

**CHILDREN AND YOUNG PEOPLE SCRUTINY  
 COMMITTEE  
 12 JANUARY 2024**

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

Councillors W H Gray (Vice-Chairman), A J Baxter, A W Briggs, C Matthews, Mrs S A J Nutman, N Sear, T J N Smith, M A Whittington and R A Wright

**Added Members**

Councillors Mrs P A Bradwell OBE S Roe were also in attendance.

Officers in attendance:-

Matthew Clayton (Admissions & Education Provision Manager), Linda Dennett (Assistant Director - Children's Health and Commissioning), Tracy Johnson (Senior Scrutiny Officer), Neal Kathel (Property Team Leader, Property Development), Jo Kavanagh (Assistant Director of Early Help), Nicky Myers (Interim Head of Service Early Years & Childcare Support), Geraldine O'Neill (Lead Consultant - Early Years Entitlement), 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) and Ethan Thorpe (Communications) (Strategic Communications Lead)

49 APOLOGIES FOR ABSENCE / REPLACEMENT MEMBERS

Apologies were received from Councillor Mrs. Killey, Martin Kyle, the Church Representative, Dr Emile Van Der Zee, the Parent Governor Representative, and Tara Jones, Assistant Director – Children's Safeguarding.

50 DECLARATION OF MEMBERS' INTERESTS

No interests were declared at this point in proceedings.

51 MINUTES OF THE PREVIOUS MEETING HELD ON 8 DECEMBER 2023

**RESOLVED**

That the minutes of the previous meeting held on 8 December 2023 be approved and signed by the Chairman as a correct record.

52 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLORS AND LEAD OFFICERS

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The Chairman informed the Committee that he had been recently elected as a Co-Sponsor Governor at St. Georges Academy in Sleaford.

There were no announcements made by the Executive Councillor for Children's Services, Community Safety, Procurement and Migration or any of the Lead Officers Present.

*It was noted that Councillor S P Roe (Executive Support Councillor for Children's Services, Community Safety, Procurement and Migration) left the meeting whilst the Committee considered the budgetary reports (items 5 and 6).*

53      COUNCIL BUDGET 2024/25

The Committee received a report from the Executive Director- Children's Services and the Strategic Finance Lead – Children's Services which invited Members to consider the Children's Services Budget Proposals for 2024-25.

Consideration was given to the wider budgetary implications for the Council and those for Children's Services, particularly children's education and children's social care service areas. Officers also highlighted that the Autumn 2022 Statement announced a £2 billion increase in schools funding in both 2023/24 and 2024/25 to respond to emerging cost pressures such as increased costs of utility bills and increase in salary costs, and the latest teachers' pay grant.

The Committee was informed that the budget was partly funded by the Dedicated Schools Grant (DSG) which supported schools, central school services, high needs and the early years service areas. Lincolnshire County Council was one of 106 authorities that mirrored the National Funding Formula (NFF) for mainstream school due to the associated improved financial settlement for schools. The Committee was guided through the report and was informed that the Executive had also considered and supported the budget proposals at its meeting on 9 January 2024.

During consideration of the report, the following matters were highlighted:

- The Committee recognised that Children's Services had very little control over the rising cost pressures due to the unprecedented market conditions, increasing demand, and rising prices, which were causing the 10% increase in the overall budget for Children's Services. Assurance was provided that Children's Services was working hard to mitigate the impact through early intervention and by making sure it remained competitive within a market. In addition, Children's Services was investing in new children's homes so that it was less reliant on the market and could use its own provision.
- The Committee acknowledged that Children's Services had invested in special educational needs and disabilities (SEND) school provision through the Building Communities of Specialist Provision Strategy programme which started five years ago. It was clarified that since this started, the market had changed considerably for specialist placements and the SEND system had also changed extensively due to the increased demands. The programme had mitigated the worst impact of those changes, and national data indicated that the Council was bucking the trend around the increases in

SEND being seen elsewhere. However, it was not immune to those increases which would come with significant costs. The programme had mitigated significant costs, provided local education for children with SEND, and once completed, the Council would see a positive impact on home to school transport cost pressures for children with SEND when placed in their local special schools. Consideration was now turning to Phase Two of the programme which included a new Social, Emotional and Mental Health (SEMH) school, which has funding provisionally earmarked in the Council's capital budget, and identifying what other options were available to increase the Council's own SEND provision to reduce costs further. It was anticipated that the Council would continue to see pressures on the high needs block over the next few years.

