

**Brighton & Hove City Council**  
**Children, Young People & Skills Committee**

**4.00pm 7 March 2022**

**Council Chamber, Hove Town Hall**

**Minutes**

**Present:** Councillor Clare (Chair) O'Quinn (Opposition Spokesperson), Brown (Group Spokesperson), Grimshaw, Hamilton, Heley, Lloyd, McNair, Meadows and Phillips

**Co-optees:** Ms D Boyd, Mr T Cristin, Mr A Muirhead and Mr S Parr

**Part One**

**64 PROCEDURAL BUSINESS**

**64a Declarations of Substitutes**

64.1 Councillor Phillips declared that she was attending as a substitute for Councillor Nield.

Councillor Heley declared that she was attending as a substitute for Cllr John.

**64b Declarations of Interest**

64.2 Councillor McNair declared that he was a governor at Carden Primary School.

Councillor Phillips declared that her husband was a Director at Unity Transport which provided services to the council and she would not take part in Item 71 – Home to School Transport.

Diana Boyd declared that she was employed by Amaze and would not take part in Item 73 – SENDIASS – Special Education Needs & Disabilities Information, Advice and Support Services Recommissioning.

Trevor Boyd declared that his wife was employed by Amaze and he would not take part in Item 73 – SENDIASS – Special Education Needs & Disabilities Information, Advice and Support Services Recommissioning.

**64c Exclusion of Press and Public**

64.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

64.4 **RESOLVED:** There were no part two items in the agenda.

**65 MINUTES**

- 65.1 **RESOLVED:** That the Minutes of the meeting held on 10<sup>th</sup> January 2022 be agreed as a correct record.

**66 CHAIR'S COMMUNICATIONS**

- 66.1 If I ever feel like I'm shouting into a void with my Chair's communications, I'd like to report on two recent developments which suggest otherwise.

The first is that we have recently been written to by Government, indicating that as a city we will be able to make a 'substantial bid' to the Youth Investment Fund very soon. While the fund is smaller than the £500m advertised, these are encouraging signs.

The second is that I can confirm as of today, there are no Unaccompanied Asylum Seeking Children (UASC) being held in two hotels in our city. I believe this is simply because late last year, the Government made accepting transfers under the National Transfer Scheme (NTS), mandatory for a temporary period.

This temporary period of mandation meant that UASC were taken into care in other local authorities quickly and therefore the hotels which were operating as an extension of the Kent intake centre were able to be emptied.

These are both things that I have not only repeatedly spoken about in Chair's Communications, but also written to Government about on occasion and I'm delighted to give that positive news.

I would like to inform you that I have asked officers to begin a consultation process on the expansion of specialist provision for learners with autism.

The requirement for this additionality has been identified through the SEND Sufficiency work undertaken as part of the SEND Strategy. A full report detailing the outcome of the consultation and asking Members to make a decision whether to proceed with the proposals will come to June committee, however, we will ensure that the consultation papers are shared with relevant members of Children, Young People and Skills Committee in the meantime.

The proposal is around the creation of specialist Autistic Spectrum Conditions provision on mainstream school sites in the city. This will be for both the primary and secondary phases.

I am pleased that we are responding to the increased need in our city for this particular cohort of children and young people.

Committee will note that tomorrow is International Women's Day and last year I celebrated the work of the brilliant team of women who lead the Families, Children and Learning Directorate, and I would like to start by making that celebration again. I would also like to thank the vibrant community and voluntary sector organisations in our city who do brilliant work for young women and girls, including Black and Minority Ethnic Young People's Project and the Hangleton and Knoll Project.

Finally, due to illness the Young Carer's presentation will not be presented today but I'm hoping we can have it at a future meeting.

**67 CALL OVER**

**67 CALL OVER**

67.1 The following items on the agenda were reserved for discussion:

Item 71 Home to School Transport for Pupils with Special Needs and Other Social Care Transport Contract

Item 72 Health, Special Education Needs and Disabilities' Children & Young People's respite recommissioning

Item 73 Special Education Needs and Disabilities' Information, Advice & Support Service recommissioning

Item 74 Education Capital Resources and Capital Investment Programme 2022/2023

Item 75 Anti-Racist Education Strategy Report on Progress

Item 76 School Ofsted Presentation

**68 PUBLIC INVOLVEMENT**

**68a Petitions**

68.1 There were no Petitions.

**68b Public Questions**

68.2 The Chair confirmed one Public Question had been received from Julia Basnett who was unable to attend the meeting. Councillor O'Quinn had been asked to present the question to the Committee on Ms Basnett's behalf.

68.3 Councillor O'Quinn read out the question as follows:

In relation to educational interventions that the council recommend, does this Committee agree with me that contested political beliefs should not form the basis of Early Years provision?

