

## **BATH AND NORTH EAST SOMERSET**

### **CHILDREN AND YOUNG PEOPLE POLICY DEVELOPMENT AND SCRUTINY PANEL**

Tuesday, 17th January, 2017

**Present:-** Councillors Lisa Brett (Chair), Lizzie Gladwyn (in place of Matt Cochrane), Paul May (in place of Peter Turner), Sally Davis, Alison Millar and Liz Hardman

**Also in attendance:** Richard Baldwin (Divisional Director, Children & Young People Specialist Services), Mike Bowden (Director, Children & Young People, Strategy and Commissioning), Margaret Simmons-Bird (Head of Education Improvement), Richard Morgan (Finance and Resources Manager) and Christopher Wilford (Senior Practitioner Youth Offending Team)

**Cabinet Member for Children's Services:** Councillor Michael Evans

#### **61 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting.

#### **62 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure.

#### **63 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillors Matt Cochrane and Peter Turner had sent their apologies to the Panel. Councillors Lizzie Gladwyn and Paul May were present as their respective substitutes for the duration of the meeting.

Andrew Tarrant had sent his apologies to the Panel.

#### **64 DECLARATIONS OF INTEREST**

There were none.

#### **65 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none.

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

There were none.

## 67 MINUTES - 15TH NOVEMBER 2016

Councillor Liz Hardman asked for an amendment to be made to the question that she asked Roz Lambert under the Children's Centre Services item.

She explained that the question should read 'Councillor Liz Hardman asked if she felt that there should be one provider for Bath and one for North East Somerset.' In response 'Roz Lambert replied that she would welcome that.'

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

## 68 CABINET MEMBER UPDATE

The Cabinet Member for Children's Services, Councillor Michael Evans addressed the Panel, a summary of his update is set out below.

### Bath Community Academy

The Secretary of State's decision on closure is expected very soon.

### Children's Services and Children's Centres.

The work to provide options for the future of Children's Services and the Centres is ongoing. First Steps, the charity which currently runs two of the centres in west Bath, is naturally concerned and has its own proposals, so officers have been asked to engage with First Steps as part of the process.

### Home To School Transport

B&NES has a statutory obligation to provide transport to certain 'entitled' categories of student, for example SEND (Special Educational Needs and Disability) children or children who live more than a certain distance from their nearest school. In the past, where there is a bus with spare spaces, 'unentitled' children have also been carried at a subsidised cost to parents. It has always been made clear to parents that this is not an entitlement, and that the responsibility to get the child to school rests with the parents.

A typical situation is where a child lives near a school like Chew Valley or Writhlington, but chooses St Gregory's on religious affiliation grounds.

When a bus is due for replacement the Council selects a bus size that corresponds to the estimated number of entitled children. Recently this has resulted in some parents being told that there is no longer a place for their ('unentitled') child on the bus.

We acknowledge that this may cause hurt and distress, but the law does not require taxpayers to subsidise the transport costs or take on the transport responsibility for children whose parents have selected a more remote school. I would like to see schools taking on the responsibility of organising their own school transport; some primaries do.

### Schools Capital Programme

As part of the £11.47m schools capital programme for 2017/18, Castle Primary School will expand from a one form entry to two form entry primary school. Currently proposed is phase 4 of a 4-phase project, financed from S106 contributions (reflecting the demand caused by new housing in Keynsham) and Basic Need Funding (central Government funding reflecting demand caused by population growth).

St Saviours Junior School will receive an additional classroom to accommodate the bulge coming through from St Saviours Infant School, this will be financed by some S106 money but mostly Basic Needs funding.

### Budget Forecast Position

The end of year overspend for Children's Services is now forecast at £1.48m, a £355,000 increase on the previous forecast. This is a serious additional budget pressure for the Council.

### Demand for Care

Relevant to the budget figures: the demand for Looked-After placements has risen significantly in the past few months. The current figures are the highest we have been for over three years. The rise does include 6 recent Unaccompanied Asylum Seeking Children (UASC) (making a total of 11), but the underlying current trend is upwards.

