

Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 24 March 2014.

PRESENT

Mr. L. Spence CC (in the Chair)

Mr. K. Coles CC	Mr. J. Perry
Mr. J. Kaufman CC	Mrs. C. M. Radford CC
Mr. P. G. Lewis CC	Mr. R. Sharp CC
Mr B. Monaghan	Mr. E. D. Snartt CC
Mr. T. J. Pendleton CC	Mr. G. Welsh CC

Also in attendance

Mr. G. Hart CC
Mr. I. Ould CC (for minute 48 to 51)

41. Minutes.

The minutes of the meeting held on 20 January 2014 were taken as read, confirmed and signed.

42. Question Time.

The Chief Executive reported that four questions had been received under Standing Order 35 from Mrs Sue Whiting and two questions had been received from Mr Richard Carter.

(A) Mrs Whiting, a member of the public, asked the following questions:

“Now that the Children and Families Act 2014 has received Royal Assent and the provisions within the Act are required to be active from September 2014 could the Chair please answer the following questions with regard to the provision available in Leicestershire?”

1. A report to the Children and Young People’s Service Overview and Scrutiny Committee in January 2011 stated that 8 children with Dyslexia were being educated ‘out of county’ at a cost of £118,602, yet in June 2013 Councillor Ould stated that “Leicestershire does not hold information about specific provision for dyslexia across the county.” In a separate letter dated 23rd May 2013 he stated that “Local offer will require schools and local authorities to produce information about the services available to children and young people with special needs, including Dyslexia”. Does Leicestershire now have information about the provision for children with Dyslexia both within the county and any further out of county provision that is still needed to cater for children with dyslexia “because the educational needs of the individual young person are highly specialised?”

2. In Leicestershire Criteria for Cognition and Learning: Specific Learning difficulties multi agency protocols include the Rose review on Dyslexia, Guidance on Dyslexia Friendly schools and Equality Act 2010.

Feature 3 for identification states low self esteem, anxiety, frustration, task avoidance. Speech and language difficulties may also be apparent.

(a) What are the current waiting times for a child to access the services of CAMHS [Child and Adolescent Mental Health Services], Educational Psychologists and Speech and Language Therapists?

(b) If a child is 'at risk' of becoming a young offender, are these waiting times in any way different?

(c) What will the impact of cuts to Educational Psychologists, CAMHS, Speech and Language and Young Offenders Service be on these waiting times?

3. On 28th October 2010 Councillor White wrote "We do not hold data on Leicestershire children that would allow us to provide an analysis of co-morbidity - the extent to which children with one area of difficulty (dyslexia) also experience another area of difficulty (mental health difficulties).

However, case work experience in our Educational Psychology Service suggests that there is a strong link.....

Children's anxiety provides the bridge from one area of difficulty to the other. Many young people with Dyslexia experience anxiety, and if this is not dealt with, it can lead to longer term mental health problems."

Does Leicestershire now have provision for gathering and monitoring this data so that early correct teaching and health provision can be provided?

4. In December 2013 Olivia Loder aged 11 wrote to Michael Gove, "The reason I'm writing is to tell about how state schools treat dyslexics and that we feel like we have no potential and feel like the thing you found on the bottom of your shoe and that's not nice."

The reason I am asking these questions is because I still get contacted by parents who are desperately trying to help their children to have the correct provision of education. By the time they contact me I usually have to tell them how to access CAMHS either via the school medical officer or their own GP. A recent contact had already gone to their GP and CAHMS, but the education provision was not there.

(a) Does Leicestershire now have any information on schools which have qualified staff, as set out in Leicestershire Criteria?

(b) Are there any primary schools that are dyslexia friendly or at least dyslexia effective in identifying and putting early provision in place so that children don't develop anxieties and need CAMHS referrals?"

Mr Spence replied as follows:

- “1. Mr Ould CC was correct to say that “Leicestershire does not hold information about specific provision for dyslexia across the county.” However, we do hold specific information about children educated out of county because we have a particular responsibility for them. The 2011 statement reflected our knowledge that of the children being educated out of county, 8 of them were dyslexic.

