

Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Tuesday, 22 January 2019.

PRESENT

Mrs B. Seaton CC (in the Chair)

Mr. J. G. Coxon CC	Mrs. R. Page CC
Dr. R. K. A. Feltham CC	Mr. S. D. Sheahan CC
Mrs. H. J. Fryer CC	Mr. G. Welsh CC
Mr. J. Kaufman CC	Mrs. M. Wright CC
Mrs. C. Lewis	

In Attendance.

Mr. I. D. Ould CC – Cabinet Lead Member for Children and Families
Mrs. D. Taylor CC – Deputy Cabinet Member.

53. Minutes.

The minutes of the meeting held on 5 November 2018 were taken as read, confirmed and signed.

54. Question Time.

The following question, received under Standing Order 35, was put to the Chairman of the Children and Families Overview and Scrutiny Committee:

Question from Mrs Sue Whiting

How many children in the care of Leicestershire County Council, aged 11-17, are in residential accommodation outside the authority and transported back into Leicestershire have

- a) an EHCP
- b) do not have an EHCP?

Reply from Mrs B Seaton CC

As at 11 January 2019, there are six children in the care of Leicestershire, aged 11-17, who are in residential accommodation outside the authority and are transported back into Leicestershire for their education.

- a) Three children have an EHCP (and attend special school provision)
- b) Three children do not have an EHCP (and are in mainstream education).

Mrs Whiting asked a supplementary question around whether there has ever been a request for an EHCP assessment for the three children, aged 11-17, currently in the care of Leicestershire County Council in residential accommodation outside the authority, and transported back into Leicestershire for mainstream education who do not have an EHCP?

At the invitation of the Chairman, the Director of Children and Family Services undertook to seek this information and provide a written response to Mrs Whiting.

55. 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).

56. Urgent Items.

There were no urgent items for consideration.

57. 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 I D Ould CC declared a Personal Interest in the report on Special Educational Needs and Disabilities Provision – High Needs Block Development Plan (minute number 61 refers) as a lifetime member of the National Association of Headteachers.

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

There were no declarations of the party whip.

59. Presentation of Petitions under Standing Order 36.

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

60. Medium Term Financial Strategy 2019/20 - 2022/23.

The Committee considered a joint report of the Director of Children and Family Services and the Director of Corporate Resources which provided information on the proposed 2019/20 to 2022/23 Medium Term Financial Strategy (MTFS) as it related to the Children and Family Services Department. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

The Chairman welcomed Mr I D Ould CC, Cabinet Lead Member for Children and Family Services, to the meeting for this item. Mr Ould praised the work of the officers in ensuring that the budget was as positive as could be expected.

Arising from the discussion, the following points were raised:

Service Transformation

- i) Concern was raised around the lack of certainty of future contributions from partner funding and the Government's Troubled Families grant to support the Supporting Leicestershire Families (SLF) programme. This would equate to a loss of £2.3 million of income from October 2020. The Office of the Police and Crime Commissioner had recently confirmed the continuation of funding towards the SLF programme. The Cabinet Lead Member reported that there

was to be a ministerial visit to Leicestershire on 7 February to discuss the programme, and support for SLF had been received from Ministers. A report was due to be presented to the March meeting of the Committee on the evaluation of the Early Help Review.

Proposed Revenue Budget

- ii) The revenue budget had not taken into account any pay or price inflation. A central contingency was held which would be allocated to services as necessary.

Growth

- iii) Attention was drawn to G2 – Supporting Leicestershire Families – transition to a new model when external funding ceases. The 2018/19 MTFs had made provision of £1 million per annum for 2018/19 and 2019/20, after which this funding would be removed.
- iv) Other significant areas of growth included Unaccompanied Asylum Seeking Children, due to the volatility of this area, and the use of agency staff in Children's Social Care. Although the Department's Recruitment and Retention Strategy was starting to have a positive impact, there would be an ongoing need for agency staff to cover vacancies.

Savings

- v) There were no new savings against the Department's budgets in this MTFs.
- vi) It was noted that the annual target for CF2 – Growing Mainstream Internal Foster Carer Provision – had fallen short in 2018/19. However, this had been offset by the savings achieved from the recruitment of specialist foster carers, and it was anticipated that the target would be fully achieved in 2019/20 as a result of successful recruitment campaigns. Members highlighted that, whilst increasing foster carer provision did deliver savings for the department, it was also a better way of delivering services.
- vii) The contract for Wrap Around Therapeutic Services had now commenced and savings were expected to accrue from 2020/21. An update on the progress of this would be provided to the Committee in due course.
- viii) With regard to the savings from disabled children's respite care, it was noted that this related to the review of a specific contract to ensure that a greater range of options for respite care were available to service users.

Dedicated Schools Grant/Schools Block

- ix) Under the National Funding Formula, there was a mixed picture as to how schools were managing financially. A new project had been developed to work with schools to look at developing their financial capacity as there were some concerns around the way schools were forecasting their budgets. A new post would be recruited to, for two years, to work with schools on their budgets in order to get a clear picture of the situation. The County Council had also considered a number of factors which could indicate whether a school was

operating well financially, but no correlation had been found between the school's position and any specific funding.

- x) In terms of the teacher's pay increase, schools had received a grant, which had commenced in September 2018, to cover the cost of the teacher's pay award. This was funded on a per pupil basis and the general response that had been received from schools was that this was covering the cost. A new grant was also expected in September 2019 to cover the increase in the employer's contribution to the teacher pension scheme.
- xi) In relation to a query around the National Funding Formula calculating notional school allocations based upon pupil characteristics, it was stated that this ensured that schools were given the same amount of funding for pupils with the same characteristics, irrespective of where the school was located. However, there would still be a degree of unequal funding to local authorities, as specific characteristics such as deprivation, low attainment and the receipt of free school meals, determined different levels of funding.
- xii) The financial challenges faced by Church of England schools was significant, with more than half of all such schools nationally at risk of becoming insolvent over the next few years. It was therefore pleasing to note the work being undertaken in respect of school financial planning.

