

**CHILDREN AND YOUNG PEOPLE
 SCRUTINY COMMITTEE
 27 MAY 2016**

PRESENT: COUNCILLOR JOHN DUNCOMB HOUGH (CHAIRMAN)

Councillors R Wootten (Vice-Chairman), W J Aron, Mrs J Brockway, S R Dodds, A G Hagues, B W Keimach, Ms T Keywood-Wainwright, Mrs S Ransome, Mrs L A Rollings, Mrs N J Smith, S M Tweedale, L Wootten and Mrs S M Wray

Councillors: Mrs P A Bradwell and M A Whittington attended the meeting as observers

Officers in attendance:-

Stuart Carlton (Assistant Director Children's Lead Early Help), Tracy Johnson (Senior Scrutiny Officer), Andrew McLean (Service Manager Commissioning), Heather Sandy (Chief Commissioning Officer for Learning), Sally Savage (Chief Commissioning Officer), Jasmine Sodhi (Performance and Equalities Manager), Michelle White (CWB Team Manager) and Rachel Wilson (Democratic Services Officer)

1 APOLOGIES FOR ABSENCE / REPLACEMENT MEMBERS

Apologies for absence were received from Councillors B Adams and C R Oxby and Added Members Mr P Thompson and Dr E van der Zee.

2 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest at this point in the meeting.

3 MINUTES OF THE MEETING HELD ON 15 APRIL 2016

RESOLVED

That the minutes of the meeting held on 15 April 2016 be signed by the Chairman as a correct record.

4 POST 16 TRANSPORT POLICY STATEMENT

The Committee was invited to consider a report on the Post 16 Transport Policy Statement which was due to be considered by the Deputy Leader of the Council on 1 June 2016.

The Committee was advised that the Council provided subsidised transport for learners of sixth form age (extended to age 21 or 25 for learners with Learning Difficulties or Disabilities (LDDs)) to a school sixth form, college of further education

or other approved setting. The cost to the authority of providing this transport was over £2.8m per year (2015/16 forecast), and the authority recovered a proportion of the cost through the charge to parents or students, which is currently £418 per annum (£423 per annum if paid in instalments).

Transport was provided as the Council had a duty to "ensure access" to further education and training opportunities (DFE Guidance on Post 16 Transport to Education and Training, February 2014).

The report considered by the Committee set out the Council's proposed Post 16 Transport Policy Statement as required by section 509AA of the Education Act 1996. The statement continued the provision of previous years, but included an increase in the charge for Post 16 Transport to £500 from September 2016 to July 2017 and £570 from September 2017 to July 2018. It was noted that the proposed charge was subject to a survey consultation carried out between 22 February and 19 March 2016.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- Concerns were raised regarding families who were in financial difficulty, as the charge had increased by 20% but it was thought it was unlikely that bursaries given to schools would have increased by a similar amount.
- There was a suggestion that schools and colleges that received bursaries would need to shift their priorities to help those families which struggled to pay for transport.
- There were also concerns regarding those families who may be on middle incomes, but had more than one child to support.
- It was queried whether there was any analysis of how schools used their bursaries, and what the take up rate was. However, members were advised that this information was not freely available, but it was for the school or college to decide how to use the bursaries. It was also noted that schools and colleges were required to display what assistance was available on their website.
- It was commented that a lot of the funding that used to come to the county council, now went straight to the schools and colleges.
- In a recent spending priorities consultation which was carried out by the County Council, spending on Post 16 transport was not identified as a priority by the majority of respondents, however, it was commented that it would be a priority for those families with children in post 16 education.
- It was commented that the Council was now in a position where it was starting to cut essential services, and it was acknowledged that the increase in the charge for post 16 transport would be a problem for some families, but the authority should work with the schools and colleges and encourage them to use their bursaries to help these students to access post 16 education. When considering the bigger picture, it was suggested that the increase in charge had to be supported.

