

PRESENT: COUNCILLOR S F WILLIAMS (CHAIRMAN)

Councillors P A Carpenter, C J Davie, M J Exton, M W Gilbert, J D Hough, B W Keimach, R B Singleton-McGuire, R A Shore, M Smith and C N Worth.

Added Members: Mrs E J Olivier-Townrow, Dr B Roberts, Mr S C Rudman and Mrs G Wright.

Officers in attendance: Graham Aisthorpe-Watts (Democratic Services Officer), Debbie Barnes (Executive Director of Children's Services), Keith Batty (Assistant Director - CfBT Education Services), Stuart Carlton (Assistant Director of Children's Services), Helen Clark (Local Authority and School Community Liaison Officer), Linda Duffield (Project Co-ordinator in Provision Planning), Paul Holmes (Head of Property and Technology Management), Gary Nixon (Head of Additional Needs), Meredith Teasdale (Assistant Director of Children's Services) and Tony Warnock (Head of Finance - Children's and Specialist Services).

Prior to formal proceedings, the Chairman congratulated Debbie Barnes on her appointment as the substantive Executive Director of Children's Services.

The Chairman also reported that this would be Graham Aisthorpe-Watts' last meeting of the Committee as he was leaving the authority at the end of the month to take up a Team Leader post at South Cambridgeshire District Council. On behalf of the Committee the Chairman thanked Mr Aisthorpe-Watts for all his hard work in supporting this Committee and its Task and Finish Groups.

25. APOLOGIES FOR ABSENCE / REPLACEMENT MEMBERS

Apologies for absence were received from Councillors A G Hagues, J R Hicks, C R Oxby and C J Underwood-Frost.

Mr C V Miller (Added Member) also submitted his apologies for absence.

26. DECLARATIONS OF MEMBERS' INTERESTS

No declarations of Members' interests were made at this stage of proceedings.

27. MINUTES OF THE PREVIOUS MEETING OF THE CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE HELD ON 20 JULY 2012

In considering the minutes of the previous meeting, the Executive Director of Children's Services agreed to circulate an email to all Members of the Committee, setting out a number of implications that would need to be taken into account when looking into utilising surplus capacity in secondary schools to educate Year Six pupils and free up space in primary schools for increasing Reception intakes. This would

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also be raised at the next meeting of the School Admissions and Exclusions Task and Finish Group. It was the officers' recommendation that this proposal would not be suitable for Lincolnshire.

RESOLVED

That the minutes of the previous meeting of the Children and Young People Scrutiny Committee held on 20 July 2012 be confirmed and signed by the Chairman as a correct record.

28. PERFORMANCE - QUARTER ONE 2012/13

A report by the Executive Director of Children's Services was considered, which provided key information for quarter one in 2012/13 that was relevant to the work of the Children and Young People Scrutiny Committee.

The following information was appended to the report: -

- performance data relating to the Council's Business Plan and Priority Activities;
- summaries of performance for Children's Services performance indicators;
- performance report to the Children's Services Executive Departmental Management Team covering all indicators currently in operation in Children's Services;
- customer satisfaction data.

Reference was made to the percentage of health and dental checks for those children and young people who were looked after by the authority, the performance for which was improving. An update report on this issue would be submitted to the Council's Corporate Parenting Panel in due course.

Discussion ensued on the indicator relating to the percentage of core assessments for children's social care carried out in less than 35 days, as it was noted that this was underperforming against its target this quarter. Concerns were expressed in relation to the capacity issues and use of agency staff in one of the social care teams. Members noted that the underperformance was due to vacancies in one of the seven teams in the service, although agency staff were covering these vacancies. Members were also concerned over the possibility that vacancies were left unfilled. The Executive Director gave the Committee assurances that the Children's Services Directorate would over-establish where necessary should high calibre staff apply for positions. The overall vacancy rates for social care staff remained low in Lincolnshire compared to the national average. The County Council had various strategies in place to recruit social workers, including the 'grow our own' scheme whereby the Council provided opportunities for its staff to become fully qualified social workers. Despite this, however, there were challenges on a national basis in the recruitment of experienced social workers. It was agreed that a report would be submitted to a future meeting of this Committee, outlining what strategies were being put in place for the longer term regarding the recruitment of qualified and experienced social workers.

