

**CHILDREN AND YOUNG PEOPLE  
 SCRUTINY COMMITTEE  
 15 JANUARY 2021**

**PRESENT: COUNCILLOR R J KENDRICK (CHAIRMAN)**

Councillors A P Maughan (Vice-Chairman), M D Boles, Mrs W Bowkett, M T Fido, R L Foulkes, Mrs J E Killey, C Matthews, M A Whittington, L Wootten and R Wootten.

**Added Members**

Parent Governor Representatives: Mrs M R Machin and Miss A E I Sayer.

Councillors: Mrs P A Bradwell OBE, (Executive Councillor for Adult Care, Health and Children's Services), D Brailsford (Executive Support Councillor Children's Services) were also in attendance.

Nick Bibby (Assistant Headteacher Priory Pembroke Academy) and Simon Evans, (Headteacher Priory Pembroke Academy) attended the meeting as invited guests for agenda Item 11 (Exempt).

Officers in attendance:-

Jill Chandar-Nair (Inclusion and Attendance Manager), Sheridan Dodsworth (Head of SEND), Charlotte Gray (Head of Service – Children's Commissioning), Sara Gregory (Interim Commissioning Manager, Children's), Tracy Johnson (Senior Scrutiny Officer), Eileen McMorrow (Programme Manager, Special Schools Strategy), Dave Pennington (Head of Property Development), Mark Popplewell (Head of Finance (Children's Services)), Heather Sandy (Executive Director of Children's Services), Martin Smith (Assistant Director for Children's Education), Janice Spencer OBE (Assistant Director of Children's Safeguarding) and Katrina Cope (Senior Democratic Services Officer).

**42 APOLOGIES FOR ABSENCE / REPLACEMENT MEMBERS**

An apology for absence was received from The Reverend P A Johnson (Church Representative).

**43 DECLARATIONS OF MEMBERS' INTEREST**

Councillor M A Whittington wished it to be noted that he had an adopted son who was in receipt of services from Barnardo's.

**44 MINUTES OF THE CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE MEETING HELD ON 20 NOVEMBER 2020**

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## RESOLVED

That the minutes of the Children and Young People Scrutiny Committee meeting held on 20 November 2020 be agreed and signed by the Chairman as a correct record.

45 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLOR FOR ADULT CARE, HEALTH AND CHILDREN'S SERVICES AND CHIEF OFFICERS

The Chairman reminded members and officers present that the current meeting appointment was for agenda Items 1-10; and that at the end of Item 10, the Committee was to leave the current appointment and join the separate appointment for Item 11. The Chairman also advised the Committee that he was planning to have a five minute comfort break after Item 8 and Item 10.

The Chairman invited the Executive Councillor for Adult Care, Health and Children's Services to update the Committee with any announcements. The Committee was reassured that in Lincolnshire, where children were attending school, they were receiving a cooked meal; and that schools in Lincolnshire were providing those children entitled to free school meals with either vouchers or a hamper. The Committee was reassured further that schools were doing all that they could in these difficult times and that children were being well looked after.

46 COUNCIL BUDGET 2021/22

The Chairman advised that this item provided the Committee with an overview of the 2021/22 budget implications for the Council's Children's Services activities. The Committee was advised further that comments raised would be passed onto the Executive for consideration at its meeting on 2 February 2021.

The Chairman invited Heather Sandy, Executive Director – Children's Services, to present the report. The Committee noted that Mark Popplewell, Head of Finance – Children's Services was also in attendance for this item.

The Committee was advised that the Executive was currently consulting on a single year financial plan for revenue and capital budgets; and that this was reflective of the one year only Spending Review announced by the Chancellor of the Exchequer.

The Committee noted that the coronavirus pandemic had impacted significantly on the 2020/21 financial year. The Committee noted further that Central Government had provided grant funding to cover the Council's costs and losses arising directly from the pandemic.