68.4 The Chair responded as follows:

The council makes recommendations to schools and early years providers in line with current legislation. All recommendations around educational interventions are research-based and age appropriate – and schools and early years providers draw their own conclusions and decide which to use.

68.5 The Chair invited Councillor O'Quinn to ask a supplementary question.

68.6 Councillor O'Quinn asked the following supplementary question:

I do indeed refer to the council document, Brighton and Hove Antiracist Education Strategy, and its previous iteration which confirmed that the approach to early years provision is based on the contested belief of Critical Race Theory and its offshoots. By what democratic process did the council choose Critical Race Theory and decide to hire external providers, Amber and Green, to train early years providers?

68.7 The Chair responded as follows:

There was a Notice of Motion which came to this Committee jointly via the Green and Labour Groups in June 2020. This Notice of Motion was voted on by all councillors present. The Conservative Group abstained. Following this Notice of Motion, a strategy was presented in November 2020 which was highlighted to councillors as one which would be iterative and reports would come back. Critical Race Theory is a number of theories being presented to staff in training and I want to be clear that it's staff and not young people that are being presented with these theories. I note that some reporting in the press suggested otherwise, however I wish to be clear that it is staff receiving this training and councillors were offered an insight into this training last week.

68.8 The Executive Director Families, Children & Learning, was invited to respond to the question regarding the hire of external providers, Amber and Green. She responded as follows:

I'm not aware that we have procured any providers for early years but I can take that away and come back to you with an update on this.

### **68c Deputations**

68.9 The Chair noted there were two deputations, the first from Ms Bola Anike and the second from Ms Catherine Fisher. Ms Anike was not able to attend and her Deputation was presented by Councillor Brown.

68.10 Councillor Brown read out the Deputation as follows:

I feel the need to write this as a British Nigerian resident of Brighton, as a parent, and - not least - as someone who cares deeply about the UK's liberal education system (a system which, I believe, is the hallmark of any democratic society), I'd like to make the following points to this committee.

You may recall that, on November 4<sup>th</sup> last year, I wrote to the CYPS committee about a powerful and unifying primary school KS2 video resource which I feel very strongly about. I sent you a link and I hope you had time to watch the video. Naturally, I understand how hard working you all are but, as yet, I have not heard back from any of you. Perhaps today will be the day! It is my hope that the committee will agree to endorse this resource and formally recommend it to the city's primary schools.

Colourblindness is the approach to anti-racist education that informs the content of this KS2 video. This is a universalist approach rooted in the classic liberal tradition of equality before the law. It is an approach that promotes and emphasizes the content of a person's character over and above the colour of their skin (or any other immutable trait). A commitment to colourblindness is not a denial that racism exists or that there remains important work to be done to reduce and combat discrimination.

I believe that the 'one race, the human race' message of this video resource chimes with our vibrant city today. It is fitting that voices of children from this city and of experts from our university contributed to the production of this video. Colour blindness is my creed and the creed of many parents not just in our city but across the UK and the world. It unites people across racial religious and ethnic divides.

The tendency to propagate so called 'anti-racist' beliefs that centre racial difference over anti-racist beliefs emphasising common humanity is at odds with the values of many black and minority ethnic parents.

Teaching our children that they must focus on things they cannot control over and above things they can is in my view, a recipe for despair. If our schools propagate what many of us regard as an unbalanced and harmful approach to identity and race, then at the very least in the interest of fairness and equality they must ensure the promotion of liberal alternative approaches as well.

I am aware of other black parents who desperately want this unifying approach to how race and anti-racism are taught by this council.

I will email members with full direct quotes but, respecting confidentiality and the public nature of this Deputation I will paraphrase what one mother of an 8 year old said:

"The best way forward is educating our children about how we are all one. Skin colour is not a detriment! We should respect and love one another the same. Let's celebrate the diversity of our one human race!"

This was from a mother whose child had been called cruel names by a classmate at school - names that picked on the colour of that child's skin. But this mother does NOT believe her child's experience to be an indictment on daily life in our amazing city nor on the country as a whole.

I believe as do many other parents I know that an undue partisan and biased focus on skin colour doesn't help us. Let the message be one of unity - we are all humans together, there is so much we have in common. So together let's make a future defined by what unites us rather than what divides us. Thank you.

68.11 The Chair thanked Ms Anike for her Deputation and responded as follows:

Thank you for bringing this video, first developed in 2006, to the attention of councillors. Unlike the training being developed by the council for staff, this is a resource aimed at pupils.

Before using with pupils, individual schools should review any potential resources to ensure they are line with the values and ethos of their setting and meet the learning and development needs of pupils and students.

As a local authority we can review resources to ensure they support the principles and values of the anti-racist education strategy, and are educationally sound, before signposting them for use in schools.