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- It was clarified that the charge only allowed for transport provision to school and colleges during term time. If students wished to attend during school holidays they would be required to make their own arrangements for transport.
- For those families who were partially on benefits, members were advised that there was a hardship scheme, and if evidence could be produced, the three instalments could be broken down into a further 3 payments, meaning that it could be paid for in 6 instalments. It was noted that officers were working with Agresso to implement a direct debit scheme which would mean it could be broken down into 10 monthly payments.
- An issue was raised regarding the free transport being to the nearest school or college, and it was suggested that as provision was now so much wider, it was unlikely that the nearest school or college would provide the right course. Members were advised that opening up the policy to allow for this would have a cost implication. It was also suggested that students not being able to access the right course was a significant factor in drop-out rates at post 16 level.
- Members were reminded that during the budget setting process, if they did not want to make savings in this area by increasing the charge for post 16 transport, there would be a need to take money from somewhere else in the Children's Services budget. None of the decisions which needed to be taken were easy, but the Council was now in a difficult position. The aim was to provide an acceptable and reasonable service for the people of Lincolnshire with the funding which was available.
- The drop-out rate at age 17 was a key issue, and one of the concerns around this was whether the careers advice provided in schools was signposting children to the most appropriate course.
- It was queried how many children would be affected by this increase in charge and whether there was any indication of a likely increase in the drop-out rate. Members were advised that an impact assessment was included with the report which focused on the authority's statutory duty. It would be very difficult to know what the wider impact would be. However, officers were able to monitor the take up by SEN. It was noted that take up by SEN remained high and officers would continue to measure the impact on those pupils with disabilities. It was also reported that NEET figures were monitored and strategies could be put in place to address and increase.
- It was commented that the survey consultation had shown overwhelming opposition to the increase in charge, and it was queried whether this had been taken into account. Members were advised that these responses had helped to inform the EIA, and helped officers to understand the potential impact it could have some on some families. However, it was noted that the increased charge was still very competitive when compared to a commercial rate, and Lincolnshire was ranked in the middle when compared to other authorities with a charging structure.
- It was clarified that young people were not required to stay on at school until the age of age of 18, as participation in apprenticeship schemes would also be recognised, and it was queried whether the government had been asked to address the disparity in relation to funding for transport.

- It was requested that officers write to government on behalf of the Committee to highlight the issue of funding for post 16 transport.

RESOLVED

1. That the Committee supports the recommendations to the Deputy Leader of the Council, as set out in the report.
2. That the comments detailed above be passed to the Deputy Leader of the Council
3. That officers write to government on behalf of the Committee to highlight the need for additional support for post 16 transport.

5 FUTURE PROVISION OF SPECIALIST SPEECH AND LANGUAGE THERAPY SERVICES INTO PRIMARY SCHOOLS

The Committee was invited to consider a report which set out a proposal to change the way in which speech and language therapy services were delivered within school settings in Lincolnshire. Members were advised that the proposal would see the closure of three dedicated speech and language units located at Fosse Way primary, Lincoln; Monkshouse Primary, Spalding; and Mablethorpe Primary, Mablethorpe.

It was reported that for children at primary age, the authority currently commissioned the above schools to provide at a single location the educational and therapeutic support to children with complex speech and language difficulties. There were 23 children at these schools who received intensive speech and language therapy and educational support services.

Members were advised that the alternative model would be 'needs led' and individual children would be taken through the assessment process for an Education Health and Care Plan (ECHP). It was proposed that Speech and Language Therapists, together with Specialist Teachers (for Speech and Language) would assess the needs of children and then work with the local mainstream primary school to implement strategies and support packages to aid their development.

The Committee was provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- Members were advised that as the number of children affected by these proposals was so small, officers had been able to engage with families on an individual level. Some families indicated that they wished their children to stay at the school they were on roll at whilst others would prefer to attend a more local school. It was recognised that there would be a need for transitional arrangements.
- The majority of schools supported a more inclusive approach.
- One member commented that this felt like the right thing to do as they felt that children should be educated in their local area.

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- It was commented that some of the children in the units had been allowed to reach a point where they were failing in mainstream school before there was any intervention.
- It was agreed that children staying in mainstream school was the right approach, but concerns were raised regarding how the model would be implemented, for example recruitment, capacity etc. and whether this would lead to a diluted offer. Members were advised that these services would be provided through LCHS, and discussions in terms of recruitment had been positive, and it was hoped the services would continue to be delivered within the existing budget. It was also noted that this model was now embedded within secondary schools
- The contract currently required 50% of the time in the school classroom and the other 50% in the unit, regardless of whether the child needed to spend that amount of time in the unit. Under the proposal, there would be additional teaching assistant capacity, and services would be delivered mainly through interventions funded by the EHC plan.
- It was commented that the speech and language therapists did an excellent job, and it was queried how many more would be required to cover the whole county. Members were advised that LCHS was working on this, and it was reported that they were relatively successful at recruiting these specialists, and were used to having to travel to meet dispersed needs. The LCHS would build on what was already being done in secondary schools.
- It was highlighted that 70% of the feedback did not support the change to the provision. However, members were advised that this included feedback from schools which had not made referrals.
- It was agreed that there was a need to keep children in school, and it was suggested that taking children out of class for additional needs which labelled them as 'special' tended to have a negative impact. It was felt that the proposed model would enable children to receive support without identifying the child as 'different'.
- The Speech and Language Specialists would monitor the outcomes of each individual child.
- It was noted that children did make good progress in the units, but they also made good progress in mainstream schools. Not all children with high needs chose to attend one of these units but remained in mainstream schools. Members were advised that the units covered a wide range of needs and not just higher speech and language needs.

