged and SEND are not available at this time and will be reported in the updated report in the Spring.

4.20 Post 16 (A level) performance

The point score data shown in the table below uses the new point scores where 30 points is a grade C and 40 points a grade B (See Appendix 1). Due to changes in point scores and other technical changes it is not possible to directly compare 2016 data with previous years. However, the overall data for this year shows that performance of students in this area is broadly the same as national. The proportion achieving the highest grades (3 A* - A grades) is now very close to the national figure whilst in 2015 it was well below. This data does not include the college results and information about progress and destinations is not available at this time. This information will be provided for the report using validated data in the Spring.

	Level 3		A level students				
	Number of students	APS per entry	Number of students	APS per entry	APS per entry as a grade	Percentage of students achieving 3 A* - A grades or better at A level	Percentage of students achieving grades AAB or better at A level
State-funded schools	226,048	31.9	206,076	30.7	C	11.3	19.5
South West	22,568	31.9	21,075	31.0	C	11.6	19.7
Bath & North East Somerset	1,124	31.7	1,062	30.7	C	11.2	19.5

5 RISK MANAGEMENT

A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Margaret Simmons-Bird, Head of Education Improvement Tom Morrison, Senior School Improvement Advisor</i>
Background papers	<i>All appendices are included in the report.</i>
Please contact the report author if you need to access this report in an alternative format	

Appendix 1 Guide to the new performance measures including revised floor and coasting standards.

Key Stage 1

Teachers are required to make a teacher assessment at key stage 1 for all eligible pupils for reading, writing mathematics and science. Schools are required to use the key stage 1 tests for reading and mathematics to inform their judgement. For this year only schools were not required to use the Spelling, Punctuation and Grammar test. Possible teacher assessment judgements are shown in the table below.

	Writing	Reading	Maths	Science
Lower Attaining	BLW (Below, including P Scales)			HNM (Has not met)
	PKF (pre-key stage foundation)			
	WTS (Working towards the standard)			
Expected	EXS (Expected Standard)			
Higher Attaining	GD (greater depth)			

Table 1: Teacher Assessments at KS1

Key Stage 2

At key stage 2 there are tests for reading, mathematics and for grammar, punctuation and spelling. Scaled scores are reported for each of these subjects (see Table 2). A scaled score of 100 is needed to reach the expected standard, whilst a score of 110 (for this year) is needed to reach the high standard. Teachers will also make teacher assessments for reading, writing, mathematics and science (Table 3).

The headline accountability measures that are published are:

- Percentage achieving the expected standard in reading, writing and mathematics
- Percentage achieving the high standard in reading, writing and mathematics
- Progress score in each of reading, writing and mathematics
- Average scaled score in each of reading and mathematics (for those with scaled scores)

Subject	High score	% of pupils achieving		Average scaled score
		expected standard	high standard	
reading	110	66%	19%	103
writing	n/a	74%	15%	n/a
mathematics	110	70%	17%	103
reading, writing and mathematics	n/a	53%	5%	n/a
grammar, punctuation and spelling	110	72%	23%	104

Table 2: 2016 KS2 national proportions achieving the expected standard (Scaled Score of 100) and the high standard (Scaled score of 110, or greater depth in the writing teacher assessment)

Floor standard – Primary Schools

A school will be **above** the floor standard if:

- 65% of pupils meet the expected standard in reading, writing and mathematics (i.e. achieve the expected standard in all three subjects) or
- the school achieves sufficient progress scores in **all three** subjects: at least -5 in reading, -7 in writing and -5 in mathematics. (If the school has one progress score that is less than sufficient in one subject, the school will only be below the floor if the progress score for that subject is significantly below average – the upper band of its confidence interval is below zero.)

A school with fewer than 65% of pupils that meet the attainment element can be above the floor standard if its progress score is sufficient in each subject. On 19 October 2016, the Secretary of State reaffirmed the commitment that no more than 6% of schools would be below the floor standard.

Floor standards do **not** apply to infant schools, special schools, independent schools, pupil referral units, alternative provision or hospital schools.

Schools are excluded from the floor standard where:

- there are fewer than 11 eligible pupils in their Year 6 cohort or
- fewer than 50% of pupils have key stage 1 assessments that can be used to establish which prior attainment grouping the pupil should be allocated to or
- there is not sufficient key stage 2 attainment information to produce progress scores because there are fewer than 6 pupils with key stage 2 results for a particular subject or
- a figure is not published for any of the floor standard measures due to small numbers or other reasons (including malpractice)
- they have been open for less than one full academic year.

