

BATH AND NORTH EAST SOMERSET

CHILDREN AND YOUNG PEOPLE POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 15th May, 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: Mike Bowden (Corporate Director) and Richard Baldwin (Director of Children and Young People)

1 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

2 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure.

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from two of the Panel's co-opted members David Williams and Andrew Tarrant.

4 DECLARATIONS OF INTEREST

There were none.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

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

Councillor Dine Romero addressed the Panel, a summary of her statement is set out below.

There may not yet be a lack of school places across the whole of the Bath area, but their distribution is uneven. There is a lack of secondary school places in the SW of Bath.

As I have stated before at other meetings, encouraging parents to choose 5 out of 7 schools only gives an illusion of choice, but does not allow for a real choice of 5 schools.

The nature of the schools in Bath does not give parents a real choice. Two schools are denominational, and at least one has an admissions criteria that makes a successful application from someone of no religion unlikely. Two schools are single sex, so automatically removes one choice for parents, one is only for children in years 10 and above. Only two are both mixed and non-denominational.

The criteria of the Bath schools means that for most parents they really only have a choice of 3 schools, 4 if you include St Mark's.

But this also fails to take into account the arrangement between the two single sex schools, this means that a sibling will get admissions priority at the partner school.

Lumping all the secondary schools in Bath under the Greater Consortium Planning Area umbrella does not disguise the fact that the only school with capacity is St Mark's. This school is the furthest school from children in the SW of Bath. Far away enough that some children will be entitled to free home to school transport as they are over 3 miles away.

If you are a parent would you want your children to go to a school that is considerable far away? Although Bath is a small city it is quite a distance between St Marks and Odd Down. Far enough away that children will need to take 2 buses to and from school each day - unless they are driven. And I am sure that the Council will not want to be seen to be encouraging more journeys across town, adding to the congestion and already poor air quality.

You may think this a minor point, but children will find it harder to participate in after school activities, and they may be actively discouraged from joining after school clubs, especially in the darker winter evenings.

What I suggest is needed is a small change to the Schools Organisational Plan. The whole of Bath is divided into 3 non equal parts, to take into account differences in capacity, and that these 3 areas are allocated to each of the 3 co-ed, non-Catholic schools.

As is now the whole consortium area would be used to allocate places for the two single sex schools, and the Bristol diocese would continue to advise on its catchment, which is significantly larger than Bath, or Bath and NES.

Councillor Liz Hardman asked if she felt that the School Organisation Plan truly reflected reality.

Councillor Romero replied that she did not think it did.

Amanda Whitelock addressed the Panel, a summary of her statement is set out below.

She explained that her son currently attends St. Philip's Primary School and had been allocated a place at St. Mark's Secondary School in September having put Ralph Allen and Beechen Cliff on the application form as their first and second preferences.

She stated that it will take two buses for him to get to school and that his participation in sport and ability to spend time with his current friends will be jeopardised if he has to attend St. Mark's.

She said she had recently heard great things about St. Mark's but questioned why many local children still don't choose to go there.

She stated that changes to the process must occur soon to help families in future years. She added that the current decision also affects her other son as he will also more than likely have to make the same journey.

The Chair asked what impact this has had on her son.

Amanda Whitelock replied that he is not happy as he knows that his best friends will be going to Ralph Allen and Beechen Cliff.

Councillor Liz Hardman asked if she had only applied for the two schools or used more of the available five preferences.

Amanda Whitelock replied that she did only indicate the two of Ralph Allen and Beechen Cliff as St. Gregory's is hard to get into and she felt that St. Mark's and Oldfield were too far away.

Councillor Hardman asked if she was fully aware of the process to choose five preferences.

Amanda Whitelock replied that she was aware of the process, but did not feel that five options were a real choice for her. She added that it would potentially cost her an extra £100 a month to send both of her children to St. Mark's.

Councillor Peter Turner asked if there were space on the application form to state why you would like your child to attend a specific school.

Amanda Whitelock replied that yes the form does have a section where you can state your reasons in support of the application.

Councillor Matt Cochrane asked why despite the potentially difficult admissions criteria why she did not put St. Gregory's as one of her preferences.

Amanda Whitelock replied that after visiting the school she and her son had noticed that they did not have as much science equipment as other schools and that this subject is of particular interest to her son.

The Chair asked what her status regarding schools was now.

Amanda Whitelock replied that she is on the waiting list for Beechen Cliff and Ralph Allen and awaiting the results of the second round of offers.

