

BRIGHTON & HOVE CITY COUNCIL
CHILDREN & YOUNG PEOPLE COMMITTEE

4.00pm 11 MARCH 2013

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Shanks (Chair) Councillor Buckley (Deputy Chair), Wealls (Opposition Spokesperson), Pissaridou (Opposition Spokesperson), Brown, Gilbey, A Kitcat, Lepper, Powell and Simson

Non Voting Co-optees: Andrew Jeffery, Parent Forum, Rachel Travers, Amaze/Voluntary Sector Forum, Alan Bedford Local Safeguarding Children Forum; Geraldine Hoban, Clinical and Commissioning Group and Soaad Eboyuk, Youth Council

PART ONE

53. PROCEDURAL BUSINESS

53a Declaration of Substitutes

53.1 There were none.

53b Declarations of Interest

53.2 There were none.

53c Exclusion of Press and Public

53.2 In accordance with Section 100A of the Local Government Act 1972 ("The Act"), the Children and Young People Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in Section 100A(3) of the Act) or exempt information (as defined in Section 100 (1) of the Act).

53.4 **RESOLVED** – That the press and public be not excluded during consideration of any item on the agenda.

54. MINUTES

- 54.1 Councillor Buckley referred to Paragraph 50.14 of the minutes stating that she did not consider the comments attributed to her reflected her strength of feeling about the matter or concerns regarding the approach taken by the other political groups.
- 54.2 Ms Travers, Amaze referred to the minute relating to the Public Health Approach to Parenting (Page 8 of the minutes referred). She believed that there was a lengthy waiting list for training to Level 4, also that funding for this was limited and had wished to receive further clarification in respect of this issue. It was agreed that the relevant officer would provide this information to her.
- 54.3 Ms Travers, Amaze referred to the minute relating to future arrangements for the delivery of Family Group Conferencing (Page 11 of the minutes referred). Councillor Wealls had stressed that there needed to be a “level playing field” in seeking to retender for this service in she considered that explicit reference to this needed to be included in the minutes.
- 54.4 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 14 January 2013 as a correct record subject to the amendments set out above.

55. CHAIR'S COMMUNICATIONS

Funding for the Music Service

- 55.1 Councillor Shanks, the Chair, stated that £50,000 had been put back into the budget for provision of the School Music Service for 2013/14. Councillor Pissaridou referred to her request that that the level of subsidy to families on low incomes be rolled out further. It was confirmed in response to questions by Councillors Brown and Wealls that the logistics of implementing this prior to the start of the academic year in September 2013 would be explored.

56. CALL OVER

- 56.1 It was agreed that all items would be reserved for discussion with the exception of Item 61, “Section 75 Agreements Children’s Services.”

57. PUBLIC INVOLVEMENT

57a Petitions

- 57.1 There were none.

57b Written Questions

- 57.2 There were none.

57c Deputations

- 57.3 There were none.

