

Children and Young People Policy Development and Scrutiny Panel

Date: Tuesday, 18th September, 2018

Time: 10.00 am

Venue: Brunswick Room - Guildhall, Bath

Councillors: Alison Millar, Matt Cochrane, Sally Davis, Liz Hardman, Michelle O'Doherty, Peter Turner and Lizzie Gladwyn

Co-opted Voting Members: David Williams and Andrew Tarrant

Co-opted Non-Voting Members: Chris Batten and Kevin Burnett

Chief Executive and other appropriate officers
Press and Public



Mark Durnford

Democratic Services

Lewis House, Manvers Street, Bath, BA1 1JG

Telephone: 01225 394458

Web-site - <http://www.bathnes.gov.uk>

E-mail: Democratic_Services@bathnes.gov.uk

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the **Public Access points:-** Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

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**Children and Young People Policy Development and Scrutiny Panel - Tuesday, 18th
September, 2018**

at 10.00 am 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 - 10TH JULY 2018 (Pages 7 - 22)

8. UPDATE ON SECONDARY SCHOOL PLACE SUFFICIENCY IN THE GREATER BATH CONSORTIUM PLANNING AREA (Pages 23 - 26)

This report is an update on actions taken by Officers to ensure an effective strategy, that has been agreed with all Bath secondary schools and academies (schools), to secure sufficiency of secondary school places in the Greater Bath Consortium (GBC) Planning Area for the future.

9. BATH COMMUNITY ACADEMY SITE (Pages 27 - 32)

10. CHILDREN AND SOCIAL WORK ACT 2017 UPDATE (Pages 33 - 40)

This briefing updates the Panel on the relevant provisions of the Act and actions that have been taken or are being taken locally as a result.

11. SUPPORTING CHILDREN OF ALCOHOLICS (Pages 41 - 44)

This report was requested to provide assurance that all the relevant policies, procedures and strategies of this Council recognise and address the particular needs of the children of alcoholics.

12. ELECTIVE HOME EDUCATION (Pages 45 - 50)

The PDS Panel is informed that there has been a rise in the number of children and young people who are electively home educated (EHE) in Bath & North East Somerset. This rise is reflected nationally and concern is growing that this rise is due to increasing numbers of vulnerable children and young people who are EHE and potentially out of sight of the education system and possible support services.

13. CABINET MEMBER UPDATE

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

14. CORPORATE DIRECTOR'S BRIEFING

The Panel will receive a verbal update on this item from the Corporate Director (People).

15. PANEL WORKPLAN (Pages 51 - 54)

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.

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BATH AND NORTH EAST SOMERSET

CHILDREN AND YOUNG PEOPLE POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 10th July, 2018

Present:- Councillors Alison Millar (Chair), Matt Cochrane (Vice-Chair), Sally Davis, Liz Hardman, Michelle O'Doherty, Peter Turner and Lizzie Gladwyn

Co-opted Members (Non-Voting): Chris Batten and Kevin Burnett

Also in attendance: Robert Lake (LSCB and LSAB Independent Chair), Lesley Hutchinson (Director of Safeguarding and Quality Assurance), Margaret Simmons-Bird (Director of Education Transformation), Sarah Watts (Complaints & Data Protection Team Manager), Melanie Argles (Deputy Head of CYP Safeguarding and Quality Assurance), Dami Howard (Safeguarding Children & Adults Boards Business Support Manager) and Sarah McCluskey (Strategic Commissioning Officer)

13 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

14 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure.

15 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

David Williams, Co-opted Panel Member gave his apologies to the Panel.

16 DECLARATIONS OF INTEREST

There were none.

17 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

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

There were none.

19 MINUTES - 15TH MAY 2018

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

20 PRIMARY & YOUNG PEOPLE PARLIAMENT FEEDBACK

The Strategic Commissioning Officer introduced this item to the Panel. She explained that this is the sixth year the Primary and Secondary Parliaments have taken place. She said that they give children and young people from across B&NES the valuable opportunity to meet and debate a chosen theme, and present their workshop discussions. She informed the Panel that the broad focus for both Parliaments was about being healthy, both physically and mentally.

She stated that the theme links with the bi annual School Health Education Unit (SHEU) Health and Wellbeing survey undertaken by schools. The Secondary Parliament 'Health and Equality' was held at Hayesfield Academy in February and the Primary Parliament 'Feel Good, Live Well' was held at Somerdale Conference Centre in June.

She said that the Parliaments provide an opportunity for engagement with a wide range of children and young people, help to inform possible commissioning intentions and identify future priorities for the Children and Young People's Plan (CYPP).

Hannah Powell, MYP for B&NES addressed the Panel to talk about both Parliament events.

She informed the Panel that 35 schools and 157 students took part.

Primary Parliament

'Feel Good, Live Well' – Health and Equalities

- Little things make a BIG difference KS1
- Food Glorious Food
- Don't Worry Be Happy
- Challenging Discrimination

She said that she was so impressed with how mature the pupils were throughout the whole day especially when discussing discrimination which included the topics of sexual orientation and being transgender.

Secondary Parliament

Health and Equality

- Dealing with Discrimination
- Gender and Mental Health
- Sugar Smart

- Wellbeing

The pupils discussed topics such as gender neutral school uniforms and toilets within Dealing with Discrimination and sleep, diet and exercise within Wellbeing.

Parliaments - What are the benefits?

- Students feel confident in their abilities to create change
- Enables discussion between schools creating a feeling of community for B&NES
- Highlights the importance of E-teams and school councils
- Leadership opportunities
- Ideas can be shared on how schools tackle issues
- Raises awareness on issues that go unmentioned in schools
- Starts important conversations for Primary schools - eg Mental Health, but in an age appropriate manner

My Experience

When I was in Year 3 at Newbridge Primary school I attended a Primary Parliament day. I remember speaking about the importance of Art Walls and Adventure trails to my peers, and how pleased I was when everyone clapped. I was very shy at school, as I had just moved to Bath the year before, and this day made me feel really special, and allowed me to return to my Primary School with a renewed sense of confidence. At the next school council election, I put myself forward and got to work with other students to create Newbridge's own 'Adventure Trail'.

Hannah said that she was obviously aware of current funding issues but asked Panel members to do what they could to enable the Parliament Days to continue as they are so important to schools and pupils across the Council.

Pupils from St Michaels, Twerton E – Team addressed the Panel. They spoke of how they hosted the event and did presentations during the day. They explained that in their workshops they discussed the topics of being sugar smart and bullying.

The Chair thanked them all for attending on behalf of the Panel and said that she felt the days were important events.

Councillor Peter Turner asked what changes they would like to see in the future.

Hannah Powell replied that she would like more opportunities for Young People to be involved in politics, a boost to be given to the apprenticeships programme and a review of university tuition fees as she felt they are an outrage.

She added that she would like to see Local Governments enable more pupils to explore and develop skills within Music, Drama and Art.

Councillor Liz Hardman asked how Councillors can encourage more schools to attend.

The Strategic Commissioning Officer replied that they should promote how important the days are to the young people and pupils that attend them.

Councillor Sally Davis commented that the Panel should give its support to resourcing future Parliament Days.

The Panel **RESOLVED** to:

- i) Note the reports from the Primary and Young Parliaments 2018 held in academic year 2017/2018.
- ii) Support the resourcing of future Parliament Days.

21 QUALITY ASSURANCE FRAMEWORK FOR CHILDREN & SOCIAL CARE

The Director for Safeguarding and Quality Assurance introduced this report. She explained that whilst the Council's Children's Services were reassured by its rating of 'GOOD' from OfSTED following the thorough inspection in 2017 it is important to note that we continue to strive to improve services for children and young people in B&NES.

She informed the Panel that the Safeguarding and Quality Assurance team within the Council work across children and adult services and that a significant focus of the team's work is to ensure that children who transition into adult services and children whose parents are supported by adult services work together effectively and that all services 'Think Family.'

She stated that the Service Improvement Framework sets out the assurance arrangements which enable the Council to demonstrate that Children Social Care Services are meeting its vision and plans for children and young people. The Framework therefore enables the Members to be satisfied about the evidence the Council has to demonstrate this.

She said that the Framework also refers to the LSCB Board Assurance Framework as this looks at assurance for the 'whole' support system for children and families of which the Council Services are key but only one part. She added that by including this Council Services are able to better understand and respond to pressures / practice improvements across other Services and how these impact.

Councillor Liz Hardman commented that the report and plan were very thorough. She asked what action was being taken to respond to the rising number of fixed-term exclusions for looked after children so that they are reduced effectively.

The Director for Safeguarding and Quality Assurance replied that reducing exclusions of children in care is a key priority within the Virtual School Improvement Plan. She added that the Head of the Virtual School has developed a flow chart that will be presented to the School Standards Board in September. She added that all exclusions within this remit are now being challenged.