Councillor Liz Hardman asked if as expected Bath Community Academy is to close, are measures in place to support pupils and parents.

Councillor Michael Evans replied that provision has been in mind for some time, including individual support.

Councillor Liz Hardman said that she was pleased that officers were discussing the future of Children's Centres with First Steps and asked if a decision was still due to be made in March / April.

Councillor Michael Evans replied that options were still being developed, but they were on target for that timescale.

Councillor Alison Millar asked on the subject of Home to School Transport if there was more work the Council could do with schools to involve them.

Councillor Michael Evans replied that an area to focus on could be the religious schools.

The Chair commented that it would help if we engaged earlier in the process with schools by giving at least a term notice of any changes. She added that she was aware of a school that had been given funding regarding SEN pupils and siblings and agreed their own provision with a transport company.

The Strategic Director for People & Communities said that a term notice is normally given regarding any changes.

Councillor Alison Millar said that she would like to see this subject as a future agenda item for the Panel.

## **69 DIRECTORATE PLANS**

The Strategic Director for People & Communities introduced this item to the Panel. He stated that the scale of the financial challenge facing the Council was clear.

The Chair asked if the budget for school's maintenance was enough.

The Strategic Director for People & Communities replied that there was never enough and there is a long list to work through. He added that maintenance is prioritised on health and safety grounds.

The Chair asked if project delivery in this area was good.

The Strategic Director for People & Communities replied that he felt that there was a good track record of project delivery.

The Chair requested that a report on the process of basic need priority be brought to the Panel.

The Strategic Director for People & Communities replied that they had given a previous report to the Panel around 12 months ago and could look to provide an update to a future meeting.

Councillor Liz Hardman asked if any information could be given relating the new proposed pre-school in Midsomer Norton.

The Strategic Director for People & Communities replied that this proposal was to support the development of a Free School in Mendip. He said that the DfE were now looking for an alternative site as the original one had been refused by their Development Management Committee. He added that discussions were ongoing, but it was not anticipated to be ready for the 2017/18 academic year.

Councillor Paul May commented that the majority of pupils that attend Whitchurch Primary School are from Bristol and asked if the planned expansion would be able to accommodate the new pupils expected through the new local housing developments.

Richard Morgan replied that the expansion has been planned with the new local housing development in mind and that Section 106 and Basic Need funding would be received for the project.

Councillor Paul May asked if the expansion would be complete before pupils arrived on site.

The Strategic Director for People & Communities replied that this would be the intention.

Councillor Alison Millar asked why there was a difference in the costs for bulge class proposals in Midsomer Norton and St Saviour's Junior School.

The Strategic Director for People & Communities replied that this was due to site configuration and the solution decided upon.

The Head of Education Transformation added that a more permanent solution was being proposed at Longvernal School with the reconfiguration of two classrooms.

Councillor Liz Hardman who will be in charge of the Adoption Team through the regional approach and what input will B&NES have.

The Divisional Director for Targeted & Specialist Services replied that the service would be co-owned and managed by the six Local Authorities involved and that the six Directors of Children's Services would be on the board of Adoption West and that there would be a Strategic Board beneath them. He added that he felt that this will provide an improved quality of service. He said that there would be one shared database which would allow decisions to be made in a shorter timescale.

Councillor Paul May said that the proposal to increase 'in house' Foster Placements was aspirational and that the saving stated could not be guaranteed to be delivered.

The Divisional Director for Targeted & Specialist Services replied that as officers we would not propose the figure if we did not feel it was achievable. He added that this process had already begun by utilising the abilities of a current member of staff and the use of Facebook and Twitter. He said that they had already seen a 40% increase in applications.

The Chair asked why on the issue of Children's Safeguarding Court Proceedings were no savings able to be made in 2017/18.

The Divisional Director for Targeted & Specialist Services replied that we will look to make initial savings where we can. He added a restructure of the Council's Legal Services was underway and the outcome of this will impact on this proposal.

