Meeting: **Children and Families Overview and Scrutiny Committee**

Date/Time: **Monday, 9 September 2013 at 2.00 pm**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Mrs. J. Twomey (0116 305 6462)**

Email: **joanne.twomey@leics.gov.uk**

Membership

Mr. L. Spence CC (Chairman)

Mr. K. Coles CC	Mr. T. J. Pendelton CC
Mr. J. Kaufman CC	Mrs. C. M. Radford CC
Ms. K. J. Knaggs CC	Mr. E. D. Snartt CC
Mr. P. G. Lewis CC	Mr. G. Welsh CC

AGENDA

Item   Report by

1. Appointment of Chairman for the period ending with the date of the Annual Meeting of the County Council in 2014.

   To note that Mr L Spence CC was appointed Chairman to the Children and Families Overview and Scrutiny Committee at the County Council meeting held on 26 June 2013.

2. Appointment of Deputy Chairman for the period ending with the date of the Annual Meeting of the County Council in 2014.

   Mr P Lewis CC was nominated Deputy Chairman elect at the County Council meeting held on 26 June 2013.

3. Minutes of the meeting of the Children and Young People's Services Overview and Scrutiny Committee held on 4 March 2013.   (Pages 5 - 10)

4. Question Time.

5. Questions asked by members under Standing Order 7(3) and 7(5).

6. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.

7. Declarations of interest in respect of items on the agenda.

8. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

9. Presentation of Petitions under Standing Order 36.

15. Date of next meeting.

    11 November 2013 at 2.00pm.

16. Any other items which the Chairman has decided to take as urgent.

QUESTIONING BY MEMBERS OF OVERVIEW AND SCRUTINY

Members serving on Overview and Scrutiny have a key role in providing constructive yet robust challenge to proposals put forward by the Cabinet and Officers. One of the most important skills is the ability to extract information by means of questions so that it can help inform comments and recommendations from Overview and Scrutiny bodies.

Members clearly cannot be expected to be experts in every topic under scrutiny and nor is there an expectation that they so be. Asking questions of 'experts' can be difficult and intimidating but often posing questions from a lay perspective would allow members to obtain a better perspective and understanding of the issue at hand.

Set out below are some key questions members may consider asking when considering reports on particular issues. The list of questions is not intended as a comprehensive list but as a general guide. Depending on the issue under consideration there may be specific questions members may wish to ask.

Key Questions:

- Why are we doing this?
- Why do we have to offer this service?
- How does this fit in with the Council's priorities?
- Which of our key partners are involved? Do they share the objectives and is the service to be joined up?
- Who is providing this service and why have we chosen this approach? What other options were considered and why were these discarded?
- Who has been consulted and what has the response been? How, if at all, have their views been taken into account in this proposal?

If it is a new service:

- Who are the main beneficiaries of the service? (could be a particular group or an area)
- What difference will providing this service make to them – What will be different and how will we know if we have succeeded?
- How much will it cost and how is it to be funded?
- What are the risks to the successful delivery of the service?

If it is a reduction in an existing service:

- Which groups are affected? Is the impact greater on any particular group and, if so, which group and what plans do you have to help mitigate the impact?
- When are the proposals to be implemented and do you have any transitional arrangements for those who will no longer receive the service?
- What savings do you expect to generate and what was expected in the budget? Are there any redundancies?
- What are the risks of not delivering as intended? If this happens, what contingency measures have you in place?

Leicestershire County Council

Minutes of a meeting of the Children and Young People's Service Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 4 March 2013.

PRESENT

Mr. W. Liquorish JP CC (in the Chair)

Mrs. J. Fox CC
Mr. S. J. Galton CC
Mr. S. J. Hampson CC
Mr. G. A. Hart CC
Mr. D. Jennings CC
Mrs. H. E. Loydall CC

Mr. J. Perry
Mrs. C. M. Radford CC
Mr. R. J. Shepherd CC
Mr. E. D. Snartt CC
Mr. D. O. Wright CC

In attendance.

Mr. I. D. Ould, Deisgnated Lead Member for Children and Young People
Mrs. P. Posnett, Lead Member for Children and Young People.

63. Minutes.

The minutes of the meeting held on 21 January 2013 were taken as read, confirmed and signed.

64. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

65. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

66. Urgent items.

There were no urgent items for consideration.

67. Declarations of interest.

All members of governing bodies of schools and other institutions declared non-pecuniary interests in all matters relating to those institutions.

Mrs. J. Fox, Mr. J. Perry and Mr. E. D. Snartt declared non-pecuniary interests in matters relating to schools as they had family members who taught in Leicestershire.

Mr. I. D. Ould declared a personal non-prejudicial interest as the Chair of the

National Employers Organisation on Teachers Pay and Conditions of Service and a member of the Local Government Employers Negotiating Group.

68.   Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

69.   Presentation of Petitions under Standing Order 36.

The Chief Executive reported that no petitions had been received under Standing Order 36.

70.   Structure of the Children and Young People's Service.

The Committee considered a report of the Director of Children and Young People's Service on the new structure for the Children and Young People's Service (CYPS). A copy of the report marked B is filed with these minutes.

It was noted that early help had been included with Children's Social Care in the new structure (as set out in Appendix A to the report), recognising its importance in preventing later need for social care interventions.

The following points arose from discussion:

- The Assistant Director of Children's Social Care and the Manager for the Supporting Leicestershire Families (SLF) programme (based in the Chief Executive's Department) had regular meetings. The SLF was closely aligned with the work of CYPS and its Family Support Workers would be working closely with the early help and social work teams.
- The Leicestershire Educational Excellence Partnership (LEEP) had evolved from the Educational Excellence Board (proposed in a report to the Cabinet in November) following consultation with head teachers, who had suggested a partnership model would be more effective. The work to support the LEEP would form part of the responsibility of the Assistant Director Education and Learning. The new model would make use of head teachers in the County that were National or Local Leaders of Education to support schools in the County: a budget of £350k had been allocated for this. Members welcomed the news that head teachers had contributed to and were happy with the development of the LEEP, as their commitment was crucial to future school improvement work in the County.
- The posts of Director, Assistant Director Education and Learning, and Assistant Director Commissioning and Development were currently filled on an interim basis (and there were two further posts temporarily backfilled because of this). All the other positions in the new structure were being filled on a permanent basis: there were still eight that had not been filled as yet.
- The Head of Strategy roles all have the same job description, providing leadership in the Department with interchangeable portfolios for thematic and service areas. The Service Manager roles were operational or technical.
- Locality work would still be carried out on a district basis but, to reduce

senior management costs, there were only three Locality Working Service Managers: Hinckley and Bosworth and North West Leicestershire; Charnwood and Melton; and Blaby, Oadby and Wigston, and Harborough.

- The First Response Team would be made up of the Central Duty Team plus some of the CAF (Common Assessment Framework) Team. To enable it to focus on its core work relating to safeguarding, referral routes for issues not requiring a social care response were now in place.

- In the light of the achievement of £1m savings from commissioning careers information and guidance services in the last year, it was expected there would be a growing need for expertise in commissioning going forward. The Department would also need to look at demand reduction and market development.

RESOLVED:

That the contents of the report be noted.

71.   Out County Placements: SEN and Children in Care.

The Committee considered a report of the Director of Children and Young People's Service on the work to address the increasing demands seen in recent years for specialist placements out of County. A copy of the report marked C is filed with these minutes.

The Committee also considered the comments of Mr. M. H. Charlesworth CC (the local member for Littlehill House), a copy of which is also filed with these minutes. In response to Mr. Charlesworth's comments, Mr. Ould reported that there had been no previous correspondence on the matter. Mr. Ould explained that, although it had been proposed to close Littlehill House, during the consultation it had been made clear that the children concerned wished it to remain open and the staff had made a strong case for how Littlehill House could continue to make a valid contribution to the lives of children in care. As a result of this, and recognising the potential for the asset to contribute to the reduction of out of County costs, the closure notice had been withdrawn.

The following points arose from discussion:

- Costs of out of County placements had risen by 300% over the last four years and the savings arising as a result of the initiatives set out in the report were not of that scale. It was noted that there would be further invest to save schemes and work was ongoing with independent providers to increase the supply of local provision.

- The Supporting Leicestershire Families programme should reduce incidence of family breakdown and the need for children to be taken into care, thus reducing future demand.

- Analysis of data to achieve better forecasting of future need was being undertaken. The growth in demand in relation to children with Special Educational Needs (SEN) was partly due to the advances in medical science that allowed more children to survive for longer, particularly into school age.

- Provision for children with SEN was, therefore, an ethical as well as financial issue and it was suggested that Government would need to

make difficult decisions as to what was affordable in the near future.

RESOLVED:

That the contents of the report be noted.

72.   Final Report of the Scrutiny Review Panel on Children's Centres.

The Committee considered the final report of the Scrutiny Review Panel on Children's Centres. A copy of the report marked D is filed with these minutes.

The Chairman of the Panel, Mr. R. J. Shepherd, introduced the report. He drew attention to his comments in the foreword regarding the two key groups of beneficiaries of the work of the Centres and commended the Panel's recommendations to the Committee. He also reported that the Panel had trialled a new review process, allowing it to complete its work more speedily. He suggested that the process would be suitable for use for future reviews, depending on the subject matter.

The following points arose from discussion:

- In relation to the section on Supporting Leicestershire Families, it was noted that the aim was to work with a family until it became resilient: it would be important to manage this in such a way that the family did not become dependent upon SLF support.
- Members were concerned that the funding for Children's Centres was not guaranteed beyond the coming year.
- It was noted that only c. 60% of new births were made known to the Centres and this transfer of information relied heavily on local relationships. It was suggested that the problems of information sharing with health bodies was one that the Health and Wellbeing Board should be made aware of.

RESOLVED:

(a) That the report of the Review Panel on Children's Centres be supported and that the recommendations therein be referred to the Cabinet for consideration;

(b) That the Chairman of the Committee write, on the Committee's behalf, to the Chairman of the Shadow Health and Wellbeing Board to ask that body to consider further the issues around data sharing between health bodies and partners.

73.   Date of next meeting.

It was noted that the next meeting of the Committee would be held on 10 June 2013 at 2.00 pm.

Mr. D. O. Wright CC

Mr. I. D. Ould drew the Committee's attention to the fact that this would be Mr. Wright's last meeting as he was not standing for re-election in May. Mr. Ould

said that he would miss Mr. Wright, whose questions he had found to be constructive, helpful and challenging. He thanked Mr. Wright for the role he had played over the years and noted that, even where they had disagreed, Mr. Wright's ideas and opinions had been valuable and Mr. Ould had often found himself taking account of them.

On behalf of the Committee, Mr. Liquorish thanked Mr. Wright for his contributions to the work of the Committee.

2.00 pm – 3.38 pm   CHAIRMAN
04 March 2013

This page is intentionally left blank

Leicestershire
County Council

CHILDREN AND FAMILIES
OVERVIEW AND SCRUTINY COMMITTEE

9 SEPTEMBER 2013

ENSURING EDUCATION EXCELLENCE: DEVELOPMENT OF LEICESTERSHIRE EDUCATION EXCELLENCE PARTNERSHIP (LEEP)

REPORT OF THE DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S SERVICE

Purpose of report

1. To update the Children and Families Overview and Scrutiny Committee on the progress made in developing the Leicestershire Education Excellence Partnership (LEEP). LEEP was approved by Cabinet on the 9th July as the agreed policy for securing educational excellence in Leicestershire's maintained schools and academies.

2. To clarify the process for the Children and Families Overview and Scrutiny Committee to provide assurance that LEEP is enabling the local authority to discharge its statutory duties.

Policy framework and previous decisions

3. The following legislation underpins the new approach to securing educational excellence in Leicestershire:

   a. Education and Inspections Act 2006
   b. Education Act 2011
   c. Academies Act 2010
   d. The Importance of Teaching - White Paper 2010
   e. Special Educational Needs and Disability Green Paper 'Support and Challenge' 2011
   f. Children & Families Bill 2013
   g. Wolf Review of Vocational Education 2011
   h. Framework for the inspection of local authority arrangements for supporting school improvement Ofsted 2013

4. The Cabinet considered the impact of new legislation and the introduction of academies in relation to the future provision of services for children and young people to Leicestershire schools on 20th December 2011. It was noted that part of the future role of the Children and Young People's Service was to be champions for children, young people, parents, carers and

families, ensuring appropriate support for vulnerable pupils when they need it and educational excellence in schools.

5.   At its meeting on 13 November 2012, the Cabinet agreed that work should start on establishing a new policy to direct the County Council's approach to assuring school performance through the creation of an Educational Excellence Board (EEB). The Cabinet additionally gave authority to the Director of Children and Young People's Service to refine the new policy in discussion with schools and other stakeholders. Following initial meetings with a Working Group[1], comprising representative head teachers from maintained schools and academies and local authority officers, it became clear that head teachers wished to have a greater influence on the development of the new Leicestershire policy. It had originally been intended that the EEB would begin to meet early in 2013 and be fully established by the end of March 2013. As a result of the Working Group discussions and a commitment to co-producing a proposal for LEEP that could then be widely consulted on with all schools and other stakeholders, the timescale changed.

6.   At its meeting on 9th April 2013, the Cabinet agreed the development of the new policy through a partnership approach with maintained schools and academies.

7.   At its meeting on the 9th July 2013, the Cabinet was updated on the outcomes of the consultation exercise which was undertaken with schools and other stakeholders between April and July 2013. The consultation confirmed an underlying agreement from the school community to develop and implement the partnership with requests for further detail and clarification about roles, responsibilities and the process of implementation. Cabinet approved the continued development and implementation of LEEP including that the Children and Families Overview and Scrutiny Committee will provide assurance.

8.   The Cabinet agreed and noted:

   a)   the involvement and influence of Leicestershire's maintained schools and academies in the development of a new policy and approach to a self-improving schools system in Leicestershire, through the working group and consultation process;

   b)   the way in which the development of the Leicestershire Education Excellence Partnership will enable the local authority to meet its statutory responsibility to promote educational excellence across the state system;

   c)   the implementation of the Leicestershire Education Excellence Partnership, noting the outcomes of the consultation and the intention of the working group to make amendments to documentation in light of comments received;

---

1 The working group consists of representation from Leaders of Primary Heads (LPH), Leaders of Secondary Heads (LSH), Leaders in Special School Heads (LSSH), Teaching Schools, 11-19yr provision, RC Diocese and the local authority

d)   that the Children and Families' Overview and Scrutiny Committee will provide the mechanism of assurance for the County Council's statutory responsibilities including an annual report from the LEEP Strategic Group and other reports as appropriate;

e)   the intention of Ofsted to inspect local authority's arrangements for supporting school improvement strategies

The development of the LEEP strategy

9.   Since the formation of the LEEP working Group in January 2013, there has been good progress in developing a strong partnership model. The working group has agreed that creating closer working relations between schools and other stakeholders as part of a wider collaborative system of support is the right strategy for Leicestershire. This builds on the positive relationships that have been the foundation local authority's successful work with schools.

10.   The local authority role in the development of LEEP is as a strategic partner. This role will be to:

    a. ensure all schools have access to strong and supportive networks which can bring about improvements in achievement of all pupils;

    b. co-ordinate and disseminate information so schools are appropriately identified and supported;

    c. building capacity in the school system by highlighting excellent practice;

    d. ensure that LEEP enhances an emerging network of innovative, collaborative arrangements between schools.

11.   The Working Group acknowledges that the local authority has statutory duties to ensure that all pupils achieve their potential and to intervene, using its statutory powers, in a maintained school causing concern[2] .It has been agreed that this needs to be a distinct and discreet role within the LEEP process.

12.   Appendix 1 provides a range of scenarios which show the kind of support that schools could receive through the LEEP model. It also describes the distinct role that the local authority will have in a school which judged by Ofsted to be inadequate or causing concern to the local authority.

13.   A consultation was held during May and early June 2013 that invited school leaders, including governors and other stakeholders to comment on the proposal. A summary of the consultation is outlined in Appendix 2.

14.   The range of responses was encouraging and confirmed that there is broad support for the partnership from the schools and the wider education

---

2 Schools which have been judged to have serious weaknesses or are subject to special measures and schools which the local authority has identified at risk of an adverse inspection

community. Supporting documentation is now being developed to provide further detail about the issues raised. The key areas were to ensure that the process and system for identifying support is transparent and to clarify the roles of different groups within the partnership, particularly Teaching School Alliances and other school collaborative groups.

15.   In response to the consultation, the Working Group has continued to develop the strategy and approach that will be used to provide support to schools. This will be completed by October and shared with schools through headteacher briefings, Chairs of Governors briefings and CYPS roadshows in throughout the autumn term.

16.   Members of the Working Group intend there to be a clear and robust communication plan. This is intended to build confidence and understanding in the partnership approach, ensuring that schools and other stakeholders engage fully with the process and strategy.

The Local Authority's statutory duties

17.   In May 2013 Ofsted launched its framework for the inspection of local authority arrangements for supporting school improvement under section 136(1) (b) of the Education and Inspections Act 2006[3]. Under this framework, Ofsted will evaluate how effectively local authorities discharge their school improvement functions for maintained schools and all other providers in the state funded system as reported in the report to the Cabinet on 9th April 2013.

18.   The LEEP process will underpin Leicestershire's approach to discharging its school improvement functions, including the use of statutory powers of intervention. Having scrutinised legislation and the inspection framework criteria the local authority and the LEEP Working Group are confident that this strategy will fulfil the local authority's statutory duties.