It was reported that the activities for Children's Services were presented in the report under the headings of Children's Education and Children's Social Care. Table A on page 17 of the report provided the revenue 2021/22 financial budget proposals for Children's Education.

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It was highlighted to the Committee that there was a proposed cost pressure of £5.189m relating to the delivery of Home to School/College Transport in 2021/22. The Committee was advised that the Home to School/College budget was a volatile budget due to a range of outside pressures, and as such the budget remained a financial risk to the Council. It was highlighted that the service was continuing to look for efficiencies to help manage the pressures.

Paragraph 1.14 and Table B on page 19 of the report set out the revenue 2021/22 financial year budget proposals for Children's Social Care. The Committee noted that there was a £2.000m cost pressure relating to children in care, as a result of various factors, including the increasing complex nature of family life, and a shift in placement compositions from internal foster carer arrangements to more external placements, some of which were specialist placements, which were incurring increased costs.

The Committee was advised that a ten year capital programme had been compiled and that the gross programme was set at £204.302m for 2021/22, plus a further £322.097m for future years. After grants and contributions were taken into consideration the Net programme was £111.283m for 2021/22 plus a further £282.808m for future years. Details of capital projects were shown in paragraphs 1.26 to 1.36 of the report. Detailed at Appendix A to the report was further information on the Building Communities of Specialist Provision Capital Programme.

Paragraphs 1.37 to 1.45 of the report provided the Committee with details of the Schools Budget, which is funded via the Dedicated Schools Grant. It was highlighted that there were a number of budgets within the High Needs block, which were large, demand-led budgets; therefore it was difficult to estimate, as there continued to be a growing trend nationally, and in Lincolnshire of more young people requiring more specialist support.

During discussion, the following points were highlighted in relation to the Revenue and Capital Budget Proposals for 2021/22:

- The Committee thanked officers for their excellent work on the proposals and recognised the significant cost pressures facing Children's Services. Officers had responded to the challenges and identified savings as well;
- The Committee congratulated officers on the CIPFA Looked After Children benchmarking for Local Authority participants which showed Lincolnshire's average looked after child placement costs for 2019 to be £41,555 per annum, compared to the average of other Local Authorities of £53,287. This highlighted great value for money while still providing excellent services;
- The Committee was pleased to see that the Council had secured additional Government grant funding for the Building Communities of Specialist Provision Strategy, and Council funding solutions to meet the revised overall programme costs of £86.794m, to cover the increasing costs of the programme and to invest in Lincolnshire's children and young people with special educational needs and disabilities; and
- Concerns were raised about the increasing Home to School Transport costs and the impact that the Government's aspirations for green transport would

have on this budget. The budget was still continuing to increase despite a lot of effort put in to manage the costs. Where possible, Home to School Transport utilises public transport services; however there were a large number of routes where this was not possible due to the rurality and size of Lincolnshire, and the lack of large bus operators with only Stagecoach operating in Lincolnshire. An in depth review by external consultants from Edge Consultancy was being undertaken to identify whether any further possible efficiencies could be made. This review would consider all different options, including the Council delivering some of the Home to School Transport or paying parents mileage costs, as possible options. The Committee supported the in depth review and it was suggested that the report from the review be considered at an informal briefing session for the Committee to discuss the outcomes in detail.

#### RESOLVED

1. That the Children and Young People Scrutiny Committee agreed to unanimously support the budget proposals for Children's Services for 2021/22 as detailed in the report on pages 15 to 27.
2. That the Children and Young People Scrutiny Committee agreed that the comments listed above be forwarded on to the Executive in relation to this item.

#### 47 SCHOOLS FUNDING UPDATE 2021/22 - MAINSTREAM SCHOOLS

The Chairman advised that this item invited the Committee to consider and comment on the report which would be presented to the Executive Councillor for Adult Care, Health and Children's Services for a decision on 20 January 2021 on the Schools Funding Update for 2021/22 – Mainstream Schools. The Chairman invited Mark Poplewell, Head of Finance - Children's Services to present the report.