Councillor Hardman asked for further information on the 'Mystery shopping' mentioned within the Framework.

The Director for Safeguarding and Quality Assurance replied that the LSCB/LSAB Business Support Manager undertakes this to work ascertain whether partner agencies understand the policies in place.

The LSCB/LSAB Business Support Manager added that agencies are selected to be contacted by phone and are asked if they are aware of the work of the Board, its policies, whether they have any of their own and what they would do if they were made aware of a child in need. She said that she informs them of her role at the start of the conversation.

Councillor Peter Turner asked if the Framework was mirrored across all Local Authorities.

The Director for Safeguarding and Quality Assurance replied that all Local Authorities would have their own Quality Assurance mechanisms they will be broadly similar but will vary depending on their local priorities.

Kevin Burnett asked for clarification regarding the third bullet point within the 'Five Outcomes' and requested the Board consider strengthening this.

- LSCB is assured that safeguarding is embedded; is delivered to a high standard and is effective across all partner agencies

The Director for Safeguarding and Quality Assurance replied that the Board could reflect on the wording at its next Board meeting. She added that she wished to assure the Panel that the Board understands the importance of the agencies effectively working together.

The Panel **RESOLVED** to:

- i) Note and support the content of the report and the attached Service Improvement Framework.
- ii) Bring an annual update report on the work undertaken by the Children Services Improvement Board.

22 LOCAL SAFEGUARDING CHILDREN'S BOARD ANNUAL REPORT

Robert Lake, LSCB and LSAB Independent Chair introduced this item to the Panel. He said that credit for the production of the report should go to Dami Howard and Lesley Hutchinson.

He stated that the main purpose of the Board was to ensure that partner agencies work together and it was his role to oversee this on behalf of the Board.

Councillor Liz Hardman asked what the implications of the LSCB being abolished are. She asked for assurances about funding as the phrase 'hopefully more proportionate contributions from the two additional statutory partners' (para 3.2) doesn't sound terribly reassuring. She asked how negotiations with these partners were going.

Robert Lake replied that the guidance on Working Together had only been published last week. He added that discussions were ongoing with partners in relation to both future arrangements to replace the existing LSCB and funding.

The Director of Safeguarding & Quality Assurance added that Officers recognise the need to maintain local oversight and also understood that some agencies / partners may need to attend multiple Boards. She said that a plan for the new arrangements must be submitted within 12 months and that a further 3 months will be given to allow these arrangements to be implemented.

Robert Lake stated that the role of the Board will remain while the new arrangements are developed.

Councillor Liz Hardman asked if a shared electronic management system for Early Help would make a difference.

Robert Lake replied that he was not sure that there was an easy solution, but he would take the comment to the Early Help Board.

Councillor Matt Cochrane asked about the increase in LADO referrals and whether we should be surprised by this. He asked is there the capacity to respond to these increases or does the Panel need to recommend more resources to deal with this.

The Safeguarding Children & Adults Boards Business Support Manager replied that there had been an increase and this was due to historical football abuse allegations which had led to raised awareness locally.

They also said that the increase is a national trend alongside a rise in the complexity of cases. Already in 2018-19 the numbers are not showing such an increase. She added that locally additional capacity had been added to the LADO function.

The Chair commented on the success of Connecting Families within B&NES and asked if the work would be able to continue after 2020.

Councillor Paul May replied that there has been no indication from the Government as to whether the initiative will continue. He added that B&NES should be very proud of its work as it had been recently benchmarked as 6th in England out of 152 Local Authorities and the best performing authority in the South West.

He said that the passion from the staff involved is stunning and that their interventions really are key.

The Director of Safeguarding & Quality Assurance added that the model has been led by staff within the Council and also include our partner agencies.

The Chair asked is there the capacity to work with more families.

The Director of Safeguarding & Quality Assurance replied that she believed there was as and when they are identified however this needed to be clarified.

Councillor Liz Hardman, on behalf of the Panel called for Councillor May to address the Cabinet on this matter and to correspond with the Government to seek that the initiative should continue.

She stated that it was good to hear about the work that has been done relating to Youth Connect and asked if there were any assurances about the future of the service that could be given.

Councillor Paul May replied that the potential was exciting and that he would address the matter in more detail within his Cabinet Member Update.

The Chair asked for any additional comments regarding the outcomes for Looked After Children.

The Director of Safeguarding & Quality Assurance replied that the Director for Children & Young People was clear on the work required.

The Chair asked for the Panel to be updated on this issue in six months' time.

The Director of Safeguarding & Quality Assurance agreed.

Councillor Liz Hardman said that the statistics about young people's mental health are alarming. She asked if more preventative work can be done and what are we doing in schools.

The Director of Education Transformation replied that mental health work is carried out in all schools. She said that from the autumn term there will be a significant amount of information available on the website. She added that the outcomes of the SHEU survey affect what information is provided to schools. She said that the current level of support was as much as could be provided in the context of the current resources.

The Safeguarding Children & Adults Boards Business Support Manager added that the Section 175 Education Audit goes to every school and that questions relating to mental health have been added following feedback from the Youth Forum. She added that nine schools were visited following the Audit and that lessons in PSHE had now been reintroduced to all schools. She said that she felt that schools were aware of their role regarding mental health, including self-harm and suicide awareness.

Kevin Burnett asked how many referrals for Early Help had been made over the past year and how many of those referrals were allocated help.

The Director of Safeguarding & Quality Assurance replied that she would find out this information for the Panel.

Kevin Burnett commented that the primary concern for Head Teachers is the welfare of their pupils as if they are not happy or safe they will not learn as well.

Councillor Paul May said that he is assured through the work of the LSCB and said that the Health & Wellbeing Board has acknowledged the need to look into the subjects of mental health and SEND further.

Robert Lake stated that the work carried out by the Board's Sub-Committees was so important and that he was confident of the mechanisms they have in place throughout the Board.

Councillor Peter Turner asked how involved are the parents in any of the work mentioned.

Robert Lake replied that 'Think Family' is key throughout all work of both Boards.

Councillor Liz Hardman asked how the role of the Independent Chair will be affected by the proposed changes.

Robert Lake said that he will continue in his role as long as he is required to and will produce an Annual Report containing information from this point going forward until the Board ends. He added that some form of independent scrutiny is recommended even if there no longer is an actual Board.

The Chair asked for the Panel to be updated as and when any proposals regarding the LSCB are made.

The Director of Safeguarding & Quality Assurance agreed.

The Panel **RESOLVED** to note the Annual Report, Executive Summary, completed 2015-18 Business Plan and the new Strategic Plan on a Page for 2018-21.

23 CHILDREN'S SERVICE COMPLAINTS AND REPRESENTATIONS PROCEDURE ANNUAL REPORT

The Complaints & Data Protection Team Manager introduced this item to the Panel. She informed them that the total number of complaints received across the service had increased during the year having decreased the previous year. She added that the increase in the number of complaints reflects the increase in the number of contacts received.

She said that the service recognises the importance in learning through this process and acknowledged that members of staff throughout the service have also received compliments from young people and their families and also from colleagues working in a variety of different agencies.

Councillor Liz Hardman asked what needs to change to meet the timescales within the complaints procedure.

The Complaints & Data Protection Team Manager replied that some teams such as Duty and Child Protection receive more complaints than others due to the nature of their work. She added that where possible these are scoped out across the team and that delays can happen if the response is detailed to avoid the complaint progressing to further stages.

Councillor Hardman asked if any specific training was required with regard to attitude and behaviour of staff.

The Complaints & Data Protection Team Manager replied that supervision of staff is regularly carried out. She said that some staff do work in difficult and challenging situations and that there will be occasions that no matter how you say something people will not like to hear it.

The Chair asked for assurance in addressing issues in the future with the imminent departure of the Director for Children & Young People in mind.

The Director for Safeguarding & Quality Assurance replied that a clear induction programme will be given to his replacement and this will be included.

The Panel **RESOLVED** that the content of the report is noted.

24 INDEPENDENT REVIEWING OFFICER'S ANNUAL REPORT

The Deputy Head of CYP Safeguarding and Quality Assurance introduced this report. She explained that the B&NES IRO Service operates within the context of B&NES Council as 'Corporate Parent' for all of the children and young people in its care.

She stated that placement stability is strongly correlated to the progress that children and young people make in care, as compound moves can negatively impact on a young person's sense of worth, emotional resilience and is disruptive to developing friendship and support networks and educational achievement. Therefore a key role of the IRO is to support placement stability through scrutiny of placement plans. The service raised the concern in the last financial year that there had been an increase in placement breakdowns and multiple moves. She said that she was pleased to report that the actions undertaken appears to be showing signs that this issue is being addressed through a fall in placement moves.