Councillor Will Sandry addressed the Panel, a summary of his statement is set out below.

He said that many young people in the South of Bath were facing a journey to school which will see them have to battle through a great deal of traffic and the loss of time before and after school to be with friends or participate in before or after school activities.

He stated that he was not a fan of the academisation system and that it was vital for children to go to a school as near to their home as possible.

Councillor Richard Samuel addressed the Panel, a summary of his statement is set out below.

He said that wished to focus on the issue of air quality, as this is currently high on the Council's agenda as a high corporate priority.

He stated that he found it hard to believe that despite a third of all journeys in the City in term time are pupils being delivered either to or from school that these movements are not even considered in monitoring by the Council.

He said that he intended to speak further on this subject with Travel West as they are sponsored by the four Local Authorities as to how they can quantify transport choices for parents and look to mitigate unnecessary journeys.

He said that he would welcome information of this nature included in future editions of the Plan.

Councillor Matt Cochrane commented that he welcomed the information, but asked how this would affect the allocation process.

Councillor Samuel replied that a solution to this problem must be found, whether it be through pupils being allocated schools closer to where they live, a better public transport supply or through a ticketing system that is financially appropriate for all families across the Council.

Councillor Liz Hardman commented that the one area in which a real difference can be made is through the admission policies of the schools, but unfortunately due to academisation the Council can only challenge and have no direct impact.

Councillor Samuel stated that he believed that a solution can be found to every problem and that the Council should do as much as it can through lobbying to make a case for these policies to change.

The Chair asked if the new congestion zones would affect travel to and from schools and if he were aware of any potential charges that might be incurred.

Councillor Samuel replied that it looks inevitable that parents from certain areas will cross through different zones. He added that he was unsure of the figures involved in any potential charging process.

Councillor Peter Turner commented that discussions on admissions policies should take place with academies trusts as well as single academies.

The Chair thanked all speakers for their statements on behalf of the Panel.

7 CALL-IN OF CABINET DECISION E3037 PRIMARY AND SECONDARY SCHOOL ORGANISATION PLAN 2017 - 2021

Councillor Paul Crossley, Lead Call-In Member addressed the Panel, a summary of his statement is set out below.

I hope to be able to persuade you to refer this policy back to Cabinet for reconsideration and amendment.

As a Council and as Councillors we seek to ensure that we balance and provide resources on a just and equitable basis (as far as is possible) across all residents in the authority area.

Education is one of the most valuable services that the public sector provides to people in exchange for the taxes they pay. Children only get one chance at a secondary education and in this authority area we can be justifiably proud that regardless of administrative format or mix of Councillors, it has always ensured that our young people get the best possible start in life.

This call-in is about the equitable access to schools in the City of Bath to all the children of the City and surrounding villages. We have no major problem with the decision that the Cabinet has reached on access to secondary education in the NE Somerset part of the area.

We do, though, consider that the policy reached for the city schools has some major flaws that need to be reviewed and revised. It cannot be right that a policy for school allocations disadvantages an entire section of the community and that further that section contains the most disadvantaged sector of our city in terms of income and health.

The current proposal means that children from the lowest income houses will:

1. See its children sent to the farthest away school from their homes,
2. Involve them in the longest journey times,
3. Cost them the most expensive journey to school – except of course for those few who will be more than 3 miles away from St. Mark's.

For passengers up to the age of 15 a FIRST DAY ticket is £2.10 and for those pupils over 15 the ticket price is £3.00. I will let you contemplate the maths for 190 school day bus trips. From anywhere in the SW of Bath to get to St Marks requires 2 bus journeys.

THIS CANNOT BE RIGHT

The current proposal means that children with the most social disadvantages and the most likely to have additional needs will be sent to school the furthest from home.

THIS CANNOT BE RIGHT

The current proposal will generate the maximum number of extra car journeys at a time when as a Council and as a Community we are becoming more and more aware of the need for clean air.

THIS CANNOT BE RIGHT

Finally, the current proposal does not adequately address the fact that children from outside the authority area are attending our schools. I welcome the fact that children from outside B&NES choose to be educated in our schools but as we have lost a secondary school at the Rush Hill site any policy must give priority access to our children over any from any other authority.

It must be the case that applications from our parents in the City take priority over any application from outside the City Consortium Planning area.

The fundamental flaw in the Bath side of the equation is that Bath is treated as one planning area whilst NE Somerset is treated as several.