19.   The local authority's approach has been seen by the Department for Education and Ofsted as moving in the right direction and the local authority have been invited to speak at national events. The LEEP strategy has received positive feedback at recent meetings with senior representatives from Ofsted.

20.   The local authority is part of a regional network of school improvement colleagues who are establishing a plan for peer challenge and development. This provides a mechanism for the local authority to evaluate and learn from the experience of others. For example, Norfolk, who were recently inspected, will be speaking at the next event along with the Regional Director for Ofsted and four senior HMI inspectors.

21.   LEEP supports the wider strategic aims of the County Council, moving towards building capacity in communities through locality working and developing its role as a strategic commissioner.

---

3 the local authority's statutory duty to ensure every child achieves their potential

Resources for School Improvement

22.   The County Council agreed in the MTFS budget for 2013/14 £350k to fund the establishment of LEEP which will be used to build capacity within the partnership to develop robust procedures and systems enabling LEEP to become self-supporting.

23.   An allocated of £248k from Dedicated Schools Grant (DSG) is used to support those schools which are causing concern.

24.   The Committee will be provided, as part of its assurance role, a full financial position statement and evaluation on the use of these monies.

The role of The Children and Families Overview &Scrutiny Committee will undertake in quality assuring LEEP

25.   It is agreed that the Children & Families Overview Scrutiny Committee has a key role in assuring the success of LEEP in meeting its aims and objectives. It is intended that the committee receives reports three times each year. Performance reports will be benchmarked against national data and statistical neighbours where appropriate. Reports will focus on:

    a. Achievement in all phases including information about the performance of groups (annual report);
    b. Ofsted inspection outcomes for schools, early years providers and Further Education institutions, including latest outcomes and trends;
    c. The number of schools receiving support and commentary about the impact of support;
    d. Progress of schools which have been judged by Ofsted to be inadequate or to be causing concern to the local authority;
    e. Local authority involvement in and contribution to national and regional developments or policy;
    f. Outcomes of any national or regional assessment of Leicestershire's strategy for ensuring educational excellence;
    g. Performance against the Department for Education indicators for local authority inspection of school improvement arrangements;
    h. The use of both LEEP funding and funding for schools causing concern;
    i. Themes and priorities which are emerging through analysis and evaluation and how through the LEEP process these will be addressed.

26.   Children and Families Overview and Scrutiny Committee will be presented with detailed information which will highlight the strengths and weaknesses in performance. It is anticipated that Overview and Scrutiny Committee will challenge through discussion and questioning. This process will be part of the evidence base for inspection to assure Ofsted that the LEEP model is underpinned by robust accountability.

27.   A draft evaluation template is being developed to support the Children and Families Overview and Scrutiny Committee ensure consistency. It will be important to strike an appropriate balance of high quality information in a

manageable format. Please see Appendix 3 to view the draft evaluation template.

Next steps for LEEP

28.   The Working Group has identified several key areas for developing the partnership further:

29.   Short-term (0-6 months)

   a. Ensuring that the right support is commissioned to support identified schools;
   b. Analysing 2013 school performance data to identify schools who may require support;
   c. Completing LEEP documentation with further detail of the processes and systems of support;
   d. Implementation of a communication plan, including briefing sessions in localities, attendance at headteacher briefings and development of web presence;
   e. First report to Overview and Scrutiny Committee with evaluation of 2013 performance achievement data.

30.   Medium term (6-12 months)

   a. Development of the Local Excellence Networks in localities to enhance the current school-led developments;
   b. Identifying additional capacity which can be used in future needs;
   c. Working with schools to identify local/county challenges, sharing innovation and best practices;
   d. Evaluation of the effectiveness and impact of LEEP, reporting back to the Children and Families Overview and Scrutiny Committee.

31**.**   Longer term

   a. To integrate LEEP with wider children and families programmes such as Supporting Leicestershire Families and Behaviour Partnerships.

Conclusion

32.   Since the formation of the LEEP Working Group in January 2013, there has been good progress in setting up the partnership. The Working Group has been successful in creating an open forum for stakeholders to discuss the principles and practicalities of LEEP and how it can add value to existing system and partnerships. The consultation period showed that LEEP has gained the support of the majority of schools and there is optimism amongst school leaders that LEEP will be successful in improving outcomes for children and young people in Leicestershire.

33   At this embryonic stage the focus is to introduce and implement the partnership with all schools, communicating it purpose and function, whilst ensuring support for schools is secured and maintained as necessary.

34.   The Working Group is confident that schools and other groups will be able to come together to share and create innovated practises that will bring about improvements in the achievement of children in Leicestershire.

Resource implications

35.   The County Council approved its budget and the Medium Term Financial Strategy at its meeting on 20th February 2013. The budget included a growth item of £350,000 to support the new approach to securing educational excellence in Leicestershire. The budget will support the release of school staff to provide support to each other through a self-supporting schools system and provide for administrative support. The Director of Corporate Resources has been consulted on the contents of this report.

Equal Opportunities Implications

36.   An Equality Impact Assessment Questionnaire has been completed and it has been deemed to be a neutral /positive impact on the protected characteristics. The Questionnaire is to be published on the LCC website Please see Appendix four to view the questionnaire.

Risk Assessment

37.   The risks to the County Council arising from the development and implementation of LEEP are kept under regular review by the lead CYPS officers and are recorded on the CYPS Departmental Risk Plan.

Environmental Implications

38.   An environmental implications assessment will be conducted for all options considered and included in any recommendations made.

Circulation under the Local Alert Issues Procedure

39.   The report to Overview and Scrutiny Committee will be circulated to all Members of the County Council via the Members' News in Brief.

Background Papers

   a. Report to Cabinet 26 July 2010 – Development of Academy status for Leicestershire schools
   b. Report to Cabinet 9 July 2012- Ensuring Education Excellence
   c. Report to Cabinet 13 November 2012 Proposed Policy for Ensuring Education Excellence
   d. Cabinet Report 9 April 2013- Ensuring Education Excellence
   e. Academies Act 2010 and Education Act 2011
   f. Academy guidance on department for Education website www.education.gov.uk/academies

<u>Officers to Contact</u>

Lesley Hagger, Interim Director of Children and Young People's Service.
Tel: 0116 305 6340. <u>Lesley.Hagger@leics.gov.uk</u>

Gill Weston, Interim Assistant Director of Children and Young People's Service.
Tel: 0116 305 7813. <u>Gillian.Weston@leics.gov.uk</u>

<u>Appendices</u>

Appendix 1: scenarios of support
Appendix 2: Consultation evaluation
Appendix 3: Draft evaluation template
Appendix 4: Equality Impact Assessment Questionnaire

Scenarios of School Support through LEEP

School/ Academy	Description of risk alert	Likely LEEP/LA Analysis of current performance	Operational Role of LEEP	Strategic Role of LEEP	Role of LA
Primary School A	An Ofsted judged 'Good' School has started to show a decline in English School appears to have limited involvement in local groups and collaboratives	May retain Good status but could slip in to 'Requires Improvement'	Check whether there is further information at local level Offer support and guidance for partnership working Initial contact to establish whether support is needed	Evaluate and review if this is part of a local trend Check that appropriate action has been taken	Provides the data to discuss with the strategic group Maintains overview of impact of support Gathers data/other information
CE Academy School B	Previous inspection as Good A new head has started at the school which has been through a period of decline Lack of capacity to support in local group	Likely to be judged 'Requires Improvement'	Local contact with academy to determine plans for improvement Ensure involvement of diocese Identify mentor for HT, possibly through LPH	Develop local excellence network for area. Ensure programme of support is developed for new Headteachers	Monitor arrangements Offer visit/telephone conversation for assurance that action has been taken Regular liaison with Diocese
Secondary Academy School C	Last Ofsted moved from Good to Requires Improvement. Since then, several of key staff have left and a data trawl has revealed a continued decline	Likely to be 'Requires Improvement', could slip to category 4 (inadequate)	Contact the headteacher to discuss issues Seek assurance that action is taken LEEP identify possible support and ensure action plan is drawn up Offer support to attend Ofsted seminar	Develop further packages of support for secondary academies – both bespoke and universal Use LEEP funding to establish collaborative project	Discuss with the DfE what actions are being taken as part of champion role
Maintained primary school D	Concerns about several aspects of the school, including education and teaching and leadership and governance Data declining; complaints to Governor Services	At risk of inadequate judgement if inspected by Ofsted	Ensure intensive support through the local Teaching School LA support from Governor Development Services Development and implement action plan	Monitor impact of support through termly meetings	LA uses SCC money for immediate support Additional assurance from commissioned external consultant Regular review and evaluation of commissioned support to assess impact and improvement

Maintained primary school E	Place in to 'Special Measures' by Ofsted	n/a	LA to lead and arrange commissioned support through Teaching School Alliance /National Leadership Education network Teaching School Alliance to support in writing school improvement plan	Monitor through termly meetings	LA uses SCC money for immediate support LA works with the school and the DfE to identify solutions to bring about rapid improvement LA to consider use of statutory powers LA to write statement of action Additional assurance from commissioned support

**Leicestershire Education Excellence Partnership
Consultation Summary**

Context

The views and opinions of schools, other education providers and stakeholders have been actively sought as part of the development of the LEEP. A consultation was undertaken between April and July 2013 to ensure that all stakeholders had an opportunity to comment, shape and inform this new collaborative approach to ensure and sustain educational excellence in Leicestershire.

Methodology

The proposal has been shared in a number of ways including:
- Headteacher briefings and governors' briefings
- Chair of Governors' briefing
- Meetings of Leicestershire primary, secondary and special school headteachers' groups
- Emails to all schools
- Access from the Electronic Information System (EIS)
- Documentation sent to universities and FE colleges
- An online questionnaire
- An event for governors

There have been thirteen online questionnaires completed and a number of email responses as well as verbal feedback received at meetings. The online questionnaire asked the following questions:

- Does the vision set out clearly what the Partnership is about?
- Do you agree with the broad aims of the Partnership?
- Do you think the functions of the Partnership will effectively provide support to schools?
- Do you think the guiding principles of the Partnership are reasonable?
- Do you think the working protocols set the appropriate expectations for the Partnership?
- Do you agree broadly with the suggested roles for the different stakeholders in the Partnership?
- Do you think the proposed structure of the Partnership will facilitate support in schools and secure improvement?
- Is there anything missing from the proposal which you feel needs to be considered?

Responses

The range of responses have been analysed and summarised into key areas: vision, aims and principles; working protocols and function; roles and responsibilities, structure. Sample comments from the online questionnaire are included which indicate a range of opinion.

Vision, aims and principles

There were 39 online responses.
95% of the respondents agree or partly agree that the Partnership has appropriate vision, aims and principles. Some examples of comments are as follows:

- *In principle, the idea of having a 'shared moral purpose' is clearly the right one, as we have had before. The problem is in the implementation...this feels less supportive and more judgemental.*
- *Now a much better dialogue has been introduced, I hope to see this improve further. However, 'Vision' is a living thing!*
- *In terms of it being about ensuring good quality for all children in Leics, absolutely.*
- *It is good to be open and transparent however would results be published? And if a school was being supported by LEEP, how would this is communicated with parents etc?*
- *'Fair, consistent, rigorous and based on a range of evidence,' again suggests the process will be honest, trustworthy and fair.*
- *What isn't clear is where the idea has come from and how it has evolved...what are other LAs doing in similar situations to Leics? Can't help but feel this is politically driven, not educationally driven.*

Additional responses:
- Governors and headteachers alike have agreed that the vision and purpose for LEEP is correct way forward for Leicestershire- *'the vision will help the ensure children continue to be taught to a high standard'* – governor
- Questions were raised by a governor on the agility and 'nimbleness' of LEEP- *'is LEEP a one-size-fit all model?'*
- Partnerships are already established and good working is happening, is there a risk that LEEP is a 'sledgehammer to crack a nut'?
- *'How will LEEP overcome the issue of schools now working in a semi-competitive market?'*
- Supportive of underlying principles and happy to attend strategic group – hope the Partnership will flourish to the benefit of children and young people – Loughborough University
- Reassured that Leicestershire was continuing to ensure their child's good education – Leicestershire parent

Working protocols and function

There were 26 online responses.
80% of the respondents agree or partly agree with the working protocols and function. Some examples of comments are as follows:
- *I like the 'systematic analysis of the learning needs of the school'. This indicates there would be an analysis and investigative start to the process, so that a real picture can be formed about what is going on, rather than an outside body coming in with a pre-conceived idea and view of the school. Where heads know their schools well it is important that support is given in line with what the schools need.*

- *Does 'swift decision making' refer to the fact that a Head could be removed quickly if LEEP were involved, or would there be support first?*
  The revised protocols regarding identification of need and matching support to need are much better and will provide greater confidentiality and better organisation across the county. I'm not quite sure how Scrutiny will monitor effectiveness of processes.

Additional responses:
- Questions were raised by Governors on the capacity and resources available for LEEP – how will resources be coordinated across all schools, will schools be expected to give some money back to fund LEEP?
- *'How will LEEP ensure that schools data is used in confidence and to someone's personal gain?'* - governor

---

Roles and responsibilities and structure

There were 26 online responses.
73% of the respondents agree or partly agree with the roles, responsibilities and structure but there were also a number of concerns that will need to be resolved. Some examples of comments are as follows:
- *Does this mean the head of a school involved with LEEP would be made to attend review panels with LEEP?*
- *I have many reservations although I do support and trust the people I know who are involved and part of the process. I come back to having the need of an overview and having a clear LA strategy.*
- *Concerns about personnel leading the LENs - this needs to be LA and impartial.*
- *This seems to clash with the functions of the teaching schools and the roles they have in ensuring that partnership schools go through due diligence health checks and are offered tailored school to school support.*
- *We already have our own accountability mechanisms. Yes, but we are not looking to change our systems at this stage.*
- *The role of Teaching Schools is uncertain. Each Teaching School Alliance has a different vision and some are more business minded. Compatibility?*

Additional responses:
- Some schools have expressed caution in the role of people offering support; what will their credentials be
- How will LEEP ensure that they make an appropriate judgement about the support required?
- Some reservations about format but happy to continue to work in partnership for LEEP – CofE Diocese
- Accept Local Excellence Networks as a workable model – Teaching School
- Huge role for LPH's support within the LEEP but with a clear remit to provide early support with the aim of preventing schools getting into

difficulties through a more pastoral role – Leicestershire Primary Heads group

---

Working Group response to common themes

<u>The role of the Teaching Schools</u>

The local authority has an established partnership with all the Teaching Schools in Leicestershire and is a strategic partner in all four alliances. Many functions that were once the remit of the local authority have now been taken on by the Teaching School Alliances through government funding and strong links with the National college for Teaching and Leadership and universities. Many Leicestershire schools are already aligned to the Teaching Schools as well as other collaborative groups. The Teaching Schools have been fully involved in the working group and have helped to shape the current proposal for the Partnership. The working group is keen to ensure that other collaboratives become more involved in the Partnership over time so that there is strong representation from the diverse arrangements and alliances that are emerging.

<u>The capacity of schools to support other schools and the credibility of those supporting</u>

Leicestershire has a number of highly talented leaders and teachers, many of whom are accredited NLEs, LLEs, or SLEs. There are also a significant number of Maths Specialist Teachers and other leading experts within Leicestershire schools which have the capacity to support other schools. Some colleagues were originally leading teachers funded through the National Strategies and still continue to offer a range of support. In recent years, the role of these professionals has been a key part of the school improvement strategy in Leicestershire. Colleagues supporting and challenging other colleagues already takes place. These ways of working have been highly successful in bringing about improvements and raising standards. The Partnership aims to ensure that opportunities to grow talent at all levels across all schools are optimised.

<u>The relationship between headteachers and whether this should only play a supportive role rather than holding one another to account</u>

There are differing views about this issue. The headteachers and other leaders or practitioners who have carried out this role in previous positions such as School Improvement Partners, Consultant Headteachers, and National or Local Leaders in Education have established positive working relationships where a climate for robust professional dialogue exists. A number of headteachers have already developed this role, being accountable to governors, inspectors and other external agencies. However, it is also critical that there is a mechanism for headteachers to be supported in other ways and this will be part of the development of the Partnership.

How will confidentiality be kept if information is being shared?

The working group is very clear that there need to be very secure protocols in place for sharing information so that leaders are confident that sensitive and confidential information is handled appropriately, fairly and ethically at all times. This will be a priority and an agreement will be established.

The balance between political input and the educational imperative

As a state funded education system we are influenced by the decisions of the government, particularly those that are part of any Education Act or other related Bill. We remain focused on ensuring the best education system in a Leicestershire is maintained and developed further.

The clarity of the underlying vision

The vision is focused on ensuring that we have the best outcome for children in Leicestershire. The Partnership approach aims to ensure that we develop a well co-ordinated approach that ensures that no school is isolated and no child falls through the net. A key reason for having the overarching view of the Partnership approach is to facilitate effective collaboration across the whole of the system.

Conclusion

The range of responses is encouraging and confirms that there is broad support for the Leicestershire Educational Excellence Partnership from head teachers and governors and other stakeholders. There is agreement about the direction of travel and an understanding of the rationale for moving from a more centralised approach to school improvement to one which is system-led.

The working group will now ensure that changes are made to reflect stakeholder comments. These will include supporting documentation which addresses the key points that have been raised. This will then be shared with all representative groups.