Attached as Appendix 1 to the report presented was a copy of the report to the Executive Councillor for Adult Care, Health and Children's Services, on Schools Funding Update 2021/22 – Mainstream Schools.

The Committee was reminded that the government had introduced the national funding formula (NFF) in 2018/19 for mainstream schools, and that since then the local authority had been responsible for agreeing and calculating schools funding allocations. The purpose of the national funding formula was to create consistency in funding across all schools nationally ensuring a fairer settlement for each school.

Table 1, on page 34 of the report outlined Lincolnshire's schools overall funding level for 2021/22, through the implementation of the NFF compared to other Local Authorities. It was noted that Lincolnshire's position nationally had improved.

The Committee was advised that detailed financial modelling had been undertaken by the Local Authority to understand the government's NFF changes for 2021/22. It was highlighted that the announcements by the government of additional funding

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would have a positive impact on Lincolnshire schools. The Committee was advised that subject to affordability, schools would receive a minimum of +2.00% in pupil funding through the 2021/22 funding arrangements. Further information relating to the funding arrangements was shown on page 35 of the report.

The Committee noted that the Local Authority had consulted all mainstream schools (A copy of the consultation document was attached at Appendix A to the Executive Councillor report). It was highlighted that 60 schools had responded, and that across the consultation questions, schools were overall in support of the Local Authority's proposals to continue replicating the Government's NFF in 2021/22 and for using the NFF as a basis for determining the notional SEN amount per school, when identifying whether a school was entitled to targeted funding.

The Committee was advised that the Lincolnshire Schools Forum at their meeting on 14 January 2021 had supported the Local Authority's proposals.

In conclusion, the Committee was made aware fulfilling the NFF was subject to affordability, and the options available to the Local Authority were included in the report presented. Members noted that the Local Authority would consider the impact at individual school level when agreeing the affordability solution.

During discussion, the Committee raised the following comments:-

- The Committee was pleased to see a positive direction of travel for school funding. The NFF was the way forward which would have a positive impact and lead to a more equitable situation for school funding going forward;
- Lincolnshire had gained through the NFF and had moved up through the ranking table. However, school funding levels in Lincolnshire were still below national levels, which was disappointing. Rurality was still being reviewed by the Government as a potential factor for the NFF. The Committee supported any lobbying by the Council to the Government to increase the levels of school funding for Lincolnshire; and
- The consultation response had increased since last year; responding schools supported the proposals, and all schools had been informed and were planning for those funding impacts.

**RESOLVED**

1. That the Children and Young People Scrutiny Committee unanimously agreed to support the recommendations to the Executive Councillor for Adult Care, Health and Children's Services as detailed at Appendix 1, on pages 31 and 32 of the report pack.
2. That the Children and Young People Scrutiny Committee agreed that the comments listed above be forwarded on to the Executive Councillor for Adult Care, Health and Children's Services in relation to this item.

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The Chairman advised that this item provided the Committee with an update on children missing out on education in 2019/20. The Chairman invited Jill Chandar-Nair, Inclusion and Attendance Manager, to present the report to the Committee.

The Committee noted that the Local Authority had a duty to have processes in place to identify children who were not receiving a full time suitable education.

It was highlighted that Covid-19 had impacted on attendance at schools and some of the data presented in the report was limited to the period in which schools were fully open which was September 2019 until the end of February 2020.

Details of the trends and activities for 2019/20 were shown on pages 65 and 66 of the report.

Attached at Appendix A to the report was a copy of the document 'Children Missing Out on Education Annual Report 2019/20'.

The Committee noted that if a child had unauthorised absence of more than 4.5 days over a six week period, schools were permitted to request the issue of a Fixed Penalty Notice (FPN). It was highlighted that there had been 1600 FPN's issued in 2019/20, and if the process had not ceased in March 2020 due to the pandemic, there would have been at least the same number of FPN's as in 2018/19.