Under the Special Educational Needs (SEN) Code of Practice, schools and early years settings are expected to implement a range of observations and assessments and measure the child’s progress against interventions as part of a ‘graduated response’. Schools and early years settings can seek advice from a range of agencies/services e.g. Area SEN Co-ordinator (SENCO), Specialist Teaching Services, Early Help, Area Special School Outreach and Child and Adolescent Mental Health Services (CAMHS) as well as LPS. Schools and Parents can make a request for statutory assessment and access additional top up funding if necessary to contribute to a child’s support needs in school. Representation from parents for placements ‘out of county’, i.e. in independent or non maintained special schools, are infrequent, indicating that families, schools and professional are in agreement that children’s needs can and are being met by the graduated response as set out above.

2. (a) CAMHS services are commissioned by the Leicestershire Partnership Trust on behalf of the NHS. There has not been sufficient time between receiving this question and needing to provide the response to be informed of the waiting times – this will be provided as soon as the information is received.
- (b) CAMHS Community Teams provide specialist assessment and interventions for children and young people with significant mental health difficulties. Waiting time targets following referral are as follows: urgent referrals are assessed within 24 hours; routine referrals are assessed within 13 weeks. For emergencies there is a 24 hours ‘on call’ service which accepts telephone referrals from GPs or A&E. The risk assessment tool used through the referral process identifies the vulnerabilities present, including youth offending.
- (c) Educational psychologists continue to be accessible to schools through a twice yearly planning meeting with school SENCOs. For children too young to be in schools, referrals are allocated at Early Years Panel. Direct contact with concerned parents is always available from the LPS Advice Line: 0116 3055100. The Advice Line is available every working day during office hours.

As a result of the County Council’s budget pressures and the Medium Term Strategy agreed on 19th February 2014, a number of services will have their budgets reduced. For the Psychology Service the budget reduction is 18% and the service will be reorganised as part of the transformation of Children and Young Person’s Services as an outcome of reforms needed to address the demands of the Children and Families Act. Every effort will be made to minimise impact on early year’s settings, schools, children and families. These changes are unlikely to impact CAMHS waiting times because these services work at an earlier level of support than required for those children and young people with significant mental health difficulties. However, there is a need to review the current pathways for mental health support at all levels and at the meeting of the Health and Well Being Board on 13th March 2014, a proposal

was agreed to begin this review which will include all relevant stakeholders and will be led by Public Health.

In respect of the waiting times for SALT (speech and language therapy), the national target is 18 weeks from referral to treatment. This is contractually binding in the Leicestershire Partnership Trust contract with the CCG's. The provider will be expected to maintain these times despite any cuts to provision. These are monitored monthly through performance mechanisms.

3. As previously stated; 'We do not hold data on Leicestershire children that would allow us to provide an analysis of co-morbidity - the extent to which children with one area of difficulty (dyslexia) also experience another area of difficulty (mental health difficulties)' i.e. in this case anxiety. However, it should be noted and is recognised in the question, 'case work experience in our Educational Psychology Service suggests that there is a strong link' between dyslexia and anxiety, consequently, casework on individual specific cases, assessment and interventions are alerted to this, as are other professional e.g. Learning Support Service and it is also part of dyslexia training in schools.
4. (a)&
(b) Leicestershire does not keep a central record of staff in schools across Leicestershire who have undertaken additional training or qualifications for specific types of SEN. The Local Offer as part of the SEN and Disability Reform, as required by the Children and Families Act, will cover support available to all children and young people with SEN from universal services such as schools. Schools will be required to be part of this Local Offer. Leicestershire County Council's intention is to ensure this includes national and local expectations regarding the support that all schools could provide for all types of SEN and disability based on National guidance and research. The Local Offer will therefore require all schools to set out their specific expertise in areas of SEN and Disability. All children assessed will be provided with information about the Local Offer and the Parent Partnership will continue to play a key role in promoting this new approach."

Mrs Whiting asked the following supplementary question on the reply to Question 1:

"The 2011 statement reflected that 8 children that were dyslexic were being educated out of county; what were the figures for 2012 and 2013?"

