



**CHILDREN AND YOUNG PEOPLE
SCRUTINY COMMITTEE
19 JANUARY 2018**

PRESENT: COUNCILLOR ROBERT LLOYD FOULKES (CHAIRMAN)

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

Councillors: Mrs P A Bradwell attended the meeting as observers

Officers in attendance:-

Michelle Andrews (Service Manager Early Years and Childcare Support), Debbie Barnes (Executive Director, Children's Services), Simon Evans (Health Scrutiny Officer), Mary Meredith (Head of Children's Service Manager, Inclusion), Mark Popplewell (Head of Finance (Children's Services)), Heather Sandy (Chief Commissioning Officer for Learning) and Rachel Wilson (Democratic Services Officer)

47 APOLOGIES FOR ABSENCE / REPLACEMENT MEMBERS

Apologies for absence were received from Councillor Mrs W Bowkett and 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 Children and Young People Scrutiny Committee in place of Councillor Mrs W Bowkett for this meeting only.

An apology for absence was also received from Councillor D Brailsford (Executive Support Councillor for Children's Services)

48 DECLARATIONS OF MEMBERS' INTERESTS

Councillor M Boles requested that it be noted in relation to agenda item 8, that he was in receipt of thirty hours free child care.

49 MINUTES OF THE MEETING OF THE CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE HELD ON 1 DECEMBER 2017

In relation to Minute 39 (Building Communities of Specialist Provision for Children and Young People with Special Educational Needs and Disabilities in Lincolnshire), it was queried why the explanation on the funding arrangements, contained in the

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minute, had not been carried forward into the agreed comments of the Committee to the Executive. It was noted that the Executive had already considered the item on 5 December 2017 and had made the decision to consult. However, the Committee would be considering the outcome of the consultation, including the decision on the proposals at a later date. The Committee would have a further opportunity to consider the funding arrangements and could pass on comments at that stage.

RESOLVED

That the minutes of the meeting held on 1 December 2017 be signed by the Chairman, subject to the above being taken into account.

**50 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLOR
AND EXECUTIVE DIRECTOR**

The Chairman reported that due to work commitments, Dr Emile van der Zee had stood down from his role as a parent government representative on this Committee. It was requested that the Committee's gratitude for the contribution he had made since his term of office began in March 2016 be recorded. One member commented that Dr van der Zee had been fully committed to his role.

The Chairman also advised that on 17 January 2018 he met with Andy Cook, the Youth Offending Manager, whose role included the co-ordination of the Lincolnshire Youth Council. A number of ways of potentially involving members of the Council in the activities of this Committee were discussed, which included consideration of the Youth Council Annual report as an agenda item. It was reported that all suggestions would be considered at the next agenda planning meeting.

The Councillor Members of the Committee should have received by email the summary notes and action points from Big Conversation 14. Members were reminded that three times per year, during school holidays, there was an opportunity for V4C members to meet with Children's Services Team Managers to discuss ways to improve services for Looked After Children. These events were called the Big Conversation. As stated in the email, the Big Conversation 15 would take place on Wednesday, 14 February 2018 at the Myle Cross Centre, Lincoln between 11am and 12.30pm. It was understood that the Big Conversation was hoping that a couple of representatives of this Committee would be able to attend.

The Executive Director for Children's Services reported that Patricia Hiley, who had worked for Lincolnshire County Council for 32 years in fostering and adoption and had been awarded an MBE in Her Majesty The Queen's New Year's Honours for services to adoption.

51 REVENUE BUDGETS PROPOSALS 2018/19 AND 2019/20

Consideration was given to a report which described the budget proposals for the next two financial years based on the four year funding deal announced by Government as part of the 2018/19 Local Government Finance Settlement. The

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report specifically looked at the budget implications for the following commissioning strategies:

- Readiness for School
- Learn & Achieve
- Readiness for Adult Life
- Children are Safe & Healthy.

It was reported that the Council continued to face significant reductions in government funding along with growing cost pressures, particularly around demand led services.

Members were guided through the report and provided with the opportunity to ask questions to the officers present, and some of the points raised included the following:

- The majority of the expenditure on the Learn & Achieve Commissioning Strategy was on home to school transport (approximately £25million), and it was stated that there were unlikely to be any opportunity for further savings from this budget without a policy change.
- In terms of Readiness for Adult Life, the budget for this commissioning strategy had seen significant reductions over the last few years and some universal services were no longer provided.
- It was commented that there were some things to really welcome, such as that there were no planned cuts to services and cost pressures were being met.
- There was an increasing number of looked after children with an increasing complexity of needs. The percentage increase in looked after children was not as high as the national increase but it was still a significant increase.
- There was an additional cost pressure in Readiness for Adult Life due to the legal duty for the Council to provide supported housing to homeless young people over 16 years old, and due to complexity of needs the cost of provided supported housing was getting more expensive.
- It was recognised that there would be no real increase in budget, but it was queried, hypothetically, where would any additional spend be best used, if it became available. From benchmarking work, it was known that Lincolnshire had a slightly above average spend on preventive work, but spend on child protection was the second lowest in the country. This indicated that prevention was effective. If more funding was available, it was suggested that this would be spent on prevention work, in particular with the adolescent age group. It was highlighted that North Yorkshire County Council was doing some interesting work with young people and had engaged a clinical psychologist to work on speech and language skills, as many of the young people who experienced problems were often not able to communicate effectively.
- Members were informed that East Lindsey District Council had made a decision that care leavers would be exempt from Council Tax, and other members who also sat on district councils were requested to encourage their own districts to also adopt this policy.
- In relation to the home to school transport policy, members were informed that the legislation had been set in 1944 and it could be argued that this legislative

position no longer reflected modern needs, and it was suggested it could be useful for this to be examined at a national level.

- It was confirmed that the cost of transporting SEN pupils was included in the home to school transport budget, and accounted for approximately £12million of the £25million budget.
- In relation to home to school transport to grammar schools, it was highlighted that it had been agreed to carry out a review two years after the completion the review by the task and finish group on the issue. It was acknowledged that this had been agreed and discussions would take place on the extent of the review. The Executive Councillor indicated that she would be meeting with various colleagues to discuss grammar school transport issues.
- It was clarified that the school leaving age had not changed, and there was no compulsory school education from the age of 16.
- There were challenges in terms of transitions as young people transition to adults services at 18, but care leavers at 21 (shortly to be changed to 25) and young people with SEN at age 25.
- It was acknowledged that home to school transport was a significant financial risk for the Council, and it was queried how much it cost to deliver the Designated Transport Area system for grammar schools, as often children were not attending their nearest school. It was commented that support for grammar school transport was a discretionary service which was outside the Council's statutory duty. Members were advised that the cost of transporting children to grammar schools was around £3m. If this discretionary service was to stop these children would still need to be transported to their nearest school and it was estimated that this would cost approximately £1.5m, therefore the additional cost to transport children to grammar school in the Designated Transport Area was around £1.5m.
- Members were advised that changes could not be made to the home to school transport policy without first changing the schools admissions policy. This would also require a countywide consultation. It was reported that because of the requirement to consult well, that any changes could not be implemented within the next two financial years.
- In terms of funding home to school transport, this was a requirement through the legislation set in 1944 and therefore all children were entitled to funded transport if they lived more than the qualifying distance from the school regardless of whether they attended a secondary school, academy or grammar.
- It was commented that home school transport was something the Committee would need to keep an oversight of.
- In relation to the Council's statutory duties associated with the SEND reform grant, it was noted that officers were working on the impact of the reduction in the grant, and how any risks would be mitigated.
- It was commented that East Lindsey's policy to exempt care leavers from Council Tax was a very good initiative, and would have a very small impact in terms of budgets, but it would make a big difference to the individual. The Chairman advised he had already written to the Leader of South Kesteven District Council to ask the Executive to consider introducing this.

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- Members were advised that the capital budget was not just spent on maintained schools. It was noted that the Council would also fund sufficiency places, but only maintained schools would receive funding for improving the condition of the building. If an academy was requesting to increase admission numbers due to parental preference then the academy would be required to fund that itself, however, if the academy needed to grow to accommodate demand from an increase in the local population this would then be funded by the authority.

RESOLVED

1. That the Children and Young People Scrutiny Committee support the budget proposals as set out in the report.
2. That the following comments be passed on to the executive for consideration:
 - The Committee's primary focus was on the Home to School Transport Budget, and in particular the current policy for transport to grammar schools. The Committee was advised that any changes to the Home to School Transport Policy would only impact in the long term, beyond the two year budget under the Committee's consideration. This is because the Council's Home to School Transport Policy needs to be known to enable parents and pupils to make decisions about applications for school places. The Home to School Transport Policy remains on the Committee's work programme.
 - Reference was also made to the discretionary power of district councils to exempt care leavers from the Council Tax. East Lindsey District Council had already exercised its power in this way and other district councils were encouraged to do so.
 - The Children and Young People Scrutiny Committee supported the revenue and capital budget proposals for 2018/19 and 2019/20

52 THIRTY HOURS FREE CHILDCARE (THE EXTENDED ENTITLEMENT)

Consideration was given to a report which shared Lincolnshire's position on the thirty hours funded childcare entitlement including sufficiency to support this national agenda. Members were advised that this initiative was about supporting families at work with childcare costs or supporting parents back into work.