Whilst this particular resource has its strengths, feedback from educators in schools and local authority advisers means there are elements which as a council we would not endorse. Unfortunately, there are parts of this resource which are not considered to support safe practice.

For example it includes a re-enactment of a serious racist incident which could be traumatising to pupils in primary schools.

The apparent message in the video that racism is only acts of individual unkindness, does not recognise or explain the lived experience of our black and ethnic minority populations who experience different and worse outcomes to their white counterparts in so many areas of life.

Ultimately it is up to schools what they choose to use as resources for pupils, and I believe this video has already been disseminated in the city, but for these reasons the Council will not be signposting schools to this resource.

68.12 The Chair invited Ms Alison Ali to present the second Deputaiton on behalf of Ms Catherine Fisher who was unable to attend.

68.13 Ms Ali read out the Deputation as follows:

On behalf of parents and carers from across the city, we want to express our support for the anti-racist education strategy currently under development in our city. We are proud that Brighton and Hove is taking a lead in this important and long-overdue area. Recent events, whether racist abuse at the Euros, ongoing allegations of racism in the Met police and the racism many of our children witness while online, while out and about, and indeed whilst at school, all illustrate just how needed it is.

We are disappointed at the attacks being made on the strategy, locally and in the national media many of which do not accurately represent the strategy and seem intended to provoke opposition. We have been sorry to see local Councillors sharing inaccurate articles on social media. And we are saddened that this scaremongering has meant our schools have received abusive messages.

Brighton and Hove's anti-racist education strategy is about creating an education system and a society where everyone feels safe and equal. We understand that it has been developed with people affected by racism and addresses the urgent need to tackle issues that have historically led to inequalities for people of colour.

We agree with the 80% of teachers recently surveyed in a YouGov poll<sup>1</sup> who think that introducing more culturally diverse, representational topics is equally enriching and vital

for white as well as ethnic minority students. It is important that all children have the opportunity to learn about black and ethnic minority achievement, giving them a more accurate and rounded world view.

The same survey revealed that 72% of teachers think the government should do more to support teachers in the teaching of cultural diversity in the curriculum. So, we are pleased that teachers in Brighton and Hove will be getting more support through the anti-racist education strategy.

Some of the opponents to having this strategy argue for the current “colour-blind approach” in schools that seems to advocate ignoring race and racism, making it somehow taboo to talk about difference or acknowledge the diverse histories and experiences of individuals and groups in society and our schools.

The criticism from some newspapers, politicians and indeed some parents illustrates exactly why we need to get better at talking about race and racism. We can't tackle racism by pretending it doesn't exist.

All moves toward greater equality meet with resistance. This strategy is no different. We urge you to continue to develop and implement the strategy in order that all our children feel valued at school and in society and, are supported to develop the knowledge, understanding and skills they need to thrive in modern multi-cultural Britain and our interconnected world.

68.14 The Chair thanked Ms Fisher for her Deputation and Ms Ali for presenting it, and responded as follows:

Thank you for such positive feedback. I'm really glad that as a group of parents you welcome the work we are doing. Sadly, this work is ever more necessary.

We're very fortunate to live in a thriving, multi-cultural city with the undoubted benefits that brings.

Sadly, we also live in a society where racism exists, and we know our young people suffer racism in educational settings.

Our safe and well at school survey in 2021 highlighted that 55% of young people have witnessed racism in school.

I spoke to a former teacher last week who described to me as leaving his role due to constant racist incidents, including monkey noises being made in the corridor and in his classroom.

I thank you for bringing to our attention too, the surveys that highlight teachers want more support in introducing cultural diversity in the curriculum.

I don't have direct experience of racism because I am a white woman from Essex.

But my experience is that I was able to not be aware of the colour of my skin, or where I'm from growing up – while peers who were from other ethnic backgrounds were hyper aware of it.

They were made to feel aware of it by the actions of others who behaved differently towards them because of the colour of their skin.

This is why educating young people about race, its history and its issues is so important. But to achieve this, everyone, including teachers and education staff, must feel be confident and supported in speaking about it.

I agree with you wholeheartedly that we can't tackle racism by pretending it doesn't exist.

We want education settings where every child can learn and thrive, where everyone feels safe and equal and where we all have a strong sense of identity and belonging.

68.15 **RESOLVED:** That the Committee note the Deputations.

## **69 MEMBER INVOLVEMENT**

### **69a Petitions**

69.1 There were none.

### **69b Written Questions**

69.2 The Chair noted the submission of Written Questions by Councillor McNair who was invited to present these to the Committee.

69.3 Councillor McNair asked the following Questions

According to the Daily Mail on 6th February 2022, "The Education Secretary Nadhim Zahawi has sent officials to investigate Brighton and Hove Council over reports that 'concerning' race theories are being taught in schools run by the Green-led local authority." The Education Secretary has subsequently provided guidance to schools on how to approach the topic of racism.

