



**CHILDREN AND YOUNG PEOPLE
SCRUTINY COMMITTEE
20 APRIL 2018**

PRESENT: COUNCILLOR R L FOULKES (CHAIRMAN)

Councillors R J Kendrick (Vice-Chairman), Mrs W Bowkett, Mrs K Cook, S R Dodds, M T Fido, C Matthews, L Wootten, R Wootten and S P Roe

Added Members

Church Representatives: Mr S C Rudman

Parent Governor Representatives:

Councillors: Mrs P A Bradwell and D Brailsford were also in attendance.

attended the meeting as invited guests.

Officers in attendance:-

Debbie Barnes (Executive Director, Children's Services), Matthew Clayton (Admissions and Education Provision Manager), Sheridan Dodsworth (Children's Services Manager - responsibility for SEND), Tracy Johnson (Senior Scrutiny Officer), Eileen McMorrow (Senior Project Officer Specialist Schools Project), Heather Sandy (Chief Commissioning Officer for Learning) and Rachel Wilson (Democratic Services Officer)

69 APOLOGIES FOR ABSENCE / REPLACEMENT MEMBERS

Apologies for absence were received from Councillor M D Boles and Cllr A P Maughan.

Apologies were also received from Mrs P Barnett, Parent Governor Representative.

The Chief Executive reported that having received a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, he had appointed Councillor S P Roe as a replacement member of the Committee in place of Councillor A P Maughan for this meeting only.

70 DECLARATIONS OF MEMBERS' INTERESTS

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

71 MINUTES OF THE MEETING OF THE CHILDREN AND YOUNG PEOPLE

**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE
20 APRIL 2018**SCRUTINY COMMITTEE HELD ON 9 MARCH 2018

RESOLVED

That the minutes of the meeting held on 9 March 2018 be signed by the Chairman as a correct record.

**72 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLOR
FOR ADULT CARE, HEALTH AND CHILDREN'S SERVICES, AND THE
EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES**

The Chairman advised that the Big Conversation 16 would take place at the Horncastle Youth Centre on Monday, 14 May 2018 from 6.00pm to 7.30pm. It was noted that the Big Conversation events provided an opportunity for members and officers of the Council and its partners to engage with looked after children (LAC) and care leavers and collaborate on agreed pieces of work.

It was reported that the draft agenda for this event was as follows:

- Tel Us Survey results
- Updates from V4C & Barnardo's
- New work discussions

It was reported that members of the Children and Young People Scrutiny Committee and the Corporate Parenting Sub Group were invited to attend this event. Details would be sent out after this meeting by the Senior Scrutiny Officer, and any members interested in attending were asked to notify the Participation Team.

It was also noted that Big Conversation 17 would take place on Wednesday, 24 October 2018 from 10.30am – 12.30pm at the Myle Cross Centre, Lincoln. Further details would be sent out nearer the date.

It was noted that in relation the Big Conversation taking place in Horncastle, there was plenty of parking in close proximity to the venue.

The Executive Councillor highlighted that events by the Music Service had been held on the previous weekend and a number of councillors had attended. It was highlighted that these were wonderful events, and members were recommended to take the opportunity to attend one. It was noted that a programme was sent to all members. Other members who had been in attendance agreed with the Executive Councillor on the quality of the event, and also how it had been a positive experience to meet with some of the young people involved.

The Executive Director reported that Children's Services had recently received a focused Ofsted visit. It was noted that this had been a very short visit compared to a full visit. Initial feedback had been received and the Executive Director advised that it did go well. It was possible that a report could be brought to the next meeting of the Committee, as the inspection report would go into the public domain on 11 May 2018. It was confirmed that the Ofsted report would be brought to the next meeting, but it

CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE
20 APRIL 2018

was uncertain whether the action plan would be at a point where it could be brought as well.

73 PROPOSAL TO EXPAND CAPACITY AT MONKS ABBEY PRIMARY SCHOOL (FINAL DECISION)

Consideration was given to a report which invited the Committee to consider a report on the proposal to expand capacity at Monks Abbey Primary School (Final Decision) which was due to be considered by the Executive Councillor for Adult Care, Health and Children's Services on 8 May 2018.