58. MEMBER INVOLVEMENT

58a Petitions

58.1 There were none.

58b Written Questions

58.2 There were none.

58c Letters

58.3 There were none.

58d Notices of Motion

58.4 There were none.

59. EXPANDING THE PREMISES OF ALDRINGTON CHURCH OF ENGLAND SCHOOL – FINAL DECISION

- 59.1 The Committee considered a report of the Interim Director of Children's Services the purpose of which was to report the representations and objections received during the statutory notice period following agreement by the Committee at its meeting on 14 January 2013 to the provision of an additional form of entry for September 2013 at Aldrington CE Primary School. No representations or objections had been received during the statutory notice period and therefore endorsement of the proposal was being sought from the Committee.
- 59.2 It was confirmed that in line with the current Council's Constitution all decisions regarding proposed changes to the Council's school admission arrangements needed to be determined at full Council. This meant that the final decision regarding enlargement of the premises of Aldrington Voluntary Aided Church of England Primary School would need to be taken by full Council at its meeting on 28 March 2013.
- 59.3 Councillor Lepper referred to background papers which had been circulated with this report which had related to proposed extension of Stanford Infant School (this proposal had been rejected at the last meeting of the Committee), stating that it would have been useful had that information had been provided with the earlier report. The Head of Capital Strategy explained that all of the relevant paperwork received up to the expiry of the statutory consultation period had been made available in the Members rooms and via the Political Assistants' rooms at King's House, as background documents and Members had been advised accordingly. The outcome of the further statutory consultation had been included as an appendix to the papers circulated for consideration at Committee that day.
- 59.4 Councillor Lepper stated that the Members Rooms were not easily accessible to all Members between meetings depending on where their Wards were located. In the past full copies of all relevant documents had been circulated to Members individually. The Chair stated that thought could be given to this matter for future occasions but considered that it was important to note for the purposes of the Committees decision on

this issue that no objections had been received in respect of the proposals for the expansion of Aldrington Church of England Primary School.

59.5 A vote was taken and Members agreed to refer the matter to Full Council for decision as set out below.

59.6 **RESOLVED** – That the Children and Young People Committee endorse the decision to proceed with the proposal for providing an additional form of entry for September 2013 at Aldrington CE Primary School subject to securing planning consent necessary for the extension by 31 August 2013; and

59.7 **RESOLVED TO RECOMMEND TO COUNCIL** – That the Children and Young People Committee recommend that on 28 March 2013 Council confirms the statutory notice and resolves to expand the premises of Aldrington Voluntary Aided Church of England Primary School from September 2013 subject to securing the necessary planning consent by 31 August 2013.

60. YOUTH JUSTICE STRATEGY 2013-14

60.1 The Committee considered a report of the Interim Director of Children's Services setting out the Youth Justice Strategy 2013-14. Since 2000 there had been a requirement in the Crime and Disorder Act 1998 for Youth Offending Services (YOS) and their partnerships, to produce a Youth Justice Strategy, setting out how YOS would be resourced locally and detailing those services which would be available in relation to the statutory primary aim of YOS to prevent youth offending in the area.

60.2 It was noted that the plan had been produced by the YOS manager and overseen by the partnership board which included representatives of the "Safer in the City Partnership", and wider statutory and voluntary services. The last year had been a period of change; a full restructure of the service had been undertaken and a new service structure would be in place for 1 April 2013, designed to focus on the core purpose of the service, and taking into account current performance and feedback from inspections. The strategy set out the new delivery model and the partnership working that would be developed from this. A full Joint Strategic Need Assessment had been undertaken on youth offending across the city in 2012; and had fed into a stakeholder event including partners from across statutory and voluntary sectors. The service and delivery of interventions to young offenders across the city had been scrutinised and as a result priority areas had been identified city in order to address prevention of youth offending in the city with focused support programmes to prevent reoffending. Following budgetary pressures over recent years and a subsequent restructure a team was in place which was ready to deliver on the key priorities set out.

60.3 A priority area had been the development of a more robust restorative justice programme across the city, greater intelligence sharing between the police and YOS, stronger links between YOS and probation, multi agency planning and work to address and reduce repeat offending within the city. These requirements had been incorporated into the new YOS structure and model of working. Over the past two years the Youth Offending Service had been inspected twice by HMI Probation, following which a peer review had been undertaken the most recent inspection had taken place in October 2012. The Youth Justice Strategy and Plan had been developed to incorporate the

findings from these inspections, in order to develop a more robust, outcome focused services to reduce youth offending and to improve management of risk and safeguarding of young people. Implementation of the strategy and delivery of the plan would be monitored by the YOS partnership board on a quarterly basis. The YOS partnership board was made up of council, strategic and voluntary sector partners and was accountable to the Safe in the City Partnership Board and chaired by the Director of Children's Services.