It was highlighted that with child care it could be difficult to predict sufficiency needs as it was not always known whether parents would choose to go back to work and so it was a very complicated calculation. A sufficiency assessment had been undertaken which had given confidence that there were sufficient placements within the county to be able to meet demand.

It was reported that numbers would be lower in the autumn but would gradually build up through the year with a peak in the summer months. Members were advised that this was due to parents gradually building up their child to the full provision.

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 clarified that an exempt school was one which did not need to register with Ofsted separately for child care as it was already providing education on the school site. It was noted that the legislation had changed which required early years and child care providers to register with Ofsted.
- It was noted that the legislation relating to child minders who delivered care in a child's home was slightly different.
- It was noted that there were 45 providers who were not delivering the thirty hours, and it was queried whether there was a link between them geographically or was there a lack of places. It was noted that these may have constraints on location so they cannot provide thirty hours, for example they may be using village halls. It was also reported that the child care market often changed and there could be less demand in some places. It was also noted that maternity leave could last for up to one year, and then when the end of the maternity leave approaches, parents could put their child's name down at two or three places before choosing which one they wanted.
- It was queried how well the providers were coping with the extension to the entitlement and whether it was having any negative financial impact.
- It was noted that the previous entitlement was 15 hours and parents may have opted to have 3 hours per morning and parents may then choose to access more than the 15 hours and would pay the market rate for the additional hours. It was also noted that in good and outstanding settings staff would often provide additionality to attract parents to their provision.
- Members were advised that this scheme was about getting parents back to work and there was a base rate payment of £3.82 to provide child care and education, if a setting wanted to provide additional services e.g. lunch, parents would need to pay for this.
- It was suggested that there was a feeling that some settings were charging for extras to mitigate the impact of the 30 hours free childcare. It was also commented that there had been reports that some settings were informing parents that they had to pay for the extras in order to maintain their place. However, it was noted that which setting a child attended was parental choice, and they could leave if they were not happy with the care being provided. Any extras such as snacks would need to be charged for with the agreement of parents, but a provider would need to allow a parent the option of bringing their own.
- One member commented that she had not had any residents coming to her with concerns about this scheme.
- It was queried whether officers were satisfied with the quality of care across the board or if there were any areas with too many providers. Members were advised that the quality of provision was increasing everywhere. The authority could offer a support package and if any child care provider was judged as less than good they would be contacted as soon as the Ofsted report was published so they could respond to any recommendations. A team would then work with the provider over a fixed time based process to improve the quality.

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The percentage of providers rated as good or outstanding was increasing each year.

- It was queried whether parents came to the Council with reports of poor care. Members were advised that parents would be required to contact Ofsted first to report their concerns, the authority received a termly update from Ofsted so would be made aware of any concerns. The authority was not able to make a third party complaint.
- It was suggested that this entitlement should not be referred to as free childcare, but maybe subsidised or sponsored instead.
- One member commented that different providers had different offers in terms of what they would provide, and parents could 'shop around' to find the provision that worked best for them, but parents did have choices. He also reported that from personal experience, he had found the policy very positive as it had allowed him and his wife to both return to work full time. He advised that the Gateway was easy to use and they had not experienced any problems and overall this approach was welcomed.

RESOLVED

That the Children and Young People Scrutiny Committee endorse the local authority's approach to securing sufficient funded education places for eligible children.

53 INCLUSIVE LINCOLNSHIRE STRATEGY - POLICY REVIEW

Consideration was given to a report which updated the Committee on the progress of the Inclusive Lincolnshire Strategy. It was reported that the Inclusive Lincolnshire Strategy was introduced in December 2015 and the aim was to address the problem of a rising and unsustainable rate of permanent exclusion from Lincolnshire schools. This had resulted in Lincolnshire being consistently the highest excluder of primary phase children nationally and nearly the highest of secondary, which had been well documented in previous reports.

Members were advised that the Lincolnshire Ladder of Behavioural Intervention, now widely known as 'The Ladder', was at the heart of the Strategy. This was designed to support schools in focusing on the underlying drivers of challenging behaviour, rather than just its outward presentation.

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

- It was commented that the Strategy was showing an improvement, but in relation to the finding from the 'Falling through the Gaps' report from the Children's Commissioner that some schools were excluding pupils for the benefit of the school rather than the child, it was queried whether there was a link between increasing exclusions and academisation.