It was reported that Lincolnshire County Council had a statutory duty to ensure there were sufficient school places within its area to accommodate all pupils of statutory school age living in Lincolnshire.

Members were advised the report presented concerned the permanent expansion of the capacity at Monks Abbey Primary School. This was to ensure that there would be the required number of primary school places to accommodate increasing pupil numbers in this area of Lincoln. The proposal would expand the school to a 2.5 form entry (75 places per year group) from a 2 form entry (60 places per year group) with a proposed implementation date of 1 September 2019. This would be a total increase of 125 places.

To ensure that the statutory requirements were met, a five week period of consultation commenced on 3 November 2017 and closed on 8 December 2017. A decision was then taken to publish a Statutory Notice on 8 February 2018 which initiated a four week Representation Period up to 8 March 2018 when written objection and comments were able to be submitted. Members were advised that the process was now entering the final stage when the Local Authority, as decision maker, must take the final decision regarding the proposal within 2 months from the end of the Representation Period (8 May 2018).

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:

- Members were advised that if the extra provision of places for this school was not approved, then the Local Authority may need to look further afield, to look at building new schools or expanding provision at other schools.
- It was queried whether there were any areas in the county where the Local Authority would not be able to meet demand for places with expansion. Members were advised that there were close links in relation to planned housing developments to identify where there may be s106 requirements for new schools.
- It was commented that this was an area with a high proportion of migrant families, and it was queried whether the PAN could be reduced again if a large number of these families left the area following Brexit. Members were advised that there was still a lot of uncertainty about what would happen in regards to

**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE
20 APRIL 2018**

Brexit, but there was still planning permission in place for 300 houses which would directly impact on Monks Abbey Primary School.

- It was commented that 17 responses to the consultation was very low. However, members were informed that individual meetings had been offered, responses could be returned via e-mail or letter. Officers advised that this response rate indicated that the proposal was well received, as where a school proposal for expansion was needed and well received there tended to not be a big response. However, larger response rates were often seen where a proposal was controversial. It was also noted that one of the responses received was from the full governing body and made up of a community of stakeholders including parents and teachers.
- It was confirmed that changes to the school building would go through the Planning and Regulation Committee if objections were received, otherwise, if there were no objections, the proposals would go to the Planning Officer.
- It was clarified that the impact on community cohesion paragraph which was set out in the report was a requirement specific to the regulation around expansion of schools. This had to be considered for every school expansion.

RESOLVED

1. That the Children and Young People Scrutiny Committee unanimously support the recommendation to the Executive Councillor for Adult Care, Health and Children's Services as set out in the report.
2. That the following comments be passed to the Executive Councillor for Adult Care, Health and Children's Services in relation to this item:
 - Concerns were raised about the low response rate to the consultation. Officers confirmed there had been an opportunity to respond online or in paper form, there was a number of consultation events held. It was noted that where it was felt there was a need for additional capacity then there tended to be a lower response rate, whereas when it was controversial the response rate would be higher. It was also highlighted that one of the responses was from the Governing Body which included a number of stakeholders in the community.
 - It was queried what would happen if the Council did not expand the school. It was noted that this would result in having to look further afield for places and potentially a new school but this would take 3 or 4 years to achieve. It was highlighted that there was a proposed new housing development nearby which would have a direct impact on the school.
 - It was questioned whether the PAN could be reduced again if there was a reduction in demand as a result of migrant families leaving the area after Brexit. The Committee was informed that there was no way to prepare for this, but as there were 300 new homes planned near the school, there was a need to plan for extra capacity due to new housing developments. If in the future there was a case to reduce the PAN, then it was confirmed that this would be possible.

CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE
20 APRIL 2018

74 POST 16 TRANSPORT POLICY STATEMENT 2018 -2019

The Committee received a report which invited members to consider a report on the Post 16 Transport Policy Statement 2018-19 which was due to be considered by the Executive Councillor for Adult Care, Health and Children's Services between 23 and 27 April 2018.