She said that it is important to note that 93% of children over the age of four took part in their Child in Care review and that 100% of them felt that they were being listened to.

She informed the Panel that although the timeliness of reviews has decreased it remains above the target figure of 87%. This is in part due to a high increase in children accommodated during the end of Q.3 and beginning of Q.4, which coincided with a change in staffing arrangements. Due to the high pressure of increased numbers of children in care and the complexity of our children's circumstances, this has been a real achievement for the team to ensure so many reviews are held within timescales.

She explained that an Audit of IRO Challenge has been carried out and amongst its findings it was identified that there is an issue in relation to suitable placements for the most complex young people.

She said that the IRO team plan for 2018/2019 identifies a number of key development areas:

- Continue to use the feedback from children, parents and foster carers to change and influence practice.
- Further develop risk assessment framework to inform care planning.
- Continue to focus on improving the quality of needs assessments informing pathway planning for post 16's.
- Key audit to understand the rise in request for therapeutic intervention/ support.
- Implement the recommendation from the placement stability audit.
- Seek Assurance that improvements in Care Plans are embedded consistently across the service.
- Development of service for Unaccompanied Asylum seeking Children and Trafficked Children.
- Support and facilitate Children's requests for who attends their review.

Kevin Burnett asked if the recommendations within the annual report dovetailed with other work across the Council.

The Deputy Head of CYP Safeguarding and Quality Assurance replied that it does.

The Director for Safeguarding & Quality Assurance added that the Service Improvement Board shares information across the Service and that the LSCB also receives the annual report.

Councillor Liz Hardman asked if any further comment could be made regarding the figure that 10 out of the 23 children (57 %) had an instance of their CIC review being held within 20 working days of placement moves on one or more occasion.

The Deputy Head of CYP Safeguarding and Quality Assurance replied that a review was one part of the process and is discretionary. She added that in all cases the IRO is involved on an ongoing basis. She added that in some cases it is deemed that a child would not be able to cope with a review.

Councillor Hardman thanked her for the explanation and suggested that a similar narrative be included in future reports.

The Chair asked how we can find a solution to finding permanent homes for our children with complex issues.

The Deputy Head of CYP Safeguarding and Quality Assurance replied that we need to think of different solutions and assure that children are given the right placements. She added that there was a need for good residential placements and that in all cases we should be looking to improve the life and outcomes for the children concerned.

The Director for Safeguarding & Quality Assurance added that Ian Tomlinson (Commissioning Manager) could address the Panel at a future meeting to discuss

our Sufficiency Statement which looks at the numbers and variety of placements we have.

The Chair on behalf of the Panel agreed to that proposal.

The Panel **RESOLVED** to;

- i) Note the areas of positive performance referred to within the Annual Report, particularly the evidence that the Service are directly contributing to improving outcomes for Children and Young People in Care.
- ii) Note and support the IRO service's commitment to ensure that the Local Authority delivers its statutory responsibilities to children and young people in care and their parents and carers, in particular ensuring the robustness of the issues resolution process to quickly resolve issues for children and young people.
- iii) Use the annual reporting requirement of the Service to inform the ongoing work of the Local Authority in raising the outcomes for the children and young people in B&NES.

25 POLICY STATEMENT ON ACADEMIES & FREE SCHOOLS

The Director of Education Transformation introduced this report to the Panel. She explained that the school landscape in Bath and North East Somerset is changing rapidly and that from the 1 September 2018, 70% of schools will be academies and 79% of children and young people will be taught in academy schools.

She stated that the current Council policy on Academies and Free Schools, established in 2014, no longer reflects the current school landscape and that with a further 10 primary schools expressing a desire to join a Multi Academy Trust (MAT) as soon as it is possible, it is vital that the current policy is reviewed to reflect a new relationship with local schools in the future while making sure the Council meets its statutory duties as set out in education legislation.

She informed the Panel that nine schools (8 primary and 1 secondary) have not yet made a decision to join a MAT.

She said that the Policy Statement has been discussed at Informal Cabinet, Senior Management Team (SMT), with Head Teachers and Chairs of Governors.

Councillor Liz Hardman said that she felt that the Local Authority was abandoning schools that do not want to become academies and that enough of a service was still available to be provided.

She informed them that she had recently read an article from the LGA (Local Government Association) that showed that MATs are not delivering as planned and that maintained schools were improving more than MATs.

She queried the logic of encouraging schools to join a MAT at a time when schools are experiencing huge pressure on their budgets knowing that they will be top sliced

to support the pay of chief executives who will be earning more than the Director of Education of B&NES would ever have been paid.

She said that the B&NES School Standards Board has a vast amount of responsibility, but no power and no money.

Councillor Michelle O'Doherty said that she shared the views of Councillor Hardman and was concerned by the content of the report as she believed she had previously been given assurances that support for schools that do not want to become academies would be retained.

Councillor Paul May said that he agreed with the comments made but the Council has to work within the policy set down by the Government. He added that he would be happy to receive additional recommendations from the Panel.

The Chair stated that the Panel were not being critical of the Director of Education Transformation and that she applauded schools that do not want to convert.

The Director of Education Transformation commented that at the meeting with Head Teachers they proposed that the following bullet point be removed from the statement.

- Encourage the remaining state maintained schools to join a MAT of their choice at the earliest possible opportunity.

She added that from September 2018 there will be three local Teaching Schools whose remit is to provide high quality professional development for school staff including governance; strengthening school to school support and building capacity within the school system.

She said that the Department for Education (DfE) supports a 'dual system' (mix of LA controlled and academy school) and diversity in education provision going forward and reassurance that good and outstanding schools will not be forced to join a MAT.

Kevin Burnett commented that in his experience the majority of Head Teachers were being encouraged to convert and that this was seen as the least worst option to take by many of them. He said that the Local Authority should be able to support those schools that wish to remain maintained and that this message should be sent back to the Government.

Councillor Paul May said that he personally felt that too many MATs existed and that it was important to remember that it is the outcomes for the children that matter the most. He added that he would like the existing MATs to be contacted and that the Council expresses how it wants to interact with them in the future.

Councillor Liz Hardman stated that more accountability must exist to hold academies to account.

The Director of Education Transformation said that she welcomes the Panel's input into this process and acknowledged the need to develop relationships with our

MATs. She gave the Panel a personal guarantee that the Council will continue to support its maintained schools.

Kevin Burnett commented that if the Panel were to accept the new 'B&NES Draft Academies Policy 2018' the 5th bullet point of the Policy Statement should be replaced with the following wording;

- Acknowledge the freedom schools have to join a MAT or remain as a maintained school under the Local Authority

Councillor Liz Hardman proposed that the Panel recommends Proposal 2 from within the report and that no changes are made to the current Policy for Academies and Free Schools.

The Panel **RESOLVED** to recommend;

- i) There are no changes to the current Policy for Academies and Free Schools. The Local Authority maintains a neutral position as the strategic commissioner of education services and champion of all children and young people including the most vulnerable.
- ii) That is acknowledged the freedom schools have to join a MAT or remain as a maintained school under the Local Authority.

26 CABINET MEMBER UPDATE

Councillor Paul May, Cabinet Member for Children & Young People addressed the Panel, a summary is set out below.

Youth Connect

The proposals to consider a staff mutual are progressing well and are at the business plan stage addressing VAT and other issues. The maintenance of Southside centre still needs careful consideration and an asset transfer may be too premature for the group at this stage.

The Peasedown St. John discussions are progressing subject to the school adjacent to the site having to be extended and how the main hall is let after an asset transfer takes place.

The Riverside agreement now includes a 3 year tenancy to resolve the asset transfer issues subject to the stated aim to make this a long term commitment to the community.

Southside Community Project, Bath

The team operating from Curo premises quite near the Youth Connect site are actively working with the community in a whole range of inspiring support services. They are part funded by the Council and their contract comes up for renewal soon.

Ofsted

The inspection system has changed this year. We were one of the last authorities to be inspected under the Single Inspection Framework (SIF) and now they are moving much more towards an interactive model inspection of Local Authority Children's Services. This year we were asked to prepare a self-assessment of progress made since the SIF and experts spent a whole morning having discussions with officers. It was the first time a lead member had been involved and once again I learnt a considerable amount about the detailed work necessary to deliver effective services. The officers were open, constructive and highly impressive.

School Places

Following on from the issue of school places in Bath this year officers have met the independent schools to assess their role moving forward - a very progressive step.

Councillor Liz Hardman asked for further information relating to school places.

Councillor May replied that the discussion centred on understanding the role they play within local provision and to gain an understanding of how many pupils attend them and if there are specific reasons for making their choice.

The Director of Education Transformation added that the schools concerned have agreed to send to the Council their expected figures so that they can be taken into account in planning for places in the future.