Councillor Alison Millar commented that she was amazed that this amount of saving could not have been made previously.

The Divisional Director for Targeted & Specialist Services replied that Ernst & Young had looked at our current use of barristers and advised a reduction.

The Strategic Director for People & Communities added that he would not have included this proposal within the plan if he did not think it was safe and appropriate.

The Chair asked if by reducing the funding for Skills and Employment were there any risks if employers decide not to cover the costs.

The Strategic Director for People & Communities replied that the Place Directorate were confident of the viability of the proposed model.

The Chair asked when would be a good timescale to assess this decision.

The Strategic Director for People & Communities suggested that the Panel could look at the status of this issue in March 2018.

Councillor Liz Hardman asked what measures will be put in place to ensure that the focus on care leavers and other vulnerable young people is not lost in this new funding model.

The Divisional Director for Targeted & Specialist Services replied that he was confident of the process that tracks our care leavers and their needs and aspirations.

The Chair asked if we should have been recovering previous Home to School Transport costs from other Local Authorities.

The Strategic Director for People & Communities replied that yes, we should have been.

The Chair asked if the qualifying criteria for Home to School Transport had changed.

The Strategic Director for People & Communities replied that it had not.

The Chair asked if they expect the threshold to rise.

The Divisional Director for Targeted & Specialist Services replied that they were currently assessing the data available relating to this issue.

The Chair asked how a saving of £12.5k relating to Preventative Commissioning could be made from April and yet the plan says that opportunities are merely being explored.

The Strategic Director for People & Communities replied that it was anticipated that the saving will be delivered in the mid-point of the financial year.

Councillor Liz Hardman asked what exactly was meant by integration of commissioned services creating more joined up approaches.

The Strategic Director for People & Communities replied and used the example of the Family Play Service which would join up three current contracts into one commissioned service.

The Chair asked if any community groups had shown an interest on the issue of Children's Centres Building Management.

The Divisional Director for Targeted & Specialist Services replied that considerable interest has been and all four have interested parties.

The Chair asked if the Council would be charged for future use of the buildings.

The Divisional Director for Targeted & Specialist Services replied that the Council would be able to use the buildings without charge as part of the lease agreement.

The Chair asked the level of loss in terms of capital receipts.

The Divisional Director for Targeted & Specialist Services replied that it was negligible.

The Chair asked what would happen to the buildings should the new proposals fail.

The Divisional Director for Targeted & Specialist Services replied that they would return to the Council by way of the lease agreement.

The Chair asked if a commercial nursery or organisation take over the use of one of the buildings.

The Divisional Director for Targeted & Specialist Services replied that in terms of one of the buildings that this was a distinct possibility.

The Chair asked if any universal and non-statutory services would remain in place.

The Divisional Director for Targeted & Specialist Services replied that services would primarily be of a targeted nature, but some universal services would continue.

Councillor Liz Hardman asked if there were plans to sale any of the buildings.

The Divisional Director for Targeted & Specialist Services replied that there were not.

Councillor Liz Hardman asked what the status of the Sure Start Centre on site at St Nicholas Primary School would be as the school was due to become an Academy.

The Divisional Director for Targeted & Specialist Services replied that he believed the Centre would remain owned by the Council.

Councillor Alison Millar said that she was concerned if the interest shown did not to come to fruition.

The Divisional Director for Targeted & Specialist Services replied that the situation would then have to be reassessed.

The Chair asked what was the statutory minimum Youth Connect Service and how would it be delivered by the Council.

The Divisional Director for Targeted & Specialist Services replied that the statutory minimum was at the discretion of the Council. He added that in terms of delivery conversations will take place with Town & Parish Councils with regard to them taking on this role. He said that Keynsham Town Council had approached the Council to take on this service and had been doing so for the past three or four years.

Councillor Sally Davis commented that she was aware that some Parish Councils had provided this role previously, but felt that they would find it difficult to do so now. She asked if any community funding options were available.