RESOLVED

1. That the Committee support the recommendations to the Deputy Leader of the Council as set out in the report.
2. That the additional comments detailed above be passed to the Deputy Leader of the Council.
3. That a visits be arranged for Members to the Hearing Impaired Unit.

Members were reminded that on 9 October 2015 the Committee was asked to consider and comment on the CfPS 21 questions guide for Councillors on Safeguarding Children. It was agreed that officers would provide the Committee with assurance in respect of the questions set out in this guide. Consideration was given to a report which set out the work undertaken across children's services in response to questions 1, 2, 3 and 17.

These questions were as follows:

- Question 1 – What level of challenge is there in local safeguarding arrangements?
- Question 2 – How are those in leadership roles for local safeguarding arrangements held to account by the wider system?
- Question 3 – How do local commissioning arrangements, strategies and frontline services for children and families take into account the latest safeguarding guidance?
- Question 17 – Is there evidence of strong leadership of local safeguarding arrangements from:
 - Local authority members
 - The Director of Children's Services (DCS)
 - The Lead Member for Children's Services
 - The Clinical Commissioning Group (CCG)
 - The Police

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised included the following:

- One member commented that they sat on the LSCB scrutiny sub group and the adoption panel and through this involvement they were assured by the local safeguarding arrangements. However, it was felt that this assurance may not be seen by those on the scrutiny committee, and so there was a need for a means of reporting through to the Committee.
- It was queried who the independent chairs were and what qualifications they had. Members were advised that they were qualified registered social workers and sat independently to the lead officer for safeguarding. There was a clear handbook on how they must operate, as well as clear escalation processes and a very comprehensive programme of training and support. They were all qualified and experienced social workers.
- Members queried whether the independent chairs were genuinely independent if they were employed by the authority. However, it was reported that they had the statutory right to go outside the local authority if they were not satisfied that the authority had acted appropriately.
- It was suggested that focus group of staff should be set up to test whether the answers given in the report were correct. It was commented that this was a very important issue. Members were advised that the Senior Scrutiny Officer would contact members regarding the arrangements.

RESOLVED

1. That the comments made in relation to the responses to the questions be noted.
2. That a focus group be arranged with staff to enable triangulation of evidence presented, thus supporting further challenge and assurance.

7 PROGRESS REPORT ON THE IMPLEMENTATION OF THE SPECIAL EDUCATIONAL NEEDS AND DISABILITY REFORMS

Consideration was given to a report which provided an overview of the first full academic year following the implementation of the Special Educational Needs and Disability (SEND) reforms; comparative financial information between 2014/15 and 2015/16; a brief update on activity so far this current academic year and information on key lessons learned to date.

The SEND Team Manager introduced the report, and provided a further update to the meeting and some of the points highlighted included the following:

- The main change had been the change from statements to Education, Health and Care (EHC) plans. It was highlighted that this was not just the new ones, but also the children transitioning from existing statements.
- The introduction of the option of personal budgets had also been a new challenge, and the need to be transparent about how they were spent. This had led to closer work with families.
- There was now more emphasis on outcomes and how young people were supported to meet their aspirations.
- There had been three main areas of work which were the production of new plans, working under a different timescale, and the transferring of existing statements into EHC plans.
- There had been an average of 50 new requests per month for EHC needs assessments, which was an increase. It was reported that in Lincolnshire, 26% of requests for an assessment were refused, but officers were looking at how they could work with those families to ensure that SEN provision was sufficient.
- In the first year there were 938 children to transfer from statements to EHC plans, and there were still 85 which were outstanding, however, it was believed that they would be completed shortly. For this year (2016/17) there were 1895 to transfer, and this number was currently on target. Next year (2017/18) there would be 530 to transfer, and these were mainly for those children at secondary school.
- Members were advised that a working group and a parent carer forum had been set up, which had good attendance. There was also a steering group which was the more strategic group. It was noted that there was very good attendance across all partners, and officers were hearing on a monthly basis how the implementation was working.
- Considerable training and development had been carried out. The SEND reform grant was being used to support this, and a tribunal officer had also been appointed.
- There was continued work with children and families.

