





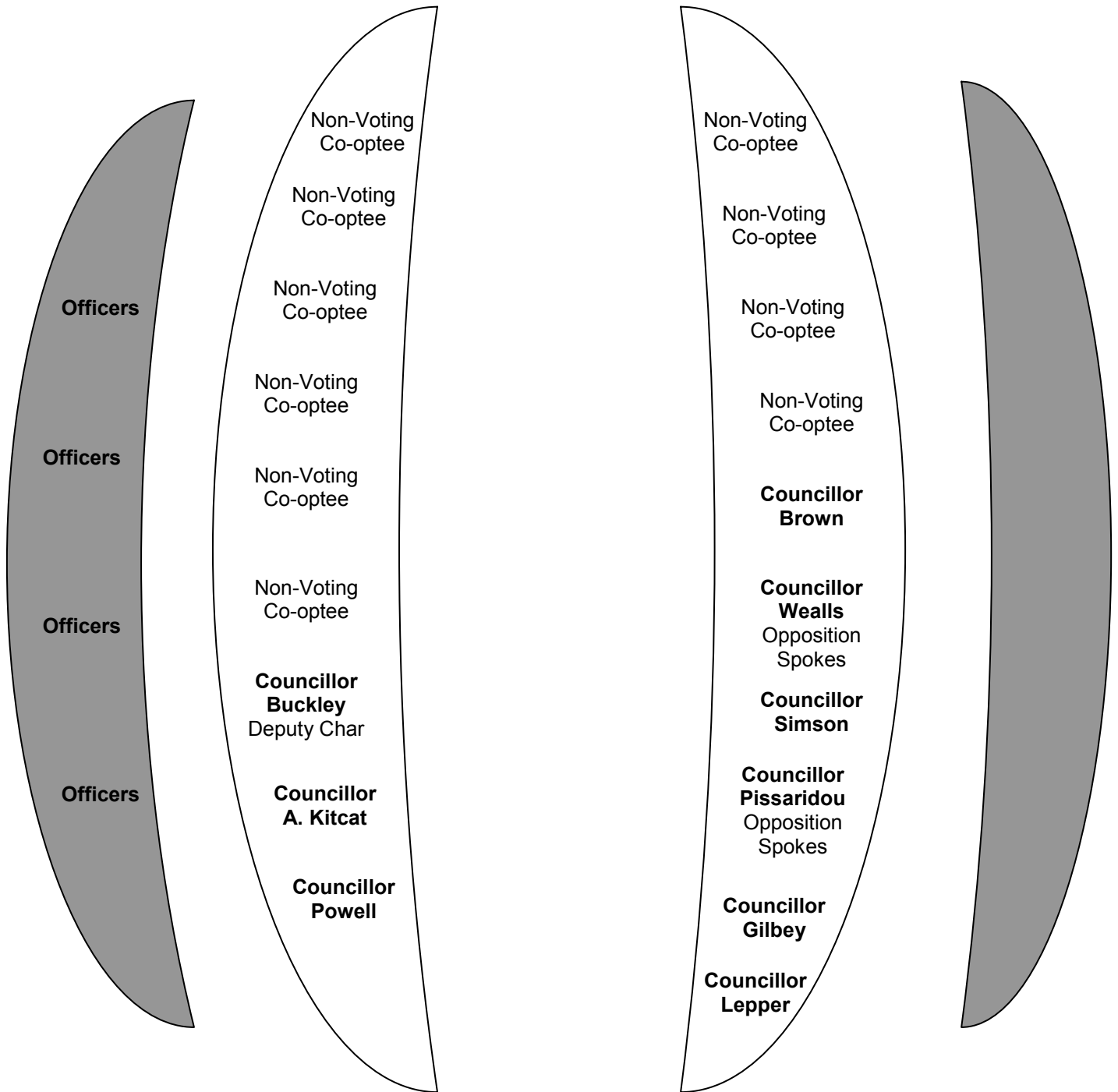
Brighton & Hove
City Council

Children & Young People Committee

Title:	Children & Young People Committee
Date:	11 March 2013
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: Shanks (Chair), Buckley (Deputy Chair), Wealls (Opposition Spokesperson), Pissaridou (Opposition Spokesperson), Brown, Gilbey, A Kitcat, Lepper, Powell and Simson
	Non-Voting Co-opted Members: Clinical Commissioning Group (1 clinical and 1 executive); Police Representative; Chair, Local Safeguarding Children Board; Chair, Learning Partnership; Youth Justice Board Representative; Parent Forum; Sussex NHS Community Health Trust; Youth Council (2); Community and Voluntary Sector; CAMHS
Contact:	Penny Jennings Democratic Services Officer 01273 291065 penny.jennings@brighton-hove.gov.uk
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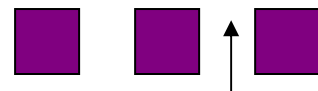
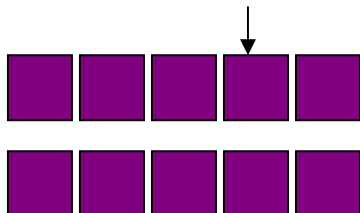
Democratic Services: Children & Young People Committee