The Strategic Director for People & Communities replied that they were exploring options in this regard.

Jake Bishop-Ponte said that he was concerned that Youth Services would become fragmented by this proposal. He added that he recognised that the Council must make savings, but he said that they should also have in mind the role they play in enabling those most in need.

The Strategic Director for People & Communities said that the priority of the Council must be to deliver its statutory responsibilities.

Jake Bishop-Ponte commented that without this service there would be a distinct possibility of more young people getting into trouble and that would have an impact on the proposal of savings regarding the reduction of court proceedings / preventative measures.

The Divisional Director for Targeted & Specialist Services replied that early intervention work was in place and that there was a model in place to provide delivery of these services.

The Chair asked what evidence is there that community groups / Parish & Town Councils will be able to deliver this provision for young people.

The Divisional Director for Targeted & Specialist Services replied that the work in place at Keynsham and Midsomer Norton should be recognised and that community groups were interested in providing this service.

The Chair asked for this matter to be followed up in six months time.

Councillor Liz Hardman said this was a challenging proposal and that her parish of Paulton could not provide this service by themselves and that they were already being asked to help with the local library and post office. She added that she was concerned about losing extremely talented and able staff. She said that officers might like to consider that particular vulnerable areas be targeted.

The Divisional Director for Targeted & Specialist Services replied that he recognised the need to provide a service for these young people.

The Strategic Director for People & Communities said that 7 – 10 posts could transfer to other groups in connection with this proposal.

Jake Bishop-Ponte said what was the point in having a service if it can't do what it's supposed to do.

The Divisional Director for Targeted & Specialist Services replied that it will take planning and negotiations over the next three years to find the most appropriate solution.

Councillor Paul May commented that the Panel should back the judgement of our officers.

The Chair said that she did not doubt the intentions of the officers and that it was the responsibility of the administration to make these decisions.

Councillor Charles Gerrish, Cabinet Member for Resources addressed the Panel. He wished to commend to the Panel a recent report that was submitted to Keynsham Town Council that said that the Youth Service they provide could expand to seven days with no additional funding required. He added that he was aware that Peasedown Parish Council were talking to third parties and were looking to take one year to explore available options.

Jake Bishop-Ponte said that the young people of Keynsham did not feel that the service being provided was very good. He added that he has also worked with Sam Plummer in Peasedown and Councillor Eleanor Jackson in Radstock and they are both concerned over future provision.

The Chair asked who currently enjoys the Music Service subsidy and who will this saving impact.

The Strategic Director for People & Communities replied that this was the second year of this proposal and that it is not a targeted subsidy.

The Head of Education Transformation added that matters would be dealt with on a case by case basis. She said that the service would be free of charge for pupils in



receipt of Free School Meals. She stated that there has been an increase in contributions from parents. She added that Pupil Premium will retain the subsidy and look to target vulnerable areas.

The Chair asked if the saving of £28k would be passed onto parents.

The Head of Education Transformation replied that it would not.

Councillor Liz Hardman asked how the Children's Services Collaboration with other Local Authorities relates to the Teckal model being considered next on the agenda.

The Strategic Director for People & Communities replied that the Teckal option would be fully explored in the first instance.

Councillor Liz Hardman asked what will be the impact on special needs nursery provision across B&NES when we know anecdotally that Council-run nurseries are much better at delivering special needs provision outside Bath.

The Divisional Director for Targeted & Specialist Services replied that nurseries will remain where there is a community need to provide this service.

The Head of Education Inclusion Services added that they will look to expand provision where we can and enable mainstream nurseries to provide an SEN service.

Councillor Alison Millar commented that she hoped we would retain our good level of work with regard to Education Support & School Services.

The Strategic Director for People & Communities replied that it would be a challenge as resources become stretched, but the Council would promote and encourage schools to retain this service.

The Head of Education Transformation added that schools do value this work and that she believed that they would seek to continue to provide it.