Therefore if the Panel addresses this flaw it will be able to make recommendations that guide the Cabinet in revising its allocation policy and ensure that families from the SW of Bath get a fair deal in seeking the school of their choice.

Councillor Liz Hardman asked if the closure of Bath Community Academy (BCA) had been a contributory factor to this process.

Councillor Crossley replied that fellow Councillors will recall that he passionately wanted BCA to remain open. He said that a high % of children that did attend BCA would have had some degree of special needs and would have found it difficult to enter other schools.

He added that if BCA were still open following this summer then there would not be such a problem.

Councillor Matt Cochrane said that he could see that this has been a difficult year for families in South West Bath, but opposing this plan will not change the ability to access Beechen Cliff, Ralph Allen or St. Gregory's.

Councillor Crossley replied that the Council should seek to challenge the framework as much as possible and that schools will be aware that Governments can introduce new legislation.

Councillor Lizzie Gladwyn commented that Call-In does not relate to the admissions process and that the Council currently cannot enforce schools to address their admissions criteria.

Councillor Crossley replied that Council policy must be equitable to provide to all the communities of Bath. He added that this issue must be expressed to school leaders.

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

He said that the formulation of a School Organisation Plan to identify the provision of education places has been in place since 1999 and that the Council sets out where places are available across a three year period.

He explained that the process in creating the Plan is transparent and has previously been debated by this Panel, the Cabinet and that Schools have been consulted in its development. He added that it remains a living plan and is one that will look to help successful schools to expand.

He stated that officers have reported on the publication of a new Plan over many years and that he felt that many of the reasons stated for the Call-In refer to admissions rather than allocation.

He said that even though a five preference system had been introduced many families did not use this to the best of its ability.

He said that $\frac{3}{4}$ of pupils who have been allocated St. Mark's are now due to receive Home to School Transport.

With regard to BCA he said that it was financially failing and not enough pupils / families were choosing to attend it. He added that he would continue a dialogue with Ward Members in SW Bath directly.

The Chair asked if current schools do expand will pupils from outside of B&NES still be allowed to attend.

Councillor May replied that in due course he will look to address the issue of pupils from outside of B&NES attending our schools.

Councillor Liz Hardman asked if the five preference system required a rethink as it did not work as intended this year.

Councillor May replied that he did feel that some parents had been let down by the system not being explained widely enough.

Councillor Hardman asked how many pupils have been allocated St. Mark's through the admissions process having not been successful in the preferences they gave.

The Corporate Director replied that this figure was 86. He added that the Director of Education Transformation was working with the school in preparation for September and that additional funding had been secured from the Schools Forum.

Councillor Sally Davis asked how sure the Council can be that it is aware of any plans that schools have to expand.

The Corporate Director replied that he felt sure as there was an ongoing dialogue with schools on this issue. He wished to add that the work of fellow officers should be recognised for gaining further places at schools for this September.

Councillor Matt Cochrane asked how he thought Councillor Romero's proposal of dividing the City into three sections would work.

The Corporate Director replied that he was not sure what effect this would have as each school sets its own admissions criteria and the Council has no control over that. He added that a challenge to the criteria is allowed through the Department for Education.

Councillor May commented that the Council needs to retain the services of its staff in this work area as respect exists between them and the local schools.

The Chair asked if the Council does speak to schools regarding their admissions criteria.

The Corporate Director replied that it does and that most are willing to discuss issues when they occur.

Councillor May added that he would ask officers to bring a set of proposals to the Panel regarding the admissions process and the criteria of local schools.

Councillor Peter Turner asked if the problems that have been mentioned are reflected nationally.

The Corporate Director replied that the same legislation regarding academies is in effect across the country. He added that the contributing factors to the problems faced this year have been the closure of BCA, some schools have decreased their Planned Admission Number (PAN) and there has been an increase in new housing locally.

He informed the Panel that historically 75% of families within B&NES apply for school places within the authority and that this year that figure was 85%, which in actual numbers is an additional 107 pupils.

Councillor Paul May in his closing statement to the Panel said that the Plan proposed was a sensible one and should proceed as decided by the Cabinet. He acknowledged that future work was required to address issues raised with regard to the South West of Bath.

Councillor Paul Crossley gave a closing statement to the Panel. He said in response to the figures given by the Corporate Director that officers should consider planning for an even higher percentage next year. He stated that he would also be monitoring the statement made by Councillor May in relation to the numbers of pupils who will receive Home to School Transport.