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

27 CORPORATE DIRECTOR (PEOPLE) BRIEFING

Councillor Liz Hardman asked if any further comments were required following school inspections that have seen two local schools receive 'Inadequate' gradings from Ofsted. She said that she was particularly concerned with the safeguarding issues raised relating to Beechen Cliff.

The Director of Education Transformation replied that she, alongside the Director for Safeguarding & Quality Assurance and the Director for Children & Young People had met with Beechen Cliff prior to its inspection and that they continue to do so.

She added that discussions have also taken place between the school and SARI (Stand Against Racism & Inequality).

She said that the Regional Schools Commissioner was primarily responsible for Beechen Cliff and that they were expecting them to make a statement soon.

The Chair commented that the school historically had been held in high regard so these findings will surely be giving parents some concerns.

At this point in the meeting the Chair on behalf of the Panel thanked the Director for Children & Young People for all his work whilst at B&NES and wished him the very best of luck in the future in his new job.

The Panel noted the written briefing that had been supplied by the Corporate Director (People).

28 PANEL WORKPLAN

The Chair introduced this item to the Panel. She said that they would add to their workplan the topics of Children's Mental Health, Sufficiency Statement and an LSCB Arrangements Update.

She suggested that the items Bath Community Academy and Elective Home Education be scheduled for September 2018.

The meeting ended at 12.55 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Children and Young People Policy Development & Scrutiny Panel	
MEETING/ DECISION DATE:	18 September 2018	
TITLE:	Update on Secondary School Place Sufficiency in the Greater Bath Consortium Planning Area	
WARD:	Abbey, Bathavon North, Bathavon South, Bathavon West, Bathwick, Combe Down, Kingsmead, Lambridge, Lansdown, Lyncombe, Newbridge, Odd Down, Oldfield, Southdown, Twerton, Walcot, Westmoreland, Weston, Widcombe.	
AN OPEN PUBLIC ITEM		
List of attachments to this report: None		

1 THE ISSUE

- 1.1 An update on actions taken by Officers to ensure an effective strategy, that has been agreed with all Bath secondary schools and academies (schools), to secure sufficiency of secondary school places in the Greater Bath Consortium (GBC) Planning Area for the future.

2 RECOMMENDATION

- 2.1 Note the actions taken by Officers to secure sufficiency of secondary school places in Bath.
- 2.2 Note the secondary school places and pupil projection figures for Years 7 to 11 for the GBC Planning Area from 2018 up to 2024.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The Council receives Basic Need (BN) grant funding from the Department for Education (DfE) to support the delivery of additional school places. It has been identified in the Schools Capital Programme for a number of years that capital investment will be required to support the provision of additional secondary school places in Bath.
- 3.2 Community Infrastructure Levy (CIL) funding of £500k has been identified for Bath secondary school provision in the 2018/19 CIL allocations.
- 3.3 The first phase of projects to be delivered at Bath secondary schools will cost approximately £2.35m. This will be funded by BN grant (already received) and CIL. There are no revenue implications.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 Relevant considerations: The Council's statutory duty to secure sufficient schools are available for their area to provide primary and secondary education; Children; Equalities.
- 4.2 An Equality Impact Assessment has been completed. No adverse or other significant issues were found.

5 THE REPORT

- 5.1 During 2018 as the school admissions process progressed it became clear that a number of additional secondary school places would be required for the GBC Planning Area for Year 7 admissions in September 2018.
- 5.2 The projected pupil numbers indicated there were sufficient places for all Bath residents, however as some of these places were able to be taken up by pupils from outside of the Bath area, there were insufficient places for Bath children.
- 5.3 The Council introduced a new admissions process for September 2018 Year 7 admissions onwards which allowed parents to name five school preferences on their application form, sufficient to name all schools in Bath. The majority of Bath parents chose not to indicate five preferences, which contributed to pupils from outside of Bath being able to obtain a place. The legal framework for school admissions means that the Council cannot prevent this from happening.
- 5.4 Officers from the People and Communities Department consulted with the Bath Education Trust (BET) and met with the Headteachers or their representatives, from all of the Bath secondary schools within the GBC Planning Area to agree the provision of additional places for September 2018 admissions.
- 5.5 Schools were also invited to submit proposals to support the provision of future additional places in the medium to longer term from 2019 onwards to meet the future projected increase in demand based on the pattern of applications for places seen in 2018.
- 5.6 As a result of the discussions with schools, some additional places have been created for Year 7 admissions in 2018 and further additional places will be created for admissions in 2019 onwards. A total of 118 places per year group are planned to be provided, for admissions in 2020 onwards.
- 5.7 The table below shows projected pupil numbers compared to places that will be available in the secondary schools within the GBC Planning Area once the agreed proposals have been implemented, from September 2018 up to the 2024-25 academic year. Any very small deficits of places would be expected to be managed via minor breaches to admission numbers, spread across all of the schools in the area.

The Year 7 column shows the number of pupils projected for secondary intake compared to the number of places available by academic year.

Academic Year		Year 7	Year 8	Year 9	Year 10	Year 11
2018-19	Projected number of pupils	1112	1054	1084	1048	1015
	Number of places available	1121	1104	1098	1104	1008
	Surplus or deficit of places	9	50	14	56	-7
2019-20	Projected number of pupils	1031	1117	1059	1089	1053
	Number of places available	1042	1121	1104	1138	1104
	Surplus or deficit of places	11	4	45	49	51
2020-21	Projected number of pupils	1087	1036	1122	1064	1094
	Number of places available	1126	1042	1121	1144	1138
	Surplus or deficit of places	39	6	-1	80	44
2021-22	Projected number of pupils	1141	1092	1041	1127	1069
	Number of places available	1144	1126	1042	1161	1144
	Surplus or deficit of places	3	34	1	34	75
2022-23	Projected number of pupils	1129	1146	1097	1046	1132
	Number of places available	1144	1144	1126	1082	1161
	Surplus or deficit of places	15	-2	29	36	29
2023-24	Projected number of pupils	1148	1134	1151	1102	1051
	Number of places available	1144	1144	1144	1166	1082
	Surplus or deficit of places	-4	10	-7	64	31
2024-25	Projected number of pupils	1052	1153	1139	1156	1107
	Number of places available	1144	1144	1144	1184	1166
	Surplus or deficit of places	92	-9	5	28	59

5.8 Monitoring of pupil numbers and discussions with BET are ongoing to ensure sufficiency of places for Bath pupils for the future.

6 RATIONALE

6.1 The 2018 secondary Year 7 intake was a particularly large pupil cohort and numbers are expected to drop slightly for the next two years before increasing again beyond 2021, up to 2024.

6.2 The number of additional places required are not sufficient to justify the provision of a whole new secondary school as the school would not be of sufficiently large enough size to be viable.

6.3 Providing additional places at the existing schools within the GBC will serve to provide more places in OFSTED Good or Outstanding schools and will contribute to the future viability of these successful schools.

7 OTHER OPTIONS CONSIDERED

7.1 None

8 CONSULTATION

8.1 Cabinet Member for Children and Young People; Corporate Director; Education Finance; Admissions and Transport; Schools Capital and Organisation.

9 RISK MANAGEMENT

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

9.2 *The Council has a statutory duty to secure sufficient schools are available for their area to provide primary and secondary education and failure to ensure there are sufficient places will result in the Council being at risk of breaching its responsibility.* Implementing the proposals for the provision of additional school places as per this paper is expected to provide sufficient places for the projected need.

Contact person	<i>Margaret Simmons-Bird 01225 394240</i>
Background papers	<i>Primary and Secondary School Organisation Plan 2017 – 2021</i> http://www.bathnes.gov.uk/sites/default/files/siteimages/Schools-and-Learning/School-Strategies-Policies-Planning/sop_2017-2021_and_beyond_-_final.pdf
Please contact the report author if you need to access this report in an alternative format	

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Children & Young People Policy Development & Scrutiny Panel	
MEETING/ DECISION DATE:	18 th September 2018	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Bath Community Academy Site - Developing Proposals for Future Use	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Site Plan		

1 THE ISSUE

- 1.1 On the 1st September 2018 the Bath Community Academy Site (BCA) was returned to Council ownership following the closure of the Bath Community Academy School and the current 125 year lease to Cabot Learning Federation (CLF) came to an end.
- 1.2 There are currently a number of short term, two year, contracts with a nursery, GLL (Better) operating the sports centre and Bath Spa University that need to be honoured. The income generated by these current leases can provide resources to ensure safe and secure management of the site giving time to develop a long term plan for the future use of the BCA site. There is considerable interest in the future use and development of the site that could benefit the local community.