- 60.4 Councillor Shanks, the Chair, welcomed the report commending the work that had been carried out to ensure that the new structure would be in place for 1 April 2013.
- 60.5 Councillor Wealls also welcomed the report referring to the development of an overarching policy aimed at helping to prevent looked after children from re-offending and working to avoid their criminalisation. Clarification was sought regarding the role of the Safeguarding Children Board in dovetailing with the work of the LEA and other partners. It was confirmed that work was on-going between all partners to ensure that robust measures were in place and all relevant information was shared. Mr Bedford explained that this would be his last meeting as he was stepping down as Chair of the Safeguarding Children Board and would be replaced by former Chief Superintendent Bartlett wef 1 April.
- 60.6 It was noted in answer to questions that as a consequence of the changes in legislation brought in at the beginning of the year in addition to the work being undertaken with carers and foster parents of vulnerable young people to seek to prevent re-offending, in future all youngsters placed on remand would automatically be treated as looked after children. It was intended that robust bail packages would be put into place and that advice and support from the team would be available six days a week. Whilst there had been a reduction in first time entrants to the YOS from 231 in 2009/10 to 95 in 2011/12, 30% of that number re-offended within 12 months. Although that was a lower figure than for the city's statistical neighbours this was still a high figure (3.68) when viewed nationally and measures had been put into place to seek to address this. One strand of this would be to for YOS to link its work to that of the Stronger Families, Stronger Communities team given the additional resources available from within that team to assist.
- 60.6 Councillor Buckley referred to those children who experienced delay with speech and language and the period of time for which these children were tracked. It was explained that work was being undertaken in concert with Education Welfare. All young people who came onto the system would be tracked for at least 12 months and there would be a focus on early intervention which would also link into pre-school initiatives.
- 60.7 Ms Travers Amaze referred to the fact that 57% of young people supported by the YOS were of school age and a significant number of them attended Queensdown/Pupil Referral Unit, there could often be a correlation between behavioural difficulties, lack of social skills and offending. As a number of these young people had speech and language difficulties she requested a breakdown on the numbers seen by YOS and those in receipt of statements for SEN.

- 60.8 Councillor Powell stated that there was a recognized causal link between housing issues, poor literacy and educational under achievement, there was a need for overarching linkage between all relevant services.
- 60.9 It was noted that one of the team's priority areas was around the on-going development of a restorative justice programme.
- 60.10 Councillors Pissaridou and Wealls referred to the involvement of the Scrutiny Panel Chaired by Councillor Wealls, stating that the Panel needed to be made aware of the changes made and that it would be premature for the report to be referred to Full Council at the present time. The Chair, Councilor Shanks concurred stating that as it stood at present the Committee were being requested to agree the Strategy and to authorise the Interim Director of Children's Services to proceed with it.
- 60.11 **RESOLVED –**
- (1) That the Youth Justice Strategy set out in Appendix 1 to the report be agreed; and
 - (2) That the Children and Young People Committee authorise the Interim Director of Children's Services to proceed with the Youth Justice Strategy 2013-14.

61. SECTION 75 AGREEMENTS CHILDREN'S SERVICES

- 61.1 This report was not subject to callover and therefore the report recommendations were agreed.
- 61.2 **RESOLVED –** That the Children and Young People Committee:
- (1) Notes the dissolution of the PCT from 31st March 2013 and the creation of the Clinical Commissioning Group (CCG) pursuant to the Health and Social Care Act 2012;
 - (2) Authorises the Director of Children's Services, after consultation with the Director of Finance and Head of Law, to finalise and agree a new s75 Partnership Agreement between the Council and the CCG in relation to jointly commissioned children's services, such agreement to take effect from 1st April 2013 with a two year term;
 - (3) Notes that the Council's existing S75 Agreement with Sussex Community NHS Trust in relation to the integrated provision of children's services remains in place until 1st April 2015 and that the Director of Children's Services is authorised to negotiate and agree any variations or amendments considered necessary within the term of that Agreement;
 - (4) Authorises the Director of Children's Services, after consultation with the Director of Finance and Head of Law, to agree a revised contract between the Council and Sussex Community NHS Trust for the provision of children's community health services for a period of one year from 1st April 2013 with the option to extend for a further year.