The Director of Children and Family Services, on behalf of the Chairman, undertook to respond to this question in writing.

Mrs Whiting asked the following supplementary question on the reply to Question 2(a):

"When will details of the waiting times be available?"

The Director of Children and Family Services, on behalf of the Chairman, undertook to respond to this question in writing.

Mrs Whiting asked the following supplementary question on the reply to Question 4:

“Would the Local Offer include information about the Special Needs Teaching Service being an approved provider of training for dyslexia?”

The Director of Children and Family Services, on behalf of the Chairman, confirmed that the Local Offer would include information about any provider of any service that was relevant.

(B) Mr Carter, a member of the public, asked the following questions:

“Residents who live in close proximity to Cossington Church of England Primary School are increasingly confused and concerned about the mixed messages that are being given by the LEA [Local Education Authority] about the school, and the effects that the different proposals would have on their homes.

Contextual information.

1. In evidence to an appeal in March 2012 about insufficient capacity at Rothley Church of England Primary School (Land at Brookfield Farm March 2012 APP/X2410/A/11/2161715) the LEA stated that “there would be no spare capacity in 2015 at either Mountsorrel or Cossington primary schools.” It then went on - “It was the LEA’s view that because of physical site constraints at Rothley Primary School, the additional capacity was likely to be provided at Cossington, subject to a feasibility study.” The LEA clearly signaled that there were strong grounds to seriously consider increasing the capacity of Cossington school.
2. The Development Control and Regulatory Board at a meeting on 13th February 2014 refused an application for a further 5 year temporary permission for 3 mobile classrooms at Cossington Church of England Primary School. The Applicant informed the Board that it had “no plans” in place in the event of a refusal. Accordingly, the Board granted an 18 month extension with the recommendation that permanent classrooms be built instead of the temporary mobiles. They also indicated that they would “be minded” not to renew any subsequent applications for temporary classrooms.
3. Residents concerns about Cossington Church of England Primary School:
 - temporary mobile classrooms have been sited at the school for over 35 years
 - temporary mobile classrooms provide over 50% of the teaching space
 - 88% of the school intake comes from outside the school’s catchment area
 - 82% of the school intake comes from Sileby school catchments
 - high volumes of traffic are generated because of out-of-catchment journeys, which create a highway hazard
 - the mobiles are sited in a narrow corridor of land which is bounded on two sides by residential properties that are only 5 metres away at their narrowest point
 - indoor PE activities takes place in a Hall which is 5 metres away from the boundaries
 - the staff car park is sited in a narrow corridor of land that is bounded by residential properties
 - residents adjoining the school suffer considerable noise, light and traffic nuisance because of the close proximity of the school

Questions

1. Is there capacity at the two Sileby Primary Schools to enroll all the children in their catchment areas?
2. Cossington school has been left stranded by demographic change and significant constraints on its site render its suitability for further development problematic, so what plans does the Board have for the School?"

Mr Spence replied as follows:

- "1. There are currently 652 pupils that live in the catchment area of Sileby and there are 525 places available at the two schools in the village; Highgate Community Primary (210 places) and Sileby Redlands Community Primary School (315 places). The 84 remaining pupils choose to attend other schools. Historically Redlands retain 54% (238) of their catchment pupils and Highgate retain 61% (127) of their catchment pupils. There is crossover of pupils attending either Highgate or Redlands from each other's catchment area. However, of those not attending one of the two schools in the village, 88 are on roll at Cossington Primary School and 115 pupils choose to attend other schools nearby.

In order for Sileby Highgate and Sileby Redlands Primary Schools to take all of their in-catchment pupils both would need some extension. The Development Control and Regulatory Board was advised on 13th February 2014 that there are already phased proposals to increase Highgate Primary to 420 places in the future to address additional pupils from housing gains in the area. There are currently no plans to extend Redlands Primary, particularly as gaining access onto the site would need careful negotiations with third parties.

2. The planning of school places falls within the remit of the County Council's Children and Young People's Service. There are no significant constraints on development of the Cossington School site. However, it should be noted that parts of the site sit within a conservation area, and this would require careful consideration, but the temporary classrooms and hall are positioned just outside of the conservation area. All of the temporary accommodation on the site is of a good condition, hence there are currently no plans made for replacement.