Legal Officer	Councillor Shanks Chair	Strategic Director, People	Democratic Services Officer
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Presenting Officer & Public Speaker	Presenting Officer & Public Speaker
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Public Seating



Press

AGENDA

53. PROCEDURAL BUSINESS

(a) **Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) **Declarations of Interest:**

- (a) Disclosable pecuniary interests not registered on the register of interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

54. MINUTES

1 - 18

To consider the minutes of the meeting held on 14 January 2013 (copy attached).

55. CHAIR'S COMMUNICATIONS

CHILDREN & YOUNG PEOPLE COMMITTEE

56. CALL OVER

- (a) Items (59–64) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

57. PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 4 March 2013];
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 4 March 2013.

58. MEMBER INVOLVEMENT

To consider the following matters raised by Councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

59. EXPANDING THE PREMISES OF ALDRINGTON CHURCH OF ENGLAND SCHOOL – FINAL DECISION 19 - 24

Report of the Interim Director, Children's Services (copy attached)

Contact Officer: Gil Sweetenham *Tel:* 29-3474
Ward Affected: All Wards

60. YOUTH JUSTICE STRATEGY 2013-14 25 - 44

Report of the Interim Director, Children's Services (copy attached)

Contact Officer: Anna Gianfrancesco *Tel:* 29-3966
Ward Affected: All Wards

61. SECTION 75 AGREEMENTS CHILDREN'S SERVICES 45 - 58

Report of the Interim Director, Children's Services (copy attached)

Contact Officer: Alison Nuttall *Tel:* 29-3736
Ward Affected: All Wards

CHILDREN & YOUNG PEOPLE COMMITTEE

62. CAPITAL PROGRAMME 2013/14

Report of the Interim Director, Children's Services (to follow)

Contact Officer: Gil Sweetenham Tel: 29-3474

Ward Affected: All Wards

63. ADMISSIONS ARRANGEMENTS FOR BRIGHTON & HOVE SCHOOLS 2014/15

59 - 96

Report of the Interim Director, Children's Services (copy attached)
(Appendix 6 to follow)

Contact Officer: Gil Sweetenham Tel: 29-3474

Ward Affected: All Wards

64. SPECIAL EDUCATIONAL NEEDS ANNUAL REPORT 2011/2012

97 - 118

Report of the Interim Director, Children's Services (copy attached)

Contact Officer: Regan Delf Tel: 29-3504

Ward Affected: All Wards

65. ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the 28 March 2013 2012
Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

CHILDREN & YOUNG PEOPLE COMMITTEE

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For further details and general enquiries about this meeting contact Penny Jennings, (01273) 291065, email penny.jennings@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

Date of Publication - Friday, 1 March 2013

BRIGHTON & HOVE CITY COUNCIL

CHILDREN & YOUNG PEOPLE COMMITTEE

4.00pm 14 JANUARY 2013

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Shanks (Chair) Buckley (Deputy Chair), Wealls (Opposition Spokesperson), Pissaridou (Opposition Spokesperson), Brown, Gilbey, A Kitcat, Lepper, Powell and Simson

Non Voting Co-optees: Andrew Jeffery, Parent Forum, Rachel Travers, Amaze/Voluntary Sector Forum, Alan Bedford Local Safeguarding Children Forum; Geraldine Hoban, Clinical and Commissioning Group and Sue Bricknell, Sussex Community NHS Trust

PART ONE

39. PROCEDURAL BUSINESS

39(a) Declaration of Substitutes

39.1 There were none.

39(b) Declarations of Interest

39.2 Councillor Buckley stated that she had been advised that as a prospective parent of a child who might be attending Stanford Infant School in September 2013 that she should declare an interest in item 50. She had sought legal advice and it had been confirmed that this did not constitute a prejudicial interest, she would therefore remain present during consideration of this item. Councillors Powell and Wealls referred to the fact that they had a non-prejudicial interest in Item 45 by virtue of their involvement as Council appointees on SACRE.

39(c) Exclusion of Press and Public

39.3 In accordance with Section 100A of the Local Government Act 1972 ('the Act'), the Children and Young People Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there

would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I of the Act).