2 RECOMMENDATION

- 2.1 To note the planned use of the site for the next 2 years
- 2.2 To note the proposed options and outline timeline to develop a master plan for the future use of the site

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The resources required to maintain and manage the site will need to be funded from the income generated from site users. The Council will need to ensure caretaking and security of the site is maintained to a high standard until a decision is made about its long term future. We are currently negotiating with site users to establish the best route for caretaking to ensure site security and safety. The rental income from site users and community use will be approximately £175k per annum. A significant portion of the income will need to be used to provide caretaking and security along with continued utilities etc.
- 3.2 The Council has been allocated a grant of £65k from the One Public Estate project to undertake a Master planning exercise and work with local community so that the site meets local community needs. To that end this will require undertaking an initial Site Audit, a Visioning exercise, Master planning whilst at all times maintaining Community Engagement about the future use of the site.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 none

5 THE REPORT

Short Term Usage

- 5.1 Now that the school has handed the site back to the LA (1st September 2018) the intention is to ensure that the community can continue to use and enjoy the relevant facilities (eg. Nursery, leisure centre) and protect and maintain the asset pending longer term decisions on the future of the site.
- 5.2 There are currently several users renting space on site. The main users are Bath Spa University, Footsteps Nursery, Learn@ academy (alternative education provision) and a number of community groups. Also on site are GLL running a council leisure centre. A site plan is shown as an appendix.
- 5.3 A significant number of community groups currently use the school for a range of activities outside of school hours and at weekend, and where possible it is essential that this community use is maintained. Officers are currently in discussion with site users about the most appropriate caretaking options for the whole site.
- 5.4 Bath Spa University is currently leasing three blocks of the school building directly from the Council for two years. The Income from the lease has been ring fenced to fund the running costs of the site including caretaking, rates, utilities and other such costs where they are not being made the responsibility of the various occupiers.
- 5.5 There is potential to generate small amounts of further income from renting to new users. There has been interest from several organisations and discussions about possible rentals are on-going.

Timescales

- 5.6 With the current leases in operation (2 years for Bath Spa University) there is a window of opportunity to assess the possible options for the long-term future of the site
- 5.7 Engagement with the community will be planned to ensure the community are involved and feed into the plans for longer term use of the site.

Future Uses

A number of long term uses could be served by the BCA site as follows:

A Community Uses

The site currently plays a wider community role distinct from that of the BCA school- i.e. providing a leisure centre, nursery and some educational facilities for other organisations as well as space for community groups running activities outside of school hours.

Any longer term plan will need to consider these uses and whether current site users need to continue using the site.

B Educational Uses

Whilst the site has hosted a mainstream secondary school for many years, the DFE's Regional Schools Commissioner took the decision to close BCA at the suggestion of the Cabot Learning Federation as they had not been able to make the school financially or educationally viable with so few pupils.

The Council's School Organisation Plan recognises the need for some increase in the secondary school places in the city but there is insufficient demand to justify a new secondary school and the need can be met through the expansion of existing local schools.

There remains some scope for educational use of parts of the site (as there will continue to be from Sept 2018) though it is most likely to be a suitable base for more specialised provision serving a wider need, rather than a local mainstream schooling option.

C Mixed Use

The site is large enough to support a mix of future users that could include continued community and specific educational uses as set out above if the need exists but could also include public or private office space and residential use.

The council has a duty to ensure that the public finances invested in the site are put to best use. It will need to consider the potential options and potential value of the site under each of the various development options.

An audit of the current uses and condition of the assets on the site will provide greater clarity on potential future uses. Community engagement together with planning advice will help the council shape the masterplan for the site

Approximate Timelines

Undertake site audit and identify Council and current site user requirements	01/09/2018	30/06/2019
Develop options appraisal	01/07/2019	31/10/2019
Engagement with the local community and other stakeholders	01/09/2018	31/01/2020
Develop Master plan in light of engagement	01/02/2020	30/06/2020
Develop specific and deliverable plans for the future use of the site.	01/07/2020	31/08/2020

6 RATIONALE

- 6.1 The 2 year short term strategy will allow the council time to develop a longer term masterplan for the site. This masterplan will be drawn up to consider a wide range of options for the site

7 OTHER OPTIONS CONSIDERED

- 7.1 None

8 CONSULTATION

- 8.1 To be built into the master planning process as outlined above.

9 RISK MANAGEMENT

- 9.1 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>Richard Morgan</i> richard_morgan@bathnes.gov.uk 01225 395220
Background papers	
Please contact the report author if you need to access this report in an alternative format	



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Briefing for Children & Young People's PDS September 2018

Children and Social Work Act 2017

The Children and Social Work Act was passed by the Government in 2017.

This briefing updates the panel on the relevant provisions of the Act and actions that have been taken or are being taken locally as a result.

The main purpose of the legislation is to:

- Improve decision making and support for looked after and previously looked after children in England and Wales.
- Improve joint work at the local level to safeguard children and enable better learning at the local and national levels to improve practice in child protection.
- Promote the safeguarding of children by providing for relationships and sex education in schools.
- Enable the establishment of a new regulatory regime specifically for the social work profession in England.

A) Children in care and care leavers

Corporate Parenting Principles

The Act introduces Corporate Parenting Principles which are intended to change local authority culture so that all staff and departments consider the impact of their work on children and young people for whom the local authority is the corporate parent, as well as on those under 25 who were previously in the care of a local authority.

The Corporate Parenting Principles state that local authorities must 'have regard to the need' to take certain actions in their work for children in care and care leavers. These are:

(a) to act in the best interests, and promote the physical and mental health and well-being, of those children and young people;

(b) to encourage those children and young people to express their views, wishes and feelings;

(c) to take into account the views, wishes and feelings of those children and young people;

(d) to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners;

(e) to promote high aspirations, and seek to secure the best outcomes, for those children and young people;

(f) for those children and young people to be safe, and for stability in their home lives, relationships and education or work;

(g) to prepare those children and young people for adulthood and independent living.

Local Actions

These principles will need to guide the strategic direction and work plan of the services provided to children in care and care leavers by Bath & North East Somerset Council and its partners, and that of the B&NES Corporate Parenting Panel.

All children in care and care leavers have an allocated social worker (CiC) or Personal Assistant (CL). Regular visits are undertaken and a Care Plan or Pathway Plan is in place which outlines the needs of the child/young person, as well as the steps taken by professionals and family to meet those needs. The child's voice is central to our work and aids in these plans, i.e. placement, interests, family and culture. Social work is underpinned by helping the child/young person achieve their best potential.

Further work is being taken via the Improvement Plan to develop and improve the overall quality of assessments and planning for young people, build on the examples of good practice which are already evident within practice, and improve the consistency of planning across the department.

Work is also being undertaken to strengthen the voice of the child within the Care Plan. A working group is in place, alongside the In Care Council, exploring a 'plan to a page', which will be child friendly and meaningful to young people.

The Local Offer for care leavers

English local authorities must publish a 'Local Offer' for care leavers, informing care leavers about services they provide under the Children Act 1989, plus anything else they or others offer that 'may assist care leavers in, or in preparing for, adulthood and independent living' including services related to:

- health and well-being
- relationships
- education and training
- employment
- accommodation
- participation in society

Local Actions

As from 1st April 2018 B&NES provides support to young people up to the age of 25. We are in the process of publishing our Local Offer and have written to relevant young people notifying them of our duties. We have a dedicated Personal Assistant that is managing any request or support and works closely with our partner agencies to meet these needs, i.e. housing, education, DWP.

Further work is being undertaken to strengthen the support from our partner agencies and workshops/information sessions have been held. A website is in development which will provide young people with alternative means to contact the Local Authority and explore options of support from our partner agencies. We have an arranged 2 day visit from the DfE in October/November to provide feedback on the progress of our work.

Personal Advisor up to the age of 25

This adds a new provision to the Children Act 1989, extending the entitlement to a Personal Advisor (PA) beyond the age of 21 to all care leavers up to 25 years old, whether or not they are in education or training. Local authorities now have a responsibility to make the offer of a PA at least once a year to care leavers, and for them to carry out a needs assessment and to prepare a pathway plan for the care leaver.

Local Actions

All care Leavers are allocated a Personal Advisor and we make regular contact with young people. From 15 years and 9 months, young people will have a 'Pathway Plan', supported by a needs assessment, which outlines the support and desired outcome for that young person into adulthood. This assessment and Plan is completed in partnership with the young person.

Work is being undertaken to strengthen the needs assessment and Pathway Plans. It is important that assessments provide a clear plan, based on analysis of historical experiences and future needs. We are also working towards Pathway Plans being relevant to young people and reflecting their wishes and feelings.

As discussed above, support and guidance is provided to young people up to the age of 25 years, under the extended duties for Care Leavers. For those young people over 18 years, contact is made at a minimum of yearly, notifying them of these rights, as well as the range of support that is available.

Agreement has been made to exempt Care Leavers from Council Tax (when they live in BANES). We have a working party in place to develop our Care Leavers Council.