- Officers had worked with families and young people on the redesign of the EHC plan, and what was working, and what was not. It was noted that the special schools continued to transfer their statements to EHC plans, and the authority now had a dedicated officer to work with the special schools.

The Committee welcomed Coralie Cross, the Vice-Chairman of the Parent Carer Forum, and her daughter Emma to the meeting. Members were provided with an update on how the reforms were being implemented from the perspective of a parent and young person and some of the points highlighted included the following:

(Coralie Cross)

- She had been invited to be a part of the SEND project board from the start, and the authority had engaged well with the Forum. Representatives attended regional meetings with the authority as well as reporting to the DfE. There were a few examples of good practice which should be highlighted to the Committee which included:-
 - The SEND Team Manager had invited the Forum to participate, and had made changes where they had been highlighted.
 - Officers had been very proactive and engaged in the design of the EHC plan request form
 - The local authority had held locality events
- There was concern that some of the SEN provision was not person centred, and feedback had been received from parents.
- There was still a big gap for 19-25 and parents were struggling with a lack of information.
- It was felt that training was needed for the adult care social workers as they had not been involved in the EHC plan process.
- The Forum had carried out a survey and had received 570 responses, and were about to publish their final report. It was reported that 80% of parents were satisfied with the current education setting.
- The local authority had been struggling due to the turnover of staff and the level of detail required.
- There were concerns about the amount of SENCO provision.
- Parents were still very confused about the local offer, and only 40% of respondents knew how to access information about this.
- It seemed that health services were reluctant to be involved.
- In conclusion, the SEND reforms had been challenging to the local authority, parents and the parent carer forum.

(Emma Cross)

- She had been involved in the design of the EHC plan request form.
- Her EHC plan meeting had not been a positive experience, but felt that this could depend on the case worker. However, the issues had now been resolved, and the school had been very good.
- The Internship Team had been very supportive.
- Generally it had been a positive experience, even though there had been a few issues, but it was suggested that there may be a need for two case workers as there was a lot of pressure involved in producing these plans.

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Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and that which had been reported to them, and some of the points raised during discussion included the following;

- The reduction of the timescale from 26 to 20 weeks had been a huge difficulty for the authority.
- The new system required a person centred approach which mean that staff were out meeting with families.
- Officers felt confident that they were getting used to the new way of working and there had been big improvements in the training being delivered. The second year was showing that performance was quite high.
- Members commented that they found the report really helpful, and that it was positive that the transitional arrangements were settling down.
- Concerns were raised in relation to mediation, and that decisions were being overturned when new information was received. It was queried why the correct information was not being obtained in the first instance. Members were advised that for mediation there was a 6 week process to gather information. The Tribunal Officer was going to produce a very detailed letter which set out what information was needed, as a lot of 'no' decisions were due to not having the right evidence.
- It was commented that the report indicated that Boston had the highest percentage of SEND needs, but it also had the biggest increase in population due to migration. It was queried whether immigration was having an impact on the SEND service? Members were advised, that it was thought that there had been some mis-coding in the January census in relation to this information, and there was a need to drill down further into the data.

The Chairman thanked Coralie Cross and her daughter Emma for attending the meeting.

RESOLVED

That the comments made in relation to this report be noted.

8 PERFORMANCE - QUARTER 4 2015/16

Consideration was given to a report which provided key performance information for Quarter 4 (2015/16) that was relevant to the work of the Committee. The Council's Performance and Equalities Manager provided an online demonstration to the Committee of how members would be able to view the new style of reporting in a secure area on the Lincolnshire Research Observatory (LRO) website. Members were advised that following approval from the Executive, this information would be made available to the public.

