

## **BATH AND NORTH EAST SOMERSET**

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

Tuesday, 30th January, 2018

Present:- **Councillors** Sally Davis (Chair), Anthony Clarke (in place of Matt Cochrane), Liz Hardman, Michelle O'Doherty, Peter Turner and Lisa O'Brien (in place of Lizzie Gladwyn)

**Co-opted Non-voting Members:** Chris Batten (ATL) and Kevin Burnett (NAHT)

**Officers :** Richard Baldwin (Divisional Director - Safeguarding & Social Care), Margaret Simmons-Bird (Head of Education Transformation) and Tom Morrison (Senior Education Improvement Adviser)

**Cabinet Member for Children & Young People:** Councillor Paul May

**Cabinet Member for Finance & Efficiency:** Councillor Charles Gerrish

#### **50 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting.

#### **51 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure.

#### **52 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillors Alison Millar, Matt Cochrane and Lizzie Gladwyn had sent their apologies to the Panel. Councillors Anthony Clarke and Lisa O'Brien were present for the duration of the meeting as substitutes for Councillors Cochrane and Gladwyn.

David Williams, Co-opted Panel Member had also sent his apologies.

#### **53 DECLARATIONS OF INTEREST**

Councillor Anthony Clarke declared an other interest as he has grandchildren that attend schools within B&NES.

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

There was none.

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

There were none.

## **56 MINUTES - 21ST NOVEMBER 2017**

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

## **57 CABINET MEMBER UPDATE**

Councillor Paul May, Cabinet Member for Children & Young People addressed the Panel. A copy of the update can be found on their Minute Book and as an online appendix to these minutes, a summary of the update is set out below.

### **Narrowing the Attainment Gap**

I recently met with the Cllrs Millar and Hardman with key officers to discuss the challenge of narrowing the gap for disadvantaged pupils, including those from BME communities, for whom recent published data has indicated concerning performance against national figures. Officers have been asked to prepare a proposal for a scrutiny workshop to examine the issues and Cllr Millar has agreed to seek officer support to plan and organise that for the Panel.

### **Capital investments**

I have recently made a Single Member Decision to approve the release of £0.5m capital to expand local capacity for children and young people with SEND. This decision will support an increase of 107 new school and college places (54 at Post 16 and 53 in pre 16). A further £577k is due in grants from the DfE over the coming three years and the capital programme within our February budget proposals includes provision to 'frontload' this investment so that it can be committed ahead of us receiving the grant.

I am also pleased to confirm that I have made a Single Member Decision to approve capital funding to replace a pre-fabricated building at Twerton Infants School which was beyond economic repair. This is a further demonstration of our commitment to ensuring that school buildings are fit for purpose and provide safe and secure environments for learning.

### **Working with other Local Authorities**

I recently attended the South West regional Lead Members network, which provided a stimulating conversation with Ofsted who were quite rightly challenging us on some of the educational performance data. I will be representing the Lead Members group at a forthcoming meeting of the regional Sector Led Improvement group for Children's Services, which is linking up with the DfE, LGA and the South West Chief Executives to generate additional momentum to improve services – with a particular focus on children's social care.

### **WECA**

I am also working with the WECA Skills Advisory Board who are looking at post 16 funding and I am keen to see how we can ensure the local area can benefit from that opportunity.

He said that he was discussing concerns raised by schools in the Keynsham and Chew Valley area over a potential new Secondary School to facilitate the housing developments within Whitchurch.

Councillor Liz Hardman commented that she pleased that plans for a scrutiny workshop on attainment were commencing.

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

## **58 COUNCIL OPERATIONAL PLAN**

Councillor Liz Hardman commented that while understanding the pressure on budgets, there doesn't appear to be any evidence of additional funding to deliver particular services. For example, in respect of the Virtual School it says it will have increased responsibilities due to the Children and Social Care Act. Similarly, there is a proposal to set up a B&NES School Standards Board yet the Operational Plan does not indicate that additional resources will be available to support these areas. She asked how growth pressures in the Children and Young People budget are to be met.

The Divisional Director for Safeguarding & Social Care replied that two specific budget areas were due to receive an increase, namely the Looked After Children placement budget and SEND. He added that these were welcome and very positive moves to put the needs of vulnerable children first.

Councillor Paul May commented that although there will be political decisions ahead to be made he felt that the reductions planned would not cause the service significant harm.

The Head of Education Transformation said that the Virtual Head role had increased from its original role of three to four days a week and that there was scope assigned for an additional day due to increased responsibilities of the Children and Social Care Act. She added that some Local Authorities have used Pupil Premium Plus to support this function, B&NES has not as it believes these funds should be used entirely to improve provision and outcomes for looked after children.