Leicestershire Education Excellence Partnership – Evaluation

Evaluation for Overview and Scrutiny Committee

- **Achievement in all phases**

- EYFS

- KS1

- KS2

- KS3

- KS4

- KS5

- CiC

- NEET

- **Ofsted inspection outcomes**

- Overall

- Primary

- Secondary

- LA maintained/academies

- Comments about the quality and impact of LA support

- **Number of schools supported including impact of support**

- Number of schools supported

- Type of support

- Academies?

- **Progress of schools judged to be inadequate or causing concern to the local authority**

- Outcomes of monitoring visits

- Actions taken by LA – including use of statutory powers of intervention

- **National interest and Leicestershire's contribution to regional and national developments**

- **Outcomes of regional peer evaluation and development work**

- **Use and impact of Schools Causing Concern budget and LEEP funding**

- **Priorities**

- Short term - Medium term - Long term

- **Moving forward**

Key Enablers	Key Blockers

Summary Evaluation

	DfE Indicators	Data		Current position		Actions What are we planning to do?	Comments
				RAG	Evidence How we can demonstrate this?		
A	The proportion of children who attend a good or better school, pupil referral unit and /or alternative provision is lower than that found nationally	Nat	Leics				
B	There is a higher than average number of schools in an Ofsted category of concern and/or there are indicators that progress of such schools is not securing rapid enough improvement	Nat	Leics				
C	There is a higher than average proportion of schools that have not been judged to be good by Ofsted	Nat	Leics				
D	Attainment levels across the local authority are lower than that found nationally and/or where the trend of improvement is weak	Nat	Leics				
		Trend					
E	Rates of progress, relative to starting points, are lower than that found nationally and/or where the trend or improvement is weak	Nat	Leics				
		Trend					
F	The volume of qualifying complaints to Ofsted about schools in a local authority area is a matter of concern	Number					
G	The Secretary of State is known to have concerns about the effectiveness of local authority school improvement arrangements						

Leicestershire County Council

Equality Questionnaire

Name of policy/ practice/ procedure/ function/ service being assessed:	Leicestershire Education Excellence Partnership
Department and Section:	Children's Young People Service
Name of lead officer and others completing this assessment:	Gillian Weston; Interim Assistant Director, Education & Learning Nathan Odom; Programme Officer, Education & Performance
Contact telephone numbers:	0116 305 5831
Date EIA assessment completed:	30th July 2013

1.	**What is its purpose?** • To ensure that the local authority suitably discharges its statutory role in for ensuring school improvement strategies are in place for schools and other education providers • To provide a clear and transparent strategy which details how schools and other education providers will receive support school improvement • Build school improvement capacity within the school system, establishing a self-improving school system
2.	**What are its main objectives?** • The local authority is reshaping its relationship with schools through the implementation of LEEP, moving to a strategic partner/influencing role. • To ensure that the local authority knows schools and other providers and what standards and performance they achieve. • To ensure that schools are appropriately identified for support so that all pupils achieve well and inspection outcomes remain strong
3.	**What will it achieve? Who are its beneficiaries?** • LEEP will seek to ensure that children and young people receive the best possible education in Leicestershire. • Schools will be involved in a system that allows to access support and continuous professional development for staff
4	**Who is responsible for implementing it?** • The local authority, all education providers and other stakeholders such as Dioceses,

	Governors and Teaching Schools		
		Yes	**No**
5.	Has prior consultation on the proposal been undertaken?	**X with the school community**	
6.	Has this consultation indicated any dissatisfaction with it from a particular section of the community?		**X**
7.	If yes to Question 6, please state what this dissatisfaction is:		
		Yes	**No**
8.	Is there evidence or any other reason to suggest that it could have a different effect or adverse impact on any section of the community? Or more specifically, one or more of the protected characteristics?		**X**
9.	Is a system in place to monitor its impact?	**X**	
10.	If yes to Q9, what does this monitoring show? • The children and Families Scrutiny & Overview Committee will be the mechanism for monitoring the impact of LEEP once it is established, including the impact of the protected characteristics. Operationally, Officers in CYPS will continue to evaluate and review impact. • LEEP will receive external scrutiny and validation by OFSTED through LA inspections and will be subject to regional peer-to-peer evaluation		
	Note: If no to Question 9, you will need to ensure that monitoring systems are established to check for impact on all nine protected characteristics.		
11.	Who is likely to be affected by the proposal? Which of the protected characteristics? **(Please tick)** Explain how each protected characteristic is likely to be affected below: [NB. Alternatively, if no protected characteristic is deemed to be affected, please explain why]		

	Yes	No	Comments
Age		X	
Disability		X	
Gender Reassignment		X	
Marriage and Civil Partnership		X	
Pregnancy and Maternity		X	
Race		X	
Religion or Belief		X	

Sex		X	
Sexual Orientation		X	
Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities		X	LEEP is being established to secure and improve the current education offering to children in Leicestershire
Community Cohesion		X	

12.	**Other comments:** • the proposal to establish LEEP has been through a thorough consultation period with schools and other stakeholders to ensure that stakeholder views were sought • the partnership model mirrors those emerging in other local authorities and has a similar structure • In July 2013, CYPS met with a Senior HMI inspector who was positive of the partnerships development	
13.	**Decision:**	

No Impact	Positive Impact	Neutral Impact	Negative Impact or Impact Not Known4	

Note: If ticked 'Negative Impact or Impact Not Known' box at Question 15, will need to progress to full EIA.

14.	Proceed to full EIA?	Yes	No

15.	What are your reasons for your decision? The Implementation of LEEP does not affect the majority of the protected characteristics. Where it affects children, it is positive.

This questionnaire is a pre Equality Impact Assessment tool which will enable you to decide whether or not the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service needs to go through a full Equality Impact Assessment. For further information on the equality questionnaire see the [guidance](#).

1st Authorised signature (Lead Officer):
……………………………………………………..
Date: …………………………………..

2nd Authorised Signature (Member of DMT): ……………………………………..
Date: ……………………………….

---

4 'Impact Not Known' – tick this box if there is no up-to-date data or information to show the effects or outcomes of the function, policy, procedure or service on all of the equality strands.

This page is intentionally left blank

CHILDREN AND FAMILIES
OVERVIEW AND SCRUTINY COMMITTEE

9 SEPTEMBER 2013

PROVISION OF SCHOOL PLACES IN LEICESTERSHIRE

REPORT OF THE DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S SERVICE

Purpose of Report

1. To provide the Overview and Scrutiny Committee with an overview of the current position regarding the provision of Primary and Secondary School places in Leicestershire, and seek comment on the challenges ahead.

Policy Framework and Previous Decisions

2. The Education Act 1996 places a statutory duty on the Local Authority (LA) to:
    (a)   ensure a sufficient supply of school places with a view to securing diversity of provision and increasing opportunities for parental choice;
    (b)   exercise it's education functions with a view to promoting high standards.

    More recently the LA's duties have been re-enforced in 'The Importance of Teaching – The Schools White Paper 2010' as champions for parents, families and vulnerable pupils, requiring that the LA promote educational excellence by ensuring a good supply of high quality school places, and co-ordinating fair admissions. This has resulted in a shift of emphasis in terms of school place planning, requiring more detailed consideration of the performance of schools and parental preferences when making decisions, set alongside the more practical considerations of cost, school locality and the availability of space to expand.

3. The Education and Inspection Act 2006 also makes changes to the arrangements for the establishment of new schools, with a presumption that any such schools will be Academies or Free Schools, secured if necessary through a competition.

4. The Overview and Scrutiny Committee previously considered, on 3 October 2011, the impact of Academies in relation to educational provision in Leicestershire schools. More recently, on 11 June 2012, the Committee have specifically considered the changing role of the Local Authority in relation to meeting future demand for school places in the context of the legislative change.

Background

5.   As a consequence of new legislation, the educational system in Leicestershire is now undergoing substantial organisational change. The majority of secondary schools (95%), and a proportion (30%) of primary schools, have now converted to academy status or will soon do so, and by the end of this year, even more will have left the control of the local authority.

6.   Coupled to the academies agenda, many schools have subsequently sought to progress age range changes to give either 4-11, 11-16 or 11-19 status, with sixteen schools (11 Secondary and 5 Primary) having received DfE approval for September 2013 or September 2014 change, and several others expected to follow shortly e.g. Brockington College, Roundhill College.

7.   To add to this momentum of change, other types of secondary provision, for example Studio Schools have started to appear in Leicestershire, and from next year FE Colleges will be entitled to admit students from the age of 14.

8.   The net effect of this change has been to enhance significantly the diversity and choice in our schools, but at the same time this has introduced an element of competition within the secondary sector which is expected to help promote improved standards.

The statutory role of the Council

9.   The Council retains a statutory duty to ensure that sufficient school places are available within its area for every child of school age whose parents wish them to have one. This ensures that we are able to promote diversity, parental choice and high quality educational standards, to ensure fair access to educational opportunity and to help fulfil every child's educational potential.

10.   There are well established and effective practices in the Council for the provision of additional school places, but these will need to be reviewed in the light of the above change, to recognise that there are new options that exist to satisfy increased demand; for example through the extension of academies or provision for Free Schools.

11.   In the context of this change, the Council is therefore no longer a direct provider of places but a commissioner of them, taking on the role of promoting, enabling and influencing (through partnership and collaboration) the development of local solutions. This is firmly in keeping with the strategic aims of the Children and Young People's Service, and the findings of the Internal Audit of School Places conducted in December 2012, and the recent independent assessment of the Council's procedures, undertaken as part of the School Development Support Agency (SDSA) research project on school admissions and place planning.

12.   The Government's changes have a significant impact on how the LA fulfils its statutory duty to ensure a good supply of high quality places are provided, with greater emphasis on the consideration of school

performance and parental preferences to identify suitable solutions. Rather than actively managing over-provision of places or identifying an existing local school to receive additional capital, the new responsibility is to ensure that, where new places are needed, the schools 'market' is stimulated to meet demand. In this context the LA will seek to avoid expanding schools that are not performing well, and where a suitable high attaining school cannot therefore be identified, the LA will invite other proposers to come forward, if necessary using a competition process to find the best solution.

Overall school demand and capacity

13. The current number on roll in Leicestershire schools (including academies) is 94,356. This equates to 48,309 pupils in primary schools, 45,110 in secondary schools and 937 in special schools. Overall in the last academic year, to keep pace with increased births and housing development, the number of primary pupils increased by 798 (1.65%), and in secondary schools the number of places increased by 702 (1.56%).

14. Data for 2012/13 shows that there are currently 5,915(11.6%) surplus places available in Secondary Schools and 4,000 (7.65%) surplus places available in Primary Schools. To meet the forecast increase in primary age pupils there are plans to increase the number of primary places by 459 in 2012/13 with a further 270 proposed for 2013/14. This figure does not include any academy increases that have not yet been notified to the LA.
Up until 2011, central government would penalise any LA having too many surplus school places but this is no longer the case and surplus places are now perceived as giving greater choice for parents and children.

15. Overall it would seem, therefore, that Leicestershire has sufficient school places across the county; however, the challenge is to have sufficient places in the right areas and the right schools. This means that in a particular locality there would continue to be a justified need stemming from a particular development for which a contribution would be sought if a shortfall in education provision was demonstrated.

16. In terms of provision for special educational needs, the development of the four area special schools (including the latest replacement for Ashmount in Loughborough, which is due for completion early next year), has so far helped the County Council to keep pace with demand. However there is a longer term trend towards increased demand which has necessitated extending capacity in the area special schools, and the satellite provisions based in units in mainstream schools. It should be noted that there is one area special school to be developed in the Oadby and Wigston area, to complete the area special school programme (at present there is no capital funding for this).

The Position in Secondary Schools

17. The current capacity in Secondary Schools is 51,025 places. The numbers on roll are forecast to rise to 47,177 in 2021/22 which will leave 3,848 surplus places (7.5%), possibly more as additional capacity

currently being created in 11 – 16/19 schools and academies becomes available. The table below shows the breakdown of the position by category of school. The forecasts include pupils expected to require provision as a result of housing gains from developments with planning permission, but not those developments at an earlier pre-permission stage of the process.

Type	Capacity	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
High	20559	17559	18457	18791	19019	19086	19227	19060	19032	18967
Upper	18672	15481	15630	15711	15774	15879	15905	16009	16135	16198
11 to 16/18	11154	10263	11054	11282	11345	11419	11491	11523	11517	11520
Post 16	640	474	516	519	499	485	466	471	486	492
Total	51025	43777	45657	46303	46637	46869	47089	47063	47170	47177
% Increase or decrease from Previous Year		-3.04%	4.29%	1.41%	0.72%	0.50%	0.47%	-0.06%	0.23%	0.01%

18. Analysis of data indicates that there is there is an overall surplus of secondary school places available across Leicestershire. However, it is of interest, as illustrated in the table below, that there is forecast to be a deficit in 11-16/18 schools by 2015/16. This is due to complex factors relating to age range changes, for example due to admission changes, managing pupil numbers through transition, and housing development. In most cases, each academy has plans in place for extensions to accommodate the extra pupils.
The graph below shows the forecast surplus/ deficit of places by type of school.
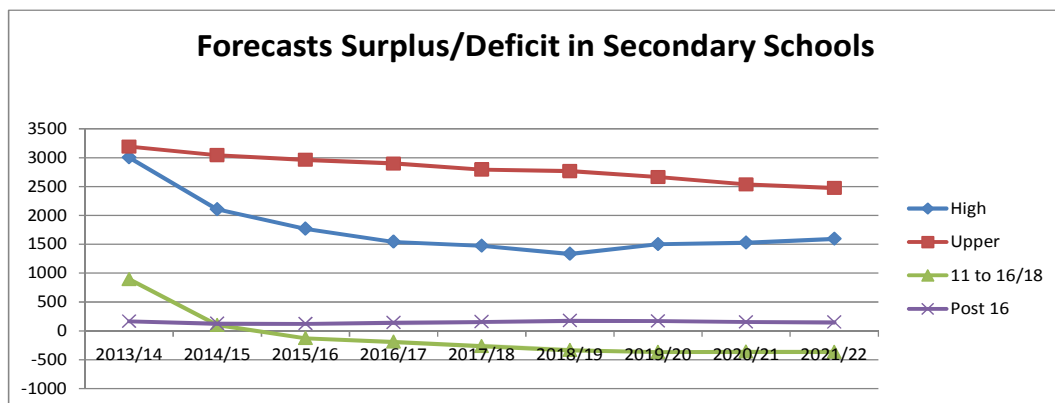
19. Apart from schools with age range changes, forecast deficit of places are limited to popular and oversubscribed schools, for example Ashby School and Beauchamp College or those where there is a considerable amount of housing gain, such as in Market Harborough, for which S106 monies are held or awaited.

20. The overall figures do not show that at a local level in some areas of the County, most notably Loughborough, Wigston and Birstall, there are significant surpluses in some upper schools, above the 25% threshold at which a school would become a source for concern in terms of the school's ability to effectively plan and deliver the curriculum, and it's longer term financial viability.

The position in Primary Schools

21.   The current capacity in Primary Schools is 52,309 places. The number on roll is forecast to rise above the available capacity to 52,928 in 2017/18 which would leave a shortfall of 619 places (-1.18%). The table below provides an overview of the position within each District. Once again, the forecasts include pupils from housing gains from developments with planning permission, but not those that have not progressed this far.

District	Capacity	2013/14	2014/15	2015/16	2016/17	2017/18
Blaby	7776	7726	7932	8047	8192	8266
Charnwood	12631	11697	12047	12286	12562	12800
Harbrough	7235	6779	6914	6992	7114	7167
Hinckley & Bosworth	8106	7753	7993	8201	8373	8454
Melton	4158	3697	3751	3791	3823	3834
North West Leicestershire	8026	7390	7559	7817	7960	8028
Oadby & Wigston	4377	4285	4352	4412	4396	4379
Total	**52309**	**49327**	**50548**	**51546**	**52420**	**52928**
% Increase from previous year		**2.11%**	**2.48%**	**1.97%**	**1.70%**	**0.97%**

22.   The graph below further illustrates the expected surplus and deficits in Primary schools over the next few years.
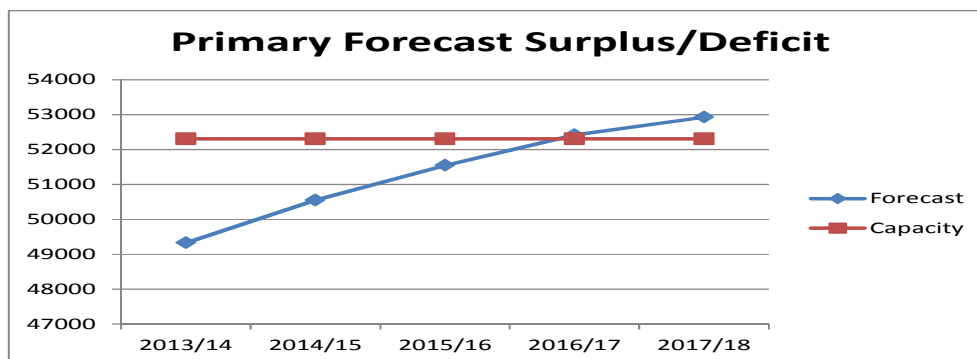
23.   Appendix A attached provides details for the primary phase for each of the seven Leicestershire Districts, an analysis of current pupil numbers, and expected change in demand for the period 2013/14 to 2017/18. A brief narrative is also provided of the key challenges and potential solutions for providing additional places in each District. The analysis takes account of a number of factors, including; population growth; and demographic trends related to housing growth. In terms of housing it takes account of known development where approved planning consents have been given.