- The Committee raised concerns about the increasing costs for alternative provision, which were very high for the number of children and young people it served. It was confirmed that Children's Services was working with schools to make sure they were inclusive and responded to the needs of children, and that children were kept within mainstream settings wherever possible as this enhanced their academic and long-term outcomes. To respond to the market, there were plans in place to expand provision with the alternative provision provider at Myle Cross in Lincoln to meet current demand.
- Concerns were also raised about the increasing number of children in care and the costs of placements, which had seen a 23% average increase in Lincolnshire. It was clarified that unaccompanied asylum-seeking children (UASC) were included in the children in care figures, but these were grant funded and would not usually go into high cost placements as there was an efficient way of supporting them in place. If the number of UASC were removed from the figures, the number of children brought into care would be fairly stable. According to the latest measurement from April 2023, the number of children in care per 10,000 had fallen by 2%. This was contrary to the national and statistical neighbour figures which had both risen. The significant factor in the high cost for placements was due to market costs and not the increasing number of children in care. Assurance was given that the right children were being brought into the care of the local authority to safeguard them.
- It was suggested that the Council should contact local MPs to lobby for more funding for local government or for a relaxation of, or update to, councils' statutory duties as the current situation was not sustainable or practical. It was highlighted that the home to school transport legislation which governed the Council was established in 1944.
- The Committee was pleased to hear of the proposal for a new SEMH school. It was confirmed that this was at a very early stage in the process and was included in the Council's budget proposals. Children's Services has identified capital funding requirements for this scheme over the next period and the need to have these funds earmarked. The full business case would come through a future meeting of the Committee.
- The Committee questioned the cost pressure of £0.500m for social care transport costs for supervised family time, and it was clarified that this was mainly due to the increase in the national living wage and unfavourable market conditions. To address these cost pressures further, there was a new automated system for planning routes in place and a move away from short term contracts, and Children's Services was working with the courts to ensure that family time was agreed in an efficient way to minimise cost and disruption.

**RESOLVED**

1. That the Committee supports the Children's Services budget proposals for 2024/25 as set out in the report.
2. That the comments from the discussion be passed onto the Executive for consideration at its meeting on 6 February 2024.

54 MAINSTREAM SCHOOLS FUNDING 2024/25

Consideration was given to a report by the Strategic Finance Lead – Children's Services which invited the Committee to consider whether it supported the principals outlined in the report regarding Mainstream Schools Funding.

It was noted that the Council would continue to adopt the National Funding Formula (NFF) subject to the affordability gap associated with heightened costs of utilities and increased uptake of free school meals (FSM). The Strategic Finance Lead outlined that financial modeling has taken place and explained that the Schools Growth Fund would help relocate 1.1% to support the affordability gap, and the principles outlined in the report were unlikely to change drastically, which included a percentage reduction in the pupil funding within the range for mirroring the NFF.

Members were informed that Officers were currently determining the details of the budget before it was considered by the Lincolnshire Schools Forum at their January meeting. It was summarised that the Council would continue to adopt the NFF and support the principles which sought to address the anticipated affordability gap.

During consideration of the report, the following matters were highlighted:

**Affordability Gap**

- In relation to addressing the affordability gap, it was confirmed that there were only two options. This included the proposed option to amend the Age Weighted Pupil Unit (AWPU) or the alternative option of applying a cap on the per pupil increase, where any amounts over the cap would be captured and recycled to try and support the affordability gap. This alternative option was not recommended as if a school had a number of proxy factors which resulted in additional funding, such as free school meals eligibility, this option would financially disadvantage the school. The AWPU option was considered the fairest approach for all schools. A different funding formula could be used, but the Department for Education's framework would limit the available options and the Council would still need to continue to mirror the national funding framework.
- With regards to long term funding of the national funding formula and the affordability gap, it was confirmed that this was difficult to predict as the Council was only informed on a year-by-year basis. The affordability gaps arose each year due to the lag in schools funding from the use of the prior schools census by the Government, but the Council had to fund schools using the latest census. In addition, since the pandemic and the cost-of-living increases,

more families had been triggering free school meals eligibility, which was creating a bigger affordability gap. It was anticipated that there would be an affordability gap in the long term for mainstream schools funding. The Government had responded to some of the significant cost increases which was welcomed, but there was no clarity on what the next funding settlement would be.

#### **Direct National Funding Formula**

- The Government was aiming for all local authorities to be on the direct national funding formula by 2027/28. The Council was mirroring the national funding formula, and it was highlighted that it would be a smooth transition for the Council when it was put in place. Unfortunately, the direct formula would remove the local discretion available to councils to respond to the needs and challenges of schools.