Kevin Burnett asked if the Government were aware of the resources required of the Act and had the Council given them a response.

Councillor Charles Gerrish, Cabinet Member for Finance & Efficiency replied that they are aware and that the Council has written to the Government. He added that a reply from Government had not been received.

Kevin Burnett asked what the additional SEND budget would be used for.

The Divisional Director for Safeguarding & Social Care replied that the numbers of pupils with SEND were increasing and this money would improve resources within schools and look to lessen the number of young people that receive provision

outside of B&NES. He added that the decision will support an increase of 107 new school and college places for pupils with SEND.

Councillor Paul May added that the decision will also hopefully reduce the impact on young people and their families as well as the costs involved for provision outside of B&NES. He acknowledged that the Council has three good local providers and that at some point a business plan would be brought forward to increase this further.

Kevin Burnett stated that he felt that supportive services are not in place to prevent escalations and that cuts to Educational Psychologists and school support staff will result in a lack of cohesion.

Councillor Lisa O'Brien commented that she was aware of the excellent work of Three Ways Academy. She asked if the three current SEND Academies within B&NES were eligible to receive extra resources.

Councillor Charles Gerrish replied that they were and said that provision of a new classroom for Three Ways would be established following an agreement to use land adjacent to their current site which is owned by the Wellsway Academy Trust.

Councillor Michelle O'Doherty asked if the Review/Restructure of the Disabled Care Team (Adults and Children) would result in a better service or was it being driven by cuts in funding.

The Divisional Director for Safeguarding & Social Care replied that he believed that it would be a better service as it would see a joining of Adult and Children services to provide a through service which would aid the 'transition' stage.

Kevin Burnett asked if it were wise to cut support for the Director of Public Health Award in schools.

The Divisional Director for Safeguarding & Social Care replied that there is no intention to reduce the work that sits behind the award, it is just that the direct involvement is costly.

The Head of Education Transformation added that all schools will have access to resources and guidance previously part of the DPH Award to help them with providing good advice to children on health and wellbeing.

Councillor Lisa O'Brien asked would the statutory work of the Educational Psychology Service be affected by the current proposals.

The Divisional Director for Safeguarding & Social Care replied that statutory work would not be jeopardised and the proposal is to attempt to increase income from traded work.

Councillor Lisa O'Brien commented that as the Short Breaks for Disabled Children provide a lifeline for so many she would not want to see any reductions to this service.

The Divisional Director for Safeguarding & Social Care acknowledged the important role of this service and said that the savings were to be addressed through its recommissioning.

Councillor Liz Hardman asked how deliverable are the savings relating to Youth Connect Services and do cuts of this scale run the risk of generating further problems later on.

Councillor Paul May replied that this element was approved last year. He added that he and officers were working with staff to set up a new venture to provide services to the community.

Councillor Liz Hardman said that the Council did not have a good track record of embarking on Social Enterprises and that a drive was required for this to happen.

The Divisional Director for Safeguarding & Social Care said that he believed that a drive does exist in this case and there would be a positive benefit if successful for the service to trade and grow.

Councillor Lisa O'Brien commented that there is a need for valuable outreach work to continue.

The Chair asked how far along are the plans for Children's Services Collaboration with another Local Authority and which local authorities are we proposing to collaborate with.

The Divisional Director for Safeguarding & Social Care replied that it was about determining which aspects of service delivery can be aligned, for example Youth Offending which is a small service. He added that in terms of collaboration they would look to match with councils of a similar demographic and geography.

Councillor Michelle O'Doherty asked would the Council still have sufficient capacity to support the maintained schools that have not joined a MAT.

The Head of Education Transformation replied that it does, especially in terms of our School Improvement duty to monitor standards and intervene in schools causing concern. She added that they also signpost schools to high quality provision that they can purchase from Teaching Schools, other Traded Services and promote the benefits of school to school support.

Kevin Burnett asked does an increase to charges to parents risk reducing access to the Music Service to children from lower income families whose parents may not be eligible for support from elsewhere.

The Head of Education Transformation replied that the service to children from lower income families is a key criteria of the Arts Council grant. She added that B&NES and South Gloucestershire are collaborating on how they can work more closely to reduce costs where possible. She stated that she agreed that the ability to access music is an important part of a rounded school life.

Councillor Liz Hardman asked how cutting Education Welfare to the minimum, prosecutions only, be reconciled with the reports elsewhere on this agenda.