In terms of demographics, there are 18 pupils that live in Cossington, 14 of which choose to go to their in-catchment school, the remaining 4 pupils choose to attend other schools. Cossington Primary school is made up of 13% in-catchment and 87% out-catchment (the majority of which come from Sileby). The school is designated as rural by the Department for Education. In accordance with the County Council's draft strategy for the future provision of school places, the Council is committed to maintaining a good network of provision in all parts of Leicestershire, particularly rural areas, with a presumption against closing schools unless absolutely necessary for educational reasons or should they become unsustainable. The future development of accommodation at the school is now under review by the Children and Young People's Service following the recent Development Control and Regulatory Board decision.

The attached catchment map shows the relationship and close proximity of Cossington Primary to the two primary schools in Sileby."

Mr Carter asked the following supplementary question:

“Could you please clarify whether the Local Authority will require additional planning permission if and when the temporary structure is removed?”

The Director of Children and Family Services, on behalf of the Chairman, undertook to respond to this question in writing.

43. 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).

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

There were no urgent items for consideration.

45. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Mr D. Snartt CC, Mr L. Spence CC, Mr G. Welsh CC, Mr J. Perry and Mr B. Monaghan declared personal interests in matters relating to schools, as they had family members who taught in Leicestershire.

Mr L. Spence CC indicated that, whilst it did not amount to an interest to be declared at this meeting, he felt it relevant to report that he was employed by two academies within the County.

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

There were no declarations of the party whip.

47. Presentation of Petitions under Standing Order 36.

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

48. 'In the Right Place' - Draft Strategy for the Provision of School and Other Learning Places in Leicestershire 2014-18.

The Committee considered a report of the Director of Children and Family Services, the purpose of which was to present the draft strategy for the provision of school and other education places in Leicestershire for 2014/18, 'In the Right Place'. A copy of the report is filed with these minutes.

Arising from discussion, the following points were noted:

- (i) Whilst the Authority retained responsibility to ensure a sufficient supply of school places in Leicestershire, with the introduction of academies and free schools it no longer had direct control over a majority of Leicestershire schools;
- (ii) It would be important for the Authority to work closely with schools and other stakeholders to ensure there was a co-ordinated approach to school place planning. Its aim would be to promote educational excellence, retain the high standards within schools as currently existed in Leicestershire, and ensure the education system was not de-stabilised by schools working in isolation;
- (iii) The Authority, through the recently allocated Basic Needs Capital funding for additional school places, would look carefully at how this might be used to support the expansion of good and popular schools. Academies themselves could also apply for funding direct to the Education Funding Agency (EFA). Where possible, the Authority would hold discussions with schools and the EFA with a view to bringing these funding streams together to ensure there was a joint approach to school expansions and resources were utilised as effectively as possible;
- (iv) The issue of Home to School Transport whilst interlinked with school place planning, being a cross departmental issue, would be considered by the Scrutiny Commission on 26 March 2014. It was acknowledged that whilst transportation would be an important consideration for parents, parental preference was often the key driver of where children when to school;
- (v) Some members expressed the view that the 10+ system that operated in some areas across Leicestershire had been an anomaly which had not proved beneficial. It was suggested that as the structure of the education system across the County changed, now might be an appropriate time for these to be removed. Some considered that, if taken forward, such changes would need to be managed sensitively, noting that whilst the County Council could assist such changes, where they involved academies the decision would be made in agreement with the Department for Education;
- (vi) Housing developments across the County would have a significant impact on the future need of school places. The Strategy would therefore need to have regard to the County Council's policy on section 106 developer contributions which was currently being reviewed and the 2014/15 capital programme to be confirmed shortly. It was acknowledged that there would be significant reliance on district councils as the local planning authority to secure section 106 funding and thus ensure that the increasing demand for school places could be met;
- (vii) The Committee noted that, in light of the work now being undertaken by the Authority to update its policy relating to section 106 developer contributions, it would not currently be appropriate for a letter to be sent to district councils highlighting the concerns raised regarding the need for educational provision to be made in relation to new developments, as it had requested at its last meeting;
- (viii) The Committee noted that following its last meeting the Department for Education (DfE) had made a number of decisions which supported the progress of arrangements for schools in special measures to be converted into sponsored academies. The Committee had previously expressed concerns