Meeting demand for future school places

24.   There are normally three basic factors that influence the need for additional school places:

i)   New housing developments, their scale, and the speed at which they progress.

ii)   Natural demographic change in the population, arising from population movement, increased births etc.

iii)   The popularity of successful schools, or conversely a decline in popularity for schools with long term performance issues.

25.   Set alongside the above, there are several other factors, at a national and local level, and some quite significant, that will have a bearing on the future planning of school places. These factors are considered in the following paragraphs.

The Challenges ahead

Capital Funding (Basic Need)

26.   The amount of capital funding allocated to the Local Authority by the DfE has been significantly reduced in recent years. The allocation in 2011/12 for basic need was £8.79 million, reducing to £8.13 million for 2012/13. For the combined years 2013/14 and 2014/15 the allocation has been cut to £6.89 million overall i.e. an average of £3.445 million each year. This reduction will bring added pressure in terms of meeting the need for new school places, and place greater emphasis on the identification of affordable and sustainable solutions. In the short term any proposals for new school builds would be seriously constrained unless additional funding could be obtained (by the LA or a proposer) direct from the DfE in order to make their development a viable proposition.

Section 106 Contributions

27.   Developer contributions for new school places are normally secured through planning obligations, which are also known as Section 106 agreements. These agreements are negotiated between the planning authority (normally the District Council) and the developer. The process requires the justification by the County Council for the need for additional school places generated as a consequence of the new development by applying legal tests that sets out why it is necessary to make the development acceptable in planning terms, that it directly relates to the development and that it is reasonably related in scale and kind to the development. The developer would normally be required to provide a financial settlement to fund the required school places at specific schools named in the S106 agreement.

28.   The Community Infrastructure Levy (CIL) provides for a new mechanism for developer contributions. Where local planning authorities have adopted a core strategy they can choose to adopt a CIL charge within their area. The CIL will be set at a level based on the gap in funding to provide infrastructure identified to service the planned new development, provided it does not affect the viability of those developments. School place planning will need to ensure that where particular needs have been identified as a consequence of planned development then a specific project is identified on the CIL infrastructure list. However in many circumstances this may not be possible in which case it may be preferable to continue with S106 contributions.

29. Where age range changes are introduced there may be requirements to direct S106 funds to specific schools. Where viability of a development may arise for example in the case of brownfield development where there are exceptional cost incurred in realising development, then a developer may submit a viability assessment to the local planning authority which is normally independently assessed. This might mean developer contributions are reduced and in a recent case in Hinckley and Bosworth Council, a housing developer in negotiation with the District reduced the full level of contributions including the education contribution. However it should be expected that in these exceptional circumstances that the opportunity is afforded to the County Council to determine our priorities for the contributions.

Impacts of Age Range Changes

30. When academies propose age range changes they will seek consent directly from the Department for Education (via the Education Funding Agency). In this context the LA will be consulted and invited to make comment on the proposals for age range change, by the EFA, but is not the decision maker as to whether such change should proceed or not. As a general principle the Local Authority welcomes schools proposing age range changes. Making such changes, where carefully planned by schools, and supported by their communities, has the potential to improve standards and widen choice for parents/pupils. However, making such changes serve to increase the number of surplus places in secondary schools, in particular Upper Schools. There is a serious concern about the likelihood of an Upper School failing due to viability issues created by age range changes. This is in part due to the DfE requiring Leicestershire to recognise school reorganisation within its funding formula, so as to fund schools expanding as a result of age range changes from the point of change and, reduce funding for schools with associated falling rolls., This will mean that not only will Upper Schools have a significant decline in numbers, they will have little time to adjust resources to plan for that reduction and may become financially vulnerable, which in turn may have a detrimental impact on school performance.

31. In addition the forecasts include the assumption that the post 16 transfer rates will stay at the same level as previously. This may not be the case if pupils no longer have allegiance to a school that they have not attended from an earlier age, and chose alternatives elsewhere. This is at the same time as funding rates for post 16 are being reduced nationally.

32. The impact from age range changes may also be manifest in schools other than the group immediately affected. For example any change in the Ashby area may affect Coalville or Shepshed Upper Schools rather than Ashby itself given that Ashby School is over subscribed.

33. Usually schools proposing age range changes will also seek to reduce their admission number (at year 7) to accommodate additional year groups. In certain circumstances, this could give rise to a situation where there are insufficient KS3 places within the locality. The recent pre-consultation at Kibworth High School serves to highlight this concern. In this particular instance, displaced pupils would have been expected to

move to other schools nearby, however the primary schools in Oadby are practically full (and operate to a different age range) and the alternative option would be Market Harborough, which if acceptable to parents/pupils, could incur extra transport costs.

New types of provision

34. New types of educational provision, where strategically influenced by the Local Authority, provide the potential to help meet future demand for school places; this could be of particular benefit to finding solutions for Primary schools. However, at present most of the new provision has occurred in the secondary sector, whilst therefore widening opportunities for learners, their impact in the context of planning school places, has been less helpful. The current position in terms of new types of provision is as follows:

    a)   **Free Schools**
        These are all-ability state-funded schools set up in response to local demand. There are presently none in Leicestershire; however, there has previously been an expression of interest in providing a secondary free school in Market Harborough.

    b)   **Studios Schools**
        Studio Schools are designed for 14-19 year olds of all abilities. They are generally small schools, working closely with local employers, to offer a range of academic and vocational qualifications, as well as paid work placements linked directly to employment opportunities in the local area.   There are two Studio Schools open in Leicestershire, the Stephenson Studio School in Coalville (opened in 2011) and the Midland Studio College in Hinckley (opened in October 2012). A further Studio School: the Sir Frank Whittle Studio School in Lutterworth, is due to open in September 2014.

    c)   **University Technical Colleges (UTC's)**
        UTC's offer 14-18 year olds; full time, technically-oriented, courses of study. They are sponsored by a university and are sub-regional, taking students from a wide geographical area. The Leicester and Leicestershire Enterprise Partnership has recently commissioned a feasibility study (via the Leicester City Council) to ascertain the potential to establish a UTC in Leicester, but no further details are yet available.

Transport Policy Changes

35. The recent agreement by Cabinet to introduce a change in charges for post 16 and denominational transport will have effect on many secondary schools, although the possible impacts in each case are not predictable.

It is expected that the longer term consideration of changing transport policy to move from a catchment entitlement to a nearest distance entitlement i.e. nearest school having a place, could dramatically affect the distribution of pupils in the county. This may be particularly so for Upper Schools, which by their nature cover wider catchment areas.

Impact of Sustainable Urban Expansions (SUE's)

36. Nearly all of the Districts have proposals for SUE's within their Core Strategy. Some, for example the Lubbesthorpe development have planning consent and are close to starting work on site, whereas others, as is the case for the Melton SUE have gone back to the drawing board. In all cases the SUE proposals make adequate provision for new primary/secondary places, delivered through new school builds or extensions to nearby schools.

37. The challenge that SUEs present in terms of planning school places is that there is a lack of clarity about the scale and speed of development (which is driven by the economy and housing market), and at what point new schools will be built. Having effective transition arrangements to manage pupil numbers during the early years of construction is of paramount importance. In the short term this will mean finding solutions for pupils from new housing to be absorbed in nearby schools, and ensuring that where these need to be extended sufficient funds are available for this.

Key Areas for Action

38. In the context of the challenges set out in this report, three key areas for priority action have been identified;

Strategic Planning
39. The statutory requirement for LA's to have a strategic plan for school organisation was removed in 2008. If the LA is to successfully deliver and influence the provision of new school places in the changing environment, then a strategic plan is necessary to set out our expectations for growth/demand, policy drivers and preferred solutions.

Shortfall of Primary places

40. Appendix A shows that in terms of primary places, there are distinct pockets of need, and some quite immediate, arising from increased births, planned new housing development and demographic change. This is particularly so for the Blaby District, where there is a serious shortfall of places within the Braunstone area, and Hinckley and Bosworth, specifically emerging issues within Hinckley town. Options are now under investigation in each case, with a view to having early solutions in place.

Surplus places in Secondary Schools

41. Early conversations are necessary with certain secondary schools, their governors, the DfE and EFA to identify suitable strategies to address the impacts of falling student numbers. It should be noted that nearly all of these schools are academies.

Schools capacity data (SCAP) and build costs

42. In 2012 the DfE introduced a new process for obtaining the annual school capacity data from LA's. As part of this process the DfE

confirmed that future basic need capital allocations to LA's will be based on an agreed allocation per pupil. The unit allocation figure provided by the DfE for 2013/14 is £5,079 per pupil, which is significantly less than the current per pupil build costs used by the LA. This will therefore require that in order to close the gap, and for the LA to make effective use of basic needs funding/ to ensure best value, the LA (CYPS and Corporate Resources – Property Services) will need to explore ways of reducing costs, for example reviewing the specification for building works, looking at temporary building solutions, or seeking to re-negotiate build costs with contractors. As part of the changes made by the DfE, from 2013/14 they have also introduced a monitoring system requiring local authorities to record and report where additional school places have been created and their cost.

Resource Implications

43. The development of a school place planning strategy and potentially managing the process (and possibly competitions) for new schools will be resource intensive. In the short term this requirement will be met from the re-allocation of officer time and non staffing costs from within existing resources. Whilst there are therefore no immediate additional resource requirements, longer term there will be a need for both additional revenue and capital resources.

44. Until such time as the capital allocations for 2015/16 and beyond are known, it is difficult to quantify the shortfall in funding. However, there is presently no specific budget identified for the longer term implications of this work, for example the cost of the competition process, should this become a routine occurrence, and set up costs for new schools; this will be dictated by the speed of demand for additional places. An assessment of future demand, as the new school place planning model matures, need to be considered as part of the County Council's Medium Term Financial Strategy (MTFS).

45. In the event of closure of a LA maintained school, any deficit on a school budget plus any costs of closure such as redundancies, decommissioning buildings etc would revert to the local authority. A one off provision exists with Dedicated Schools Grant to help the County Council to meet some of these costs.

Equal Opportunities Implications

46. The underlying purpose of developing new school places should be to improve standards for all children and young people, and to offer greater choice and diversity of educational provision. All schools are encouraged to undertake an Equality Impact Assessment as part of any proposals for organisational change. Any strategic plan adopted by the Council in due course, will be subject to the Public Sector Equality duty to have due regard to the need to eliminate discrimination, advance equality of opportunity and, foster good relations between persons who share a relevant protected characteristic and persons who do not.

Risk Assessment

47. The risks to the County Council arising from increased demand for school places are kept under regular review by the CYPS School Admissions and Pupil Services team; and for matters relating to wider organisational change by the Head of Strategy for Education Sufficiency.

Conclusions and Next Steps

48. The County Council has robust and effective arrangements in place for the planning of school places, as confirmed by independent assessment, but recognises that the education environment is now changing quite dramatically, and needs to keep pace with this

49. In the context of the above, whilst the LA maintains a statutory role for the provision of a strong supply of high quality school places, the reality is that within the evolving market, our degree of influence has diminished. Whilst the change underway has capacity to raise standards, if not carefully managed between the LA, the DfE /EFA, academies and maintained schools, it could serve to de-stabilise the educational system, to the point where the viability/sustainability of some schools could become a critical issue. The actions set out in this report are intended to mitigate against this, and to ensure that the LA continues to have a strong strategic influence.

Circulation under the Local Alert Issues Procedure

50. None

Background Papers

- Academies Act 2010 and Education Act 2011
- Report to Cabinet 12 June 2012 – Policy on the Provision of New School Places
- Report to CYPS Overview and Scrutiny Committee 21 January 2013 – Medium Term Financial Strategy 2013/14 to 2016/17
- Reports to CYPS Overview and Scrutiny Committee 3 October 2011, Academies in Leicestershire and, 11 June 2012, Policy on the Provision of New School Places
- Academy, Free Schools and Studio schools guidance, and guidance relating to the establishment of new schools on Department for Education website www.education.gov.uk

Officers to Contact

Lesley Hagger, Interim Director of Children and Young People's Service
Tel 0116 265 6300 email: lesley.hagger@leics.gov.uk

Gill Weston, Interim Assistant Director Education and Learning, Children and Young People's Service
Tel 0116 305 7813 email: gill.weston@leics.gov.uk

David Atterbury, Head of Strategy (Education Sufficiency) Children and Young People's Service   Tel 0116 305 7729 email: david.atterbury@leics.gov.uk

<u>Appendices</u>

Appendix A   Tables showing forecasted provision for primary places in each District 201314 to 2017/18.

PRIMARY SCHOOL FORECASTS BY DISTRICT

Forecasts include pupils for developments with planning permission. The horizontal scale indicates units of 100 pupils. The vertical banding indicates where planning permission for respective Sustainable Urban Expansions (SUE's) has been granted and the point at which they are expected to commence.
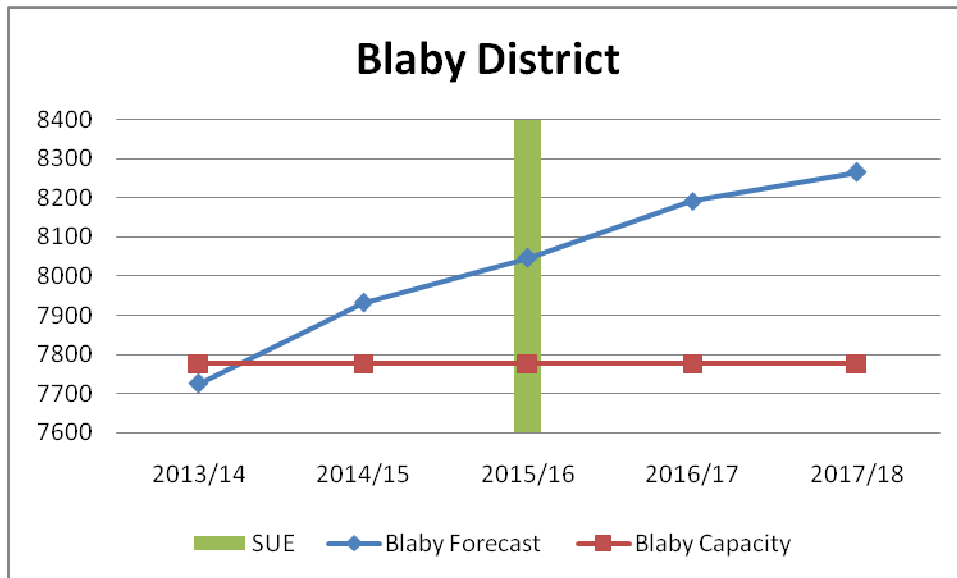
The S106 for the Lubbesthorpe SUE(4250 homes) is in the process of being agreed and includes the provision of 2 new primary schools. The widening gap indicated between capacity and pupil numbers is largely attributable to Braunstone, but also demographic change in Kirby and housing growth in Leicester Forest East and Countesthorpe.
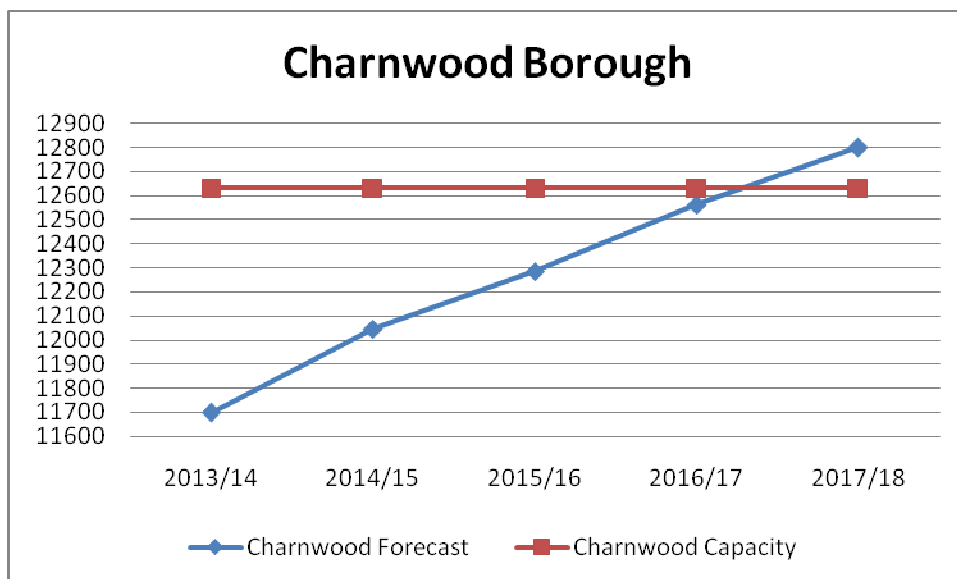
The North West Loughborough SUE(3,000 homes) and Thurmaston SUE(4,500 homes) will provide two new Primary Schools for each development. It is anticipated that an outline planning application will be submitted for the Thurmaston SUE in late 2013.