The Divisional Director for Safeguarding & Social Care replied that an above statutory service is provided currently and that the change would see a statutory one remain. He added that there was a role for Ofsted and the Regional Schools Commissioner to play regarding this issue.

Councillor Paul May said that he would like to thank Councillor Gerrish for his role throughout the Operational Plan / Budget process.

The Panel **RESOLVED** that at this stage, aside from comments made during debate, there were no specific areas of feedback that they would like to refer to the relevant Cabinet Member for further consideration as part of the operational planning and budget development process.

## **59 THE LOCAL AUTHORITIES' ROLE IN EDUCATION**

The Head of Education Transformation introduced this item to the Panel. She explained that the education landscape in Bath and North East Somerset (B&NES) is changing rapidly and it had become more diverse with an increasing number of maintained schools joining Multi Academy Trusts (MATs). She stated that there are currently forty two of the eighty schools in B&NES already academies and a further ten are due to join a MAT by the 1<sup>st</sup> April 2018.

She said that these changes require the local authority to establish a new relationship with local schools, so that it is able to play an active role in securing the best possible education provision and outcomes for the children and young people of B&NES.

She informed the Panel that officers have consulted with CEOs of MATs, Headteachers of SATs, all local schools and the dioceses on establishing a partnership board and it was agreed that this would provide a positive and constructive way forward. She added that the Regional Schools Commissioner (RSC) also supports the establishment of a school standards board as an effective vehicle for determining the overall school improvement strategy and is promoting this with schools.

She stated that the B&NES School Standards Board will replace the Primary Education Excellence Board and they agreed the structure and terms of reference at their final meeting on 10th January 2018.

She explained that the purpose of the B&NES School Standards Board is to coordinate a collective responsibility for improving education outcomes for all children and young people within a diverse education system. She added that it is committed to education excellence and ensuring all children and young people have an equal chance to achieve their full potential.

She said that the priorities that the RSC had identified for the South West region are: for the Board had been currently identified as:

- Narrowing the gap for FSM pupils
- KS2 Maths
- Phonics and oracy
- Leadership

Councillor Liz Hardman commented it was good to see the Council taking the initiative and setting up a B&NES School Standards Board. She asked had it been done elsewhere.

The Head of Education Transformation replied that Boards have been established in Poole and Torbay following a recommendation by the RSC to the South West region.

Councillor Hardman asked will the RSC be providing any resources to support the initiative.

The Head of Education Transformation replied that a small amount of funding is available from the previous Primary Education Board and that the RSC has a School Improvement Fund which the Board will bid for.

Councillor Hardman suggested the Panel also receives a copy of the Annual Report, referred to in the final bullet point under Working Arrangements.

Councillor Peter Turner asked what role Teaching Schools could play in this process.

The Head of Education Transformation replied that it has been acknowledged that B&NES needs more Teaching Schools as it only has one currently at Fosse Way. She added that the MATs of Wellsway and Midsomer Norton have just announced bids to become a Teaching School.

Kevin Burnett asked who is represented on the Performance & Commissioning Forum which sits under the Board.

The Head of Education Transformation replied that this would comprise representatives from the previous Primary Board, the Teaching School, the Diocese and Bath Spa University.

Councillor Paul May, Cabinet Member for Children & Young People commented that the Local Authority must retain its involvement with schools especially with regard to School Improvement and supported the suggestion that the Panel should receive the Annual Report of the Board.

The Panel **RESOLVED** to approve that:

- i) The Local Authority Officers work with key partners – CEOs of all local MATs, Stand Alone Trusts (SATs), the Diocese of Bath & Wells, the Diocese of Clifton, Regional Schools Commissioner (RSC), Teaching Schools, Cabinet Members, Further Education Colleges and universities to establish a B&NES School Standards Board, whose core purpose will be to meet the learning needs of all children and young people in B&NES

- ii) The Local Authority's future relationship with local schools focuses exclusively on (a) the contribution it can make to local school improvement through the School Standards Board described above and (b) its statutory duties for vulnerable children and their families, place planning, admissions and safeguarding.

## 60 SCHOOLS' PERFORMANCE

The Senior Education Improvement Adviser gave a presentation to the Panel on this item. A copy of the presentation can be found on the Panel's Minute Book and online as an appendix to these minutes, a summary is set out below.

### Summary Performance

**Early Years Foundation Stage Results** - The proportion of pupils achieving a Good Level of Development (GLD) increased in 2017 and is now above national (72% compared to 71%).

**Phonics Results** - The proportion of children meeting the year 1 phonics threshold has stalled at 79% for the past three years and is below the national average of 81%.