#### **RESOLVED**

1. That the Committee supports the recommendations to the Executive Councillor for Children's Services, Community Safety, Procurement and Migration on the basis of the principles and approach as set out in the report.
2. That the Committee's comments be passed onto the Executive Councillor in relation to this item.

#### 55 CHILDCARE REFORMS & EARLY YEARS FUNDING FORMULA

Consideration was given to a report by the Interim Head of Service- Early Years and Childcare Support and the Sustainability and Development Manager on the childcare reforms and early years funding formula. The Strategic Finance Lead – Children's Services was also in attendance for this item.

It was reported that the Government had announced a £4 billion per annum expansion of childcare services to children under three in England which sought to remove barriers for employment for parents. This expansion would facilitate 30 hours of childcare support for working parents with children over the age of nine months by September 2025.

Additionally, the Government also announced their ambition for all parents of primary school aged children to access childcare in their local area between 8am and 6pm and the Council was developing plans for this universal provision. Local authorities would start to receive a share of £289 million in funding from January 2024, and parents were expected to see an expansion in the availability of wrap-around care from September 2024.

During consideration of the report, the following matters were highlighted:

#### **Provision and Take Up of Childcare Places**

- With regards to the current percentage of eligible children already accessing childcare, it was confirmed that it was difficult to pinpoint the exact position at this stage. A survey of the childcare sector had been conducted to ask about the number of existing children, where they were already attending nursery provision and the parents were paying for the places, as those children would convert to the funded childcare places later this year.
- The current position for the two-year-old places looked favourable in terms of delivery, but more would be known once the entitlement started to be rolled out. This would be carefully monitored, and the development of places adjusted based on the take up.
- The Government had provided some national datasets which indicate the number of families that they thought would be eligible for entitlements. The Government's national datasets were based on information from their departments such as DWP and HMRC. These looked at working families and then the demographics in terms of each local authority and the number of children that they had in that age range. This was used to determine their estimate of potential places that would be taken up. The Council was using this national dataset alongside local intelligence about population figures and the number of children in childcare places to map initial provision. The development of places was often driven by demand so there was a need to balance the national dataset with local intelligence and with existing children already taking up places. Caution was expressed about the use of the Government's dataset as some people may not claim some or all of their benefit entitlements.
- It was recognised that different families would have different choices and therefore it was important to get the messages out about the different initiatives for those families that need to access childcare, and highlight that there was a number of Government offers available to them, such as tax free childcare and Universal Credit, on top of the early years entitlements that were there to support the affordability of childcare for the families that need to access it.
- For early years settings, it was not mandatory for these young children to access those places. Eligible families were engaged with to encourage them to access their entitlements, but it was down to parental choice and preference whether they decided to do so. More detailed work was needed in terms of those families that were not choosing to access their early years entitlement to identify if there were any barriers or if it was out of choice, and whether they were accessing something else such as children's centres or utilising other services but choosing not to access their child's early education place. If barriers existed, such as an insufficiency of childcare places or barriers to do with Special Educational Needs and Disabilities (SEND) needs, then these would try to be addressed.

### **SEND Childcare Places**

- In relation to children with SEND, the intention was to undertake a focus piece of work this year to address the families that were not accessing provision to identify if there were any barriers, such as the lack of places for children with SEND. More investigation was needed for children with SEND to make sure that those places were accessible. Members requested that this piece of research, into the reasons why there was a lower take up from children with SEND, was brought back to a later meeting of the Committee.

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- The census conducted each year would identify the ages of all children, including those in special schools, so that they were all captured.
- There was heavy investment in supporting children with SEND within settings through a programme called the Dingley's Promise, so there was a lot of support and advice provided around inclusion. In addition, there were early year specialist teachers that support all settings to make sure they were inclusive and were skilled and highly trained to meet an individual child's needs within that setting.
- It was highlighted that there could be a number of reasons for less engagement with children with SEND, such as a shortage of accessible places, parents feeling better placed to deal with their children's needs even if an accessible place was available, and advocating for that child's needs as the more complex the needs were, the harder it would be for an individual who did not deal with that on a regular basis.

**RESOLVED**

1. That the Committee supports the recommendations to the Executive Councillor for Children's Services, Community Safety, Procurement and Migration as set out in the report.
2. That the Committee's comments be passed onto the Executive Councillor in relation to this item.

56      ATTENDANCE IN SCHOOLS, ELECTIVE HOME EDUCATION AND CHILDREN MISSING EDUCATION ANNUAL REPORT 2022/23

Consideration was given to a report by the Inclusion and Attendance Manager on the annual update on attendance in school, electively home educated (EHE) children and children missing education (CME) for the 2022-23 academic year.