1. Have Education officials started investigating the Council?
2. What kind of investigation is it?
3. Where does it sit in the legislative framework?
4. What feedback has been provided, or do you expect to be provided, to the council by the Department for Education?
5. How will the new guidance to schools on teaching racism affect the current teacher training material?



6. Is the Council concerned that its material might be breaking the Equalities Act?
7. Will the Local Authority be suspending its teacher training material while the Department for Education investigates its teacher training resources?

69.4 The Chair thanked Councillor McNair for his questions and responded as follows:

1. There was no formal investigation of the council by the DfE, just an informal discussion following the media interest and no further action is proposed. The media reports were incorrect in that the council is offering training to staff, not pupils.
2. There is no investigation
3. There is nothing in the training being offered to school staff which sits outside relevant legalisation or guidance.
4. The DfE have thanked us for discussing Brighton and Hove's anti-racism strategy with them and for explaining how the racial literacy training for school staff is being used.
5. It does not impact on the training being offered. This guidance does not include any new statutory requirements and is based on legal duties on political impartiality that have been in place for many years.
6. No – neither the training for staff, nor any other material being produced is breaking the Equality Act.
7. No – there is no investigation, the DfE are not taking any action, and the teacher training will continue.

69.5 The Chair asked Councillor McNair if he wished to ask a supplementary question.

69.6 Councillor McNair asked the following question:

Surely training for teachers is usually so it can be passed on to children. If this is not the case, why are teachers being trained?

69.7 The Chair responded as follows:

Teachers are being given support to talk about race and the issues surrounding race in their classrooms. The material that has been provided to councillors by email is clearly for staff. There is of course direct work being done with pupils, some of which is discussed in the report to this Committee today on which young people have given very positive feedback. It's not the case to say that we're offering scary, nefarious training to staff. Nor is it, as was reported, that the education secretary has sent his officials in. I would ask that you take your view on what's happening in our schools on the basis of what we're reporting to you today, and on the feedback we're receiving from pupils and families. Teachers are professionals and they attend training as part of their professional development to inform their teaching. This does not mean that every training we offer teachers is taught in the classroom. I would just like to end by adding

my concern that Councillor McNair has got his news from the Daily Mail. This is a paper that has repeatedly continued a steady stream of divisive headlines which have done nothing but stoke division. For example, they claimed there were no-go areas for white people in some British towns. They claimed that one in every five killers is an immigrant in 2009. And they have made headlines such as “Half of New Homes Built in Britain Go to Migrants”.

**69c Letters**

There were none.

**69d Notices of Motion**

There were none.

**70 YOUNG CARERS' PRESENTATION**

70.1 The Chair announced that due to sickness there would not be a presentation. She hoped the presentation could be delivered at a future meeting.

**71 HOME TO SCHOOL TRANSPORT - PROCUREMENT**

71.1 The Committee considered the report of the Executive Director, Families Children and Learning which provided an update and progress report on the Home to School Transport (HTST) service. The report was introduced by the Interim Head of Home to School Transport Service.

71.2 The Committee was informed that the HTST service was currently supporting 1,149 children of which 603 had Special Educational Needs and Disabilities (SEND). The service had a base budget of £3.8m and was very much demand led. Demand for the service had increased 10% since September 2021 and the number of children and young people with Education and Health Care Plans has doubled since 2015. The current Dynamic Purchasing System (DPS) would come to an end in August 2023 and it was necessary to start making decisions regarding onward procurement of this statutory service. The last procurement was undertaken in 2019 and was subject to a Local Government Association independent review and policy panel, both of which produced recommendations for the next procurement. As result of the difficulties in 2019, the council set up a Procurement Board to agree how to take forward the new contract. The Board's guiding principle has been to ensure that the comfort, safety and wellbeing of children and young people was at the forefront of decision making.

71.3 From the work the Procurement Board had carried out over the last 11 months, Members were presented with different models and options on how the contracts would be awarded. There had been consultation with stakeholders in preparation for the procurement including with councillors, operators, families and special schools. The preferred option was for an open bid DPS with a new contract, new service specification and no reverse auction bidding. This approach was endorsed unanimously by members of the Procurement Advisory Board.