In discussing the customer satisfaction data, Members highlighted the issue of bullying and were interested to learn of the Council's current policies. It was noted that the Council employed an Anti-bullying Officer who worked with schools and academies. However, complaints relating to bullying were usually managed by individual schools. Members were informed of an online counselling service for young people, which had proved to be very successful and had a high uptake of users. It was suggested that an evaluation report of this service could be submitted to the Committee as part of an update report on the Child and Adolescent Mental Health Service.

RESOLVED

- (1) That the report be noted.
- (2) That an item be added to the Children and Young People Scrutiny Committee's work programme regarding the strategies put in place by the Council to recruit qualified and experienced social workers.

29. LINCOLNSHIRE COUNTY COUNCIL CHILDREN'S SERVICES PEER REVIEW

Consideration was given to a report by the Executive Director of Children's Services, which provided an overview of the three day sector-led peer challenge that took place in July 2012 within the County Council's Children's Services Directorate.

The peer review was carried out by Nottinghamshire County Council and examined the effectiveness of strategies and partnerships in narrowing the gap between: -

- children eligible for free school meals and their peers across all education phases from early years to 19 years;
- children who had special educational needs/disabilities and their peers;
- identified vulnerable groups and their peers.

The review concluded on 11 July 2012 and a copy of the response from Nottinghamshire County Council was appended to the report, identifying areas of strength and opportunities for further development.

It was reported that the process was found to be highly beneficial to both authorities, with participants from Lincolnshire commenting that the opportunity to discuss current and innovative ideas with neighbouring authorities was extremely useful and provided an opportunity for reflection as well as sharing of good practice.

Members noted that the review team concurred with the service's most recent Ofsted judgement which described Lincolnshire County Council's Children's Services as 'outstanding'. The team also stated that "over the visit period they had witnessed displays of excellence. The authority and staff who work within it should be proud of their achievements both collaboratively as well as on an individual level".

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Questions were raised on admissions policies for Lincolnshire's grammar schools, in the context of narrowing the gap and young people from deprived areas passing the eleven plus examinations. It was reported that there was a consortium of grammar schools in Lincolnshire that came together and agreed a pass mark for Lincolnshire in respect of the eleven plus. However, individual grammar schools could set their own pass mark or admissions criteria as part of their own admissions policies, which a number of grammar schools in the county currently did. It was agreed that a report on this issue would be submitted for consideration at a future meeting of the Committee.

The Committee congratulated the County Council's Children's Services Directorate for the very positive results of the peer review and noted that a safeguarding review would take place later in the year.

RESOLVED

- (1) That the report be noted.
- (2) That an item be added to the Children and Young People Scrutiny Committee's work programme regarding admissions policies at grammar schools.

30. STRATEGIC PRIORITIES FOR 16 - 19 (25) EDUCATION AND TRAINING FOR 2013/2014

The Committee considered a report by the Assistant Director of CfBT Education Services, which invited Members to undertake pre-decision scrutiny on the strategic priorities for post-16 learning for 2013/2014, due to be considered by the Council's Executive on 2 October 2012. A copy of the draft report to the Executive was appended, which set out twelve strategic priorities.