Local authority officers have quickly identified three schools with a trend of low phonics outcomes to join a phonics project funded by a successful bid to the RSC Strategic School Improvement Fund.

**Key Stage 2 Results** - At Key Stage 2 (KS2) 63% of pupils in B&NES reached the expected standard in reading, writing and mathematics combined, this is slightly above the national average of 62%.

Progress from Key Stage 1 to Key Stage 2 improved in all three subjects from 2016 to 2017. Progress in reading is now significantly above the national average at 0.6, whilst progress in writing and maths remain significantly below the national average at -1.3 and -1.1 respectively.

**Key Stage 4 (GCSE) Results** - Progress of secondary pupils in B&NES has fallen slightly compared with 2016 to -0.06 compared with -0.02 in 2016 and -0.03 nationally. This data is affected by Beechen Cliff's decision to continue with the iGCSE qualification for English Language and English Literature, which is not counted in the Performance Tables and other government statistics. As a result Beechen Cliff's Progress 8 score, English Progress Scores and proportion of pupils achieving a pass grade in English are extremely low and this has an effect on the overall results for the local authority, particularly for boys. The Progress 8 score for the LA without Beechen Cliff's results would have been 0.02 and if the iGCSE results had been counted the figure would have been 0.06.

**Key Stage 5 (A level) Results** - The proportion of students achieving the highest grades has fallen compared with last year and is now below national. This is mainly due to a fall in the proportion of boys achieving 3 A\*-A grades. Similarly there has been a fall in the percentage of students achieving strong grades in 'facilitating' subjects, due to a large fall for boys, although this figure remains slightly above national overall.



The Disadvantaged Pupils Gap at the end of reception for B&NES is generally nearly double the national gap.

Year 1 Phonics - The overall phonics score in B&NES has stalled at 79% mainly due to the fall in the proportion of disadvantaged pupils reaching the threshold. The B&NES gap has worsened considerably to its lowest level.

The Head of Education Transformation said that this was serious cause for concern as it is hard to recover if the gap is substantial at this stage. She referred to the Ofsted report 'Bold Beginnings' which proposed more of a structured approach to learning as opposed to learning through play to improve phonics outcomes and support pupils to be able to access the more demanding 2014 national curriculum.

The Senior Education Improvement Adviser commented that the disadvantaged gap was improving at nearly every key stage but remained much worse than the national gap. There were also poor outcomes at many key stages for SEN pupils and some other vulnerable groups such as Black pupils.

Councillor Liz Hardman asked if we can expect the B&NES School Standards Board identified in the previous report to achieve the improvements needed.

The Head of Education Transformation replied that they planned to have half a day in Term 5 to hold a good practice discussion with Councillors and MAT CEOs to raise awareness of the problem.

### **What have we done?**

- Senior HMI has given key messages & concerns to Headteachers and CEOs
- Undertaken Pupil Premium Reviews in schools with significant gaps with follow up Action Plans
- Workshop on strategies to narrow the gap, for Headteachers and governors, led by the CEO of a PP Award Winning School
- Agenda item for secondary heads and opportunity to share good practice locally. Encourage senior leader champions for disadvantaged pupils
- EYFS team core visits focussed on narrowing the gap
- Training and awareness training for governors on narrowing the gap

### **Challenges**

- The outcomes for disadvantaged pupils are improving but not fast enough
- Outcomes for pupils with SEND are also low
- Practice across schools is not sufficiently systematic due to small numbers of disadvantaged pupils in some schools
- Quality of provision is weak in schools with highest number of disadvantaged pupils
- The influence of local authority on schools as they move to become academies
- Reduction in resources to drive school improvement

The Panel **RESOLVED** to:

- i) Note the overall performance of pupils in schools in Bath and North East Somerset including improvements made and also note that the performance of vulnerable groups remains low and should be a priority.
- ii) Request officers work with the CEOs of Multi Academy Trusts, Stand Alone Trusts, Teaching Schools and dioceses to develop a strategic plan for improving outcomes for disadvantaged pupils. This plan should encompass the SEND Strategy, CiC Improvement Plan and Children and Young People's Plan so that there is a more coherent approach to narrowing the achievement gap for all vulnerable learners.
- iii) Request a review of internal council data systems to provide more holistic local intelligence of barriers to improvement, significant strengths and weaknesses in the performance of schools and groups of pupils, in order to provide the key background knowledge that will be required by the Education Standards Board and in discussions with the RSC, Ofsted, EFA, WECA, MATs, Teaching Schools, councillors and other relevant partner organisations.