It was noted that during the 2019/20 period, 293 cases had been presented to the courts for poor attendance. It was noted further that this was more than previous years due to the prosecution for non-payment of FPN'S.

During discussion, the Committee raised the following comments:

- Some concern was expressed to the number of parents taking their children out of school to go on holiday in term time. The Committee was advised that the vast majority of parents did not take children out of school for family holidays. In some instances when it was done, it was usually due to affordability of a family holiday. It was also highlighted that in some instances a parent might also have children at different schools who operated different term times, which then caused one child being absent from school during term time;
- Support for the traveling community. The Committee was reassured support was provided for the travelling community;
- The close working arrangements of the county council, social workers and police in some instances when young people were missing out on school; and
- Cost of Fixed Penalty Notice. The Committee noted that a fixed penalty notice paid within 21 days was £60.00. The amount doubled if paid after 21 days but within 28 days. It was highlighted that the fine would be applied to each parent for each child. Some concern was expressed whether fines should be means tested. Reassurance was given that the issue of a fixed penalty notice was at the discretion of the head teacher; and that schools were doing everything possible to avoid issuing fixed penalty notices.

**RESOLVED**

That the Children Missing Out on Education Annual Report 2019/20 be received and that the comments raised by the Committee be noted.

**49 CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK PROGRAMME**

The Chairman invited Tracy Johnson, Senior Scrutiny Officer, to present the report to the Committee.

Details of the Committee's planned items were shown on pages 91 to 95 of the report pack. Appendix A to the report provided the Committee with a forward plan of decisions relating to Children's Services from 1 January 2021.

One member requested that once the in depth review of Home to School Transport had been completed by Edge Consultancy, an informal briefing session should be arranged for members of the Committee to discuss the outcomes of the review in more detail.

**RESOLVED**

1. That the work programme presented be agreed.
2. That once the Home to School Transport Review by Edge Consultancy has been completed, an informal briefing session be arranged to allow the Committee to discuss the outcomes of the review in more detail.

**50 EXCLUSION OF PUBLIC AND PRESS****RESOLVED**

That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following three items of business on the grounds that they are considered to contain exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

The Committee took a five minute break from 11:40am.

At 11.45am, a roll call was taken to confirm members' attendance at the meeting.

**51 HELPRINGHAM AND OSGODBY PRIMARY SCHOOLS SCHEME APPRAISAL**

Consideration was given to an exempt report from Dave Pennington, Head of Property Development, which invited the Committee to consider and comment on the Helpringham and Osgodby Primary Schools Condition Works, prior to a decision

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being taken by the Leader of the Council (Executive Councillor for Resources and Communications) between 4 and 12 February) 2021.

RESOLVED

That the Children and Young People Scrutiny Committee unanimously supported the recommendations as detailed in the exempt report.

52 EXPANSION OF ST BERNARD'S SCHOOL, LOUTH

Consideration was given to an exempt report from Dave Pennington, Head of Property Development, which asked the Committee to consider and comment on the expansion of St Bernard's School, Louth, prior to a decision being taken by the Leader of the Council (Executive Councillor for Resources and Communications) between 25 and 29 January 2021.

RESOLVED

The Children and Young People Scrutiny Committee unanimously supported the recommendations as detailed in the exempt report.

53 EXCEPTION TO THE CONTRACT AND PROCUREMENT RULES -  
BEHAVIOUR OUTREACH SUPPORT SERVICE

Consideration was given to an exempt report from Sara Gregory, Interim Commissioning Manager – Commercial, which invited the Committee to consider and comment on the exception to the Contract and Procedure Rules – Behaviour Outreach Support Service, prior to a decision being taken by the Executive Councillor for Adult Care, Health and Children's Services between 18 and 21 January 2021.

RESOLVED

The Children and Young People Scrutiny Committee unanimously supported the recommendations as detailed in the exempt report.

The meeting closed at 1.13 pm