The Committee was supportive of the recommendations set out in the draft report, in principle, and the following points were put forward during discussion: -

- concerns were expressed about the increasing number of disengaged young people who are not in employment, education and training and the problems this would cause in the future;
- concerns were expressed about the retention of school sixth forms that were in financial difficulty given the increase in the number being established. The Committee agreed that a clear strategic plan of direction was needed to address this issue;
- an action plan setting out how the strategic priorities would be met was required. It was highlighted that a number of the priorities were already supported by action plans and Members agreed that these individual action plans would be submitted to the Committee for consideration at future meetings;
- there was a need to strategically agree how the Council's democratic mandate should be used to influence post-16 providers;

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- there was a need to identify employment needs across Lincolnshire and steer young people into those areas of education and training;
- the Committee accepted the difficulties faced by officers who had a statutory duty to ensure the sufficiency and correct type of provision for 16 - 19 education and training. However, Members recognised that officers could only exercise this duty by influencing providers through the relationships built with them and acknowledged that this would be difficult in view of the fact that officers had no powers to compel providers, financial or otherwise;
- the Committee also recognised that officers were faced with having to deal with a reduction in funding for 16 - 19 education and training.

RESOLVED

- (1) That the recommendations to the Council's Executive, as set out in the appended draft report, be supported in principle and the Committee's comments, as outlined above, be submitted to the Executive ahead of its meeting on 2 October 2012.
- (2) That reports on action plans for individual strategic priorities for post-16 education and training be submitted to future meetings of the Children and Young People Scrutiny Committee for consideration.

31. SCHOOL FUNDING REFORMS

Consideration was given to a report by the Head of Finance - Children's and Specialist Services, which summarised the Government's recent announcements on school funding reforms and highlighted the County Council's provisional response, setting out the next steps for taking this work forward.

The Department for Education published a document entitled 'School Funding Reform: Arrangements for 2013/14' on 29 June 2012, the key proposals from which were outlined in the report. Since its publication it was reported that officers had been working conscientiously to help develop the Council's response. However, the Government required local authorities to consult with all schools and the Schools Forum prior to submission of a proforma on 31 October 2012 to the Education Funding Agency confirming how the County Council would fund local schools from 2013/2014. A timetable for how this would be achieved was included in the report.

Members were informed that, to date, all of the necessary financial remodelling work to assess the implications of the Government's proposals had not yet been fully completed. Despite this, the main issues to emerge from the work undertaken so far were noted as follows: -

- the Government's requirement that a single block allocation of up to £200,000 operated for both primary and secondary schools was the greatest concern. Currently, small secondary schools received a block allocation of £390,000 with primary schools receiving £90,000. If the lump sum was set higher than £90,000, primary schools with less than 30 pupils could be sustained financially, but this may not be desirable from an educational, social or value

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for money perspective. In addition, the inevitable reduction in block funding would have a significant financial impact on smaller secondary schools;

- it would be difficult for the local authority to continue to fund small primary school collaborations, which was a new initiative previously considered and supported by this Committee. The Government's new proposals would not permit separate funding arrangements to encourage and sustain small school collaborations, which officers considered would be necessary to help small schools face the challenges ahead. The option to increase the block allocation would give primary schools an opportunity to invest in collaborations;
- although the Government reforms would allow local authorities to fund English as an additional language as one of its twelve formula factors, it would not permit Lincolnshire to continue to operate a threshold. The funding currently distributed to a number of schools was likely to be distributed much more widely, thereby diluting the funds available to those schools with the greatest need. However, mitigation measures were planned to avoid any impact on schools with this regard;
- the reforms enabled the County Council to introduce a rates factor for schools and, as there was currently quite a wide variation in cost per pupil, it may be an opportune moment to introduce such a factor;
- the Government wished local authorities to delegate as much funding as possible to all schools. This meant that it would no longer be possible to retain certain central budgets, without representatives of maintained schools on the Schools Forum agreeing to that;
- it was likely that fewer budgets would be held centrally to continue to finance in-year adjustments to school budgets as their circumstances changed;
- the funding for specialist Special Educational Needs provision would change significantly. Institutions such as special schools and pupil referral units would be funded using a fixed sum per place and top-up funding calculated by the local authority.