He said that the current South West of Bath community will find it difficult to reach their allocated school and called for the Council to lead by example to gain equitable access. He asked the Panel to refer the decision back to the Cabinet.

The Chair asked how the Home to School Transport would be provided.

The Corporate Director replied that it could be via a bus pass or a specific bus could be allocated to a group of pupils living in the same area.

Amanda Whitelock asked if the transport would be in place for the duration of the pupils being in secondary school and how would it affect their participation in after school clubs.

The Corporate Director replied that transport would be in place throughout the attendance at secondary school. He added that talks would need to take place regarding any flexibility of the service provided.

Councillor Liz Hardman said that she felt that the Plan was deeply flawed and that parents and their children were being penalised by the new preference system. She moved that the Call-in should be upheld and that the decision should be reconsidered by the Cabinet.

Councillor Michelle O'Doherty said that she would second the proposal made by Councillor Hardman. She said that it would not be an easy journey for pupils to make from Whiteway to Larkhall and that the Council should be mindful of enabling young people to participate in after school activities and to walk to a school nearer to home especially with increasing childhood obesity levels. She added the points raised relating to air quality and the financial impacts on families should also be considered.

The motion was put to the vote and it was **RESOLVED** by 3 votes for and 4 votes against. The motion therefore was not carried.

Councillor Matt Cochrane proposed a motion that the Call-in should be dismissed. He said that he did not believe that the Plan reflected the problems that were currently being experienced. He added that he would like the issues raised by and on behalf of families in South West Bath to be monitored.

Councillor Lizzie Gladwyn seconded the motion. She said that it would be good for the Panel to receive some feedback on discussions had with schools regarding admissions criteria and how the five preference system can be better communicated to parents.

The motion was put to the vote and it was **RESOLVED** by 4 votes for and 3 votes against that the Call-in should be dismissed.

This means that the decision made by the Cabinet can take place with immediate effect.

The Chair thanked all those present for attending and contributing to the debate.

8 MINUTES: 20TH MARCH 2018 & 16TH APRIL 2018

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

9 OFSTED IMPROVEMENT PLAN

The Divisional Director for Safeguarding & Social Care introduced this report to the Panel. He said that it had been one year since the inspection and that officers have taken on the challenges raised by Ofsted.

He explained that Improvement Plan is regularly discussed by the Improvement Board and that the 8 challenges have been delegated individually to relevant managers.

He then responded to a number of questions that had been submitted prior to the meeting by Councillor Liz Hardman.

1. *Could you explain what the “Balanced Scorecard” is (R50) and how it will help improve the impact of visits to Care Leavers (recommendations 2 and 6)*

He shared with the Panel copies of the Balanced Scorecard and said it was a great way for teams to identify the key indicators that relate to them. He added that this is then discussed at team meetings and supervision and when pressure is identified teams work on how this should be addressed.

2. *a) What improvements have been made through “educating external partner agencies including Language Schools on the requirements of private fostering arrangements and the need to know by the LA?*
b) How successful has contact been with Independent and Boarding Schools?
c) What were the changes made to the structure of the service delivery regarding private fostering that had just been implemented at the time of inspection and how have these improved outcomes?

He replied that prior to the inspection the Council had put in place a dedicated social worker for private fostering and that leaflets were distributed to GP Surgeries, Schools and Nurseries.

He added that Language Schools were contacted directly regarding this subject and that training has been offered through the LSCB.

He said that all schools are subject to the Council’s safeguarding processes and each school has a dedicated leader on safeguarding. He added that the dedicated social worker was now in the process of re-contacting all schools on this matter.

He informed the Panel that a report on Private Fostering is submitted annually to the LSCB.

The Chair asked if there was still only one recognised case of private fostering within B&NES.

The Divisional Director for Safeguarding & Social Care confirmed this. He added that he personally felt there were likely to be more cases, but reminded the Panel that the Council is reliant on these arrangements being self-reported.

Kevin Burnett suggested that this information could be enquired about on the application forms Primary and Secondary schools. He asked how the indicators on the scorecard were picked.

The Divisional Director for Safeguarding & Social Care replied that they have been developed as a group.

3. Has the review of Pathway Planning templates taken place which will be linked to an up to date Needs Assessment? Any changes from this assessment?

The Divisional Director for Safeguarding & Social Care replied that the Pathway Plans have just been completed and these will relate particularly to Care Leavers. He said that the templates will be launched on June 5th.

4. The third recommendation to the LSCB on raising awareness of CSE through licensing activity, could you explain how this will happen?