- 71.4 Councillor Heley understood it was not the DPS that had previously been problematic but the reverse auction bidding. She asked what assurances could be given that this flexibility would not be used to the detriment of pupils and their families. The Interim Head of Home to School Transport Service gave assurances that reverse auction bidding was used for approximately a month at the beginning of 2019 and was then disbanded. She confirmed there was no intention to return to this.
- 71.5 Councillor Heley asked what the Sustainability Strategy would likely entail. The Interim Head of Home to School Transport Service informed Members this would include issues such as reducing traffic across the city, air quality and emissions, electric vehicles and centralised drop off points, where safe and appropriate to do so.
- 71.6 Cllr Heley noted that the DPS could not be restricted to local providers and asked how Members could be assured that drivers who were not licenced in Brighton and Hove were operating within the council's regulations. The Interim Head of Home to School Transport Service said the intention was that new entrants within the framework would be expected to contractually adhere to the council's licensing conditions. For example, the frequency of DBS checks and requirement to have CCTV in vehicles.
- 71.7 Councillor Brown was pleased to see such a detailed report and consultation with the Parent and Carer Council (PACC). She asked for further clarification on the obligation of operators to follow the council's blue book of licensing. The Interim Head of Home to School Transport Service confirmed that in the existing contract and in the new contract there would be a requirement for operators to ensure each of their transport personnel was aware of, and complied with, the requirements of the Brighton and Hove Blue Handbook.
- 71.8 Councillor Brown queried why the Contract Manager was still not in post after four recruitment attempts and asked why this position had been difficult to fill. The Interim Head of Home to School Transport Service felt that the part time hours of 2.5 days per week could be the reason for this but the service did not require this post to be covered full time. If the next recruitment round failed there would be a discussion with Legal colleagues about reallocating funds into their department to support some parts of the contract management role.
- 71.9 Councillor Brown was concerned that journey times of 45 mins for primary pupils and 75 mins for secondary pupils was too long and asked how many children were subjected to these journey times. The Interim Head of Home to School Transport Service confirmed these times were the maximum. There were 18 pupils who were in vehicles of six or more and these journeys were closely monitored because of the potential to exceed the maximum journey time. In cases where a journey exceeded the maximum, i.e. where children were driven out of the city, parental agreement was obtained.
- 71.10 Councillor O'Quinn was concerned about the impact on this service budget following the huge rise in petrol costs. It was apparent to her that the council would overrun on costs and she asked how the service would get around this. The Interim Head of Home to School Transport Service informed Members that the Procurement Board was mindful of this and that there was currently a clause in contracts for operators to request an annual uplift where they considered that there was a requirement for the Agreed Price to be altered. The rising demand and associated costs were well understood by the Service.

- 71.11 Councillor O'Quinn referenced the increasing number of young people accessing the service which she noted had doubled since 2015. She asked how this would be dealt with. The Interim Head of Home to School Transport Service understood the pressures on the service which were attributed to more children becoming eligible for free transport and a greater understanding of SEND and Social, Emotional and Mental Health (SEMH). She said this needed to be taken into account when setting the budget for 2023, and that forecasting showed a £440k cost pressure on the service, based on the rising demand.
- 71.12 Councillor Meadows thanked The Interim Head of Home to School Transport Service for her report. She referenced the 18 shared journeys with 6+ passengers. The Interim Head of Home to School Transport Service explained that each child who came into the service was risk assessed before any travel arrangements were made. Where children were deemed safe to share a vehicle, this was arranged in consultation with the relevant school and with parents and carers
- 71.13 Councillor Meadows was in favour of teaching young people with SEND to travel independently but only where this could be done safely. The Interim Head of Home to School Transport Service said this scheme was new with the intention to start in September 2022. She advised the initiative was recommended by the Member's Policy Panel and was aimed at promoting independence and supporting young people prepare for adulthood. She confirmed there would be strong criteria against which children would be assessed as ready for the travel training and it would be a voluntary offer discussed with families.
- 71.14 Councillor Meadows asked for clarity on the 10% increase in terms of the number of pupils. The Interim Head of Home to School Transport Service confirmed this would equate to around 115 more children.
- 71.15 Councillor Meadows enquired about the stand-alone and revised appeals policy. The Interim Head of Home to School Transport Service explained there was appeals information in the current Home to School Transport Policy, but that the objective of the standalone policy was to help families understand the process and make it clearer, and that this had been developed with the Parent and Carers Council
- 71.16 Councillor Meadows asked if the proposal to include a contractual clause requiring contractors to pay the living wage had been factored into the 2023 budget. The Interim Head of Home to School Transport Service explained there was already a requirement within the current contract that Operators pay crews, the living wage where they directly employed them, so this should be factored into the Operator's Agreed Price. However, it was not clear whether all Operators were paying their crews the living wage and this requirement needed to be made more robust in the next contract. As the Service did not know if Operators were currently paying the living wage, and how many of their crews were directly employed by the operator, the impact of this requirement had been difficult to financially forecast.
- 71.17 Councillor Meadows asked if the requirement for providers to invest in newer and more environmentally sustainable vehicles was a specific recommendation in the procurement process. She felt that this, in addition to the requirement to pay the living wage, could

price a lot of companies out of the business. The Interim Head of Home to School Transport Service understood the need to be realistic about this and cited delays with wheelchair accessible electric vehicles as an example of how this may not be achievable in the short term.