It was reported that, in accordance with the Department for Education's instructions, the County Council had recently undertaken consultation with schools to seek their views on the proposed changes to the school funding formula. Officers agreed to provide Members with a copy of the consultation correspondence that was issued to schools.

The following additional points were noted during discussion by the Committee: -

- by the Government streamlining school funding, local authorities would be less able to respond, plan and manage the unique issues of each of its schools;
- the County Council was suggesting maintaining the current balance in allocation between primary and secondary schools. The Leader, the Executive Councillor for Children's Services and Lifelong Learning and the Executive Director of Children's Services recently lobbied all Lincolnshire Members of Parliament to put forward this argument, however, the proposals had not changed and local authorities would still be required to set a block rate for primary and secondary schools. The Committee was very concerned

about the prospect of allocating the same block funding to primary schools and secondary schools;

- the ability to fund and incentivise partnerships would be limited. The County Council was proposing to put more funding into primary schools above £90,000 for the purpose of entering into collaborative partnerships. However, the Council would have no power to force primary schools into using the additional funding for this purpose;
- the County Council currently had funding available to intervene when schools had problems, however, under the new system the authority's ability to intervene would be limited;
- the County Council's funding formula would fund maintained schools and academies;
- the Government was also consulting on the funding of academies, the impact of which on the local authority was not yet known;
- the County Council would still be in a position to sell services back to academies, such as education welfare services;
- transitional arrangements would be in place for the next two years, at least, though the minimum fund guarantee;
- the number of conversions to academy status was likely to reduce once the additional funds received by academies reduced.

RESOLVED

- (1) That the report be noted.
- (2) That the comments made by the Committee, as set out above, be fed into the Council's consultation process.

32. NEW ARRANGEMENTS FOR PROGRESSING UNRESOLVED SCHOOL COMPLAINTS

A report by the Local Authority and School Community Liaison Officer was considered, which summarised the recent changes to school complaints procedures that were introduced under the Education Act 2011 as well as clarifying changes introduced as a result of the academy conversion programme.

The report provided information on the following aspects of school complaints: -

- background, context and policy changes;
- implications of the repeal of the Local Government Ombudsman Pilot Complaints Service;
- impact of changes on parents, young people and schools;
- implications for Lincolnshire County Council.

Members noted that schools and academies produced and implemented their own procedures for dealing with complaints. It was a common assumption that the local authority handled school complaints but these, in the first instance, should be referred to the school or academy that the complaint related to. If a complaint was unresolved having gone through this process it could be referred to the Secretary of

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State, which was made clear on the County Council's website. Guidance leaflets for school complaints were also available. The Council used the Local Authority and School Community Liaison Officer role to broker resolutions with any school or academy open to such involvement in relation to complaints. This had been helpful in moving certain cases forward and was appreciated by both schools and parents.

RESOLVED

That the report be noted.

33. PROCESS FOR SETTING UP A NEW SCHOOL OR ACADEMY, INCLUDING THE ASSESSMENT OF POTENTIAL OPERATORS, FOR FUTURE NEW ACADEMIES OR FREE SCHOOLS IN LINCOLNSHIRE

Members considered a report by the Head of Property and Technology Management, which invited the Committee to consider the proposed process to be followed by Lincolnshire County Council in the setting up of a new school or academy, including the assessment of potential operators under the new academy and free school presumption route. Copies of the Department for Education's 'establishing a new school' guidance, the County Council's process map to establish a new school and the County Council's sponsor proposal form were appended to the report.

This report followed consideration of proposals for new primary academies in Lincoln and Skegness at the previous meeting of the Committee on 20 July 2012, as referred to in minute numbers 23 and 24 respectively. The Committee's main concern was that there was nothing in the scoring criteria process for new schools or academies relating to parental choice. This was accepted by officers who had now included parental choice in the criteria under the heading 'diversity, parental choice and community engagement'.

In answer to a question regarding consultation with parents, it was noted that public consultation would be held as part of any process to introduce a new school into an area.