Coasting schools definition – Primary Schools

The definition applies to schools that meet the following in **all** three years.

In 2014 and 2015:

- fewer than 85% of pupils achieved level 4 in reading, writing and mathematics; and
- below the median percentage of pupils made expected progress in all of reading, writing and mathematics

In 2016:

- fewer than 85% of pupils meet the expected standard in reading, writing and mathematics (in all three subjects); and
- average progress is below -2.5 in reading or -3.5 in writing or -2.5 in mathematics. (If the school has one progress score that is below the coasting threshold in one subject, the school will only be below the threshold if the progress score for that subject is significantly below average – the upper band of its confidence interval is below zero.)

Schools will be excluded from the coasting measure if:

- they have fewer than 11 pupils at the end of key stage 2; or
- less than 50% of pupils have key stage 1 assessments that can be used to establish prior attainment; or
- the school closes within the academic year (except if they reopen as a converter academy).

Any school that is excluded from the coasting measure in a particular year, for one of the reasons above, cannot be defined as coasting until it has three consecutive years of data that meets the coasting definition.

Schools that have become a sponsored academy during any point within the three year coasting period will not be subject to the coasting standard until the school has three years of consecutive data as a sponsored academy.

The coasting standard will not apply to PRUs, special schools and academies, alternative provision academies or maintained nursery schools.

The coasting definition for 2016 was announced on 19 October 2016. Subject to Parliament agreeing to the Regulations, the coasting definition will apply to all mainstream maintained schools and academies with the relevant key stage 2 data.

	Writing	Reading	Maths	Science
Lower Attaining	BLW (Below, including P Scales)			HNM (Has not met)
	PKF (pre-key stage foundation)			
	PKE (pre-key stage early development)			
	PKG (pre-key stage growing)			
	WTS	HNM		
Expected	EXS (Expected Standard)			
Higher Attaining	GD (greater depth)			

Table 2: Teacher Assessments at KS2

Key Stage 4 (GCSE) Accountability

There are now five key performance indicators at KS4:

- Progress 8 (progress in 8 qualifications)

- Attainment 8 (attainment in 8 qualifications)
- Percentage achieving A*-C in English and mathematics
- Percentage achieving the EBacc (A*-C in English, mathematics, two sciences, a modern or ancient language, and history or geography) and the percentage entering the EBacc
- Destinations (percentage staying in education or employment after KS4)

Progress 8 and Attainment 8 are based on eight qualifications in four elements:

- English (double weighted)
- mathematics (double weighted)
- three EBacc slots for other EBacc subjects
- three open slots for further EBacc subjects or other approved high-value arts, academic, or vocational qualifications.

Progress 8 aims to capture the progress a pupil makes from the end of key stage 2 to the end of key stage 4. It compares pupils' achievement – their Attainment 8 score – with the average Attainment 8 score of all pupils nationally who had a similar starting point (or 'prior attainment'), calculated using assessment results from the end of primary school. Progress 8 is a relative measure, therefore the national average Progress 8 score for mainstream schools is zero.

GCSEs have been reformed so that there are higher standards, and new grades and point scores. Whilst the new GCSEs will not be reflected in results until next year, the effect of previous changes to early entry and approved qualifications, mean that there will be variability in the data at KS4. This will affect comparability with previous years.

GCSE (BTEC) grade	2016 points	2017 points
A*(Distinction*)	8	8.5
A (Distinction)	7	7
B (Merit)	6	5.5
C (Pass)	5	4
D	4	3
E	3	2
(BTEC L1 Pass)	2.5	1.75
F	2	1.5
G	1	1

Table 3 – GCSE and BTEC point Scores for 2016 and 2017

Floor standard – Secondary Schools

In 2016 a school will be below the floor standard if its Progress 8 score is below -0.5, and the upper band of the 95% confidence interval is below zero.

Floor standards do not apply to special schools, independent schools, pupil referral units, alternative provision or hospital schools. Schools will be excluded from a Progress 8 floor standard in a particular year where they have fewer than 6 pupils at the end of key stage 4, or where less than 50% of pupils have key stage 2 assessments that can be used as prior attainment in the calculations of Progress 8.