71.18 In response to a question from Councillor Grimshaw, the Interim Head of Home to School Transport Service could not offer a no-risk guarantee, stressing there were risks inherent in the re-procurement. She advised that a risk register was included in the Options Appraisal for Members and that this was closely monitored by the Procurement Board to best mitigate risks and avoid the mistakes made in 2019.

71.19 Councillor Grimshaw expressed concerns that children would run the risk of poor school attendance if they failed in their attempts to make their own way to school. She asked for a guarantee that such children did not vanish from the service. The Interim Head of Home to School Transport Service assured Members that every child who applied for transport was assessed by a Transport Panel and if they met the statutory eligibility criteria, they were entitled to and provided with transport

71.20 Councillor Grimshaw requested weekly Group updates on the service from September to November 2023. The Interim Head of Home to School Transport Service assured these updates would be provided.

71.21 Councillor Hamilton was concerned about cost inflation and hoped the service would remain discretionary for post-16 pupils. The Interim Head of Home to School Transport Service said there were no current plans to change this.

71.22 The Chair thanked the Interim Head of Home to School Transport Service for the work that had gone into the scheme and the progress made since 2019.

### **71.23 RESOLVED**

That the Children, Young People and Skills Committee:

1. Note the progress report on the Home to School Transport (HTST) Service.
2. Endorse the re-procurement of a contract for home to school transport for pupils with special educational needs and other transport for vulnerable children and adults on behalf of social care teams, for a term of four years from 1 September 2023 to 31 August 2027.
3. Endorse the option of an amended Dynamic Purchasing System, without reverse auction bidding, tendered on a route-by-route basis.
4. Grant delegated authority to the Executive Director of Families, Children & Learning to carry out the procurement and award of the contract referred to in Paragraph 2.2 of the report including the award and letting of the framework agreement. A progress report will be shared at each Committee meeting.
5. Endorse expectations that Operators pay (and verify that they pay) their staff the living wage, where they directly employ them (see 14.19 of the report).

**72 CHILDREN & YOUNG PEOPLE RESPITE RECOMMISSIONING**

- 72.1 The Committee considered a report by the Executive Director (Families Children, & Learning) in order to agree the recommissioning and procurement of existing children and young people's respite services. The children and young people's respite services help to support children and young people with health, special educational needs and disabilities within their own homes and communities. The report was presented by the Commissioning & Performance Manager.
- 72.2 Councillor O'Quinn thanked the Executive Director (Families, Children & Learning) for the report and noted that respite care was desperately needed. She conceded this was an area where there was more demand than the council could meet because of the costs involved.
- 72.3 Councillor O'Quinn proposed an amendment to the report in the form of an additional recommendation. The recommendation was that the Committee receive a report after 12 months' operation of the service in order to assess its effectiveness.
- 72.4 Councillors Grimshaw and Meadows supported Councillor O'Quinn's proposed amendment.
- 72.5 The Chair reminded Members that the deadline for amendments had passed but that Councillor O'Quinn's recommendation would be noted in the Minutes.
- 72.6 Councillor Brown recognised that families were under extreme pressure and a short break could help them to cope. She said it was also good for the children to meet and socialise with other young people and families in their community and she hoped this service would help to ensure that more young people were able to stay with their families rather than ending up in care. She agreed with Councillor O'Quinn that careful monitoring of the service was required and asked how this would be achieved.
- 72.7 The Commissioning & Performance Manager said they would hold monthly contract monitoring meetings and contractors would be operating against Key Performance Indicators.
- 72.8 Councillor Lloyd noted the great work already done by service partners and he recognised what a brilliant and important service it was.
- 72.9 Ms Boyd provided feedback from the Parent and Carers (PAC) Focus Group. In summary, PAC continued to flag that there were insufficient budgets for the level of need in terms of respite for families. They believed there was a need for a broad strategic overview of how to deliver sufficient and equitable social care for families with children and young people with SEND and this needed to be linked to the relevant strategies such as the SEND, Early Help and Disadvantaged strategies.
- 72.10 Councillor Brown asked that a date be agreed for a monitoring report to come back to Committee.