about the impact delays at DfE level were having on such arrangements and had requested that a letter be sent to the DfE supporting the comments previously made by the Director and Lead Member on this issue. The Director had notified senior officers at the DfE of the concerns raised, but the Committee acknowledged that, in the circumstances, it was no longer necessary for the proposed letter to be sent;

- (ix) There was sometimes conflict between the availability of school places in a particular area and parental choice. The Strategy aimed to mitigate the negative impact that expanding popular schools could have on other schools holding a surplus. The Authority would work with those schools to ensure they remained viable in the short term, as in the long term the loss of any school would be a disadvantage to parents and pupils and reduce choice;
- (x) Surplus places impacted on the County Council's ability to seek section 106 planning contributions to support the expansion of popular schools or the construction of new schools. The Authority through the Strategy aimed to remove surplus capacity out of the system and ensure that school places were available in the right place at the right time;
- (xi) Age range changes made by schools would need to be well thought through and the Authority would seek to work with schools to provide a balanced view across the locality to ensure the impact of such changes did not adversely affect the long term sustainability of other schools in the area;
- (xii) It was highlighted that some successful schools did not always have the land capacity to allow them to be extended;
- (xiii) Some members expressed concern that some schools had extended through the use of mobile class rooms. These were not intended as a long term solution, but some remained in situ for considerable periods. The Committee noted that the Basic Needs Capital funding had been made available to support the creation of *additional* school places and could not therefore be used to replace pre-existing mobile classrooms;
- (xiv) The Authority's school maintenance fund (£4.2m) supported the work required to carry out priority 1 issues on maintained schools which, if not dealt with, might result in a school being closed. It was not the purpose of this funding to support any extension proposals;
- (xv) Although not a requirement, the Committee supported the need for a Strategy to ensure partners had a clear understanding of the County Council's position and priorities. The Committee also supported the key priorities which had been identified;
- (xvi) In relation to the wording of the Strategy document itself, the following specific points were made:
 - The document should be made shorter, avoiding duplication where possible;
 - Use of corporate language should be removed where possible to ensure it was easier for partners and the public to follow;

- The planning timescales set out in paragraph 35.2 should be made clearer by identifying the year in which this work would start;
- In paragraph 3.8 it should be made clearer that section 106 funding and the infrastructure levy were not two separate funding streams;
- The final sentence of paragraph 3.9 should state “We will ‘*continue to*’ ensure...”;
- Some of the figures contained in paragraph 44.8, in particular those identified for Blaby, should be re-checked to ensure they reflect the latest position. The Authority had worked closely with district councils which had provided the proposed housing growth details, but it was acknowledged these would need to be refreshed before the Strategy was finalised;
- It was suggested that, with reference to paragraph 44.8, through discussions with district councils consideration should be given to the overall impact of smaller developments which were not necessarily identified in their core strategies.

RESOLVED:

- (a) That the contents of the report be noted;
- (b) That the draft Strategy including the Key Priorities identified be supported, subject to the comments now made.

49. Ensuring Education Excellence In Leicestershire: Leicestershire Education Excellence Partnership - Internal Audit Report.

The Committee considered a report of the Director of Children and Family Services, the purpose of which was to present the outcomes of the internal audit of the Leicestershire Education Excellence Partnership (LEEP). A copy of the report is filed with these minutes.