Coasting schools definition – Secondary Schools

In 2016, a secondary school will be coasting if:

- In 2014 fewer than 60% of pupils achieved 5 A*-C at GCSE (including English and maths) and less than the national median achieved expected progress in English **and** in maths **and**;
- In 2015, fewer than 60% of pupils achieved 5 A*-C at GCSE (including English and maths) and less than the national median achieved expected progress in English **and** in maths; **and**
- In 2016, the school's Progress 8 score is below -0.25

A school will have to be below the coasting definition in three consecutive years to be defined as coasting.

Schools will be excluded from the coasting measure in 2016 if:

- they have fewer than 6 pupils at the end of key stage 4; or
- less than 50% of pupils have key stage 2 assessments that can be used as prior attainment in the calculations of Progress 8; or
- the school closes within the academic year (except if they reopen as a converter academy).

Schools will be excluded from the coasting measure in 2014 and 2015 if:

- they have fewer than 11 pupils at the end of key stage 4; or
- less than 50% of pupils have key stage 2 assessments that can be used as prior attainment in the calculations of expected progress; or
- the school closes within the academic year (except if they reopen as a converter academy).

KS5 (A Level) Accountability

There are five accountability measures at KS5.

- **Progress** - a value added progress measure to show how well students have progressed when compared with students with the same prior attainment for students taking Level 3 academic and Applied General qualifications. A completion and attainment measure which compares the attainment of students with the national average attainment for each qualification and treats non-completion as a fail for students taking Tech Levels (and Technical Certificates from 2017);
- **Attainment** – continuing the average point score per entry measure and removing the average point score per student measure;
- **Retention** - a measure showing the proportion of students being retained in their core aim and aligned as far as possible with the retention element of the funding formula;
- **English and maths** – an average change in grade measure for students who did not get a good pass (currently a grade C) in these subjects at GCSE;
- **Destinations** –the measure shows the percentage of students going to or remaining in a sustained education or employment destination in the academic year after taking A levels or other Level 3 qualifications.

This year the progress and attainment measures are calculated using a new set of point scores, examples of these are shown in tables 4 and 5 below.

A level and applied A level; AS level, applied AS level and core maths:

Grade	AS level or core maths Size: 0.5		A level Size: 1	
	Current points	New points	Current points	New points
A*			300	60
A	135	25	270	50
B	120	20	240	40
C	105	15	210	30
D	90	10	180	20
E	75	5	150	10
Fail	0	0	0	0

Table 4 – Point scores for A level and AS level qualifications

Applied A level Double Award, AS level Double Award and combined A and AS level:

Grade	Double AS level Size: 1		Combined A and AS level Size: 1.5		Double A level Size: 2	
	Current points	New points	Current points	New points	Current points	New points
A*A*					600	120
A*A			435	85	570	110
AA	270	50	405	75	540	100
AB	255	45	382.5	67.5	510	90
BB	240	40	360	60	480	80
BC	225	35	337.5	52.5	450	70
CC	210	30	315	45	420	60
CD	195	25	292.5	37.5	390	50
DD	180	20	270	30	360	40
DE	165	15	247.5	22.5	330	30
EE	150	10	225	15	300	20
Fail	0	0	0	0	0	0

Table 5 – Point scores for double award A level and AS level qualifications

Appendix 2: School Ofsted grades

NB If schools convert to become an academy then they are a new legal entity and will be inspected as a new school even if they were previously outstanding.

PRIMARY

Date Inspected	Name of School	Ofsted Category
09/01/2007	Widcombe Infant	Outstanding
28/01/2009	Bathwick St Mary C of E Primary	Outstanding
08/02/2010	Bathampton Primary	Outstanding
09/06/2010	Weston All Saints C of E Primary	Outstanding
17/05/2012	St Julian's C of E Primary	Outstanding
04/07/2012	Bishop Sutton Primary	Outstanding

04/07/2012	Stanton Drew Primary	Outstanding
13/12/2012	Marksbury C of E Primary	Outstanding
16/01/2013	Farnborough C of E Primary	Outstanding
30/04/2013	St John's C of E Primary Keynsham	Outstanding
23/01/2014	High Littleton C of E Primary	Outstanding
21/10/2014	Widcombe C of E Junior	Outstanding
29/01/2015	Paulton Junior	Outstanding
06/05/2015	Bathford C of E Primary	Outstanding