It was reported that this Committee received information on additional indicators to those which were included in the Council's Business Plan.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- It was commented that the new system was very helpful, and it was queried whether in the future, the Committee could move to just receiving a link to the information instead of a paper report. Members were advised that the new system was part of an aim to go paperless in the future. However, if this would be a barrier to scrutiny, it would need to be looked into further.
- It was suggested whether members should just be given a date when the paper versions of the information would no longer be provided, and those members who currently struggled with the new system could be supported through the process.
- Children making expected progress in Maths between Key Stage 1 and Key Stage 2 – it was felt that as this was below target, there was a need for councillors, as corporate parents, to challenge this robustly. Members were advised that officers were working on developing maths hubs, as there were experts within schools. It was a strategic priority in teaching schools and CPD programmes were being designed around this.
- SATS would be challenging for all schools, but would not be used to make standalone judgements.
- National research had been carried out in relation to progress of Looked After Children (LAC), and it been found that LAC in the right conditions made better progress than their peers. It was recognised that harm could have been done to their progress before they went into care. It was reported that it was more important to understand whether a LAC was making better than expected progress whilst in care. The research had identified 18 different recommendations and a working group with the DfE had been set up to look at how they could be implemented. Work was taking place regarding developing a universal way of measuring progress across the country to allow benchmarking to take place.
- It was reported that 4.5% of young people between 16 – 18 were classed as NEET (Not in Education, Employment or Training), and it was queried how many young people this actually was and what action could be taken to address it. Members were advised that there was a particular issue with young people who were in employment but not receiving training. There was a small number of these young people who would be in prison, and a small cohort would be disengaged. However, the majority would be in employment with no training. It was noted that the training to do the job itself could not be included as there was a need for the employer to be involved with an educational provider. The Committee was advised that the figure of 4.5% converted to 330 young people.
- Lincolnshire's vacancy rate for social workers was very low when compared with other local authorities.
- Members were advised that significant action had been taken in relation to primary exclusions, but many of the measures would not be implemented until September 2016.
- Care Leavers in suitable employment, education or training – work was ongoing with Barnardo's to improve outcomes for these young people.

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- It was commented that there was still a gap in attainment between those children receiving free school meals, and those that did not. However, it was noted that this was an issue in relation to how schools were using their pupil premium, and this was something for individual schools to decide. Members were advised that there were a lot of strategies being implemented, the authority's role was to influence and it could be prescriptive about how schools used it.
- It was commented that the authority's work with 'narrowing the gap' at primary level was outstanding, but it was queried how officers would ensure this filtered through to secondary schools. Members were advised that secondary schools were already engaged with this work and it was the role of the local authority to share best practice.

It was proposed, seconded and

RESOLVED

That under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the consideration of Appendix E of the report on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12 of the Act.

Officers responded to a number of questions and concerns from the Committee regarding the information provided in Appendix of the report.

The Chairman proposed to close the exempt session and readmit the public and press to the meeting.

RESOLVED

That the exempt session be closed and the meeting move back in to a public forum.

Members considered the recommendations set out in the report and it was

RESOLVED

That the comments made in relation to the performance information presented be noted.

9 REVIEW OF THE COUNCIL'S HOME TO SCHOOL TRANSPORT POLICY
IN RELATION TO DISCRETIONARY GRAMMAR SCHOOL TRANSPORT -
FINAL DECISION

The Committee was invited to consider a report on the Review of the Council's Home to School Transport Policy in relation to Discretionary Grammar School Transport – Final decision, which was due to be considered by the Deputy Leader of the Council on 3 June 2016.

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The Committee was advised that the Executive received the final report arising from the scrutiny review at its meeting on 5 April 2016, and delegated the Executive's response to the final report to the Deputy Leader of the Council. The Deputy Leader of the Council was invited to consider the final report and recommendation put forward and decide whether to accept either of the two options outlined in the recommendation.

Members of the Committee were provided with the opportunity to ask questions to the officers present and some of the points raised during discussion included the following:

- It was queried whether where a child was entitled to free transport to their nearest school, could parents pay the extra cost for transport to a grammar school. It was reported that children could only have free home to school transport to where they were registered to be at school.
- One councillor expressed their support for option 1, whereas another councillor highlighted that they supported option 2.
- It was highlighted that a key element which needed to be taken into consideration was the sustainability of the entire education system in Lincolnshire. It was commented that it was important that the viability of other schools was not harmed.
- It was noted that the Committee had discussed the Scrutiny Review report in detail at its meeting on 4 March 2016 where the report and recommendation was supported by a majority vote.
- Members agreed there were no further comments they would like to add since the committee's previous discussion on 4 March 2016.

RESOLVED

1. That the Committee support the recommendation to the Deputy Leader of the Council as set out in the report.
2. That the comments made be passed to the Deputy Leader of the Council in relation to this item.

**10 CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK
PROGRAMME 2016**

The Committee received a report which enabled it to consider its own work programme for the coming year. It was reported that there were no amendments to the work programme.

Members were advised that an e-mail had been received from Andrew Garbutt regarding the next meeting of the Youth Cabinet on Thursday, 2 June 2016 in Grantham, and it had been queried whether any of the local members on the Committee would be interested in attending. It was taking place from 1pm – 4pm at Grantham College and would cover media training, devolution and the EU Referendum. Councillors L and R Wootten indicated that they would like to attend.

RESOLVED

1. That the content of the work programme as set out in Appendix A to the report be agreed
2. That the content of the Children's Services Forward Plan, as set out in Appendix B to the report be noted.

The meeting closed at 12.50 pm