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- It was noted that in terms of numbers, in the primary sector, academies and maintained schools were at the same level. Where a spike was seen, it tended to be when an academy was taken over by a new sponsor
- The goal of the Ladder was for pupils to stay in their home school.
- Members were advised that officers met with the regional lead from Ofsted on a regular basis.
- It was noted that in relation to 'illegal' exclusions, schools would come under a high degree of scrutiny from Ofsted for these practices in the future.
- It was queried whether an increase in the number of schools who were cynical when this was first introduced, now coming on board was being seen. Members were advised that this was being seen in some schools.
- It was noted that there were some Pupil Referral Units which were in need of improvement.
- In relation to the CHIPS (Collaborative Headteacher Inclusion Panels), it was highlighted that there were a few schools who were not participating, and it was queried why these schools were not taking part. It was noted that this could be due to them not having high numbers of exclusions. Members were advised that the vast majority of schools were involved. There were four Panels in the county covering the Wolds, Lincoln, Grantham and South Holland.

RESOLVED

That the content of the report and the comments made be noted.

**54 PROPOSED CHANGES TO ENHANCED RESOURCE PROVISION UNITS
SUPPORTING CHILDREN WITH HEARING IMPAIRMENTS**

Consideration was given to a report which invited the Committee to comment on the report entitled 'Proposed Changes to Enhanced Resource Provision Units Supporting Children with Hearing Impairments' which was due to be considered by the Executive Councillor for Adult Care, Health and Children's Services for decision on 2 February 2018.

Members were advised that Children's Services had undertaken a comprehensive review of the provision of support to children with hearing impairments who were currently supported through an Enhanced Resource Provision (ERP) unit. There were four units across Lincolnshire, two primary and two secondary and each unit was attached to a school and specialist teaching support was provided through the Sensory Education Support Team. It was reported that children only spend part of their time in the unit, receiving targeted support, with the remaining time the child was educated and supported within a mainstream class setting.

It was reported that a public consultation had been undertaken in October/November 2017 which presented four options for future provision of the service. Members were informed that feedback had been received from 15 individuals, which had been considered in making the proposed recommendation.

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The Committee was advised that it was recommended that the Executive Councillor approve Option 4 as set out in the report which was to decommission the four Enhanced Resource Provision units as from 29 March 2018 (end of Spring Term), removing the provision from the Council's Local Offer, and to support children in mainstream school settings.

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 queried what the impact on those children currently in ERP units would be and members were assured that there would be very little impact as they would be staying in the ERP and be supported by a specialist teacher outside of the classroom. They would receive the same level of support, and the teachers would still be available to the school, but they would not be on site all the time, but come in at allocated times.
- Members felt confident that Option 4 was the right decision, after seeing the responses to the consultation from parents.
- There would be time to support children to get used to the change.
- It was emphasised that this was not about cost savings.
- Members were encouraged by the level of consultation which had been carried out.
- It was commented that this was vital for other children so that they got used to being around people with different needs and promoted a community that was inclusive where everyone was working together.

RESOLVED

1. That the Committee support the recommendation to the Executive Councillor as set out in the report.
2. That the following comment be passed to the Executive Councillor in relation to the report:
 - On 19 January 2018, the Children and Young People Scrutiny Committee considered this report, and noted that Appendix C to this report provided the detail as requested at its October meeting. The Committee agreed to support the recommendations in this report. The Committee has noted that its questions and comments at the October meeting had been addressed by the consultation and would like to put on record its gratitude for the care and attention to detail, which formed part of the overall consultation process.

55 CORPORATE PARENTING SUB GROUP UPDATE

The Committee received a report which provided members with the opportunity to consider the minutes of the Corporate Parenting Sub Group which met on 7 December 2017.

It was reported that in relation to Minute Number 29 (Visiting Member Overview of Residential Care) a meeting to refresh visiting members on their role had been arranged for 23 March 2018.

In relation to Minute Number 33 (Corporate Parenting Strategy Update) it was noted that the following councillors had volunteered for the Working Group to refresh the Strategy: David Brailsford, Chris Brewis, Kate Cook, Robert Foulkes, Rob Kendrick, Mrs Angela Newton Rob Parker and Clio Perraton-Williams. It was also noted that Councillor Sarah Dodds had volunteered for this Working Group.

It was requested whether the electronic appointment for the meeting on 23 March 2018 could be resent to Councillor Cook.

RESOLVED

That the draft minutes as presented, and the points made above be noted.

56 CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK PROGRAMME

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

It was discussed whether the proposed items on Educational Progress of Looked After Children (LAC); Post Adoption Support; and Support for Foster Carers should be solely considered by the Corporate Parenting Sub-Group as they fell under the remit of the Sub-Group. It was agreed that this would be discussed with Councillor Brailsford at the next pre-meeting for the Corporate Parenting Sub-Group.

Members were advised that the Looked After Children Strategy was being refreshed and that this item merited consideration by this Committee.

RESOLVED

That the work programme as set out in Appendix A to the report be agreed.

The meeting closed at 12.10 pm