12/10/2010	St John's C of E Primary MSN	Good
08/02/2011	Paulton Infant	Good
25/05/2011		
03/10/2012	Oldfield Park Junior	Good
17/10/2012	Chandag Junior	Good
28/11/2012	St Saviours Infant	Good
05/12/2012	Peasedown St John	Good
07/02/2013	Midsomer Norton Primary	Good
07/03/2013	St Saviours C of E Junior	Good
30/04/2013	East Harptree C of E Primary	Good
14/05/2013	Saltford C of E Primary	Good
12/06/2012	Ubley C of E Primary	Good
09/07/2013	Camerton Church School	Good
18/09/2013	Batheaston C of E Primary	Good
19/09/2013	Combe Down C of E Primary	Good
26/09/2013	Chew Magna Primary	Good
22/01/2014	Clutton Primary	Good
04/02/2014	St Andrew's C of E Primary	Good
05/02/2014	St John's Catholic Primary	Good
11/02/2014	St Mary's C of E Primary Radstock	Good
21/05/2014	Cameley C of E Primary	Good
21/05/2014	Shoscombe C of E Primary	Good
22/07/2014	Freshford C of E Primary	Good
14/10/2014	Moorlands Infant	Good
09/10/2014	Chandag Infant	Good
16/10/2014	Chew Stoke C of E Primary	Good
25/11/2014	Newbridge Primary	Good
08/01/2015	St Michael's C of E Junior	Good
03/02/2015	St Mary's Catholic Primary Bath	Good
05/03/2015	Moorlands Junior	Good
11/03/2015	St Stephen's C of E Primary	Good
22/04/2015	Westfield Primary	Good
29/04/2015	Twerton Infant	Good
24/06/2015	St Nicholas' C of E Primary	Good
08/07/2015	Oldfield Park Infant	Good
22/10/2015	Longvernal Primary	Good
06/10/2015	Welton Primary	Good
23/02/2016	Swainswick C of E Primary	Good
01/03/2016	St Philip's C of E Primary	Good
15/03/2016	St Keyna	Good
11/05/2016	Farrington Gurney C of E Primary	Good

13/06/2013	Pensford Primary	Requires Improvement
26/02/2014	St Martins Garden Primary	Requires Improvement
08/01/2015	Whitchurch Primary	Requires Improvement
10/06/2015	Castle Primary	Requires Improvement
29/09/2015	St Mary's C of E Primary Timsbury	Requires Improvement

17/04/2013	Southdown Junior now Roundhill	Requires Improvement
30/06/2009	Southdown Infant now Roundhill	Outstanding
	Roundhill	Uninspected

NB Roundhill had an unannounced section 8 safeguarding inspection which concluded that safeguarding is effective.

25/04/2016	Academy of Trinity C of E Primary	Inadequate
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SECONDARY

Date Inspected	Name of School	Ofsted Category
16/07/2013	St Gregory's Catholic School	Outstanding
19/03/2014	Beechen Cliff	Outstanding
12/09/2012	Oldfield School	Outstanding

28/02/2007	Writhlington School	Good
22/06/2011	Ralph Allen School	Good
17/01/2013	Norton Hill School	Good
17/01/2013	Somervale	Good
11/04/2013	Hayesfield	Good
12/02/2014	Wellsway School	Good
07/05/2015	Chew Valley School	Good
13/05/2015	St Mark's C of E School	Good
19/01/2016	Broadlands School	Good

08/10/2014	Bath Community Academy	Inadequate
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	The Bath Studio School	Uninspected
	The IKB Studio School	Uninspected
	The Mendip Studio School	Uninspected

SPECIAL

08/07/2014	Fosse Way	Outstanding
11/06/2015	Three Ways	Outstanding
	Aspire Academy (The Link)	Uninspected