Harborough District
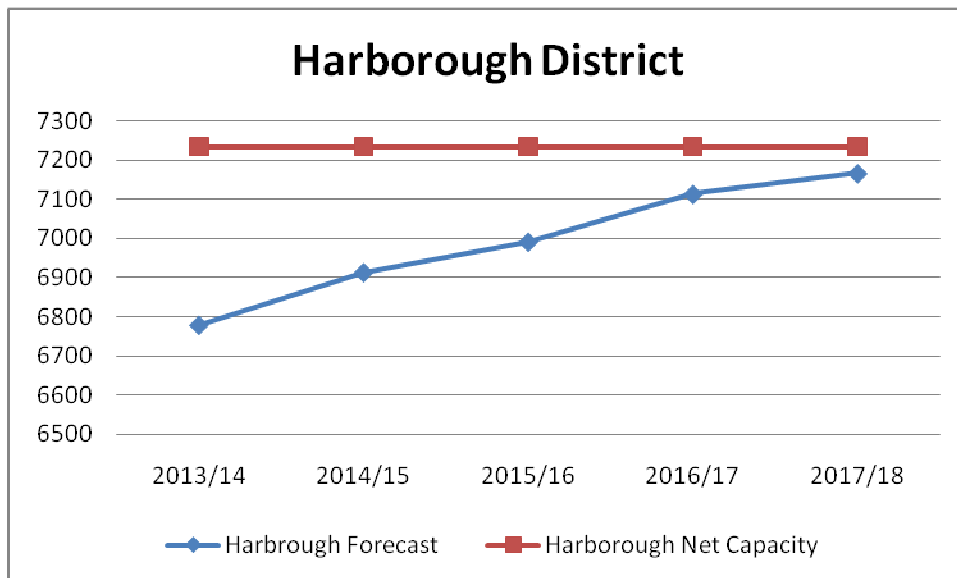
A planning application has been submitted for Airfield Farm, Market Harborough SUE(1,000 homes), however a review is underway as to the exact number of dwellings the SUE will contain, and when these will commence.

Hinckley & Bosworth Borough
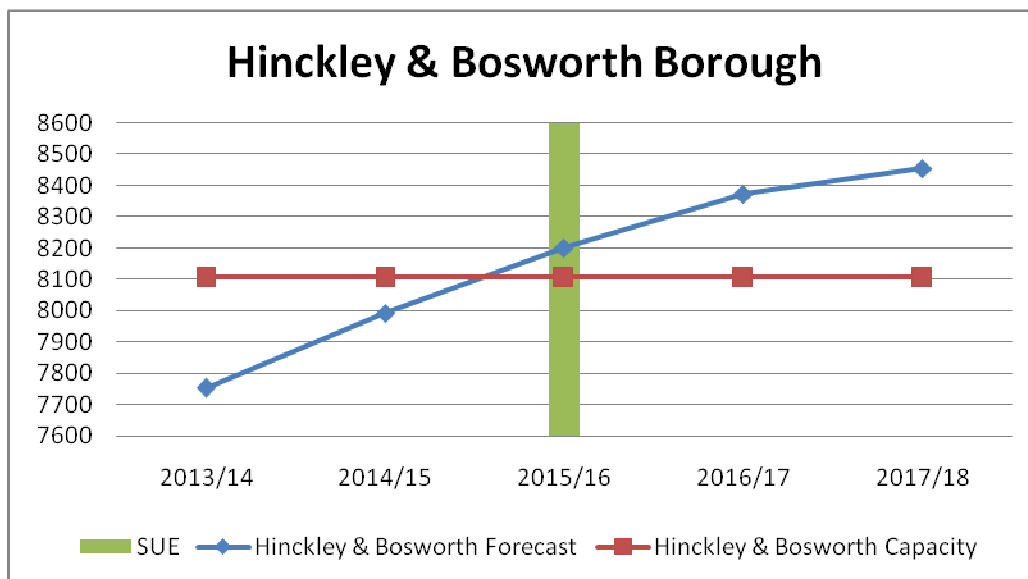
The Barwell SUE(2,500 homes) and Earl Shilton SUE(1,600 homes) will provide one new Primary School for each development. The Barwell SUE has been granted planning permission. It is anticipated that a planning application will be submitted for the Earl Shilton SUE in late 2013.

The gap indicated between capacity and forecast pupil numbers largely relates to Hinckley town centre, but there are also emerging issues in Barwell and Earl Shilton.

Melton Borough

Melton Forecast | Melton Capacity
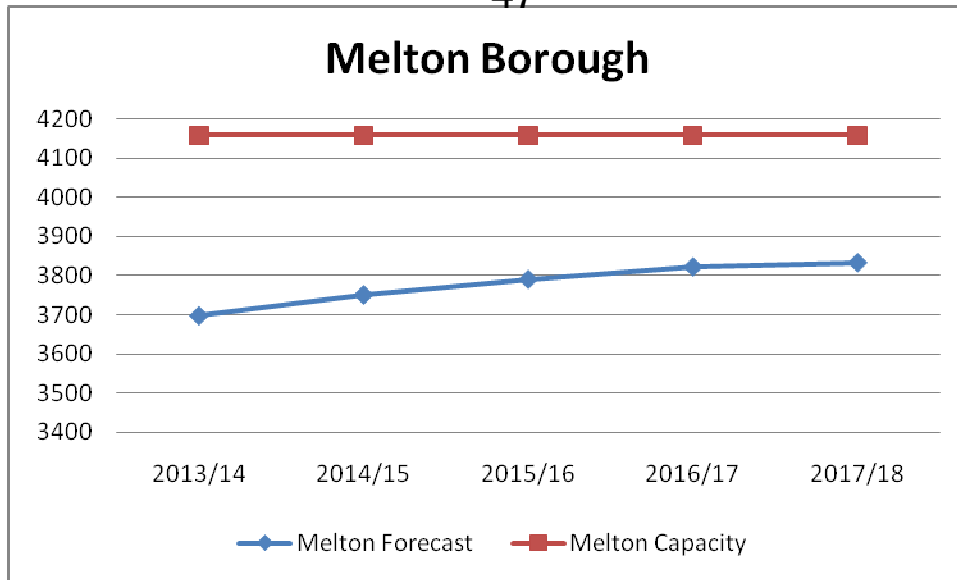
The proposed location of the SUE((1,000 homes) is being reviewed following the Inspectors rejection of the Scalford Road site.

North West Leics District

SUE | North West Leics Forecast | North West Leics Capacity
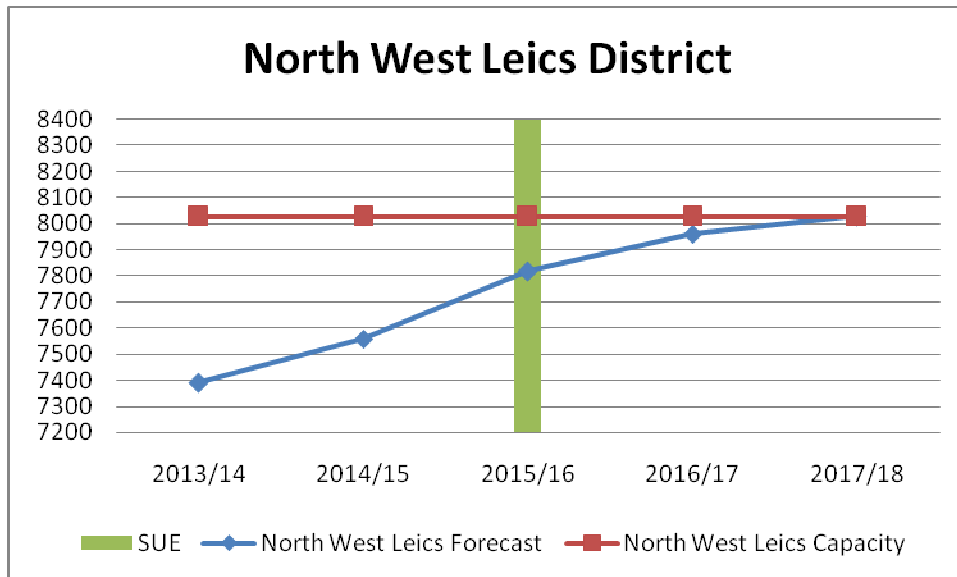
Planning permission has been granted for Phase 1 of Bardon Grange, Coalville SUE(3,500 homes), this includes the provision of a new Primary School . A planning application has been submitted for the Castle Donington SUE(975 homes) but has not yet been determined, this also includes provision for a new primary school.

Oadby & Wigston Borough
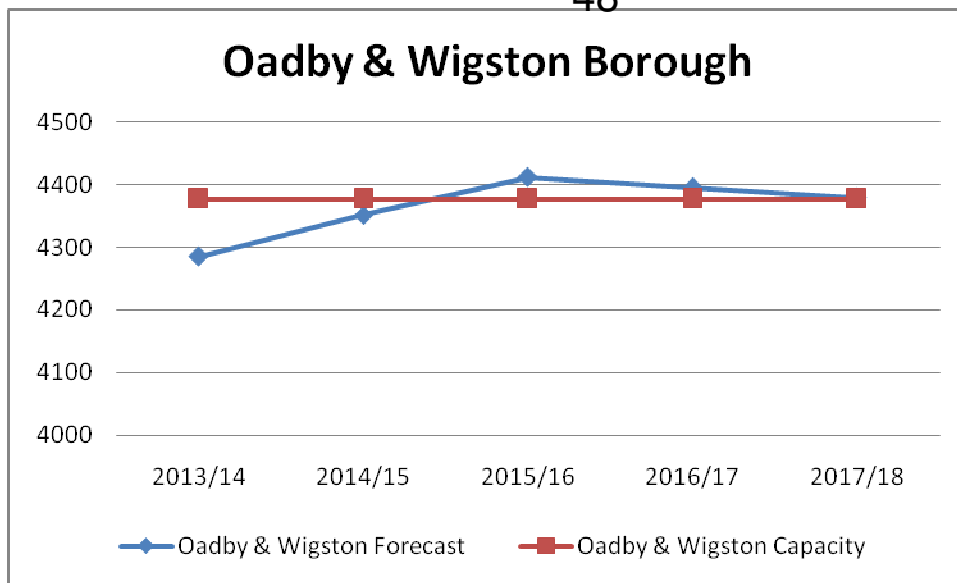
There is no SUE allocation for this area.

Agenda Item 12

Leicestershire County Council

CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE

MONDAY 9 SEPTEMBER 2013

CONSULTATION ON THE FUTURE OF OAKFIELD SCHOOL

REPORT OF THE DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S SERVICE

Purpose of Report

1. The purpose of this report is to enable the Children and Families Overview and Scrutiny Committee to comment on the consultation on future options for Oakfield School.

Policy Framework and Previous Decision(s)

2. The Cabinet on 20 December 2011 authorised the Director of Children and Young People's Services (CYPS) to consult on changes to services, including a 10% reduction in behaviour support services provided by the Local Authority for schools.

3. On 26 March 2012 the Cabinet agreed the report of the Scrutiny Review Panel on Special Educational Needs.

4. On 8 May 2012 the Cabinet agreed the future direction of CYPS including a service restructure and the future role of behaviour partnerships.

5. The Schools Forum, on 20 February 2013, agreed transitional funding to Oakfield School as a result of School Funding Reform when considering the 2013/14 Schools Budget.

Background

6. Oakfield School is formally registered as a Pupil Referral Unit (PRU), with a remit to educate children who cannot attend mainstream schools because of behavioural issues. A series of local and national developments open up the potential to develop further the ways in which current provision in Leicestershire is organised for these children and young people. Three key drivers of change concern national policy, quality of provision, and financial sustainability.

7. Nationally, the Taylor review of PRUs and Alternative Provision published in March 2012 by the Department for Education sets an agenda for improvement

in the sector including more autonomy for PRUs, and a long term expectation that schools will take control of the commissioning of Alternative Provision.

8.   Alternative Provision is the term used to describe educational packages that include time out of school on planned activities that appeal to an individual young person's skills and interests. They include a wide range of activities and providers, from small private organisations to larger Further Education Colleges. Planned and supported well, these opportunities help young people who have become disillusioned and demotivated with the standard school curriculum to re-engage with learning, enjoy success, and achieve accredited outcomes. The Taylor review recognised the importance of this kind of provision in helping young people with behaviour difficulties re-kindle their enthusiasm for education. It argued that schools should become the main commissioners of this kind of provision in the future, rather than Local Authorities, to promote local flexibility and innovation.

9.   Leicestershire has a tradition of innovation and success in this area. Local Behaviour Partnerships have been developing their work across all Leicestershire secondary schools and academies since 2005. Led by Headteachers, five Behaviour Partnerships around the county (South Leicestershire, Hinckley and Bosworth, North West Leicestershire, Charnwood and finally, Melton) include all secondary schools and academies in the county. An initial brief around agreeing priority cases for additional support and PRU placement has been extended to include managing a key stage 4 devolved Alternative Programme commissioning budget, and will further develop in September 2013 when central behaviour support services close, as agreed by Cabinet in May 2012, and the responsibilities of these services transfer to partnerships.

10.   Oakfield School was judged by Ofsted to require special measures in May 2012. Considerable resources have been deployed by the Local Authority to support the improvement plan, including enhanced senior management capacity, new management committee, and additional resources to enhance staffing. Inspectors returned to review progress in November 2012 and again in February 2013. On both occasions, progress was judged to be "reasonable". A further review during the summer term 2013 has concluded that progress is inadequate.

11.   New funding arrangements for PRUs were introduced nationally from April 2013. All costs of provision must be detailed as per pupil amounts. The high costs of each pupil placement resulting from this new approach will make schools look for alternative ways of meeting needs at lower costs. This will impact the ongoing financial stability of Oakfield School.

12.   Underperforming Schools and PRUs are being encouraged by the Department for Education to move into sponsored academy arrangements. The DfE will have rising expectations of the local authority to consider this option as a result of continuing underperformance.

Proposals/Options

13.   The following options are being proposed for consultation:

Option 1:
Close all PRU provision and devolve resources to behaviour partnerships.

This option would enable secondary schools to make more flexible local provision for young people who have been excluded or who may be at risk of permanent exclusion. However, primary pupils are educated full time at the PRU and Primary Behaviour Partnerships are not as well developed as the secondary groupings, although they are keen to innovate.

Option 2:
Seek an academy sponsor for the whole of the PRU.

This option would deliver the DfE expectation that schools in difficulty are provided with a sponsor. However, it would negate the successful work of the Behaviour Partnerships at secondary level, and miss an opportunity to extend their work.

Option 3:
Close and devolve to schools key stage 3 PRU provision, and seek academy sponsors for primary provision only.

This option would allow separate development paths for primary and secondary provision, and could potentially provide additional capacity to support improvement work in the Primary PRU. However, this option could leave the primary provision with higher fixed costs because it occupies a site designed for a larger group of young people.

Option 4:
Devolve the costs of and responsibility for key stage 3 provision to Behaviour Partnerships, and look for locality-based solutions for key stage 1 and key stage 2, in the medium term.

This option takes account of the different paces of development of partnership working at primary and secondary. However, it does not provide a quick solution for primary provision.

Consultations

14.   A 14 week consultation is proposed to consider future arrangements for PRU provision in Leicestershire, commencing on Friday 12 July and closing on Friday 18 October. This will ensure that six weeks of the consultation period falls during the autumn term. The following issues should be addressed:

(a) Has the merger of primary and secondary provision in September 2011 been successful?
(b) Should there be different futures for primary and secondary provision?

(c) Can secondary behaviour partnerships take over the functions of the secondary PRU provision?

(d) Would an academy sponsor speed the improvement of the provision?

(e) What is the relationship with the work of the Leicestershire Educational Excellence Partnership (LEEP)?

(f) What is the most cost effective option that secures the right outcomes of children and young people?

15.   Other Options may be proposed by respondents to the consultation and these will be similarly considered. The consultation will need to seek the views of:

(a) Staff, pupils, parents, and management committee members of Oakfield

(b) Leicestershire headteachers

(c) Leicestershire parent partnership and parents of children with special educational needs

(d) The Leicestershire community (via the website);

(e) Leicestershire County Council departments (property, finance, legal services, etc.).

The results of the consultation will be reported to the Cabinet on 20 November 2013, together with a proposed way forward for consideration.

Resource Implications

16.   The Department for Education funding reform requires PRUs to be funded at £8,000 per commissioned place with 'top-up' funding paid only for the places that are occupied (previously PRUs received funding for the places available rather than occupied). A single place in the PRU is likely to cost in the region of £30,000 for a year. Members of Schools Forum have expressed concern that they will be unwilling or unable to meet these costs. Schools Forum has agreed to maintain 2012/13 funding levels for Oakfield and retain the current commissioning arrangements, whereby places are fully funded by the LA. This is not sustainable. For 2013/14 Oakfield has a budget of £1.56m and has 51 places available.

17.   Oakfield School is funded through the ring fenced Dedicated Schools Grant (DSG). The allocation of increased resources over and above the formula allocation for Oakfield School is not a sustainable option. The Director of Resources has been consulted about the contents of this report.

Timetable for Decisions

18.   Reports on the outcomes of consultation will be considered by the Children and Families Overview and Scrutiny Committee on 18 November 2013 together with a proposed way forward for consideration.

19.   A report will then be submitted to the Cabinet on 20 November 2013 detailing the results of consultation together with a proposed way forward for consideration.

Conclusions

20.   The Taylor review of provision for children with behaviour difficulties encourages innovation and development through stronger local control of commissioning by schools. Leicestershire's long term work encouraging secondary schools and academies to co-operate on this area of provision through behaviour partnerships provides an opportunity to redevelop the provision made at Oakfield School.