62. CAPITAL PROGRAMME 2013/14

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government

Act 1972 (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) are that details of the capital allocation for 2013/14 were not received from central government until after the report deadline.

- 62.1 The Committee considered a report of the Interim Director of Children's Services detailing the Capital Programme 2013/14 and was requested to allocate funding available in the Capital programme under Structural Maintenance, Pupil Places and Condition cost centres for 2013/2014. A report by the Director of Finance and Resources, entitled Capital Resources and Capital Investment Programme for 2013/14 was received by Policy and Resources on 14th February 2013 and Budget Council on 28th February 2013.
- 62.2 On 1 March 2013, the Government had announced the capital allocations for Education. The announcement included a one year allocation for maintenance funding for 2013/14 and a two year announcement for Basic Need covering 2013/14 and 2014/15. The overall level of capital funding available for expenditure on school buildings from the Government has increased from last year when comparing with the main allocations. However last year the council were fortunate to benefit from additional basic need allocations which are not likely to be available this year.
- 62.3 Funding was now allocated under three headings only; Structural maintenance (under which £920,000 is available for expenditure on schools and other educational establishments); Capital Maintenance Grant (under which £3,107,784 is available for expenditure on improving the condition of the school estate); and Basic Need Funding (under which £7,921,299 in total is available for expenditure on providing additional pupil places for the 2013/14 and 2014/15 financial years). In addition to this a further £1,000,000 has been included within the capital strategy to assist with new pupil places. This related to forward funding from education resources in previous years to support the Whitehawk co-location project.
- 62.4 Councillor Pissaridou referred to the proposed use of the Police Station Buildings in Holland Road stating that from the available figure it appeared that the cost of refurbishing the site could prove to be greater than the cost of providing a new build. The Head of Capital Strategy stressed that this was not the case, also referring to the lack of availability of suitable sites across the city.
- 62.5 Councillor Wealls referred to the proposed use of the Police Station buildings noting that the Capital costs were not set out in the report querying whether these would come from a separate budget. It was explained that the total costs for purchase of the site had not been discussed in the public domain and that this matter was subject to continuing negotiations.
- 62.6 Reference was also made to the potential impact on pupil places across the city in light of the decision not to expand Stanford Infant School. It was explained that there would be consequential pressures on the school places budget during the coming year and that this information had not been available when the Council's overall budget had been set.
- 62.7 The Head of Capital Strategy, responded in answer to questions that there although there were sufficient school spaces available there would be pressures across the city,

the precise numbers and where this would occur would not be fully known until all of the parental preference forms had been processed and places allocated, April .

- 62.8 In the wake of further discussions the legal adviser to the Committee cautioned that it would not be appropriate for Members discuss use of particular sites any further, as to do so, could impact adversely on the availability of any given site or compromise the local authority's ability to purchase it.
- 62.9 Ms Travers, Amaze referred to the fact that £150,000 had been spent on carrying out a survey in relation to pupils special mobility needs. This figure seemed to be very high. Head of Capital Strategy explained that this sum had been used to carry out a number of detailed surveys across 15 schools.
- 62.10 Councillor Simson enquired whether it was necessary for the council to continue to take condition surveys at schools in light of the fact that the government was now undertaking the Property Data Survey Programme (PDSP) and that this was currently under way. The Head of Capital Strategy explained that the PDSP would collect up to date high level information on the school estate although PDSP's were not viewed as a direct replacement for the condition data collected by local authorities which was likely to be more detailed. To ensure that the local authority had the best possible information at its disposal in order to prioritise its yearly maintenance programme it was important that it continued to collect the detailed information on its school estate which was provided by the condition surveys.
- 62.11 **RESOLVED** - That Committee approve the allocation of funding as shown in Appendices 2 and 3 to the report.