It was reported that the Council provided subsidised transport for learners of sixth form age (extended to age 21 or 25 for learners with Special educational Needs and/or Disabilities (SENDs)) to a school sixth form, college of further education or other approved setting. This cost the authority around £2m per year (2017/18 forecast), and the authority recovered a proportion of the cost (approximately £1m), through a charge to parents or students which was currently £570 per annum (£579 per annum if paid in instalments).

It was clarified that the authority was required to review this Policy annually, and it came to this Committee on an annual basis before going to the Executive Councillor for a decision. It was noted that the provision of post 16 transport was a non-statutory duty as there had been no change to the school leaving age, which remained at 16. However, young people were encouraged to participate until the age of 18 in education, or employment with training. The Council had a statutory duty to provide transport to school for children of school age.

In 2008, a new duty was created for young people to participate in education or employment with training until the age of 18. This was not a raising of the school leaving age.

It was noted that the policy proposal was similar to previous years, with the annual charge remaining at £570 per year for a second year, which worked out at approximately £3.20 for a return trip. Members were advised that a decision had previously been taken to have a flat charge to ensure it was fair to all and that those learners living in rural areas were not disadvantaged as they may have to travel further.

Members were informed that some colleges had begun to participate with the County Council, and were providing bursary funds to those learners who may struggle with the transport cost. Some were even providing their own private travel.

In relation to the charge, it was noted that Lincolnshire's charge was in the lower quartile for English counties, and also for shire counties. It was believed that the policy met its aim of allowing all school leavers reasonable choice when choosing an establishment at the Post 16 phase.

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 noted that in relation to Newark College, it was proposed to remove its designated transport area (DTA) as it had recently become a satellite of Lincoln College. Therefore, the DTA's for Lincoln and Grantham would be

**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE
20 APRIL 2018**

extended to cover this geographical area. It was reported that this would probably cost around an extra £5,000 per year in terms of subsidy.

- It was noted that the DTA for Newark College was amended as there were concerns that the number of courses offered was fairly limited.
- It was confirmed that some schools would offer financial support through the bursary fund if students struggled to afford to pay for transport.
- It was noted that in most areas the LCC pass represented the best value for travel. One exception was the 7 day mega rider pass for the Lincoln area. In these cases, this advice would be passed on.
- It was noted that work had been carried out into setting up the ability for transport to be paid for by direct debit, but this had been limited by the IT processes. It was noted that this was something that the authority wanted to offer and officers were still investigating this option.
- It was queried whether it would be possible for the admin fee to be waived for those families on low incomes as some families found it very difficult to make the payments. Members were advised that it was the checking whether families were low income families that took the capacity of staff.
- In relation to the college bursary funds, it was noted that the colleges had discretion on how they chose to use them, but the funds must be spent to support students.
- It was also noted that colleges tended to have different criteria in relation to what qualified a family as low income.
- Some colleges had created a network of buses in order to provide free transport to their students.
- Members were advised that in order to move to a means tested situation would create a significant amount of work. Members commented they would like work to take place on the IT system in order to get monthly payments in place.
- It was acknowledged that there would never be a situation where everyone was happy with this Policy.
- Concerns were raised regarding the Louth area and whether the current policy provided young people with sufficient choice, as this policy provided a choice of location rather than a choice of course. The biggest issue was young people not being able to study the course they wanted to.
- Concerns were also raised regarding ensuring that some of the operators of more rural routes remained viable, as the loss of services would impact on young people.
- Concerns were also raised regarding the impact of paying for travel where there were two siblings both of sixth form age, and it was queried whether there was any possibility of offering discounts for siblings. It was noted that the policy could be adapted and changed but this would require an admin fee to implement. This approach was also hindered by the existing IT systems which were currently in use.
- It was commented that it was thought that the approach of having a blanket fee regardless of where a learner lived in the county was the correct one.
- It was also commented that the current approach to learners who attended out of county colleges was correct.

CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE
20 APRIL 2018

- It was noted that all of the transport providers were private providers, although some did receive support in the form of a subsidy from LCC to operate. However, it was acknowledged that the authority had not renewed some contracts as the providers were asking for much higher levels of funding to run a particular route. It was important to work with providers, and the authority wanted them to be successful and make a profit, but value for money was important. Work was undertaken with the transport providers to ensure that routes could continue.
- It was queried how much more it would cost to offer transport by a choice of course rather than by location, as the policy was in 2010. Members were advised that reverting back to this version of the policy would cost an additional £1.5-2m. However, it was also noted that this could also impact on the existing transport network by adversely affecting some vulnerable routes.
- It was queried whether the issue of costs for siblings could be raised with colleges, and officers agreed to pass these comments on.
- It was clarified that under the legislation, the Local Authority only had a duty to ensure access. Some authorities did this by signposting students to the transport network, and others, like Lincolnshire provided subsidised transport.
- It was confirmed that Looked After Children received free post-16 transport.

RESOLVED

1. That the Children and Young People Scrutiny Committee support the recommendations to the Executive Councillor for Adult Care, Health and Children's Services as set out in the report.
2. That the additional comments be passed to the Executive Councillor for Adult Care, Health and Children's Services in relation to this item:
 - It was queried whether parents and carers could get funding from schools and colleges if they could not afford to pay the £570 charge. It was confirmed that sixth form schools and colleges receive bursary funding from government and up to three quarters of this funding was being spent on transport by some colleges. It was at the discretion of sixth form schools and colleges as to how they used their bursary funding but it had to be spent on the students.
 - It was questioned whether parents and carers could spread their payments further over several months by direct debit. Officers reported that this was being looked into but unfortunately the current IT systems hindered this as they cannot handle receiving payments that way. It was confirmed that looking into arrangements for monthly direct debit payments was a priority. The Committee strongly supported officers investigating further the possibility of monthly payments by parents and carers.
 - It was queried whether the charge could be waived or lower payments could be made by means testing parents. It was highlighted that this would require a policy change and an unintended consequence of this would be higher administration costs.
 - It was suggested whether there could be a discount for siblings to help reduce the costs for parents and carers with more than one child in post

16 education, or whether sixth form schools and colleges could use some of the bursary funding to help families. Officers confirmed that, although this would incur an administration charge, they had looked at a sibling discount but this could not be done on the current IT system. It was noted that officers were looking at different IT systems currently and this could be explored as part of the process. This would also require a policy change. Officers reported that they would raise the possibility of using bursary funding for siblings with sixth form schools and colleges.

- Concerns were raised that this policy provided choice of location rather than choice of courses. As a result, some students, such as those in the Louth area, would not be able to do the courses they wanted to do. It was queried how much it would cost to provide choice of courses rather than location. It was highlighted that the policy was changed in 2010 to provide transport to the nearest sixth form school or college, rather than to the nearest course provided. Officers confirmed that it would cost approximately an additional £1.5M to fund a choice of courses in further distant establishments. This figure is derived from the savings achieved from the changes made to the policy to remove this provision 7 years ago. Re-establishing this entitlement could lead to a larger uptake of the Council's transport offer and could lead to further costs in excess of £1.5M.
- Concerns were raised about the vulnerability of commercial transport providers and it was queried what the Council could do to ensure their viability. It was reported that the Council worked with all transport providers especially in areas where no one else would provide a service. However, the Council had terminated some contracts in the past due to the extortionate amounts asked for to run them. It was highlighted that while the Council wanted the providers to be successful, it still needed value for money from the contracts as well. Officers were investigating what could be done to support providers.

75 THE BUILDING COMMUNITIES OF SPECIALIST PROVISION STRATEGY - CONSULTATION UPDATE AND TIMELINE

Consideration was given to a report which provided the Committee with an update on the consultation on the Building Communities of Specialist Provision Strategy and also informed members of the revised timeline for Executive decision making.