Equal Opportunities Implications

21.   An Equality Impact Assessment is in draft form and will be completed through the consultation.

Background Papers

22.   Taylor Review, March 2012: http://education.gov.uk/schools/pupilsupport/behaviour/b00204776/taylor-review-of-alternative-provision

Circulation under the Local Issues Alert Procedure

23.   Mr G. Welsh CC.

Officer(s) to Contact

24.   Lesley Hagger, Director of Children and Young People's Service
Tel: (0116) 305 6300 E-mail: lesley.hagger@leics.gov.uk

Gill Weston, Assistant Director, Education and Learning
Tel: (0116 305 7813) E-mail: gill.weston@leics.gov.uk

Charlie Palmer, Head of Strategy for Vulnerable Groups
Tel: (0116) 305 6767 E-mail: charlie.palmer@leics.gov.uk

List of Appendices

25.   Appendix A: Report to Cabinet 9 July 2013

Appendix A.

Leicestershire County Council

CABINET – 9th July 2013

REPORT OF THE DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S SERVICE

CONSULTATION ON THE FUTURE OF OAKFIELD SCHOOL

PART A

Purpose of Report

1.   The purpose of this report is to seek agreement to the undertaking of a consultation on the future of Oakfield School.

Recommendations

2.   The Cabinet is recommended to agree to consult on future options for Oakfield School.

Reasons for Recommendations

3.   Oakfield School is formally registered as a Pupil Referral Unit (PRU), with a remit to educate children who cannot attend mainstream schools because of behavioural issues. A series of local and national developments open up the potential to develop further the ways in which current provision in Leicestershire is organised for vulnerable and challenging children and young people. Three key drivers of change concern financial sustainability, quality of provision, and national policy.

4.   Nationally, The Taylor review of PRUs and Alternative Provision published in March 2012 sets an agenda for improvement in the sector including more autonomy for PRUs, and a long term expectation that schools will take control of the commissioning of Alternative Provision.

5.   Locally, Behaviour Partnerships have been developing their work across all Leicestershire secondary schools and academies since 2005. An initial brief around agreeing priority cases for additional support and PRU placement has been extended to include managing a key stage 4 devolved Alternative Programme commissioning budget, and will further develop in September 2013 when central behaviour support services close, as agreed reported to the Cabinet in May 2012 and their responsibilities transfer to partnerships.

6.   Oakfield School was judged by Ofsted to require special measures in May 2012. Considerable resources have been deployed by the local authority to

support the improvement plan, including enhanced senior management capacity, new management committee, and additional resources to enhance staffing. Inspectors returned to review progress in November 2012 and again in February 2013. On both occasions, progress was judged to be "reasonable". A further review during the summer term 2013 has concluded that progress is inadequate.

7. New funding arrangements for PRUs were introduced nationally from April 2013. All costs of provision must be detailed as per pupil amounts. The high costs of each pupil placement resulting from this new approach will make schools look for alternative ways of meeting needs at lower costs. This will impact the ongoing financial stability of Oakfield School.

8. Underperforming Schools and PRUs are being encouraged by the Department for Education to move into sponsored academy arrangements. The DfE will have rising expectations of the local authority to consider this option as a result of continuing underperformance.

Timetable for Decisions (including Scrutiny)

9. Subject to Cabinet approval to go out to consultation, reports will be considered by the Children and Families Overview and Scrutiny Committee on 9 September 2013 and then on 18 November 2013 to consider the results of the consultation and proposals arising.

10. A report will then be submitted to the Cabinet on 20 November 2013: detailing the results of consultation and to consider proposals for the future of the PRU.

Policy Framework and Previous Decisions

11. The Cabinet, on 20 December 2011, authorised the Director of Children and Young People's Service (CYPS) to consult on changes to services, including a 10% reduction in behaviour support services.

12. On 26 March 2012 the Cabinet gave its approval to a report of the Scrutiny Review Panel on Special Educational Needs.

13. On 8 May 2012 the Cabinet approved the future direction of CYPS including a service restructure and the future role of behaviour partnerships.

14. The Schools Forum, on 20 February 2013, decided to provide transitional funding to Oakfield PRU as a result of School Funding Reform when considering the 2013/14 Schools Budget.

Resource Implications

15. The Department for Education funding reform requires PRUs to be funded at £8,000 per commissioned place with 'top-up' funding paid only for the places that are occupied (previously PRUs received funding for the places available rather than occupied). A single place in the PRU is likely to cost in the region of £30,000 for a year. Schools have expressed concern that they will be

unwilling or unable to meet these costs. For the present, Schools Forum has agreed to maintain 2012/13 funding levels for Oakfield and retain the current commissioning arrangements. This is not sustainable. For 2013/14 Oakfield has a budget of £1.56m and has 51 places available.

16. Oakfield School is funded through the ring fenced Dedicated Schools Grant (DSG). The allocation of increased resources over and above the formula allocation for Oakfield School is not a sustainable option. The Director of Resources has been consulted about the contents of this report.

Circulation under the Local Issues Alert Procedure

17. Mr D. Jennings CC.

Officers to Contact

18. Lesley Hagger, Director of Children and Young People's Service
Tel: (0116) 305 6300   E-mail: lesley.hagger@leics.gov.uk

Gill Weston, Assistant Director, Education and Learning
Tel: (0116 305 7813)   E-mail: gill.weston@leics.gov.uk

Charlie Palmer, Head of Strategy for Vulnerable Groups
Tel: (0116) 305 6767   E-mail: charlie.palmer@leics.gov.uk

PART B

Background

19.   Section 19 of the Education Act 1996 requires local authorities to make suitable educational provision for children and young people who cannot access mainstream education.

20.   PRUs have been used by many local authorities to make such provision for vulnerable and challenging children and young people, whose behaviour prevents them accessing mainstream schooling. PRU's are not schools – they the local authority alternative to schools. Since February 2008 they have been governed through Management Committees, and from April 2013 they have had a delegated budget. From September 2012, excellent PRUs were able convert to Academy status, and the Department for Education is keen to see failing PRU's move into Sponsored Academy status. Ofsted inspect PRU's using the same framework for inspection as for schools.

21.   At a national level, during this period the Coalition Government commissioned a review of support for children and young people with behaviour difficulties (vulnerable and challenging) as well as reforming the funding arrangements for young people needing either alternative provision or special educational provision. The Taylor review[1] of PRU and Alternative Provision proposed that schools should take a more prominent role in provision for permanently excluded pupils, and work collectively to make such provision.

22.   The review welcomed the work of Behaviour Partnerships in local areas, where schools co-operate to ensure the vulnerable and challenging young people from across their area receive bespoke educational programmes, including elements of Alternative Provision and in-school provision, and schools co-operate to ensure such pupils are placed quickly where they are out of school. Leicestershire secondary schools and academies are embracing this new agenda, and are keen to make provision for young people who might otherwise attend the PRU. However it is imperative that the local authority is able to fulfil its statutory obligations for excluded pupils in such an arrangement.

23.   There is currently a national trial taking place in 11 local authorities to improve the education of children who have been permanently excluded from school which sees schools taking on responsibility for ensuring that these children young people continue to receive a good education. This enables schools, working in partnership with each other, and with the local authority, to try out new ways of tackling challenging behaviour, and sees schools, rather than the local authority, placing children in appropriate Alternative Provision. The school, or partnership of schools, commissions such provision with devolved funding from local authorities, and is be accountable for pupils' attainment and attendance. The goals of this trail closely match developments in Leicestershire. Early reports from pilot areas suggest that partnership working between schools is a key factor in success.

---

[1] http://www.education.gov.uk/schools/pupilsupport/behaviour/b00204776/taylor-review-of-alternative-provision

In addition, authorities that have delegated PRU resources to schools have found considerable reductions in demand as schools gain the flexibility to focus resources on preventative action.

24.   Leicestershire was recognised for its innovative work in this area on a visit of the House of Commons Education Committee to the County in November 2010[2]. Behaviour Partnerships had been in place covering all county secondary schools since 2005, allowing schools to work together to agree priority cases for additional support, placement in the PRU, and improve in-school support. The impact has been impressive; secondary permanent exclusions have reduced in the county from 120 in 2006-07 to 26 in 2009-10, and have remained at around this level since.

The Role of Behaviour Partnerships in Leicestershire

25.   Behaviour Partnerships, voluntary groupings of secondary schools, were established across the county in 2005 in five areas: South Leicestershire, Hinckley and Bosworth, North West Leicestershire, Charnwood and Melton.

26.   The Partnerships are attended and led by headteachers, and have enabled schools to work together to plan the use of places in the Pupil Referral Unit, access to support services, and cases needing a managed move from one school to another. They also ensure that the Fair Access Protocol, which ensures vulnerable children are quickly placed when they move schools, operates effectively and equitably across schools and academies.

27.   From April 2012, Partnerships received devolved funding of around £800K to enable them to arrange Alternative Provision programmes for young people at Key Stage 4[3]. The devolvement is increasing from September 2013 to cover the management of all secondary Alternative Provision. A Partnership Agreement will set out the arrangements underpinning this devolvement.

28.   The work of Behaviour Partnerships continues to develop. By September 2013, central behaviour support services will have closed, as reported to the Cabinet on 8 May 2012, and the functions and resources transferred to schools and Partnerships.

29.   The use of secondary PRU places is not evenly spread across Partnership areas. For example one area of Leicestershire has no children currently attending the secondary PRU. Some areas of the county are therefore well on the way of providing for vulnerable and challenging young people locally.

30.   New funding arrangements for high needs provision, including alternative provision and special educational needs, were introduced by the DfE from April 2013. The costs of PRU provision need to be fully reflected in per place and individual top up arrangements. Estimates suggest that a single place could cost in excess of £30,000 per year. Schools have indicated

---

[2] Select Committee Report:
http://www.publications.parliament.uk/pa/cm201011/cmselect/cmeduc/516/51613.htm
[3] The value of Alternative Provision in re-engaging students was identified in the Ofsted report on Alternative Provision (2011) http://www.ofsted.gov.uk/resources/alternative-provision

unwillingness to commission provision from the PRU at this level of cost, were they to become commissioners in the future, which is likely to increase unoccupied and unfunded places.

Concerns over the Quality of Provision at Oakfield

31. Although the Oakfield was judged by Ofsted to require special measures in May 2012, concerns about the quality of provision, for secondary aged children, have existed for some time.

32. In 2010-11, a review of provision for excluded young people led to the merging of previously separate primary and secondary Pupil Referral Units, using the Blaby Hospital site. A new headteacher and staff were appointed, and new classrooms were built to enhance the provision available on the site.

33. The new combined Primary and Secondary facility opened in April 2011, as Oakfield Short Stay School. However, many staff left in autumn term, with the head teacher, to open a new school in the independent sector. A new head teacher was appointed and took up post in January 2012.

34. There have been ongoing difficulties with staff sickness and absence and in the week before Easter 2013, only one secondary teacher was actually available for work. The short term pressures arising from this underlying long term issue led to discussions with a range of providers to make a range of alternative programmes available to KS3 students at the PRU. This commissioned approach to provision for Key Stage 4 has been a successful strategy.

35. The issue of long term staffing retention does not apply to the same degree at Primary, where staffing is more stable, and provision judged to be improving. This enables the consideration of different future options for the primary and secondary elements of provision.

36. A third review of progress under special measures was undertaken by Ofsted on 12 and 13 June 2013. While progress was judged to be adequate in the first two reviews, this latter review concluded that progress was inadequate. The Education (Short Stay Schools) (Closure) Regulations 2010 require that the Local Authority must obtain the consent of the Secretary of State before closure where PRUs are deemed by Ofsted to require special measures. The same regulations also allow the Secretary of State to direct closure, or require the LA to invite bids to make similar provision under sponsored academy arrangements.

The Impact of School Funding Reform

37. The Department for Education (DfE) required Local Authorities to implement a range of school funding reforms in April 2013[4]. This makes changes to the manner in which PRUs and other providers of Alternative Provision are funded

---

[4] School Funding Reform – Arrangements for 2013/14
http://media.education.gov.uk/assets/files/pdf/s/school%20funding%20reform%20-%20final%202013-14%20arrangements.pdf

and the manner in which PRUs are managed through the establishment of delegated budgets.

38.   From 2013/14 PRUs are required to be funded under a 'Place –Plus' mechanism. Local authorities are currently responsible for commissioning a set number of places which are required to be funded at £8,000 per place, commissioning arrangements are then in place which establish the local authority as the commissioner for places for permanent exclusions and schools for places for pupils on fixed term exclusions. Through the commissioning arrangement top-up funding is paid for the period of time places are occupied. This creates instability of funding where there are unoccupied places, yet there is a need to retain staffing during such periods.

39.   The new long term commissioning arrangements necessary under School Funding Reform have yet be established although a delegated budget for Oakfield is in place.

40.   The Schools Forum at its meeting in February 2013 agreed to local authority proposals to provide transitional funding for Oakfield School in the short term from Dedicated Schools Grant to meet costs arising from the Ofsted action plan and also to provide some short term financial stability whilst Oakfield School moved to a position of a delegated budget. The Schools Forum expressed its concern over value for money and sustainability of the 2013/14 arrangements.

41.   Additionally the formula allocation for the expected student numbers at Oakfield is some £200,000 lower than the 2013/14 budget. For 2013/14 therefore additional resources of £380,000 are maintaining the provision.

Leicestershire Vision for Future Provision for Vulnerable and Challenging Children and Young People

42.   Children and Young People who have been permanently excluded from mainstream primary and secondary schools are described as vulnerable and challenging because they are at significant risk of under achievement and missing school, and because they find it difficult to operate within the framework of the timetable and rules typical of a mainstream school.

43.   The causes are many but the effects are common: young people who are often angry, resentful, challenging and unhappy. They lack confidence as learners, and often give up at the first sign of difficulty, they may try to undermine teachers or the learning of others to distract attention from their own difficulties, or they may provoke conflict through a heightened and inflexible sense of their own rights or of perceived injustice. They are likely to feel that the education system has little to offer them and they have little chance of success.

44.   Provision needs to be made by staff who are robust, resourceful and highly skilled in managing and defusing conflict, rebuilding relationships, re-engaging students after conflict, and encouraging young people to persevere. In the secondary sphere, it is increasingly apparent that curriculum flexibility is also

needed to give staff a wider set of options to try to engage, and re-engage students who have lost motivation, and belief in themselves as learners. There are many examples of where a little success in one curriculum area can spill out across the curriculum as more positive attitudes to learning, and a positive view of the future as a learner. These opportunities need to be related to student interests, subject to regular and rapid review and adjustment, based on a relationship with the young person and their family.

45.   Young People who are vulnerable and challenging can achieve with the right support, at GCSE and beyond. Support needs to be graduated in extent (intensity, longevity, flexibility) and proportional to need, where possible, keeping young people in contact with a mainstream institution, and a route to accredited outcomes. The local authority has a responsibility to ensure that every child and young person can access the right support in order to achieve their potential. The current arrangements in Leicestershire are not succeeding and it is important that other options are explored in order to secure good life opportunities for this vulnerable group.

Options

46.   The principles that need to guide the consideration of options are as follows:

(a) Improved provision for vulnerable and challenging children and young people;
(b) Provision of a positive peer group and role models for young people, and more opportunities to return to mainstream schools;
(c) Linked provision with the work of Behaviour Partnerships around the county;
(d) Partnerships taking greater control of the commissioning of support for vulnerable and challenging young people;
(e) Provision is cost effective and sustainable.

47.   A series of Options for consultation have been developed through a coherent and robust Options Appraisal. Briefly they are:

Option 1:
Close all PRU provision and devolve resources to behaviour partnerships.
This option would enable secondary schools to make more flexible local provision for young people who have been excluded or who may be at risk of permanent exclusion. However, primary pupils are educated full time at the PRU and Primary Behaviour Partnerships are not as well developed as the secondary groupings, although they are keen to innovate.

Option 2:
Seek an academy sponsor for the whole of the PRU.
This option would deliver the DfE expectation. However, it would negate the successful work of the Behaviour Partnerships.

Option 3:
Close and devolve to schools key stage 3 PRU provision, and seek academy sponsors for primary provision only.
This option would allow separate development paths for primary and secondary provision, and could potentially provide additional capacity to support improvement work in the Primary PRU. However, this option could leave the primary provision with higher fixed costs because it occupies a site designed for a larger group of young people.

Option 4:
Devolve the costs of and responsibility for key stage 3 provision to Behaviour Partnerships, and look for locality-based solutions for key stage 1 and key stage 2, in the medium term.
This option takes account of the different paces of development of partnership working at primary and secondary. However, it does not provide a quick solution for primary provision.

Consultation

48. A 14 week consultation is proposed to consider future arrangements for PRU provision in Leicestershire, commencing on Friday 12 July and closing on Friday 18 October. This will ensure that six weeks of the consultation period falls during the autumn term. The following issues should be addressed:

   (a) Has the merger of primary and secondary provision in September 2011 been successful?
   (b) Should there be different futures for primary and secondary provision?
   (c) Can secondary behaviour partnerships take over the functions of the secondary PRU provision?
   (d) Would an academy sponsor speed the improvement of the provision?
   (e) How might teaching schools and academy alliances work with the PRU in the future?
   (f) What is the relationship with the work of the LEEP?
   (g) What is the most cost effective option that secures the right outcomes of children and young people?

   Other Options may be proposed by respondents to the consultation and these will be similarly considered.

49. The consultation will need to seek the views of:

   (a) Staff, pupils, parents, and management committee members of Oakfield;
   (b) Leicestershire headteachers;
   (c) Leicestershire parent partnership and parents of children with special educational needs;
   (d) The Leicestershire community (via the website);
   (e) Leicestershire County Council departments (property, finance, legal services, etc).