Arising from discussion, the following points were noted:

- (i) The outcome of the report provided significant reassurance that the LEEP would provide the necessary framework through which educational excellence could be promoted and the Authority could fulfil its statutory duties as champion for children;
- (ii) Leicestershire still had over 80% of its schools rated as good or outstanding which was above the national average. 13 schools had recently been inspected; four were rated as requiring improvement, but the remaining nine continued to be rated good or outstanding;
- (iii) It would be important to ensure there was appropriate representation on the LEEP Strategic Group, in particular including governors from all sectors. Some members considered that representation from further education establishments might also be useful. It was suggested that those governors represented on the Funding Forum might be a useful source of knowledge and experience to provide support and advice on particular issues;
- (iv) It was no longer intended that the Strategic Group would establish three Local Excellence Networks. Schools had been clear that such an additional layer of networking was not necessary. It would be most beneficial for schools to continue

to develop their own lines of communication. The Authority would provide support and work to strengthen these links as necessary.

RESOLVED:

That the contents of the report and the outcome of the internal audit of the Leicestershire Education Excellence Partnership (LEEP) be noted.

50. Quarter 3 2013/14 Performance Report.

The Committee considered a report of the Director of Children and Family Services, the purpose of which was to provide an update on Children and Young People's performance as at the end of quarter 3 of 2013/14. A copy of the report is filed with these minutes.

Arising from discussion, the following points were noted:

- (i) The timeliness of placements of looked after children for adoption remained static and continued to be rated 'Amber'. The majority progressed to adoption quickly. However, for a small number of children it sometimes took longer for suitable adoptive parents to be found due to their specific care needs, therefore distorting the figures;
- (ii) The Committee agreed that priority should always be given to ensuring appropriate long term arrangements were made for children in care and expressed concern that national requirements to speed up the adoption process could result in an increase in unsuccessful adoptions. The Committee requested further information regarding adoption cases and the numbers of those that were successful and those which were not;
- (iii) The Committee noted that, following concerns raised at its last meeting, the Lead Member for Children and Young People and the Lead Member for Health had written a joint letter to the Leicestershire and Rutland clinical commissioning groups regarding the difficulties being experienced in securing input from community paediatricians into the Adoption process. A response had been received and they would hold a meeting shortly aimed at finding a resolution as quickly as possible;
- (iv) Concern was expressed that the number of children in care achieving 5 A* - C GCSEs (or equivalent) at Key Stage 4 (including maths and English) had fallen. The Committee noted that action was being taken and a long term strategy had been put in place. Work had already commenced at Key Stages 1 and 2 to ensure additional support was provided early, but the impact of this would not be seen until the next annual figures were available in unvalidated form in October. The Committee acknowledged that the current data did not provide a full picture and did not, for example, detail the level of progress being made which was often much higher. The Committee requested that more detailed reporting be provided on the overall educational achievements of children and young people in care;
- (v) The data suggested that an increasing number of initial assessments for children's social care were not being carried out within the required timescale (10 working days of referral). However, this had been as a result of a number of cases which had been opened, but subsequently identified as not requiring

an assessment, not having being closed down on the case management system. Such cases had been identified due to a 'housekeeping' exercise prior to a forthcoming move to a new case management system and action had been taken to close each file appropriately;

- (vi) There was a dedicated post within the Children and Young People's Service that worked to co-ordinate support for children and young people who were carers. Further work in this area would shortly be undertaken to meet new requirements within the Children and Families Act.
- (vii) Children eligible for free school meals continued to perform below the national average. The Leicestershire Education Excellence Partnership (LEEP) had been looking to address this and had been promoting the use of the Pupil Premium toolkit. Training and support had been provided to ensure this was being used effectively. Good practice would also be shared through the LEEP;
- (viii) Some raised concerns that knowledge of the LEEP and the work it undertook was not being widely communicated to school governors. Articles were being placed in the Governor Newsletter but it was unclear why this was not filtering through. The Committee requested that consideration be given to ways of improving links with school governors to ensure information was disseminated more extensively.

RESOLVED:

- (a) That the contents of the report be noted;
- (b) That the Director of Children and Family Services be requested to provide to the Committee further information regarding adoption cases and the numbers of those that are successful and those which are not
- (c) That the Director of Children and Family Services be requested to include in its performance report presented to a future meeting more detail on the overall educational achievements of children and young people in care, covering all levels of attainment and the level of progress being made.

51. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Committee would be held on 9 June 2014 at 2.00pm.

2.00 - 4.10 pm
24 March 2014

CHAIRMAN