Appendix 3: KS4 Provisional Results by school

Name	No. of pupils	Attainment 8	Progress 8	P8 Lower confidence interval	P8 Upper confidence interval	EBacc %	EBacc entry %	The Basics	5+ A*-C inc En & Ma
Bath Community	34	41	-0.72	-1.08	-0.35	9%	9%	59%	50%
Bath Studio School	21	40	-0.44	-0.91	0.03	10%	5%	29%	14%
Beechen Cliff	177	56	0.2	0.04	0.36	64%	51%	80%	66%
Broadlands	91	46.6	-0.43	-0.65	-0.21	29%	10%	58%	53%
Chew Valley	198	51.5	-0.25	-0.4	-0.1	65%	38%	74%	66%
Hayesfield	170	56.1	0.21	0.05	0.38	54%	39%	78%	74%
Norton Hill	247	57.3	0.56	0.43	0.7	71%	36%	76%	75%
Oldfield	118	53	0.03	-0.16	0.23	24%	18%	64%	60%
Ralph Allen	172	55.1	0.03	-0.13	0.19	52%	33%	71%	70%
St Gregory's	157	53.5	0.02	-0.16	0.2	73%	46%	68%	60%
St Mark's	44	46.1	-0.43	-0.76	-0.09	7%	0%	61%	50%
Somervale	96	52.5	0.41	0.19	0.62	51%	32%	66%	60%
Wellsway	208	57.8	0.3	0.16	0.45	58%	47%	91%	84%
Writhlington	245	45.3	-0.62	-0.75	-0.48	45%	25%	54%	50%
Aspire	3	SUPP	SUPP	SUPP	SUPP	SUPP	SUPP	SUPP	SUPP
Fosse Way	23	11.7	-1.13	-1.59	-0.66	0%	0%	4%	4%
Three Ways	18	1.1	-1.83	-2.35	-1.31	0%	0%	0%	0%
Bath and NES	2022	51.9	-0.02	-0.06	0.03	52%	33%	70%	64%

Source: Performance Tables – Provisional Data.

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CHILDREN AND YOUNG PEOPLE POLICY DEVELOPMENT AND SCRUTINY PANEL

This Forward Plan lists all the items coming to the Panel over the next few months.

Inevitably, some of the published information may change; Government guidance recognises that the plan is a best assessment, at the time of publication, of anticipated decision making. The online Forward Plan is updated regularly and can be seen on the Council's website at:

<http://democracy.bathnes.gov.uk/mgPlansHome.aspx?bcr=1>

The Forward Plan demonstrates the Council's commitment to openness and participation in decision making. It assists the Panel in planning their input to policy formulation and development, and in reviewing the work of the Cabinet.

Should you wish to make representations, please contact the report author or Mark Durnford, Democratic Services (01225 394458). A formal agenda will be issued 5 clear working days before the meeting.

Agenda papers can be inspected on the Council's website and at the Guildhall (Bath), Hollies (Midsomer Norton), Civic Centre (Keynsham) and at Bath Central, Keynsham and Midsomer Norton public libraries.

Ref Date	Decision Maker/s	Title	Report Author Contact	Strategic Director Lead
15TH NOVEMBER 2016				
15 Nov 2016	CYP PDS	Senior In Care Council	Richard Baldwin Tel: 01225 396289	Strategic Director - People
15 Nov 2016	CYP PDS	UNICEF - Child Friendly City	Penny Hay	
15 Nov 2016	CYP PDS	Children's Centre Services	Paula Bromley, Heidi Limbert Tel: 01225 396984, Tel: 01225 39 5228	Strategic Director - People
15 Nov 2016	CYP PDS	Annual Report on Children's Services Complaints and Representations Procedure 2015 - 16	Sarah Watts Tel: 01225 477931	Strategic Director - People
15 Nov 2016	CYP PDS	Local Education Results	Margaret Simmons-Bird Tel: 01225 394240	Strategic Director - People
17TH JANUARY 2017				

Ref Date	Decision Maker/s	Title	Report Author Contact	Strategic Director Lead
10 Jan 2017	PHED PDS	Budget Report (title may change)	Tim Richens Tel: 01225 477468	Strategic Director - Place
16 Jan 2017	CTE PDS			Strategic Director - People
17 Jan 2017	CYP PDS			Strategic Director - Resources
23 Jan 2017	Resources PDS			
25 Jan 2017	HWSC			
14TH MARCH 2017				
ITEMS YET TO BE SCHEDULED				
Page 80	CYP PDS	Connecting Families Update	Paula Bromley Tel: 01225 396984	Strategic Director - People
The Forward Plan is administered by DEMOCRATIC SERVICES : Mark Durnford 01225 394458 Democratic_Services@bathnes.gov.uk				