50.   The results of the consultation and a recommendation for the way forward will be reported to the Cabinet in November 2013.

Conclusion

51.   A consultation will allow the Cabinet to consider future options for the development of provision for vulnerable and challenging children and young people, and build on the GCSE successes that have been achieved with this group in recent years. In the meantime, the PRU will continue to need additional resource and support in order to provide for the needs of children and young people currently placed there and provision has been made for this with the agreement of the Schools Forum. The work of the management committee will be closely monitored and supported by the local authority during this time.

Background Papers

52.   Improving Alternative Provision[5] (Department for Education, 2012), Charlie Taylor.

The Importance of Teaching[6] (Department for Education, November 2010) White Paper.

Oakfield Inspection report May 2012[7].

Relevant Impact Assessments

Equal Opportunities Implications

53.   Children and young people who are placed in the PRU are vulnerable and fall into the protected characteristics groupings. A formative Equality Impact Assessment has been completed and will be further developed during the consultation activity. The final option recommended to the Cabinet for approval following consultation will be accompanied by a full Equality Impact Assessment and an Equality Improvement Plan, if required.

Partnership Working

54.   The work of the current Behaviour Partnerships is important to the consideration of the identified options. Similarly, the work of the Leicestershire Educational Excellence Partnership regarding the relationship between school performance and the individual needs of vulnerable children and young people is significant when considering this report.

[5] ibid
[6] http://www.education.gov.uk/schools/toolsandinitiatives/schoolswhitepaper/b0068570/the-importance-of-teaching
[7] http://www.ofsted.gov.uk/inspection-reports/find-inspection-report/provider/ELS/136754

This page is intentionally left blank

Leicestershire County Council

CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE

9 SEPTEMBER 2013

SAFEGUARDING ASSURANCE

REPORT OF THE DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S SERVICE

Purpose of report

1. The purpose of this report is to introduce Safeguarding Assurance to the Children and Families Overview and Scrutiny Committee. It will describe how assurance is achieved and illustrate three priority safeguarding areas as requested by the Committee.

Policy Framework and Previous Decisions

2. Safeguarding Assurance is at the heart of the County Council's responsibilities. The Statutory Duties of the Lead Member for Children and Young People and the Director of Children and Young People's Services set out in national guidance, directly addresses those individuals' duties and responsibilities. These were reported to Children and Young People's Overview and Scrutiny Committee at its meeting held in May 2012.

3. Associated national guidance published by the Department for Education is Working Together to Safeguard Children 2013.[1] This sets out strategic and operational responsibilities of the County Council and our partners to safeguard children and young people.

Background

4. Although strategic responsibility for services provided to safeguard children is located in the Children and Young People's Service, it is important to emphasise that the County Council and its partners in schools, the police, probation service and the NHS share the duty to effectively work together in a way that ensures effective and co-ordinated safeguarding of children. This collective responsibility is discharged by a formal partnership, the

---

[1] http://media.education.gov.uk/assets/files/pdf/w/working%20together.pdf

Leicestershire and Rutland Safeguarding Children Board (LSCB), which is chaired by a suitably senior and independent person. The independent chair holds the County Council and its partners to account for the quality of their safeguarding services.

Safeguarding Assurance

5.   Safeguarding Assurance describes the important function of determining the extent to which the management, services and practice, deployed to protect children and young people by the County Council is fulfilled. This should actively consider material from four sources; data about the service, audit activity to analyse the quality of the service, staff views and the views of children, young people and their families.

6.   These four areas are used in the internal performance management approach in the Children and Young Peoples Service and latterly in the Supporting Leicestershire Families Service and also form the basis of the LSCB's performance management of the partnership.

7.   There is a systematic approach to this work within the Children and Young Peoples Service and the Supporting Leicestershire Families Service. This starts with the actions of the Lead Member, the Director and Directorate Management Team to determine the extent to which safeguarding is assured. There are responsibilities across the operational services but as would be expected the fundamental day to day performance management is carried out by the front line managers through their supervision and management of the staff.

8.   In this current year, and in response to Ofsted's views about our safeguarding services the focus of the performance management is on improving consistency. Audit and improvement work has therefore focussed on the quality of assessment work, a key part of keeping children and young people safe. Linked to this and in response to feedback from staff and children and young people is work to ensure there is a confident and competent workforce in safeguarding services. This is being addressed by the introduction of a practice methodology 'Grow Safety' across the workforce.

9.   The Children and Families Overview and Scrutiny Committee have a critical role in view of the Council's collective responsibilities and commitment to the safety and wellbeing of vulnerable children, young people and their families. In addition there is a standing panel to consider continuously safeguarding matters which reports to the Committee.

Priority Areas for Consideration

10.   The Local Authority's responsibilities for safeguarding children and young people are extensive and cover a broad range of topics. Currently the priorities include Child Sexual Exploitation and the day to day practice we are engaged in to protect vulnerable children, including the early identification of emerging problems in a family. The committee has asked for information in

relation to three other priority areas of anti-bullying work, e-safety and dealing with hate crime.

Anti - Bullying Work

11.   The Anti-Bullying Team works at a strategic level to develop a whole school approach to tackle bullying. The team does not have the remit to undertake individual casework but does include the following approaches;

    i.   The 'Beyond Bullying Award' is now the central to the support the Anti-Bullying team delivers to schools. The award provides a structured framework for schools; they are required to develop a portfolio of evidence to demonstrate good anti-bullying practice across a range of criteria. It is an excellent way for schools to gain accreditation and recognition for their achievements in embedding effective anti-bullying practice.

    ii.   Provide a range of training courses throughout the year.

    iii.   Deliver INSET and bespoke training on request and in response to need.

    iv.   Provide support and advice to review and develop anti-bullying policies.

    v.   Provide general support and advice to school staff, parents and carers when contacted.

    vi.   Is proactive in contacting schools and providing additional support where concerns have been raised about bullying.

    vii.   Develop anti-bullying resources (including a range of advice leaflets available via www.beyondbullying.com

    viii.   Provide current guidance and information www.beyondbullying.com

    ix.   Work in partnership with other agencies and colleagues across the authority

    x.   Promote activities and information to raise awareness during National Anti-Bullying Week.

12.   This year Anti-Bullying Week (18th - 22nd November) calls on children and young people to take the lead on creating a future without bullying - using new technologies to promote positive communication rather than being held back by cyber-bullying. ('The future is ours, safe ,fun and connected')

13.   The team is now Stonewall Education Champions receiving recognition for ongoing work to prevent and tackle Homophobic bullying

E - Safety

14.   The growing area of the safety of children and young people on-line causes particular challenges for parents, schools and the County Council. Specific e-safety training is provided to schools as a normal part of their routine safeguarding support. In addition in Leicestershire an annual Year 9 e-safety survey which is now in its fourth year is carried out. The survey is planned to coincide each year with Safer Internet Day and is an opportunity for secondary schools to re-visit issues around e-safety with students. The survey is hosted on "The Jitty" website and the number of responses has

increased from 800 in the first year to over 2,200 in 2013. The survey is a significant contribution to the local understanding of young people's use of the internet and the risks faced. The results of the survey are analysed and key messages are incorporated into training presentations delivered to school staff and parents. A summary report is prepared for all schools and distributed via EIS. Individual survey results, comparing each school with the overall LA results, are sent to each participating school.

15. This year the survey results have seen a small increase in a number of unsafe behaviours compared with the previous year i.e. more webcam use to meet new people, less use of tight privacy settings and more cyber-bullying. About the same proportion of children met up with online contacts but a slightly less percentage went on their own. Just over a quarter of the students said that their parent or carer did not know what they did on the internet. About a third of students said that they allow programmes/apps/websites to know their location. A significantly higher proportion of these students engaged in risky online behaviours than those who said their parents do supervise their internet use. Most young people use Facebook, but many also use Twitter, and most use a mobile device to access the internet.

16. Safer Internet Day 2014 will take place on the 11th February 2014, with the theme 'Let's create a better internet together'. The Anti-Bullying Alliance and ABA member Childnet International will be working together to connect the two campaigns so that schools and colleges can plan activities throughout the school year to prevent cyber-bullying, promote e-safety and create a positive online world.

17. In view of recent tragic events locally and nationally an additional emphasis will be given to e-safety training in the Autumn term, with a bespoke training event for schools and another for youth service and other professional groups working with young people.

Hate Crime

18. A hate incident is any incident where someone has been targeted because they are believed to be different, this may be motivated by: age, gender, gender identity, disability, race, religion/belief or sexual orientation. Hate incidents can be reported to the police, but also at reporting centres in other locations across the County. It is important to distinguish that the police are the only agency that can deal with hate incidents that are crimes but that support and advocacy can be provided by victim support to victims of hate crime and incidents. In Leicestershire the Council's joint approach with the police, the Hate Incident Monitoring Project (HIMP) currently receives reports into a specific database; however from September the HIMP will be replacing this database with Sentinel, in line with the Police and districts/boroughs. This will enable all agencies using the system to avoid duplication and ensure incidents are accurately collated and dealt with appropriately. Incidents of Anti Social Behaviour (ASB) often include hate factors as an aggravating factor.

19.   Annually the HIMP run a 'Stop and Tell' campaign, taking a different focus each year. Previous campaigns include raising awareness of mental health, young people and lesbian, gay, bi and transgender issues (LGB&T). The campaigns are run in partnership with a number of agencies. Historically the HIMP has worked closely with schools, delivering assemblies and specific class sessions on equality and diversity and hate, as part of the duty on schools to record racist incidents. The majority of schools across the County have now become academies and no longer have this duty; however the Project is continuing to engage with schools in order to support them to record hate incidents.

20.   This report has set out the strategic responsibilities for safeguarding children and young people, and how these responsibilities are monitored, and have given the Committee assurance information in relation to the three priority areas of anti-bullying work, e-safety and dealing with hate crime. Future meetings of the Standing Panel on Safeguarding will consider reports on other priority areas.

Resource Implications

21.   Resource for delivering the County Council's Safeguarding responsibilities is provided within the Medium Term Financial Strategy. The budget has been increased through the allocation of growth and has increased from £951k in 2011/12 to £1.35m in 2013/14.

Equal Opportunities Implications

22.   This report considers the safety and wellbeing of the children and young people likely to be most disadvantaged in the county.

Background Papers

23.   The Statutory Duties of the Director of Children's Services published by the Department for Education 2012.

24.   Working Together to Safeguard Children published by the Department for Education 2013.

Circulation under the Local Issues Alert Procedure

25.   None

Officer(s) to Contact

      Lesley Hagger
      Interim Director of Children and Young Peoples Services
      Tel: (0116) 305 6300
      Email: lesley.hagger@leics.gov.uk

Walter McCulloch
Assistant Director Targeted Early Help and Children's Social Care CYPS
Tel: (0116) 305 7441
Email: walter.mcculloch@leics.gov.uk

Chris Nerini Head of Strategy Safeguarding Assurance CYPS
Tel: (0116) 305 5475
Email: chris.nerini@leics.gov.uk

Leicestershire County Council

CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE: 9 SEPTEMBER 2013

ADOPTION REFORM

REPORT OF THE DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S SERVICE

Purpose of Report

1. The purpose of this report is to inform the Children and Families Overview and Scrutiny Committee of the national direction for Adoption and the County Council's progress toward these ambitions.

Policy Framework and Previous Decisions

2. A previous report was provided to the Children and Young Peoples Overview and Scrutiny Committee on 19 November 2012 which introduced the national reform agenda and provided information about the performance of the County Council's adoption service.

3. In common with almost all local authorities the County Council provides an adoption service that recruits potential adopters, assesses their suitability and matches them with suitable children who are in the County Council's care. The County Council's adoption service is delivered in partnership with Rutland County Council. The service is highly regulated and bound by National Minimum Standards.

Background

4. In 2012 the coalition government published a major report called 'Tackling Delay' and in January 2013 they published another major report called 'Finding more Loving Families'. Both these reports reinforced that the adoption of children is a key reform priority. The coalition government went on to publish a set of regulations in July 2013. These new regulations are essentially about ensuring adoption recruitment is more speedy and has no unnecessary barriers to its progress. In underscoring the importance of adoption the coalition government allocated significant resources to pressing through reform, Leicestershire received a total of £54,500 in specific grant for 2012/13 which has risen to £1.21m in 2013/14. It unlikely that funding will continue after the current financial year. The grant is expected to ensure that Local Authorities achieve:

a)   Adopters assessed in 6 months
b)   More adopters than children waiting
c)   Partnership work with Voluntary Agencies to increase placements
d)   Less Children waiting for adoption
e)   Less children waiting a long time for adoption
f)   More complex children and siblings having an adoption opportunity.

5.   The County Council is inspected by Ofsted every 3 years to ensure it is compliant with legislation, regulation and national minimum standards. Ofsted completed this inspection in July 2013 and at the time of writing their inspection report had not been received. If the report is received from Ofsted in time an oral update can be provided to the Children and Families Overview and Scrutiny Committee on the 9 September 2013.

6.   Nationally adoption reform is being progressed in parallel with the reform of court processes for children coming into care led by the Ministry of Justice. The critical feature of both of these policies is the considerable increase in the pace of both processes and practice.

7.   The objective is to seek to ensure children who may come into care because they are subject to court processes or who as a result of these processes will require to be adopted arrive in the family they will grow up in, as soon as possible. The headline is that where court processes are commenced these will take a maximum of 26 weeks and if at the end the child requires a permanent or adoptive alternative family, this will be delivered without delay. To measure this objective nationally the coalition government have introduced a published scorecard.

8.   The Leicestershire and Rutland Adoption Service scorecard is attached as Appendix A. This Adoption Scorecard 2009-2012 shows that children in Leicestershire wait a shorter time than children in other Local Authorities to be placed for adoption and court processes for adoption are speedier than some other authorities. Attached at Appendix B is Leicestershire's annual return to the DFE which shows that 42 children were placed for adoption in 2012 (19 adopted); and approved 35 prospective adopters in 2012/13 which was double that of 2011/12.

9.   All Local Authorities should have reviewed their adoption service and Leicestershire & Rutland Adoption Service is no exception to this. To aid this, the service commissioned two recent peer reviews. Both are external agencies that specialise in Adoption and are recognised experts nationally. The first peer review was completed in May 2013 by Core Assets who concentrated on the performance of the service in 2012 and experiences of prospective adopters. The second peer review was completed in June 2013 by Coram East Midlands Adoption Service who concentrated on the social work and legal practice. They scrutinised ten children's journeys over the last two years and their findings were helpful to inform the reform of the service locally.

Proposals/Options

10.   In order to ensure that Leicestershire & Rutland Adoption service is meeting the requirements of the national changes and the local maxim that services should be prompt, consistent, of high quality and cost efficient the Children and Young Peoples Department are:

   a)   Changing and speeding up our court work
   b)   Training social care and legal staff to work within the new court process
   c)   Measuring the number of weeks court processes are taking for all children
   d)   Reviewing and redeploying our adoption team to ensure they can respond in a more prompt and consistent manner to prospective adopters
   e)   Aligning the locality social care teams and adoption teams processes to increase the speed of children's placement with prospective adopters
   f)   Engaging with the alternative providers to potentially buy adoptive placements and consider alternative post adoption support

Consultations

11.   Consultations with service users, parents/carers, and potential adopters are a high priority along with partner agencies and internal partners. An example of this was in the recent Core Assets peer review where adopters were interviewed and positive about their experiences.

Resource Implications

12.   Grant funding of £1.21m has been made available to Leicestershire for delivery of adoption reform in 13/14 which has been allocated in accordance with the priority actions agreed by the Children and Young People's Departmental Management Team. The grant has two elements one is ring-fenced to actions that will reduce the back log of children awaiting adoption, the second element is much less prescribed.

13.   There is no indication of further funding for 2014/15, any changes to processes will need to be delivered within the resources in the approved Medium Term Financial Strategy.

14.   The Director of Resources has been consulted on this report.

Conclusions

15.   Children and Young Peoples Department are progressing the national reforms locally and are on track to meet the objectives of placing children for adoption, sooner, younger, with their siblings and with complex needs.

Equal Opportunities Implications

16.   The Adoption Agency strives to find appropriate families for all looked after children who have a plan for adoption, regardless of their race, ethnicity, gender or any disability. The Equality Impact Assessment that was completed in April 2011 and will be updated in the course of this work programme.