The Committee was already aware that the Strategy being consulted on proposed to make significant changes to existing special education provision in Lincolnshire. It aimed to create an integrated and sustainable school system where pupils with additional needs could attend their nearest school, confident that their education and health needs could be fully met.

Members were also advised that the strategy had been collaboratively produced with all Special School Leaders, Lincolnshire County Council and the Lincolnshire Parent Carer Forum to ensure the proposed model was based upon sector expertise and parental views.

CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE**20 APRIL 2018**

Importantly, members were reminded that the strategy proposed to address the current system pressures which were making the existing system unsustainable which included

- increased demand on a limited number of school places,
- excessively long journeys for a significant number of pupils,
- the potentially detrimental impact of some Out of County placements on families
- the need for significant improvements to some special school buildings.

The proposed strategy was presented to this Committee on 1st December 2017 and to Executive on 5th December 2017. Approval was granted to engage in public consultation on both the proposed strategy and the proposed changes to individual schools simultaneously. The strategy was subject to public consultation over a 9 week period from 8th January 2018 to 14th March 2018.

The report provided members with a brief summary of the consultation process, some initial outcomes from the consultation and the revised timeline on the next steps. Since the report was written, members were advised that officers had also received two petitions – one in support of the proposal and one in opposition. These petitions would both be included as part of the consultation and would be included in the analysed consultation findings which would be scrutinised by this Committee at the appropriate time.

It was reported that the timeline had been amended to ensure all Academy Trusts and the Regional School Commissioner had sufficient time to consider the outcomes of the consultation and also to ensure that the final decision made by Executive was informed by public consultation, the decision of Academy Trusts and the Regional School Commissioner.

In terms of the timeline, the public consultation period for this strategy had now ended, with initial findings summarised in the report.

The implementation of the Strategy, if approved, would be complex as the authority would need to co-ordinate a number of processes in the maintained and Academy sectors. The timeline was reviewed to ensure that the different processes could, as far as possible, be aligned. This would ensure that Council decision-makers had as much information as possible about what was happening across the system, to inform their decision.

As the consultation was now complete, the next stage would be to share the findings with the Academy Trusts to enable them to make their decisions regarding the proposals affecting their schools.

If there continued to be support for the proposals, each Trust would submit a business plan to the Regional School Commissioner, who was the formal decision-maker for changes to an Academy. This would be done by the 21st June 2018 in line with DfE guidance.

**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE
20 APRIL 2018**

Changes to Local Authority Maintained schools go through a significantly different process and the Council was required to conduct a statutory consultation by publishing a formal notice and allowing 4 weeks for the making of representations.

The Executive Councillor would consider the outcomes of the first stage of consultation and decide whether to proceed to the formal representation period in July 2018 with the representation period starting in September to avoid the school holiday period.

By making this decision in July, the Executive Councillor would know which Academy Trust Business Cases had been submitted to the Regional School Commissioner and the Regional School Commissioner's decision was likely to have already been shared. This gives additional assurance that the required system-wide co-ordination was being achieved.

When making the decision in July to progress to statutory consultation, the Executive Councillor would consider the fully analysed consultation findings. These findings would also be shared with the members of the Children and Young People Scrutiny Committee at this point but will not be considered formally by the Committee until later in the process. This was consistent with the Council's usual process in terms of school organisation changes, where the decision to consult was not the subject of scrutiny but the final decision was.

The consultation findings would therefore be formally considered by the Committee at the meeting in October 2018. A final decision would then be taken by the full Executive at its meeting in November 2018.

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:

- In relation to the breakdown of consultation results, it was queried whether they could be presented by school. Members were advised that the intention was to break down the results by consultation event, and it was considered a good assumption that parents would have attended the consultation event for the school their child attended. However, it could not be confirmed that every attendee at a particular event had a child that attended that school.
- In relation to the decision that the Executive would need to make, it was clarified that this would be to approve the Strategy and an allocation of capital funding. Individual schools would then present their business plans to the Regional School Commissioner for Academies and through the LA process for changed to maintained schools.
- It was noted that Lincolnshire was the first local authority to carry out a process like this on this scale.
- Members were advised that if the Council agreed the Strategy before the academies had agreed to it, the Council would not have any power to implement it.