The education of previously looked after children

The Children and Social Work Act contains several provisions intended to support the educational achievement of previously looked after children. A 'previously looked after' child is a child who was in the care of the local authority but was then immediately adopted, became subject to a Child Arrangements Order or a Special Guardianship Order. The Act addresses disparities between the educational support offered to looked after children and previously looked after children, and between the duties of state-maintained schools and academies towards currently and previously looked after children.

It stipulates:

- State-maintained schools must now have a designated staff member responsible for promoting the educational achievement of previously looked after children as well as children currently in care
- Academies must designate a member of staff to promote the educational achievement of both children currently and previously in care
- A local authority must make available information and advice promoting the educational attainment of previously looked after children - to their school's 'designated member of staff' and people with parental responsibility.

Local Actions

The new duties are being undertaken by the Head of the Virtual School and new national guidance has been issued strengthening the requirements in respect of Looked After Children as well as previously Looked After Children and with additional emphasis on ensuring their mental health needs are met. The hours of the post-holder have been increased and she has given briefings to Headteachers and to the Corporate Parenting Group.

Care and adoption proceedings

This section of the Act extends the issues a court or adoption agency must consider when making decisions about the care or adoption of a child. It came into force on 31st October 2017.

It extends the definition of the 'permanence plan' that courts must consider when making a care or supervision order for a child. Part of a Section 31 plan, the permanence plan that informs placement decisions now incorporates both:

- The long-term plan for where the child will live (with parents, relatives or friends; with an adoptive family; in other long-term care)
- The impact on the child of any harm they have suffered or are likely to suffer, their corresponding needs and how the long-term plan will address those needs

When considering placing a child for adoption, courts and adoption agencies must now have regard to the child's relationship with *prospective adopters*, as well as relatives.

Local Actions

Guidance states that the permanence plan for a child is made no later than the 2nd CLA Review (within 4 months). The Independent Reviewing Officer (IRO) will quality assure this decision as part of the Review process. Prior to the 2nd Review, the social worker will attend the internal Permanence Panel, which is chaired by the Head of Service and assisted by the Children in Care Team Manager and Family Placement Team Manager. The permanence plan is scrutinised, with all available permanence options explored and clear timescales discussed.

Decisions regarding permanence are based on assessment, and in the case of adoption this will include a full parenting assessment, often alongside psychological and/or psychiatric assessments, attachment assessments, as well as sibling assessments. Once the decision is made that Adoption may be the preferred permanence for the child, a Child Permanence Report is undertaken, which provides information about the child and parents history, as well as their experiences of harm and ongoing needs in all areas of development.

The adoption process is carefully planned, including careful consideration of matching, information sharing and period of introductions. When the child moves to their adoptive placement, a part way review is held. Thereafter the child will be regularly visited by the social worker and Child Looked After Reviews held at a minimum of statutory timescales.

B) Safeguarding

The Children and Social Work Act makes several significant changes for safeguarding at both local and national levels, by amending the Children Act 2004.

Child Safeguarding Practice Review Panel

The Secretary of State will establish a new national Child Safeguarding Practice Review Panel, which will identify and review local safeguarding cases it judges to be complex or of national significance. The purpose of the review is "to identify any improvements that should be made by safeguarding partners or others to safeguard and promote the welfare of children".

A local authority must notify the panel of any instance where a child dies or is seriously harmed in their area, or where a child usually resident in their area dies or is seriously harmed outside of England. The panel has the power to request any information that will help it in its review.

Local safeguarding arrangements

The Act effectively abolishes Local Safeguarding Children Boards, removing the Children Act 2004 duties relating to them. In their place, it puts duties on three 'safeguarding partners' - the local authority, any Clinical Commissioning Groups operating in the area and the Chief Officer of Police - to make safeguarding arrangements that respond to the needs of children in their area. Two or more areas can also combine their safeguarding arrangements.

Their main responsibilities are:

- To involve 'relevant agencies' in their area
- To identify and supervise the review of serious safeguarding cases in their area
- To publish their local safeguarding arrangements
- To arrange for independent scrutiny of their local safeguarding arrangements
- To publish a report every 12 months on what they and the relevant agencies have done as a result of the local safeguarding arrangements and how effective the arrangements have been in practice

Local Actions

Working Together to Safeguard Children 2018 was published on the 29th June 2018; from this date the Council, Clinical Commissioning Group and Police have 12 months to decide what the new safeguarding arrangement will look like and a further three months to implement the new plan.

The Council, Clinical Commissioning Group and Police had already started working together before the 29th June in anticipation of the publication date to give as much time as possible to consider what the new arrangements might look like. In December 2018 the LSCB will discuss the possible options with a final proposal being signed off at the June 2019 meeting. The main aim will be to keep a local focus on improving outcomes for children but to try and gain some efficiencies where possible.

Child death reviews

This section of the Act provides for the functioning of child death review partners in a local authority area. Much of the detail on the constitution and proceedings of the review partners will be clarified in updated guidance. The child death review partners must arrange for the review of every death of a child usually resident in their area, and of children not usually resident in their area if they consider it appropriate.

The purpose of the review is:

- to identify any matters relating to the death or deaths that are relevant to the welfare of children in the area or to public health and safety

- to consider whether it would be appropriate for anyone to take action in relation to any matters identified.

As with the local safeguarding partners, two or more areas can combine their functions and partners can undertake work on behalf of other partners in the combined area.

Local Actions

Working Together to Safeguard Children 2018 sets out what the new arrangements should look like. The local arrangement in B&NES is already fit for purpose and in fact our local Child Death Overview Panel has been proposed as one of the models other areas could consider to take forward.

Protecting whistle-blowers

The Act extends the protection against employment discrimination for whistle-blowers in the NHS to whistle-blowers in children's social care roles. Regulations to prevent discrimination against people who have made protected disclosures, and compensate workers where it occurs, will be created that apply to both local authorities and other providers of statutory social care services. Discrimination is determined to be where an employer "refuses the applicant's application or in some other way treats the applicant less favourably than it treats or would treat other applicants for the same position."

Local Actions

The Council already has in place whistle-blowing policies to enable staff to whistle-blow in a confidential and protected manner.

C) The curriculum

Relationships and sex education in England schools

Chapter 4 of the Act puts a duty on all primary schools to provide relationships education and on all secondary schools to provide relationships and sex education. Previously, only state-maintained secondary schools had any obligation in this regard.

Relationships / relationships and sex education must be appropriate to pupils' age and religious background. Schools will be required to publish their policy on their relationships and sex education.

The content of both relationships education and sex and relationships education must include:

(i) safety in forming and maintaining relationships,

(ii) the characteristics of healthy relationships, and

(iii) how relationships may affect physical and mental health and well-being

This section also allows the Secretary of State to require (via regulations) that Personal, Social, Health and Economic education (PSHE) is provided in all primary and secondary schools in England. The detail of this education would be clarified by consultation and statutory guidance issued to schools, and the new regulations could amend previous education legislation.

Local Actions

The DfE is currently consulting on their new guidance for Relationships and Sex Education, which will be finalised and issued to schools in due course.

D) Part 2 of the Act: Social Workers in England

The Health and Care Professions Council (HCPC) is to be abolished and a new body called Social Work England will be established to:

- Protect, promote and maintain the health, safety and well-being of the public.
- Promote and maintain public confidence in social workers.
- Promote and maintain proper professional standards for social workers in England (this may include a process for assessment/accreditation of social workers meeting those standards).

Local Actions

In BANES we currently support our social work staff to renew their HCPC registrations. We provide a comprehensive training programme to ensure that they are able to complete all continuous professional development as required by their professional body. We will work alongside Social Work England to meet all requirements for staff with their registration and when details are finalised, we intend to disseminate information to qualified staff appropriately to ensure compliance with any new or transitioned requirements from the HCPC to Social Work England.

We have been in liaison with regional partners to ensure that we are complying with any planned introduction of assessment/accreditation for social workers, although pilots in other areas of the country are currently ongoing.

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Children & Young People Policy Development & Scrutiny Panel	
MEETING DATE:	18 th September 2018	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Support for the Children of Alcoholics	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		

1 THE ISSUE

- 1.1 The Parliamentary Office of Science and Technology in February 2018 estimated that between 189,000 and 208,000 children in England live with an alcohol-dependent adult, while 15,500 children live with an adult receiving treatment for alcohol dependence. (These figures are likely to be under-reported)
- 1.2 The same report found that between 2011 and 2014, Parental Alcohol Misuse (PAM) was implicated in 37% of cases involving the death or serious injury of a child through neglect or abuse, and that 61% of care applications in England involved misuse of alcohol and/or drugs.
- 1.3 Children living with alcohol-dependent parents and unborn children to alcohol dependent mothers can experience significant impact to their physical health, mental health and future outcomes as a result.
- 1.4 The Council resolved at its March 2018 meeting that it has a responsibility to support the children of alcoholics and to ensure that the needs of these children are met.
- 1.5 This report was requested to provide assurance that all the relevant policies, procedures and strategies of this Council recognise and address the particular needs of the children of alcoholics.