Jake Bishop-Ponte said that he was concerned over the potential loss of the Educational Psychology service. He added that as B&NES was already below current attainment levels how could they expect to improve with reductions made to this service.

The Strategic Director for People & Communities replied that statutory work would remain in place through Educational Health & Care Plans and that schools could commission additional needs. He added that the Government had changed the landscape for School Improvement and that the Council's role had reduced. He added that it still had a role to play in targeted work.

Jake Bishop-Ponte said that he understood that it was an economic choice that had been made by the Government. He stated that the MP for Bath, Ben Howlett should be approached on this matter as he feared for the prospects of our current young people.

Councillor Paul May commented that he was concerned over the forecast £1.48m overspend for Children's Services and asked if we had enough control over the budget.

The Strategic Director for People & Communities replied that officers and Cabinet Members have worked hard to get to this present position and that the administration have recognised the ongoing challenge with regard to Children's Social Care.

Councillor Alison Millar asked what were the reasons for the overspend and how would it be addressed.

The Strategic Director for People & Communities replied that Trading Services within Children's Centres had not been as successful as it had been hoped and that costs associated with Children's Social Care had been the main factors. He added that there has initially been some promising work regarding SEND Home to School Transport and Personal Budgets.

The Cabinet Member for Children's Services, Councillor Michael Evans stated that in his former shadow role and now from within the Cabinet that he felt that the Council balances its resources well. He stated that he was confident of achieving the proposed savings alongside carrying out their statutory responsibilities.

The Chair thanked the Panel for their comments and the officers and Cabinet Member for their contributions during the debate.

## **70 TECKAL UPDATE**

Councillor Liz Hardman called for the Council to be bold and innovative regarding this matter and to protect the good services we have, such as School Improvement to name but one and to be able to work with and support our maintained schools.

She asked if the Council could drive this proposal forward with the maintained schools and also reach out to MATS to possibly include them, but not at the expense of maintained schools which still make up almost 50% of schools in B&NES.

She thanked Stone King for providing such a comprehensive report to the Panel.

Councillor Alison Millar asked how much the report had cost.

The Stone King representative replied that the report cost was £2,500 plus VAT.

The Chair said that she would like this matter to move much faster than the provided timeline has suggested.

Councillor Michael Evans said a Green Paper was due and that it would be foolish to do any work before seeing it.

Councillor Paul May said that as a Board Member of Sirona he would urge a note of caution, but said that he generally support the role of Community Interest Companies.

The Chair commented that all Primary schools would be stakeholders and that any surplus generated would be used for the benefit of the schools and the community.

The Head of Education Transformation said that Academies were looking to purchase School Improvement services. She added that officers would need to have discussions with schools; MATs and stand-alone academies to determine their commitment to a shared service arrangement and identify how this vehicle would be project managed. She added that it may be possible in the first instance to establish a virtual shared service vehicle facilitated by officers in the local authority.

Councillor Sally Davis said that she was aware that not all schools want to become Academies and urged the Council to act quickly or not at all.

The Stone King representative commented that there are a variety of planning models available for achieving effective shared services. She said that a formal company structure had the added benefit in offering greater stability and would establish a level of commitment and certainty which would be missing from an informal collaboration.

The Head of Education Transformation commented that she felt that Teckal option was worth pursuing and that swift action and an identification of funding was required. She added that the services would need to be affordable to purchase for the schools involved. She questioned if the Regional Schools Commissioner could be approached regarding funding.

The Stone King representative replied that seed funding had been given in this respect by other Regional Schools Commissioner's.

Councillor Paul May said that an economy of scale was needed to take into account other services and capital assets.

The Head of Education Transformation replied that there was an initial focus on School Improvement as this had not been initially prioritised by Academies when they were being established. She added that the Council would need to be able to signpost schools should this project not come to fruition.

Councillor Liz Hardman asked what the next step in the process was that the Council could legitimately take.

The Head of Education Transformation replied that the Council could talk with potential partners; Primary Schools, MATs, Academies and local Diocese to establish the viability of the proposal, funding options and the scoping of a business plan.