**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE
20 APRIL 2018**

- If there were one or two schools which did not agree to the Strategy, then the authority would be able to make clear any unintended consequences before the Strategy was approved.
- It was noted that the majority of special schools were academies.
- It was queried what the consequences would be for schools that did not comply. Members were advised that there could be unintended consequences as a result of schools not making any changes to their criteria, but it was emphasised that this was not an issue of schools needing to comply with the Strategy. The local authority would follow the code of practice for school places whether or not schools wished to make any changes to their entry criteria.

RESOLVED

That the report be noted.

76 CORPORATE PARENTING SUB GROUP UPDATE

The Committee received an update from the Chairman of the Corporate Parenting Sub Group who advised that the minutes from the last meeting held on 15 March 2018 were attached at Appendix A of the report.

It was reported that the Sub-Group considered the following items at the meeting:

The Sub Group received an update on the progress of the Looked After Children and Care Leaver Strategy, and also the Corporate Parenting Strategy. A working group was agreed by the Sub Group consisting of 9 members, who were listed in the report, to consider these two documents. It was reported that due to the availability of members, half the working group met on 9 April and the other half met on 16 April. At the meetings, the working group considered the draft strategies and had the opportunity to input their views and provide feedback on the documents. Both of these strategies would be presented to this Committee at its meeting on 8 June 2018. The Looked After Children and Care Leaver Strategy would then be approved by the Executive in July, and the Corporate Parenting strategy would be approved by full Council at its meeting in September.

It was reported that the Sub Group had been trialling having virtual meetings in between the main meetings, where a small number of reports would be circulated to the Sub Group by e-mail and the members had 10 days in which to submit any queries on those reports to Janice Spencer. A written response would then be provided by e-mail to those queries and which would then be brought together and presented at the next Sub Group meeting for information. It was noted that the purpose of the Virtual Meetings was to relieve some of the pressure on the agendas for the main meetings. Members were advised that the next virtual meeting would take place on 30 April and the Sub Group was due to meet next on 14 June where it would be receiving the Legal Services Annual report for 2017/18 and the Virtual School Annual report for 2017/18.

**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE
20 APRIL 2018**

The Sub Group also received a six monthly update from Barnardo's who provide the Leaving Care Service in Lincolnshire. The Sub Group was pleased to learn that there were now 20 care leavers attending university, which was the highest figure ever recorded for care leavers in Lincolnshire.

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

- Councillor Dodds advised that she attended the working group on 16 April and found it to be a very good meeting, with some useful discussions.
- It was clarified that in terms of social care, the County Council would remain responsible for a child if they moved out of county. However, the authority of the county they lived in would be responsible for their education and health care.
- Members were advised that officers were pleased with the way the virtual meetings were taking place.

RESOLVED

That the work of the Corporate Parenting Sub Group be supported and the update noted.

77 CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK PROGRAMME

Consideration was given to a report which enables the Committee to comment on the content of its work programme to ensure that its scrutiny activity was focused where it could be of greatest benefit.

It was noted that for the meeting on 8 June 2018, there would be an additional report on the outcome of the Ofsted Inspection. It was noted that subject to the time line, the action plan may or may not be included.

Members were also advised that most of the items to be programmed had now been added to the agendas for the September, October and November meetings.

It was confirmed that the first meeting of the Exclusions working group would be taking place on 4 May 2018.

It was noted that the report on the Lincolnshire Secure Unit may need to slip to July as the authority was still in negotiations with the DfE.

As an additional note, one member advised that South Kesteven District Council had taken the decision to make all care leavers exempt from council tax. Further to this it was also commented that all districts had now signed up to doing this, which was good news.

RESOLVED

**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE
20 APRIL 2018**

1. That the work programme and the changes highlighted above be agreed.
2. That the additional points raised be noted.

The meeting closed at 11.35 am