2 RECOMMENDATION

The Panel are asked to:

- 2.1 Note the positive assurance provided from the initial analysis work described in this report and to receive a further report in due course when the assessment

has been completed and shared with the National Association for the Children of Alcoholics (NACOA).

3 INITIAL ANALYSIS

An initial review of policies, procedures and strategies has been undertaken and the following information provides examples of how current documents and practice ensure that the needs of these children are appropriately addressed.

3.1 Referrals

All new concerns come into children's social care via the Duty Team. Decisions about whether the concern meets the threshold for Children's Social Care are managed at this point, in line with the Threshold document. This document is on the Website and available to all professionals and the general public to use as a guide. Parental substance misuse is acknowledged as an issue that warrants at least a tier 3 response which would either receive a Common Assessment Framework or a Team Around the Child dependent on severity or would be considered a Child in Need at a Children's Social Care level and trigger a Single Assessment of the child's needs and parenting capacity to meet these needs. The Threshold document mentions substance misuse but specifically highlights that this includes alcohol e.g.

Child/Young Person's Development:

Child/Young Person at risk of sexual exploitation (including online abuse) – Risk taking behaviour – Substance misuse.

Parenting Capacity

Level 3 "Parental substance abuse, including alcohol, presents a risk to the wellbeing of the Child/Young Person. This includes not storing drugs/paraphernalia safely".

Level 4 "Parental/carers substance abuse, which seriously affects the care of the Child/Young Person".

Family & Environmental Factors

Level 4 - Neglect through poor parental choice, e.g. income spent purely on drugs/alcohol and not food.

3.2 Assessments

Once a matter has met the threshold for Children's Social Care involvement and an assessment is undertaken, there is a list of factors that are considered and recorded (with system prompts to ensure this happens) during the assessment stage. These include:-

- Alcohol misuse: Concerns about alcohol misuse by the child
- Alcohol misuse: Concerns about alcohol misuse by the parent/carers
- Alcohol misuse: Concerns about alcohol misuse by another person living in the household.

3.3 Care/Case Planning

The factors that make up the complex trio (Mental Health, Substance Misuse and Domestic Abuse) are further captured at the plan stage for both Child in Need and Child Protection Plans, again with system prompts to complete.

3.4 Policies and Strategies

The Child and Young People's plan considers and seeks the reduction of children subject to harm as a result of drugs, alcohol and tobacco. It is clear also about how it will support reductions in children and young people misusing alcohol and other substances including tobacco and how we will know that this has been successful. The focus here is however is in relation to supporting and capturing young people using alcohol, drugs and/or tobacco rather than parents.

The Neglect Strategy includes Alcohol as a parental risk factor. A new Neglect strategy and Tool Kit is being developed currently and is due to be launched in November 2018.

3.5 Practice Guidance on the Complex Trio

The South West Child Protection Procedures, which we jointly commission, contain information for practitioners: 'Children of Parents who Misuse Substances' which covers alcohol, the impact on children and explains what the Complex Trio is and what to do when these issues are apparent.

A recent task and finish group has been looking at how to identify the complex trio and ensure that children of parents experiencing these difficulties at all levels are known and where appropriate supported by services.

3.6 Support Services

Project 28

We commission services for children and young people who become involved with drugs, alcohol and other substances via DHI.

The Early Help App for Professionals

This App leads professionals to contact information and details about DHI and Project 28. In addition it has links to tools to establish levels of alcohol use and alert practitioners to the level of risk at that time. This will support professionals in the identification of problematic alcohol misuse and gives advice about what to do next in terms of appropriate referrals. (Drink Think Tool and the Alcohol Audit C tool and the Xanax Information).

Think Family

There is a Think Family Group convened to look at the links between Children's and Adult Services in order to identify children of parents who are experiencing a number of issues including alcohol dependency.

Training

As part of the Think Family Initiative, 'Alcohol Identification and brief advice for parents', training is offered to multi agency practitioners from both Adult and Children's Services delivering targeted and early help services. The course aims to provide resources and techniques to build confidence across the Bath and North East Somerset workforce in delivering early interventions and brief advice to parents around their alcohol use.

Early Help Panel

DHI/Project 28 attend the Early Help Panel to ensure appropriate help is offered for any children/parents where there are alcohol or drug issues at tiers 2/3 on the Threshold document.

4 FURTHER WORK TO BE COMPLETED

- 4.1 The initial review of policies, procedures and strategies indicates that we have a range of positive measures in place to ensure that the children of alcoholics have their needs identified, and that families can access appropriate support to address these needs. Further work is required to complete the review and produce a set of recommendations to further improve the existing arrangements. The Council has asked that we share the findings with the National Association for the Children of Alcoholics (NACOA) and invite them to comment on our support offer. A further report will be brought to PDS when this has been completed.

Contact person	Julie Morris, Service Development Manager 01225 477084, Julie_morris@bathnes.gov.uk
Background papers	
Please contact the report author if you need to access this report in an alternative format	

Bath & North East Somerset Council		
MEETING	Children and Young People Policy Development and Scrutiny Panel	
MEETING DATE:	18 September 2018	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Elective Home Education	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: None		

1 THE ISSUE

- 1.1 The PDS panel is informed that there has been a rise in the number of children and young people who are electively home educated (EHE) in Bath & North East Somerset. This rise is reflected nationally and concern is growing that this rise is due to increasing numbers of vulnerable children and young people who are EHE and potentially out of sight of the education system and possible support services.

2 RECOMMENDATION

- 2.1 That the PDS panel notes the rise in elective home education in B&NES and notes the level of concern regarding the increase of its apparent use to remove vulnerable children from the education system
- 2.2 That the PDS panel is made aware that EHE is now a national concern and that the Department for Education (DfE) has carried out a consultation on EHE that will have possible implications on the legislation and guidance that oversees this matter and that this could in turn have resource implications for B&NES services.
- 2.3 The PDS panel is asked to note and comment on the report and the recommendations made by the LSCB which has been looking at this issue locally

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 Not applicable

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 Not applicable

5 THE REPORT

Introduction

- 5.1 Elective home education is the term used by the DfE and Bath & North East Somerset to describe the educational provision made for children whose parents decide to educate them at home instead of sending them to school. This is different to home tuition provided by a local authority or education provided by a local authority other than at a school.
- 5.2 Children whose parents elect to educate them at home are not registered at mainstream schools, special schools, independent schools, academies, free schools, pupil referral units (PRUs), colleges, children's homes with education facilities or education facilities provided by independent fostering agencies. Some parents may choose to engage private tutors or other adults to assist them in providing a suitable education, but there is no requirement for them to do so. Learning may take place in a variety of locations, not just in the family home.
- 5.3 For the majority of children receiving EHE the option, as chosen by their parents, is a positive and suitable experience.
- 5.4 For some children, this is not a positive experience or a suitable arrangement and may foreclose their future options due to not achieving their educational potential. We need to be mindful that some children may not be known to the local authority.
- 5.5 In a recent Ofsted social care commentary paper: 'hidden children – the challenges of safeguarding children who are not attending school', highlighted the following concern. Children who do not attend school can become hidden, which means that we are less able to help and protect them. Some of these children may experience risks within their families, such as abuse and neglect. There may also be risks outside their family, such as radicalisation or exploitation.

The Growing National Concern

- 5.6 The DfE does not collect data for children who are EHE and no clear picture of this cohort of learners exists. It is known that authorities across the country monitor and support this group of children in a variety of different means and ways. There is a conservative estimate that there may be in the region of 40,000 children & young people in England being EHE.
- 5.7 All local authorities are reporting experiencing a rapid growth in numbers of children who are EHE, especially children removed from registered schools in key stages 3 and 4. A concern is the challenges for EHE parents of children coming out of Year 11 to arrange exams, with limited access to post 16 options, with no qualifications and high risk of becoming NEET (Not in Education, Employment or Training).
- 5.8 Nationally the most common reason given by parents for choosing to electively home educate their children are philosophical or lifestyle choices and 'unknown'

as parents had chosen not to share this information. A general dissatisfaction with the school system was also noted. This may include unresolved issues with the school or academy relating to dissatisfaction due to poor response around anxiety, emotional or behavioral difficulties, bullying or SEND.

5.9 Many local authorities report through professional membership bodies and networks that parents opt for EHE to avoid permanent exclusion or non-attendance legal action. It has been reported nationally in October 2017 through a survey conducted by the Association of Directors of Children's Services (ADCS) that there has been a developing practice of schools who will proactively encourage parents to remove their children from school. There is also a view that parents also choose to home educate whilst waiting for a place at the preferred school.