The Committee was guided through the report, and it was noted that the launch of the Lincolnshire Attendance Strategy informed the local response to recommendations arising from the Department for Education (DfE) and its '*Working Together to improve school attendance*' document. The Strategy had overseen the establishment of a new attendance team comprised of four single point of contacts for schools for attendance matters. Schools were also required to adopt an attendance champion who would liaise with the attendance team.

It was reported that there had been an increase in both CME and the issuing of fixed penalty notices, 91% of which related to term time holidays. Additionally, an increase in EHE children and young people had been observed, which was attributed to a myriad of factors such as mental health and anxiety. It was assured that the Council consistently encouraged children to remain in school settings where appropriate.

During consideration of the report, the following matters were highlighted:

- The Inclusion and Attendance Manager encouraged schools to sign up to the DfE Attendance Live Data Dashboard before it became mandatory in September 2024.

- It was clarified that a ‘persistent absence’ referred to those with 80-90% attendance who were enrolled in school.
- Members suggested whether fixed penalty notices were effectively a holiday tax and queried as to whether fixed penalty notices had any significant impact on attendance. The Executive Director – Children’s Services noted that they had the most impact where they were issued in the first term. It was noted that the government may potentially increase the fine amount to disincentivise those taking holidays in term times.
- Members explored potential actions to combat absences due to bullying and unhappiness; the Assistant Director – Children’s Education informed the Committee that often retreating from school settings exacerbated mental health problems; additionally, he emphasised the importance of increased attendance which helped create better outcomes for young people. Members also agreed that attendance was important for young people to build resilience and develop social skills.
- The Assistant Director – Children’s Education noted that schools upheld a strong anti-bullying policy and complaints procedure, and it was further assured that most schools maintained a good relationship with pupils and their families.
- Members acknowledged the adverse impact non-attendance had on a young person and their life chances.
- Members noted that school absences in Lincolnshire were higher than the national average.
- The DfE ‘*Working Together*’ document advised early intervention helped to prevent persistent absences.
- Apprehension was raised regarding parents potentially receiving fixed penalty notices in instances where a child was bullied and where attending school would be harmful. It was noted that fixed penalty notices were issued at the Headteacher’s discretion, not at the local authority level. Consequently, the Committee was informed that the government was developing a national framework to establish more consistency with the issuing of penalties.
- Members noted there was a wide range of factors that led a child to be electively home educated.
- The Inclusion and Attendance Team Manager informed the Committee that a Children’s Commissioner Paper had summarised that the Covid-19 pandemic caused long-term implications on attendance.
- Members highlighted that low attendance in Boston exacerbated the overall statistics outlined within the report, although it was assured that work was ongoing to intervene and improve communication between schools and parents in the district.

**RESOLVED:**

That the Committee endorses the Attendance in Schools, Elective Home Education and Children Missing Education Annual Report for the 2022/23 academic year.



57      CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK PROGRAMME

Consideration was given to a report from Tracy Johnson, Senior Scrutiny Officer, which enabled the Committee to comment on the contents of its work programme.

Members were informed of two amendments to the published work programme:

- A report on the Lincolnshire Leaving Care Service was added to the 19 April 2024 agenda for pre-decision scrutiny prior to a decision by the Executive Councillor for Children's Services, Community Safety, Procurement and Migration between 3 and 7 June 2024.
- A report on the Families First for Children Pathfinder Programme was also added to the 19 April agenda.

**RESOLVED**

That the Work Programme be agreed subject to the above amendments.

58      CONSIDERATION OF EXEMPT INFORMATION

**RESOLVED**

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

59      WELTON WILLIAM FARR (CHURCH OF ENGLAND) COMPREHENSIVE SCHOOL - NEW SIXTH FORM BLOCK

Consideration was given to the exempt report, and the Committee raised a number of questions which were answered by the Officers present.

**RESOLVED**

1. That the Committee supports the recommendations to the Leader of the Council (Executive Councillor for Resources, Communications and Commissioning) as set out in the report.
2. That the Committee's comments be passed on to the Leader of the Council (Executive Councillor for Resources, Communications and Commissioning) in relation to this item.

**10**  
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60     PROGRESS AGAINST HMIP INSPECTION RECOMMENDATIONS - LINCOLNSHIRE  
          YOUTH OFFENDING SERVICE

It was noted that this item was for information only.

The meeting closed at 12.59 pm