Background Papers

17.   Children and Young Peoples Overview and Scrutiny Committee – Report of the Director of Children and young Peoples Services – Performance Report on Adoption Service dated 19 November 2012

Circulation under the Local Issues Alert Procedure

18.   None.

Officer(s) to Contact

Lesley Hagger
Interim Director of Children and Young People's Service
Tel: 0116 305 6340
Email: Lesley.hagger@leics.gov.uk

Walter McCulloch
Assistant Director Children's Social Care
Tel: 0116 305 7441
Email: walter.mcculloch@leics.gov.uk

Kerrie Scraton
Head of Strategy for Children's Social Care
Tel: 0116 305 5731
Email: Kerrie.scraton@leics.gov.uk

List of Appendices

Appendix A   Leicestershire Adoption Scorecard 2012

Appendix B   Leicestershire Adoption Scorecard 2012/2013

Department for Education

2012 ADOPTION SCORECARD

Local Authority Scorecard

November 2012
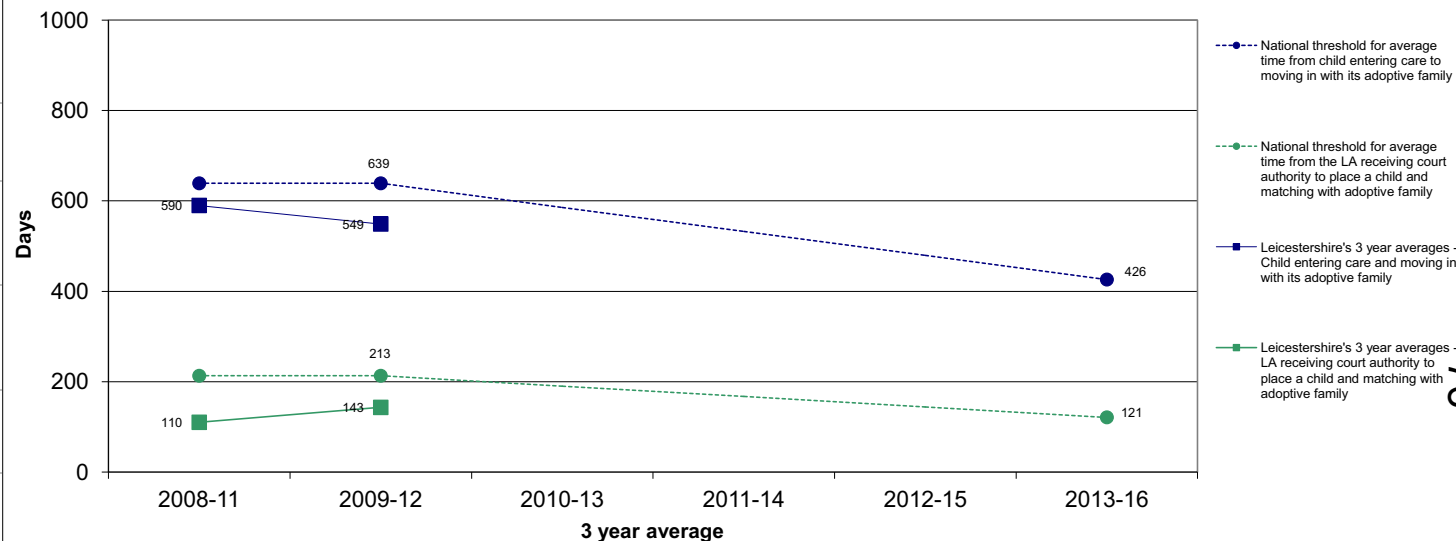
Children, Young People and Families Directorate

Adoption Scorecard

Choose Local Authority Leicestershire ▼

Children

	Average time between a child entering care and moving in with its adoptive family, for children who have been adopted (days)	Average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family (days)	Children who wait less than 21 months between entering care and moving in with their adoptive family (number and %)
LA's 3 year average (2009-12)	549	143	45 (56%)
1 year trend - Improvement from 2011 to 2012	n/a	n/a	n/a
3 year trend - Improvement from 2008-11 to 2009-12	Average time in 2009-12 was shorter than in 2008-11	Average time in 2009-12 was longer than in 2008-11	n/a
England 3 year average (2009-12)	636	195	10,180 (56%)
Distance from 2010-13 performance threshold	Threshold met	Threshold met	n/a

Average Time Indicators

Legend:
- National threshold for average time from child entering care to moving in with its adoptive family
- National threshold for average time from the LA receiving court authority to place a child and matching with adoptive family
- Leicestershire's 3 year averages - Child entering care and moving in with its adoptive family
- Leicestershire's 3 year averages - LA receiving court authority to place a child and matching with adoptive family

Chart data points: 590, 639, 549, 426, 110, 143, 213, 121
X-axis (3 year average): 2008-11, 2009-12, 2010-13, 2011-14, 2012-15, 2013-16
Y-axis (Days): 0 to 1000

Prospective Adopters

	Indicators to be agreed	Indicators to be agreed	Indicators to be agreed
	Data not available until 2013		

Related Information

	Adoptions from care (number adopted and % leaving care who are adopted)	Number and % of children for whom the permanence decision has changed away from adoption	Average time between a child entering care and moving in with its adoptive family. Where times for children who are adopted by their foster family are stopped at the date the child moved in with the foster family (days)	Adoptions of children from ethnic minority backgrounds (number adopted and % of BME children leaving care who are adopted)	Adoptions of children aged five or over (number adopted and % of children aged 5 or over leaving care who are adopted)	Average length of care proceedings locally (weeks)	Number of children awaiting adoption (as at 31 March 2012)	Number of approved prospective adopters (as at 31 March 2012)
LA's 3 year average (2009-12)	40 (8%)	0 (0%)	440	0 (0%)	5 (2%)	46	25	*Data not available*
England 3 year average (2009-12)	9,740 (12%)	1,360 (7%)	546	1,490 (6%)	2,520 (4%)	53	5,750	*Data not available*

Adoption Scorecard

			Children			**Prospective Adopters** (Data not available until 2014)			**Related Information**							
Statistical Neighbour Comparisons			Average time between a child entering care and moving in with its adoptive family, for children who have been adopted (days)	Average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family (days)	Children who wait less than 21 months between entering care and moving in with their adoptive family (%)	Indicators to be agreed	Indicators to be agreed	Indicators to be agreed	Adoptions from care (% leaving care who are adopted)	% of children for whom the permanence decision has changed away from adoption	Average time between a child entering care and moving in with its foster family, for children who have been adopted by their foster parents (days)	Adoptions of children from ethnic minority backgrounds (% of BME children leaving care who are adopted)	Adoptions of children aged five or over (% of children aged 5 or over leaving care who are adopted)	Average length of care proceedings locally (weeks)	Number of children awaiting adoption (as at 31 March 2012)	Number of approved prospective adopters (as at 31 March 2012) (Data not available)
855	**Leicestershire**		549	143	56	-	-	-	8	0	440	0	2	46	25	-
803	South Gloucestershire	Very Close	532	154	41	-	-	-	6	x	448	x	x	57	15	-
937	Warwickshire	Very Close	562	117	65	-	-	-	11	4	512	x	5	57	30	-
885	Worcestershire	Very Close	617	210	55	-	-	-	11	13	569	8	5	53	60	-
802	North Somerset	Very Close	694	218	53	-	-	-	12	15	624	x	8	61	25	-
850	Hampshire	Very Close	566	175	60	-	-	-	10	7	511	8	3	54	85	-
860	Staffordshire	Very Close	612	160	56	-	-	-	14	6	462	10	4	45	115	-
881	Essex	Very Close	689	263	55	-	-	-	12	9	618	9	5	52	125	-
938	West Sussex	Very Close	675	170	60	-	-	-	12	5	612	4	5	52	40	-
823	Central Bedfordshire	Very Close	579	x	59	-	-	-	5	0	579	0	x	46	15	-
886	Kent	Very Close	683	176	51	-	-	-	9	9	605	1	4	59	150	-
	Statistical Neighbours		621	183	56	-	-	-	10	8	554	6	5	54	66	-
970	**England**		636	195	56	-	-	-	12	7	546	6	4	53	5,750	-

Children, Young People and Families Directorate

Notes for all indicators:

1. Percentages have been derived from unrounded numerator and denominator figures.

2. Percentages have been rounded to whole numbers but where the numerator was five or less or the denominator was 10 or less, they have been suppressed and replaced by a cross (x).

3. Numbers in the related information section of the scorecard are rounded to the nearest 5 children.

4. The average number of days have been derived from unrounded numerator and denominator figures and are presented rounded to the nearest day.

5. The distance from the 2010-13 performance threshold has been derived from unrounded figures and presented rounded to the nearest day. Therefore the difference between the 3 year average and the 2010-13 threshold may not be the same as the distance from the 2010-13 performance threshold.

6. Symbols used:

    x   Figures not shown in order to protect confidentiality.

    ..   Not applicable, i.e. no children in the cohort.

    -   No change in the three year average

7. All figures exclude children looked after under an agreed series of short term placements.

Notes for individual indicators:

		Latest data	Data included in average	When will the next data be available?	Where can I find the numerators and denominators for percentages	Notes
Adoption Scorecard						
	Average time between a child entering care and moving in with its adoptive family, for children who have been adopted (days)					
	Indicator A1	2012	2010 2011 2012	Data for 2013 will be available from Autumn 2013	http://www.education.gov.uk/rsgateway/DB/SFR/s001084/index.shtml The number of children who were adopted can be found in table LAE1	1. This indicator includes all children adopted in the period 1 April 2009 to 31 March 2012 that were placed for adoption immediately prior to their adoption. 2. Time is calculated between a child starting to be looked after and their placement for adoption, i.e. the date they move with their adoptive family. Only children with valid data are included. 3. Figures are rounded to the nearest day.
	Average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family (days)					
	Indicator A2	2012	2010 2011 2012	Data for 2013 will be available from Autumn 2013	Underlying figures are not currently published	1. This indicator includes all children adopted in the period 1 April 2009 to 31 March 2012 that were placed for adoption and on a placement order or freeing order immediately prior to their adoption. 2. Time is calculated between receiving court authority to adopt (granting of placement order/freeing order) and matching with adopters. A time of zero is assigned to children who were matched before court authority was received. 3. Figures are rounded to the nearest day.
	The number and percentage of children who wait less than 21 months between entering care and moving in with their adoptive family					
	Indicator A3	2012	2010 2011 2012	Data for 2013 will be available from Autumn 2013	Underlying figures are not currently published	1. This indicator includes all children adopted in the period 1 April 2009 to 31 March 2012 that were placed for adoption immediately prior to their adoption and all children with a current adoption plan at 31 March 2012 (excluding those where the decision to adopt has been reversed). When adoption is the preferred option for permanence this is referred to as the adoption plan. 2. Time is calculated between a child starting to be looked after and their placement for adoption, i.e. the date they move in with their adoptive family. Only children with valid data are included. Children are flagged if they waited less than 21 months (measured at 639 days) between starting to be looked after and being placed for adoption or had not yet been looked after for 21 months at 31 March 2012. 3. The numerator is therefore all adopted children who were placed for adoption first who were placed less than 21 months after becoming looked after and all children looked after at 31 March 2012 with a current adoption decision who were placed less than 21 months after becoming looked after or who had not yet been looked after for 21 months. 4. The denominator is therefore all adopted children who were placed for adoption first and all looked after at 31 March with a current adoption decision.
	Adoptions from care (number adopted and percentage leaving care who are adopted)					
	Indicator A4	2012	2010 2011 2012	Data for 2013 will be available from Autumn 2013	http://www.education.gov.uk/rsgateway/DB/SFR/s001084/index.shtml The number of children leaving care can be found in table LAD1 and the number of children who were adopted can be found in table LAE1	1. Only the last occasion on which a child ceased to be looked after in each year has been counted. A child who ceased to be in care in more than one year will be counted more than once. 2. This indicator compares the number of children who ceased to be looked after in the period 1 April 2009 to 31 March 2012 with the number of children who were adopted during that period.
	The number and percentage of children for whom the permanence decision has changed away from adoption					
	Indicator A5	2012	2010 2011 2012	Data for 2013 will be available from Autumn 2013	Underlying figures are not currently published	1. The denominator includes all children with an ongoing adoption decision in the period 1 April 2009 to 31 March 2012. (The adoption decision date may be prior to 1 April 2009.) The numerator includes all children with an ongoing adoption decision in the period 1 April 2009 to 31 March 2012 for whom the decision was reversed in the period 1 April 2009 to 31 March 2012.
	Average time between a child entering care and moving in with its adoptive family adjusted for foster carer adoptions, for children who have been adopted (days)					
	Indicator A10	2012	2010 2011 2012	Data for 2013 will be available from Autumn 2013	http://www.education.gov.uk/rsgateway/DB/SFR/s001084/index.shtml The number of children who were adopted can be found in table LAE1	1. This indicator includes all children adopted in the period 1 April 2009 to 31 March 2012 that were placed for adoption immediately prior to their adoption. 2. This indicator includes the same children as indicator A1 and the average time is calculated in the same way for children who are not adopted by their foster carers i.e. time is calculated between a child starting to be looked after and their placement for adoption (the date they move with their adoptive family). However the average time for children who are adopted by their foster carers is calculated differently to A1. Where children are adopted by their foster carer, the time is measured until the date they moved in with their foster carer. Only children with valid data are included. 3. Figures are rounded to the nearest day.
	The percentage of black and minority ethnic children leaving care who are adopted					
	Indicator A6	2012	2010 2011 2012	Data for 2013 will be available from Autumn 2013	2011 data: http://www.education.gov.uk/childrenandyoungpeople/families/adoption/b0076713/datapack	1. Only the last occasion on which a child ceased to be looked after in the year has been counted. 2. The numerator includes all children with a known ethnicity of Asian, Black, Chinese, Mixed or Other who were adopted in the period 1 April 2009 to 31 March 2012. The denominator includes all children within these ethnic groups who ceased to be looked after for any reason in the same time period. Numerators and denominators exclude all children where ethnicity was refused or not obtained. 3. Percentages show the proportion of all black and minority ethnic children leaving care who are adopted. Therefore if a local authority has a low proportion of black and minority ethnic children in their care population then the denominator will reflect this low number.
	The percentage of children aged 5 or over leaving care who are adopted					
	Indicator A7	2012	2010 2011 2012	Data for 2013 will be available from Autumn 2013	2011 data: http://www.education.gov.uk/childrenandyoungpeople/families/adoption/b0076713/datapack	1. Only the last occasion on which a child ceased to be looked after in the year has been counted. 2. Age on leaving care. 3. The numerator includes all children who were adopted in period 1 April 2009 to 31 March 2012 who were aged 5 or over. The denominator includes all children who were aged 5 or over when they ceased to be looked after in the same time period.
	Average length of care proceedings locally (weeks)					
	Indicator A8	2012	2010 2011 2012	Data for 2013 will be available from Autumn 2013	Figures are currently not publicly available	1. Figures are provided from the Cafcass National Case Management System (CMS). 2. The unit of measurement is a care application. An application can involve multiple children. CMS is a live system and any late entries will be accounted for at the time of release of subsequent updates to this data. 3. Average care duration is calculated from date of care application to the court to date application completed on CMS in the selected time period. Averages are based on care applications completed in the period. 4. The average length of care proceedings locally includes all care proceedings which the local authority has initiated, including care proceedings which take place in courts outside of the local authority area. 5. All data updated on 25 September 2012. Changes to figures are due to late updates in information within the CMS
	Number of children awaiting adoption					
	Indicator A9	2012		2012	Data for 2013 will be available from Autumn 2013	Underlying figures are not currently published	1. This indicator includes all children with an adoption plan in year ending 31 March 2012 that were still looked after at 31 March 2012 and who had not been placed for adoption at 31 March 2012. When adoption is the preferred option for permanence this is referred to as the adoption plan.

Adoption Scorecard - Updated Leicestershire 2012/13

Statistical Neighbour Comparisons

			Children			Prospective Adopters			Related Information						
			Average time between a child entering care and moving in with its adoptive family, for children who have been adopted (days)	Average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family (days)	Children who wait less than 21 months between entering care and moving in with their adoptive family (%)	Indicators to be agreed	Indicators to be agreed	Indicators to be agreed	Adoptions from care (% leaving care who are adopted)	% of children for whom the permanence decision has changed away from adoption	Average time between a child entering care and moving in with its foster family, for children who have been adopted by their foster parents (days)	Adoptions of children from ethnic minority backgrounds (% of BME children leaving care who are adopted)	Adoptions of children aged five or over (% of children aged 5 or over leaving care who are adopted)	Average length of care proceedings locally (weeks) (CAFCASS)	Number of children awaiting adoption (as at 31 March 2012)	Number of approved prospective adopters (as at 31 March 2012) (Data not available)
			A1	A2	A3				A4	A5	A10	A6	A7	A8	A9	
SCORECARD AVERAGE 2009-2012																
855	Leicestershire		549	143	56	-	-	-	8	0	440	0	2	46	25	-
803	South Gloucestershire	Very Close	532	154	41	-	-	-	6	x	448	x	x	57	15	-
937	Warwickshire	Very Close	562	117	65	-	-	-	11	4	512	x	5	57	30	-
885	Worcestershire	Very Close	617	210	55	-	-	-	11	13	569	8	5	53	60	-
802	North Somerset	Very Close	694	218	53	-	-	-	12	15	624	x	8	61	25	-
850	Hampshire	Very Close	566	175	60	-	-	-	10	7	511	8	3	54	85	-
860	Staffordshire	Very Close	612	160	56	-	-	-	14	6	462	10	4	45	115	-
881	Essex	Very Close	689	263	55	-	-	-	12	9	618	9	5	52	125	-
938	West Sussex	Very Close	675	170	60	-	-	-	12	5	612	4	5	52	40	-
823	Central Bedfordshire	Very Close	579	x	59	-	-	-	5	0	579	0	x	46	15	-
886	Kent	Very Close	683	176	51	-	-	-	9	9	605	1	4	59	150	-
SCORECARD AVERAGE 2009-2012																
855	Leicestershire		549	143	56	-	-	-	8	0	440	0	2	46	25	-
	Statistical Neighbours		621	183	56	-	-	-	10	8	554	6	5	54	66	-
	England		636	195	56	-	-	-	12	7	546	6	4	53	5,750	-
855	Leicestershire 2012/13		632	253	-	-	-	-	11	3	364	10	4	-	38	-

This page is intentionally left blank