5.10 In response to the growing national concern, the DfE has carried out a formal consultation on EHE. The consultation was in 2 parts. The first was a call for evidence on issues connected with elective home education. In particular; registration of children educated at home, monitoring of home education provision, support for home educators.

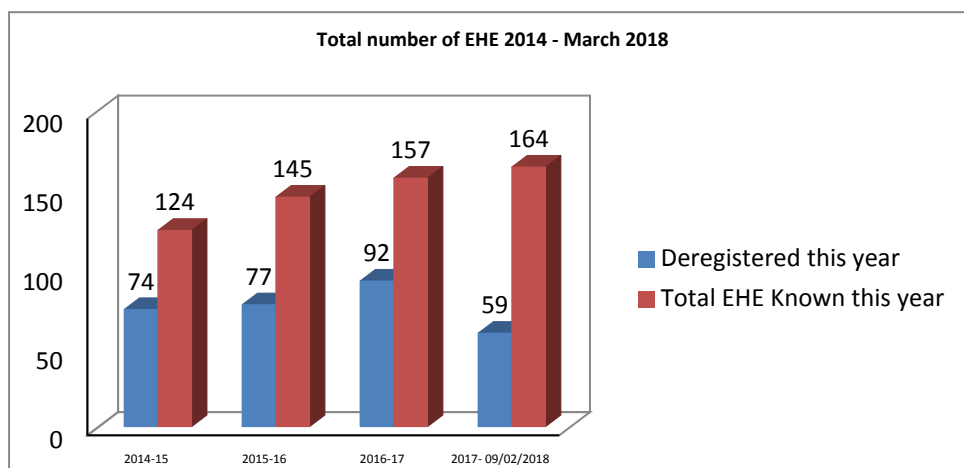
5.11 The second part was seeking comments on draft versions of two DfE guidance documents about EHE. One is designed for local authorities and the other for parents. The new EHE guidance draft indicated that local authorities should monitor the increased numbers of home educators more robustly.

5.12 The consultation closed on 2nd July 2018; the date for the feedback outcome is yet unknown but may have an impact on the DfE guidance that will be published. If additional guidance or duties are introduced the PDS panel is advised that this is likely to have additional resourcing requirements.

The Local Picture in Bath and North East Somerset

5.13 For many years, the numbers of EHE children remained fairly stable with the majority being a parental informed choice where children never entered the formal education system.

5.14 There has been a definite upward trend in numbers over the last few years of pupils coming out of the school system across the authority. The data for this academic year 2017- March 2018 is already showing a higher forecast than previous years. This is highlighted below;



5.15 Elective home education in B&NES is overseen by the Children Missing Education Service (CMES). The service employs an Elective Home Education Co-ordinator (EHECo) and a Home Visiting Teacher to oversee the EHE notifications the service receives from parents. The B&NES Ofsted inspection of children's social care services (24 April – 18 May 2017) published the following information relating to the EHE arrangements made by this service;

The LA makes good efforts to stay in touch with electively home educated children and their parents. Children known to be missing education are closely tracked and monitored. A LA wide multi-agency panel maintains an active overview of all children missing education and plays a strong advocacy role to ensure that each child eventually gains access to appropriate education settings. This panel ensures that schools are held to account and that they meet their statutory responsibilities for admitting children, including children who are, or who have previously been, excluded from education.

5.16 B&NES CMES has a philosophy of positive engagement to meet the challenges of what have historically been home educators with fiercely protective private lives. Over a considerable time, the Elective Home Education Co-ordinator (EHECo) supported by the Home Visiting Teacher has built a local reputation of trust, support and fairness with the majority of home educators welcoming contact and visit reports as an endorsement of their commitment and dedication to providing an education for their child/ren.

5.17 However, over recent years, the CMES has developed an increasing concern that mirrors the national issue that more and more parents are opting to EHE as a last resort as their children struggle in education, as a coerced choice or to display their dissatisfaction at the education system

5.18 In March 2018 the CMES presented a report to the Local Safeguarding Children's Board (LSCB) highlighting these concerns. The board tasked the service with formulating a task finish group to look at the issue locally and to carry out an audit of the last 12 families who have notified the local authority that they will be electively home educating their child/ren and to report their findings back to the board.

5.19 This task finish group was formed and included a Headteacher from the LSCB, the Divisional Director for Children's Services, the CMES Manager and the Head of the Education Inclusion Service. They carried out the requested audit in June 2018 and reported back their findings to the LSCB in September 2018.

5.20 The findings of the audit demonstrated a high level of concern regarding the vulnerability of the families choosing to EHE their children. Only in one case did it seem that a parent had made this decision in an informed way. The other families, just under half of secondary school age, had removed their children from education due to a series of difficulties relating to their children's needs and their education, including exclusions, dissatisfaction with support or lack of support, difficulties with meeting special educational needs and disabilities, emotional and mental health, either relating to the child, or as indicated in professional notes, relating to parental mental health. It was also clear that many parents did not understand the implications for themselves and their children in choosing to EHE.

5.21 The LSCB has supported a number of proposed recommendations in the report and added in their own additional ones, these are summarised below;

- That the local authority amends the Fair Access protocol to allow a period of 'cooling off' when the parent informs the school that they will EHE their child/ren. This 'cooling off' period would ask schools not to de-register children at the point of parental notification, but to allow time for services to discuss options with the parent fully. This protocol is agreed annually and is binding across all schools, but can only be implemented with the agreement of all headteachers.
- That the Corporate Director of People's Services and the LSCB will write to all headteachers raising concern over the increasing numbers of children who are being EHE and that they support and adopt the proposed changes in the Fair Access protocol.
- That the council explores utilising commissioned preventative services to offer additional advice and support, where appropriate and where families are accepting of this offer, to those families considering EHE during this 'cooling off' period.
- That the school nursing service will seek to work more closely with the CMES to ensure that the health needs of EHE children and young people are being met
- That the issues raised in the reports to the LSCB are raised in the regular meetings with designated safeguarding officers in schools and settings and that EHE checks are written into future safeguarding audits that are carried out in schools
- That a further EHE report be presented to the LSCB in 6 months to update on progress of its recommendations and the implications of the DfE's consultation on EHE

5.22 The PDS panel is assured that alongside these recommendations, the CMES service is proactive and vigilant in its approach to ensuring that children, young people and families are not misdirected or misinformed in choosing to EHE and that we do return many children and young people to education, where it's clear families have been coerced into this choice or that they have not been actively been providing their child/ren with a suitable education whilst EHE.

6 RATIONALE

6.1 As can be seen in this report we have taken a very deliberate approach to investigating the rising numbers of children and young people who are EHE by presenting the issue to the LSCB as the appropriate body to examine our concerns.

7 OTHER OPTIONS CONSIDERED

7.1 None considered appropriate

8 CONSULTATION

8.1 As highlighted in the report the LSCB has been approached and consulted with on issues highlighted in this report.

9 RISK MANAGEMENT

9.1 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>Christopher Wilford (01225) 477109</i>
Background papers	<i>List here any background papers not included with this report, and where/how they are available for inspection.</i>
Please contact the report author if you need to access this report in an alternative format	

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, 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, and Midsomer Norton public libraries.

Ref Date	Decision Maker/s	Title	Report Author Contact	Director Lead
18TH SEPTEMBER 2018				
18 Sep 2018	CYP PDS	Update on Secondary School Place Sufficiency in the Greater Bath Consortium Planning Area	Margaret Simmons-Bird Tel: 01225 394240	Corporate Director (People)
18 Sep 2018	CYP PDS	Bath Community Academy Site	Margaret Simmons-Bird Tel: 01225 394240	Corporate Director (People)
18 Sep 2018	CYP PDS	Children and Social Work Act 2017 Update	Mike Bowden Tel: 01225 395610	Corporate Director (People)
18 Sep 2018	CYP PDS	Supporting Children of Alcoholics	Lesley Hutchinson Tel: 01225 396339	Corporate Director (People)
18 Sep 2018	CYP PDS	Elective Home Education	Christopher Wilford Tel: 01225 477109	Corporate Director (People)
13TH NOVEMBER 2018				
22ND JANUARY 2019				
26TH MARCH 2019				
ITEMS YET TO BE SCHEDULED				
	CYP PDS	Children's Social Care - Placement Sufficiency	Ian Tomlinson	Corporate Director (People)

Ref Date	Decision Maker/s	Title	Report Author Contact	Director Lead
	CYP PDS	Local Safeguarding Children's Board - Future Arrangements	Dami Howard, Lesley Hutchinson Tel: 01225 396339	Corporate Director (People)
The Forward Plan is administered by DEMOCRATIC SERVICES : Mark Durnford 01225 394458 Democratic_Services@bathnes.gov.uk				

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