The Chair said that she wanted this project to ensure that standards for our children within schools are as high as they can be.

Councillor Michael Evans said that he would need to establish what capacity there was available for this work. He added that the Government wants Councils to sustain local expertise.

The Chair requested that an interim report be given to the March 2017 Panel meeting and that a formal report be produced for the meeting in May 2017.

The Panel members agreed with this proposal.

Councillor Paul May commented that schools should be made aware of these proposals.

The Strategic Director for People and Communities replied that he would provide them with an update and said that they had been briefed previously through meetings of Head Teachers and Governors.

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

The Strategic Director for People & Communities addressed the Panel, a copy of the briefing can be found on the Panel's Minute Book and as an appendix to these minutes online, a summary is set out below.

### **Pressures on Children's Social Care**

The children's social care service is experiencing an increased workload, and this is evidenced through a rise in Child Protection Plan numbers and numbers of Looked After Children. The number of Child Protection Plans has gone back up to 150 having fallen as low as 123 in June. The number of Looked After Children has risen to 170 from 149 a year ago. This is our highest number for 3 years and reflects a national trend.

### **Bath Community Academy (BCA)**

Since the last meeting of the Panel, the Regional Schools Commissioner (RSC) for the Department for Education announced that ministers had 'approved in principle' the proposal from the Cabot Learning Federation (CLF) to close BCA.

### **New Schools**

Abbot Alphege Church of England Primary School, the new school being built at Ensleigh in Bath, reached a milestone last week with a 'topping out' ceremony as the roof was added to the building. The school is on track to open in September 2017.

The building for the new primary school at Somerdale in Keynsham is not as far advanced, but nonetheless is on track to open in September 2017.

The process to appoint a sponsor for the new primary school at Mulberry Park in Bath is proceeding, with proposals having been submitted to the RSC to determine the sponsor. The school will open in September 2018.

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

**72 PANEL WORKPLAN**

Chris Batten asked if the Panel could receive a presentation from service users at their May meeting similar to that received from the Senior In Care Council.

Councillor Lizzie Gladwyn suggested in light of the earlier debate that young people involved with the Keynsham Youth Service could be asked to address the Panel.

Councillor Alison Millar asked if the Panel should discuss further the issue of Home to School Transport.

Councillor Lisa Brett announced that she would be standing down from the role of Chair of the Panel from the middle of February.

Councillor Liz Hardman commended her outstanding work as Chair and thanked her for her input, care and thought that she had given to the role.

The meeting ended at 12.55 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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## **Strategic Director's Briefing for Children's PDS, 17 January 2017**

### **Pressures on Children's Social Care**

The children's social care service is experiencing an increased workload, and this is evidenced through a rise in Child Protection Plan numbers and numbers of Looked After Children. The number of CP Plans has gone back up to 150 (the level we had 12 months ago) having fallen as low as 123 in June. The number of Looked After Children has risen to 170 from 149 a year ago. This is our highest number for 3 years and reflects a national trend, although we remain below the average for statistical neighbours and the national average per 10,000 children.

### **Bath Community Academy (BCA)**

Since the last meeting of the panel, the Regional Schools Commissioner (RSC) for the Department for Education announced that ministers had 'approved in principle' the proposal from the Cabot Learning Federation (CLF) to close BCA. The RSC offered a period of 2 weeks, subsequently extended to 4 weeks, for interested parties to express views on the proposal. We await news of a final ministerial decision on the future of the school.

### **New Schools**

- Abbot Alphege Church of England Primary School, the new school being built at Ensleigh in Bath, reached a milestone last week with a 'topping out' ceremony as the roof was added to the building. The school is on track to open in September 2017.
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- The process to appoint a sponsor for the new primary school at Mulberry Park in Bath is proceeding, with proposals having now been submitted to the RSC to determine the sponsor. This school will open in September 2018.

**Mike Bowden**

**Strategic Director for People and Communities**

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