The Divisional Director for Safeguarding & Social Care replied that a member of the Council's Licensing team sits on the LSCB's CSE Sub-Group and came up with proposal train Taxi Drivers on this issue at the same time as they had to re-apply for their licence to show that their vehicle conforms to emission regulations.

He added that all hotels within B&NES had been written to and offered training. He said that only three responses had been received. He explained that next stage considered was to inform and contact fast food outlets.

Councillor Peter Turner suggested that the Bath Independent Guest House Association (BIGHA) be contacted on this issue.

5. Could we have a report to the Panel when the audit on practice in relation to care-leavers is produced by the DfE in October?

The Divisional Director for Safeguarding & Social Care said that this could be scheduled into the Panel's workplan.

The Chair asked if it was true to say that the Plan is always evolving.

The Divisional Director for Safeguarding & Social Care replied that it was and he sees the Plan as very much the 'day job' for many officers.

The Panel **RESOLVED** to note the progress made and the implementation of the Improvement Plan.

10 CABINET MEMBER UPDATE

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

Youth Connect

I attended a public meeting at Riverside Youth Centre on 16th April, together with the Corporate Director, where I hope we were able to clarify the Council's position on the future of the site and the counter some of the press comments that suggested we were intending to sell it. I have repeatedly stated that I am committed to ensuring there are ongoing services in this locality and we are looking to secure alternative arrangements for how the centre is managed and run but which can contribute to the sustainability of those services.

He said that a business case for the site was being worked upon and that he would bring this to the Panel and intended to submit it to WECA to gain funding.

Virtual School

I attended the regular performance meeting for the Virtual School, together with Councillor Hardman on 24 April. Amongst other topics, we were able to be assured about the ongoing efforts to tackle some of the challenges about fixed term exclusions for looked after children, which are reported on within the Ofsted Improvement item on today's agenda.

Working with Bath College and other partners

I have been engaged in a constructive dialogue with Bath College, together with officers, as well as other parties, to explore the potential for some new and exciting ways in which we can work together to support vulnerable learners and young people with SEND locally. I hope to bring forward more specific news on these developments in the near future.

St. Mark's School

He said that he hoped that the increase in numbers that will attend the school from September will be a positive move and allow them to show the good work the school does.

Schools Forum / School Standards Board

He said that both bodies have different functions to address and therefore will remain in place. He added that the Corporate Director has been asked to Chair the School Standards Board.

Mental Health

He suggested that the subject of Children's Mental Health be the subject of a future report to the Panel.

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

11 PEOPLE AND COMMUNITIES STRATEGIC DIRECTOR'S BRIEFING

The Corporate Director addressed the Panel, a copy of his briefing can be found on the Panel's Minute Book or as an online appendix to these minutes, a summary set out below.

Schools Standards Board

We have previously described the proposed development of a Schools Standards Board for Bath and North East Somerset, involving the LA, MATs, Dioceses, Teaching School and Regional Schools Commissioner. The first meeting is now set for 23rd May and we will report back on progress at future panel meetings.

Narrowing the attainment gap

The proposed Scrutiny Inquiry Day to explore the issue of inequalities has been put on hold for the time being. In the course of planning the event and looking at ways to bring good practice to the local system, we have engaged with Daniel Sobel of Inclusion Expert, an organisation with a track record in this field and so we are exploring ways in which we could commission some bespoke support to work with local schools in the near future using established approaches. It was felt that the timing of any Scrutiny Inquiry Day might be more effective if it followed on from this work.

Integrated working between Council and CCG

We are continuing to develop proposals to more closely integrate our working arrangements with the CCG, particularly in order to further enhance the way we commission services for both children and adults across the NHS and local authority spectrum of services. A shadow integrated health and care board will meet for the first time in early June. Further updates will be shared as they become available.

He also informed the Panel that the Divisional Director for Safeguarding & Social Care is due to leave the Council in the coming months for a new job.

The Chair thanked the Corporate Director for his update on behalf of the Panel and wished the Divisional Director for Safeguarding & Social Care the best of luck for the future.

12 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 and School Admissions Update as had been mentioned earlier in the meeting.

Kevin Burnett asked if the Panel should make any recommendations to the Council regarding academies and their admissions criteria.

Councillor Sally Davis suggested that the Panel ask the Cabinet Member to act on their behalf in light of the views expressed in the earlier debate.

Councillor May replied that he felt that the Government were recognising that this is a growing issue.

The meeting ended at 7.15 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services