High Needs

- xiii) The confirmed level of funding for the High Needs DSG was detailed in the report; no inflationary increases had been assumed although it was hoped that they would be made available.

Specific Grants

- xiv) It was difficult to confirm when some of the specific grants for the department would be allocated. In particular, the Early Years DSG grant would not be confirmed until June 2020, which was after the 2019/20 financial year. There was no indication that any of the grants would not be available for the 2018/19 financial year.
- xv) The County Council acted as the conduit for maintained schools in relation to grants around maintained school sixth forms, pupil premium, universal infant free school meals, and the PE and Sports grant.
- xvi) The government had now confirmed that it would fund the additional responsibilities associated with the Virtual School until 2020.
- xvii) The Youth Justice Good Practice grant had not yet been confirmed. It was assumed that it would be at the same level as 2018/19, but if this was not the case, it would perhaps be necessary to make some reductions to services. Previous reductions in service had not prevented the County Council from meeting its statutory requirements. However, if further reductions in service were made this could be a risk.

Capital Programme

- xviii) The programme focused on two significant areas, one of which was the need to provide additional primary school places. An estimated 895 additional places would be delivered in 2019/20. In response to a query, it was not possible to ensure that these places would only be allocated to Leicestershire county children. The County Council had a duty to ensure that there were sufficient school places within the county for the children of Leicestershire; this was the case.

RESOLVED:

- a) That the report and information now provided be noted;
- b) That the comments now made be forwarded to the Scrutiny Commission for consideration at its meeting on 28 January 2019.

61. Special Educational Needs and Disabilities Provision - High Needs Block Development Plan.

The Committee considered a report of the Director of Children and Family Services setting out the High Needs Block Development Plan to develop local Special Educational Needs and Disabilities (SEND) provision. The views of the Committee were sought as part of the consultation process agreed by the Cabinet at its meeting on 18 December 2018. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Arising from the discussion, the following comments were raised:-

- i) It was acknowledged that there had been a significant increase in the demand for high needs placements, and it was possible for parents to exercise their choice of the provision that their child received. In response to a query around the long term sustainability of the Plan, it was stated that this would meet needs for the next five years. A risk arose when the level of grant funding did not correlate with the number of placements required.
- ii) The Development Plan supported the wider SEND Strategy. Where possible, mainstream provision was offered to children with SEND, but the child's needs had to be met. The local authority would challenge a particular school where it was felt that more could be done to support a child with SEND.
- iii) The High Needs Recovery Plan emphasised the fact that provision was being developed rather than services being cut. It was the intention that the consultation exercise would ensure that no child was adversely affected by the proposals.

The Committee was pleased with the report and the progress that was being made. Members particularly welcomed the proposal to increase local provision.

RESOLVED:

That the report be noted.

62. School Admissions and Appeals in Leicestershire.

The Committee considered a report of the Director of Children and Family Services detailing the current arrangements and performance data for admissions and appeals in Leicestershire's maintained schools and academies; the risks, challenges and priorities in relation to the future allocation of school places; and the local authority's duties concerning school attendance in Leicestershire. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from the discussion, the following was highlighted:

- i) Concern was raised by a member around the cost of transport for getting children to a school which was more than two miles from their home. There were instances where parents were unable to get their children to the school they had been allocated due to the distance and location, which ultimately resulted in poor attendance.
- ii) Particular concern was raised around the large housing development being built in Oadby, and the fact that there was no guarantee that children in this area would be offered a place at their local school. There were enough school places in Oadby for local children; however, many of the schools were academies, which limited the control the local authority had on the school's admission arrangements, and were also popular with parents applying for school places from outside of the immediate locality. This issue had been raised with the Regional Schools Commissioner on an ongoing basis, but aside from taking away parental choice of where they could apply for their child to attend school, it was a difficult situation to manage.
- iii) The Cabinet Lead Member for Children and Families expressed concern that there were negative outcomes arising from the fact that academies had so much autonomy. The fact that the local authority had no control over the admission process for academies negated its role in pupil place planning, which was undertaken on an annual basis. It was agreed that a letter would be sent to the Department for Education expressing the concerns of the County Council over the admission criteria.
- iv) A request was made that armed forces children were given a specific category in the priority criteria. Although the County Council did discuss the placement of armed forces children with schools, its School Admissions Code currently reflected that determined by the Department for Education which did not allow for armed forces children to be prioritised. However, the national code was due to be reviewed and this could therefore be suggested for consideration.
- v) It was noted that the number of successful appeals for first time admissions to school and secondary transfers had reduced significantly, although the number of successful mid-term applications had increased. The Appeals Panel was independent of the County Council; this was therefore not an area which the County Council could influence.

RESOLVED:

That the report be noted.

The Committee considered a report of the Director of Children and Family Services presenting the department's performance for the period July to September 2018 (Quarter 2). A copy of the report marked 'Agenda Item 11' is filed with these minutes.

The following points were noted:

- i) The percentage of care leavers in suitable accommodation had now risen to 90.9%, and the percentage of care leavers in education, employment or training was now over 61%.
- ii) It was noted that a report would be presented to a future meeting of the Committee on the success around apprenticeships for care leavers.

RESOLVED:

That the report be noted.

64. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Committee would be held on 5 March 2019 at 1.30pm.

1.30 – 3.30pm
22 January 2019

CHAIRMAN