## **61 VIRTUAL SCHOOL**

Councillor Liz Hardman asked about the number of children being educated outside B&NES and queried how easy it was to hold these schools to account for the outcomes for children in care.

The Divisional Director – Safeguarding & Social Care explained that many of the out of authority providers were in fact located very close to the B&NES Authority borders. The vast majority were at a reasonable distance but this also reflected that some children had family that lived at a distance or needed a particular school outside area. He concluded by stating that the Authority had been commended for the way it works with Looked After children.

Councillor Sally Davis commented that a breakdown of the numbers would be useful.

Councillor Liz Hardman asked about the baseline figures on P.158.

The Senior Education Improvement Adviser explained that the amounts were so small that any change produced a dramatic result.

Councillor Liz Hardman asked about the NEETs and how they were getting on. She was also interested to know if the work on Fixed Term Exclusions was showing signs of success.

The Senior Education Improvement Adviser explained that exclusion figures were always delayed in coming through. They could look at this locally, but could also compare with national statistics. There are changes to how it's handled so it was tricky to get an accurate picture.

The Divisional Director – Safeguarding & Social Care responded with regard to the NEETs and explained that they could get further information but also added that there was a small cohort who decline any intervention and, post 18, that has to be respected. He mentioned the new duty in the Care Act to respond to requests for support from care leavers up to the age of 25. He informed the Panel that they had recently met the Department for Education lead on care leavers who had been able to give some interesting pointers for the Corporate Parenting Panel. He has been asked to come back again for 2 days to further assist in establishing a challenge process and a list of areas on which to focus attention.

The Cabinet Member endorsed the need to concentrate efforts in this area as 40% of children in care have special educational needs. He mentioned the Council Tax relief proposal for care leavers and Foster Carers which was going to Cabinet on 7<sup>th</sup> February as an important help.

The Panel **RESOLVED** to:

- i) Note how the Virtual School are responding to the current challenge, including recommendations from the Children's Services OFSTED Inspection.
- ii) Request that the Headteacher of the Virtual School brings another report to the Panel outlining the increased burdens arising from the Children and Social Care Act 2017 once the statutory guidance is published at the end of March 2018.

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

The Chair ran through the points raised in the Strategic Director's briefing which are set out below;

### ***New Ofsted inspection framework launched***

*Ofsted has just launched a new framework for Inspection of Local Authority Children's Services (ILACS). This focuses on functions which provide help, care and protection for children and young people and aims to move to a 'whole system' approach with less emphasis on an intensive inspection than was the case under the previous regime. It will include an annual self-evaluation, annual 'conversation' and three-yearly inspection proportionate to the LA's known performance (ie lasting only 1 week for 'good' authorities). However, there would be focused visits in intervening years, either to look at a particular area thought to be good practice or of local concern; or as part of a Joint Targeted Area Inspection (JTAI) on a national theme.*

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

*Parents of current year 8 and 9 pupils have now received offers for school places for September 2018. Once again, the vast majority have secured a place at one of the schools they expressed a preference for and the largest number will be transferring to the Bath Studio School.*

## ***Integrated working with the NHS***

*Both the Cabinet and Clinical Commissioning Group (CCG) Board approved in November the proposals for us to develop plans to move towards greater integration between the two organisations, particularly in order to commission services in a more seamless manner for our residents. We anticipate that this will ensure a better experience for people using services, more opportunities to ensure that the work of the two agencies is complementary in achieving the best outcomes, and ultimately may bring some financial benefits in helping to better manage demand or in back-office efficiencies. We are working up the detail of how that might work and will share further information as it becomes available.*

The Cabinet Member for Children & Young People discussed some aspects of integration with the NHS. He said that B&NES & Wiltshire going into one health area risks the Authority becoming isolated away from the Greater Bristol area and towards Wiltshire. The adult marketplace was clear, but not so much with children, and that would take further consideration to ensure that it fitted well and worked for the benefit of all.

Following a query from the Chair about the latest situation regarding the Bath Community Academy (BCA) site, the Head of Education Transformation explained that Property Services were in discussion with the current users (Bath Spa University) and understood that there will be some educational activity there until at least 2019.

The Cabinet Member informed the Panel that he would seek further clarity on this from the Strategic Director.

## **63 PANEL WORKPLAN**

The Panel noted the items listed in the future work plan.

Councillor Liz Hardman asked if the report on the Children's Social Care Act would be coming to Panel in March.

The Cabinet Member for Children & Young People said that it would be good to get the event happening in Term 5 onto the work plan.

The meeting ended at 12.27 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**