- 72.11 The Chair responded that she would like officers to have a chance to review their workload before a date be agreed.
- 72.12 **RESOLVED:** That the Children, Young People and Skills Committee grants delegated authority to the Executive Director of Families, Children and Learning to jointly procure the Children and Young People's Respite Services Contracts with NHS Brighton and Hove Clinical Commissioning Group, and award the contracts for an initial term of three years with the option to extend for a further period of up to two years, subject to satisfactory performance.
- 73 SENDIASS – SPECIAL EDUCATION NEEDS & DISABILITIES INFORMATION, ADVICE AND SUPPORT SERVICES RECOMMISSIONING**
- 73.1 The Committee considered a report by the Executive Director, Families, Children & Learning, in order to agree the joint recommissioning and procurement of existing Information, Advice and Support Service with East Sussex County Council in collaboration with Brighton & Hove and East Sussex Clinical Commissioning Groups. The report was presented by the Commissioning and Performance Manager.
- 73.2 Mr Muirhead was pleased that officers were able to resolve the issue with social value scoring across Brighton, Hove and East Sussex. He believed that achieving the right scoring was essential to ensuring the continued involvement of organisations such as the current contract holder, Amaze, who he felt were delivering the work with incredible social value.
- 73.3 Mr Muirhead noted that that the contract value had remained the same for the last five or six years with no uplift for cost of living rises or inflation. He said this represented a significant real-terms reduction in funding and asked if this could this have been an opportunity to sustain or add more investment to this very necessary statutory service?
- 73.4 The Commissioning and Performance Manager said he was looking at reviewing the specifications and that Brighton and Hove was committed to its annual contribution of £120,000. Some aspects of the delivery would be taken out which would release resources.
- 73.5 Mr Muirhead asked how officers had consulted with parents and carers on the SENDIASS procurement.
- 73.6 The Commissioning and Performance Manager said that as much as possible had been done to consult with parents and carers. He had worked with Amaze, looked at Key Performance Indicators and recognised areas of pressure. They had listened and this was feeding into the process of commissioning.
- 73.7 Councillors Lloyd and Grimshaw remarked that it was great to see that the method of setting social value had been formalised.
- 73.8 Councillor O'Quinn thanked Amaze for all their work and wished them success. She said that as elected Members they had a responsibility to monitor and scrutinise this service and she asked for this request to be minuted.

73.9 Councillor Meadows supported the request from Councillor O'Quinn.

73.10 **RESOLVED:** That the Children, Young People and Skills Committee grants delegated authority to the Executive Director of Families, Children and Learning to jointly procure the Information, Advice and Support Service Contract with East Sussex County Council in collaboration with Brighton and Hove and East Sussex Clinical Commissioning Groups and award the contract for an initial term of three years with the option to extend the contract for a further period(s) of up to two years, subject to review and satisfactory performance.

#### **74 EDUCATION CAPITAL RESOURCES AND CAPITAL INVESTMENT PROGRAMME 2022/2023**

74.1 The Committee considered the report of the Executive Director Families Children and Learning, which informed the Committee of the level of available capital resources allocated to support education buildings and recommended a capital programme for 2022/23 in respect of School Condition Allocation (SCA) and Basic Need funding. The report was introduced by the Head of School Organisation who outlined the contents therein.

74.2 Councillor Meadows asked when the toilet refurbishments at Carden Primary School and Patcham Infant School would be completed. The Head of Capital Strategy informed Members these works had come in over budget due to the addition of Covid surcharges and were therefore re-tendered. She could not guarantee the works would be finished by the end of the financial year but stated they would be done as quickly as possible.

74.3 In response to a question from Councillor O'Quinn regarding the Sackville Trading Estate scheme, the Head of Capital Strategy informed Members that £400,000 had been allocated for education. The first instalment of £48,000 would be submitted once a certain number of dwellings had been completed. This was why the money was not showing in the table within the report.

74.4 Councillor O'Quinn asked how the money previously intended for Homewood would be allocated following the decision to academise this school. The Head of School Organisation said the money had been allocated for Central Hub provision and the situation regarding Homewood would be reviewed.

74.5 Councillor Hamilton enquired about the Section 106 spending detailed on page 89 of the agenda. The Head of Capital Strategy explained that when money was requested under Section 106, it was essential to name the school which had to be located close to the development. Councillor Hamilton said that going forwards it would be good for councillors to be informed of which schools had received Section 106 money.

74.6 Councillor Lloyd asked why £150,000 had been allocated to deal with legionnaire's disease. The Head of Capital Strategy said they were required under the Health & Safety Executive's Approved Code of Practice to monitor water at all schools. Readings were occasionally high due to old pipework. £150,000 was allocated to carry out works to plumbing systems to reduce the occurrence of legionella bacteria.



- 74.7 At the request of the Chair, the Head of Capital Strategy updated Members on the works at St Luke's Primary School. The Head of Capital Strategy confirmed the works had been completed and the wall had been stabilised and made safe.
- 74.8 In response to a question from Councillor Grimshaw, the Head of Capital Strategy confirmed that delegated authority was being granted for a period of twelve months. They were still waiting for Central Government to confirm how much funding would be allocated in the new financial year.