RESOLVED

That the report be noted.

34. PROPOSED NEW PRIMARY SCHOOL FOR BOURNE

The Head of Property and Technology Management presented a report which invited the Committee to consider a proposal to establish additional school places specifically for Bourne.

It was reported that the market town of Bourne was expected to continue to experience increasing numbers of primary aged pupils. In order that the local authority could achieve its statutory duty of promoting sufficient school places, it was necessary to add capacity into the primary school system in the area. It was therefore proposed that a new primary school was opened by September 2014 on

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the Elsea Park development, utilising the Section 106 Agreement that was in place combined with basic need funding from the County Council. It was also proposed that, in order to find a suitable operator to run the school, the process referred to in the previous item would be used.

It was noted that consultation with parents and the local community was likely to be held in October 2012.

RESOLVED

That the proposal for a new primary school in Bourne be supported.

35. CORPORATE PARENTING PANEL UPDATE

The Chairman introduced a report on behalf of the Head of Regulated Services, which provided the Committee with an update on the work of the Corporate Parenting Panel. The draft minutes from the last meeting of the Panel held on 19 July 2012 were appended to the report.

RESOLVED

That the report be noted.

36. CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK PROGRAMME 2012

A report by the Scrutiny Officer was considered, which provided the Committee with an opportunity to consider its work programme for the coming year.

It was noted that a report on the Childhood Obesity Strategy would be submitted to the meeting of the Committee scheduled to be held on 19 October 2012 as part of its formal consultation process.

The final report from the School Admissions and Exclusions Task and Finish Group may now be submitted to the Committee's meeting on 30 November 2012 instead of the meeting on 19 October 2012. The Overview and Scrutiny Management Committee would consider a request at its meeting on 27 September 2012 to extend the completion date of the scrutiny review from October to November to enable further consultation to take place as part of the review.

A further report on the proposed new primary school for Bourne would be submitted to the Committee at its meeting scheduled to be held on 1 March 2013 and reports on the Child and Adolescent Mental Health Service and child immunisations may also be added to the work programme for this meeting.

The work programme would also be amended to reflect the inclusion of additional items agreed at this meeting, as detailed in minute numbers 28 and 30 above.

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RESOLVED

That the work programme be approved, subject to the inclusion of the items as outlined above.

37. SPECIAL SCHOOL AND MAINSTREAM UNIT PROVISION STRATEGY UPDATE

Consideration was given to a report by the Head of Additional Needs, which provided the Committee with the opportunity to consider an update on the Special School and Mainstream Unit Provision Strategy.

The report explained the proactive support that the County Council had provided to a number of initiatives since the adoption of the Strategy.

Members were interested in viewing a scatter graph for each school to indicate how far each pupil now had to travel to attend their special school or mainstream provision. One of the key issues the Committee raised prior to the introduction of the new Strategy was the vast distances that some young people had to undertake across the county. Members were therefore keen to ascertain whether the new Strategy had addressed this issue.

RESOLVED

That the report be noted.

38. UPDATE ON THE IMPLEMENTATION OF THE LOCAL AUTHORITY'S MONITORING AND ACCOUNTABILITY FRAMEWORK FOR STATE FUNDED SCHOOLS

The Head of Additional Needs presented a report which invited the Committee to consider an update on the implementation of the County Council's monitoring and accountability framework for state funded schools. A copy of the Narrowing the Gap Monitoring and Accountability Framework was appended to the report.

It was noted that this Committee originally considered the proposals for the Monitoring and Accountability Framework at its meeting on 30 July 2010, further to a recommendation from the Committee's scrutiny review into narrowing the gap in deprived areas of Lincolnshire. The framework was now embedded and as a result meant that the related controls were in place across the County Council.

In closing, it was noted that all maintained schools and the majority of academies in Lincolnshire fully adhered to the framework.

RESOLVED

That the report be noted.

The meeting closed at 1.05 p.m.