63. ADMISSIONS ARRANGEMENTS FOR BRIGHTON & HOVE SCHOOLS 2014/15

- 63.1 The Committee considered a report of the Interim Director, Children's Services setting out the proposed school admission arrangements for the City's schools for 2014/15.
- 63.2 The Head of Capital Strategy explained that each year local authorities must consult on school admission arrangements and school admission numbers with community schools and voluntary aided schools, neighbouring local authorities and with parents living in the City. This process included the proposed admission priorities for community schools and those proposed by the governing bodies of voluntary aided schools and those proposed by voluntary aided schools and academies. This consultation took place approximately 18 months in advance of the school year in which pupils should be admitted under the proposed arrangements. The consultation papers for the 2014/15 admission year for Brighton and Hove were attached as an appendix to the report.
- 63.3 It was noted that the consultation process had to be concluded by 1 March 2013, with a minimum of 8 weeks consultation time, that requirement had been fulfilled. The City Council had to have reached its decisions and confirmed its admission arrangements for 2014/15 by 15 April 2013 in order to conform to the requirements of the School Admissions Code.
- 63.4 Councillor Pissaridou enquired regarding the number of successful appeals in relation to particular schools. She was particularly concerned at the potential impact of decisions

such as that to allow a number of additional pupils into Dorothy Stringer School which the school then had to absorb. She was concerned about what restraints were placed on Appeal Panel Members. It was agreed that information relating to the number of successful appeals would be provided to Members separately.

- 63.5 Councillor Lepper also enquired regarding the training received by those sitting on Appeals Panels. Under previous legislation elected Councillors had sat on such panels, they had received in depth training and had taken their decision making role very seriously, appeals had only been successful in exceptional circumstances.
- 63.6 The Legal Adviser to the Committee explained that Appeal Panel Members were appointed and trained in line with statutory requirements and received regular and on-going training. Their role was independent of the Local Education Authority as required by legislation. The Democratic Services Team who clerked the Appeal Panels took a pro-active role in ensuring that Appeal Panels were properly clerked and that Members were properly trained and took proper advice when arriving at decisions. She was aware that legal advice was sought throughout the process including during the course of appeal hearings themselves if this was considered appropriate. The Legal Adviser also confirmed that after the appeals Panel last year the way the Panel were appointed, trained and advised was being examined and a report would be given on progress.
- 63.7 Councillor Gilbey enquired regarding the potential impact on Portslade Aldridge Community College (PACA) if a number of potential pupils were to attend the new King's School. The Head of Capital Strategy explained that Parents set out their preferences on school admissions application forms and the LEA always sought to meet their highest stated preference if it was able to do so.
- 63.8 A vote was taken and Members agreed to the recommendations set out below.
- 63.9 **RESOLVED TO RECOMMEND TO COUNCIL:** The Committee recommends the following to full Council for approval:-
- (1) That the proposed school admission numbers set out in the consultation documents be adopted for the admissions year 2014/15, with the exception of Stanford Infant School which will remain at 90 rather than increasing to 120 as proposed;
 - (2) That the admission priorities for Community Schools set out in the Consultation documents be adopted for all age groups;
 - (3) That the Council should review the final version of the Cardinal Newman Roman Catholic Secondary School and King's Church of England Free School admission arrangements (as amended in light of the Diocesan response and parental and school responses) to decide whether it should comment further;
 - (4) That the co-ordinated schemes of admission be approved; and
 - (5) That the City boundary be retained as the relevant area for consultation for school admissions.