74.9 **RESOLVED**

1. That the level of available capital resources totalling £5million for investment relating to education buildings financed from capital grant be noted.
2. That Committee agree the allocation of funding as shown in Appendices 1 and 2 and recommend this to Policy & Resources Committee on 24 March 2022 for inclusion within the Council's Capital Investment Programme 2022/23.
3. That Committee agree to recommend to Policy & Resources Committee that they grant delegated authority to the Assistant Director of Property & Design to procure the capital maintenance and basic need works and enter into contracts within these budgets, as required, in accordance with Contract Standing Orders in respect of the entire Education Capital Programme.

**75 ANTI-RACIST EDUCATION STRATEGY - REPORT ON PROGRESS**

- 75.1 The Committee considered a report from the Executive Director of Families, Children & Learning, in order to inform the Committee of the level of available capital resources allocated to support education buildings and to recommend a capital programme for 2022/23 in respect of School Condition Allocation (SCA) and Basic Need funding. The report was presented by the Education Adviser (Anti-Racism) and the Partnership Adviser (Health & Wellbeing). They were accompanied by education professionals and students.
- 75.2 The Committee heard from education professionals from a cluster of settings who were working together to achieve change across all key stages. Shareen Hone, Kate Jordan, Dulani Kulasinghe, Mark Roberts, Angela Simmonds and Louise Tomlinson were welcomed to the meeting. Each spoke of their experience and how they were influencing and helping to deliver the strategy.
- 75.3 The Committee was invited to listen to student testimonies from the Students of Colour Workshop Programme. Regrettably the sound did not work so it was agreed that the testimonies would be emailed to Committee Members.
- 75.4 Councillor McNair welcomed much of the report and acknowledged there were lots of good things going on in schools. He said it was good that children's voices were being heard but felt the report needlessly incorporated a divisive and highly contested American-born theory of race inappropriate for Brighton. He cited the two deputations presented at today's committee meeting, each giving contrary opinions about the strategy, as evidence that the strategy was encouraging division and reducing trust

rather than encouraging cohesion. He felt that using language such as “educators of colour” and “white allies” was unnecessary and confrontational.

- 75.5 Councillor McNair referenced the report in which it was stated that 55% of key stage 4 students had witnessed racism in schools. Councillor McNair asked what benchmark reduction was aimed for if a colour-blind approach to tackling racism was not working in Brighton and Hove.
- 75.6 The Partnership Adviser responded that the data from the Safe and Well survey that had been used in the report had been obtained this year and it was necessary to have a more detailed look at the whole data set in order to understand what it conveyed. She said there was no doubt that the survey data would be used in the future to track and monitor progress but it was not possible to confirm at this stage what the benchmark figure was.
- 75.6 Councillor McNair asked why the training material for teachers referred to contested American research and included terminology such as “overt and covert white supremacy” in an American context. He asked if the children’s material taught such contested notions as white supremacy and decolonisation.
- 75.7 Councillor McNair noted the last census recorded 53,000 BAME residents in Brighton and Hove, of which around half were residents of colour. He asked if there was evidence of the various groups that comprised these communities and had they been properly consulted as to their views on the teaching of critical race theory beliefs as fact.
- 75.8 Councillor McNair asked if a public debate on the Anti-Racism Strategy involving a range of experts of differing opinions would be useful in helping to guide the council’s strategy.
- 75.9 The Education Adviser responded to the last three questions collectively. She stated that Critical Race Theory sought to understand how racism operated in order to overcome it. She explained that Critical Race Theory formed one of several theories underpinning the strategy. Colourblind approaches were not utilised in the strategy because research determined this approach did not work. She referenced the Principles and Values section on page 9 of the strategy which clarified the theoretical approach taken within the strategy and stated it would be more constructive for this to be the focus of any debate. She felt there was an unnecessary focus on particular aspects of theory and felt it would be more useful to look at the detail within the strategy.
- 75.10 Councillor Quinn and Labour colleagues strongly supported the strategy but advised they would be subjecting it to close scrutiny as it progressed.

## **RESOLVED –**

That the Children, Young People and Skills Committee:

1. Mote the progress made.
2. Agree updated version (3) of the strategy including road map.

**76 SCHOOL OFSTED PRESENTATION**

- 76.1 The Head of Education Standards & Achievement and the Head of Early Years provided an update on the latest Ofsted inspections for schools in the City.
- 76.2 Councillor Grimshaw congratulated the Early Years team on maintaining 98% of nurseries at Good or Outstanding which was higher than the national average.
- 76.3 **RESOLVED:** That the Committee agree the presentation be noted.

**77 ITEMS REFERRED FOR COUNCIL**

- 77.1 There were no items referred for Council.

The meeting concluded at 7.20pm

Signed

Chair

Dated this

day of