64. SPECIAL EDUCATIONAL NEEDS ANNUAL REPORT 2011/2012

- 64.1 The Committee considered a report of the Interim Director of Children's Services setting out the Annual Special Needs (SEN) Performance for the academic year 2011/2012. The report set out Special Educational Needs (SEN) Performance for the academic year 2011/2012. The analysis of SEN and disabilities across the City was largely based on census information available for January 2012. The January 2013 census was still ongoing and national data would not be published until the autumn of 2013. However where possible more recent internal data had been included to show any continuing trends. Pupil performance data relating to SEN and disabilities was based on national tests and public examinations for summer 2012.
- 64.2 This report updated the previous SEN Annual Report 2010/2011 with some significant additions. Data had been included on the overlap between FSM and SEN and disabilities to draw links between SEN and deprivation. Additionally in line with the focus on 'outcomes' rather than 'processes' for children with SEN and disabilities, data had been included on the performance of pupils with SEN and disabilities against national thresholds for 2012.
- 64.3 Councillor Simson stated that whilst it appeared "good news" that the number children with statements across the city was falling, she hoped that this was not due to financial constraints and that those children whose needs were such that they needed a statement continued to receive them. The Lead Commissioner, Schools, Skills and Learning confirmed that children requiring statements would continue to receive them, however in line with the changes being made nationally, there would continue to be a greater emphasis on early intervention which would be effected by use of a multi agency approach and the drawing up of individual Education Care and Health Plans. In answer to further questions it was confirmed that the number of children in residential placements outside the city had fallen and that this had resulted in commensurate savings.
- 64.4 Ms Travers, Amaze noted that £1.35m had been saved by reducing agency/out of city placements and asked if 100% had been reinvested into mainstream local provision so that these young people had been able to be accommodated within the city, she requested a breakdown of what this money had been spent on. In view of the fact that 52% agency placements been used where no suitable local authority provision was available to suit an individual child's needs she enquired whether it was unlikely that the council would continue to be able to save such sums in the future and it was confirmed that was the case.
- 64.5 Councillor Pissaridou sought details of the number, if any of children from outside the city who either had a residential placement within the city or attended special schools within the city, also, where this related to those who were looked after children or resided in children's homes. The Lead Commissioner, Schools, Skills and Learning, explained that this information fell under two separate sets of legislation and fell under two different sets of legislation and that this would be looked into and that information provided separately.
- 64.6 Councillor Gilbey stated that it was her understanding that Mile Oak Primary School used their Pupil Premium for SEN provision enquiring whether there was any correlation between that and the number of children attending Hillside school. It was explained that

that the number of pupils with SEN across all schools varied year on year and that the annual figures were adjusted accordingly.

- 64.7 Ms Travers, Amaze, stated that a number of parents had expressed concern regarding the potential ramifications of the new arrangements. A Statement gave parents a degree of reassurance as it carried with it specific entitlements, parents might not agree that a reduction in the number of statements was a good thing. The Lead Commissioner, Schools, Skills and Learning responded that as the statementing process was costly, it was considered preferable to shift funding to early assistance services where this was an option.
- 64.8 Councillor Wealls considered it was very important to seek to ensure that the educational attainments of schools at Key Stage 2 also reflected the value added element and indicated the broader curriculum that available beyond GCSE subjects. The Lead Commissioner, Schools, Skills and Learning referred to the re-launch of “Closing the Gap” to identify and seek to close gaps in provision. It was important to ensure that schools were directing their pupil premium into the right places and to look at broadening their curriculum offer. Ms Travers, Amaze asked if the available data could be broken down and provided by school and disability type.
- 64.9 Councillor Powell referred to the transition between secondary and post sixteen education including foundation learning and to the difficulties in finding placements for young people with SEN on learning programmes. It would be useful if this information could be provided
- 64.10 **RESOLVED** – That the Committee agree to the publication of the final draft of the new SEN Annual Report 2011/12.

65. ITEMS REFERRED FOR COUNCIL

- 65.1 The following items needed to forward to Full Council for decision:

Item 59 – Expanding the Premises of Aldrington Church of England School – Final Decision; and

Item 63 – Admission Arrangements for Brighton & Hove Schools 2014/15.

The meeting concluded at 5.40pm

Signed

Chair

Dated this

day of