- 39.4 **RESOLVED** – That the press and public be not excluded during consideration of any item on the agenda.

40. MINUTES

- 40.1 **RESOLVED** - That the Chair be authorised to sign the minutes of the meeting held on 12 November 2012 as a correct record.

41. CHAIR'S COMMUNICATIONS

GCSE Examination Update

- 41.1 The Legal Adviser to the Committee provided an update in relation to the GCSE examination results. All of the re-sits had now taken place and the on-going legal challenge in concert with other local education authorities was continuing.

Ofsted Results

- 41.2 Councillor Pissaridou queried the recent reference made to the status of Brighton and Hove in the HMC1 report. The Lead Commissioner stated that she would look into this matter and clarify the position for Councillor Pissaridou .

42. CALL OVER

- 42.1 It was agreed that all items would be reserved for discussion with the exception of Item 45., "Annual Report of the Standing Advisory Council for Religious Education (SACRE) 2011/12".

43. PUBLIC INVOLVEMENT

43a Petitions

For Saltdean/Rottingdean Based Local Toddlers and Babies Support Groups for Mums/Carers

- 43.1 The Committee considered a report of the Interim Lead, Executive Services detailing a petition received and referred from Full Council. The Lead Petitioner was unable to attend in person however, their joint e and paper petition which was set out in the following terms was considered in their absence and it was agreed that the Chair's response would be set out in the minutes.

"Please sign below to support this petition against funding cuts to discontinue our much loved and used Toddlers and Babies Support Group at The Saltdean Children's Centre.

This is the second *funding cuts* to such local group, which means mums are expected to rely on travelling to groups in other areas of Brighton and Hove, where funding is still given. Also,

one voluntary Group at the Lido was closed (Sunday Kids café and play), and another (St Nick's Chicks) at St Nicholas Church is due to close due to higher fees needed to run and more voluntary staffing." (119 signatures)

43.2 The Chair responded in the following terms:

"The Children's Centre service includes both groups and home visits. In planning services the Children's Centre must ensure that the families with the highest level of need get the most support.

Due to the geography of the Deans the Children's Centre team based at Hazel Cottage in Woodingdean have offered groups from different venues across the area. The venues for the groups are The Deans Children's Centre at Ruddyard Kipling, Hazel Cottage in Woodingdean, Saltdean Children's Centre, Woodingdean Library and St Margaret's Hall in Rottingdean.

In 2011 there were two groups taking place in Rottingdean, a weekly Baby and You group and a Crawlers and Toddlers group running straight afterwards. In the autumn of 2011 a decision was made to stop the Crawlers and Toddlers group and extend the Baby and You group, to allow the team more time to offer sufficient home visits to families with the greatest level of need. As a result an increasing number of parents began to attend the group at Saltdean Children's Centre. Saltdean is a small Children's Centre and the group was set up as a closed group for families who had been assessed as having high level of need. In the summer when the parents attended the group they were able to expand into the garden. As the weather turned colder the venue was not big enough for the number of parents attending.

A proposal regarding the groups in the Deans area was discussed at the Deans Children's Centre Advisory Group meeting in October. The parents at the meeting accepted the need for the group to move to a larger venue. The original proposal for the Saltdean group was that the Parent Involvement Worker would encourage the development of an independent parent led group in the area including identifying possible premises, such as Saltdean Lido or the library.

Following this discussion the Children's Centre were made aware that the library in Woodingdean was closing for refurbishment. The Children's Centre has moved a Stay and Play group from the Woodingdean Library to the Rottingdean Library so that it can be accessed by both Rottingdean and Saltdean parents. This group started in January. The group at Saltdean will close at the end of March.

Finally I would like to encourage parents to get involved in volunteering for the Children's Centre and consider running groups themselves. There are parent led groups in other areas of the city. Parents have found running the groups

43.3 **RESOLVED** – That the contents of the petition and the Chair's Response to it be received and noted.

Proposed Stanford Infant School Expansion

- 43.4 The Committee considered a report of the Interim Lead, Executive Services detailing a joint petition and e petition received. The Lead Petitioner, Mrs Lewis presented their joint e and paper petition which was set out in the following terms:

Paper Petition

“We the undersigned, object to the council’s planned expansion of Stanford Infant School. We implore the council to conduct an open, honest and accessible consultation before any decision is taken”

(300 signatures)

E Petition

“We, the undersigned, object to the council’s planned expansion of Stanford Infant school. We implore the council to conduct an open, honest and accessible consultation before any decision is taken.

The proposal is to expand Stanford Infants to a four-form entry school, increasing yearly intake from 90 to 120 per year in September 2013. By 2015, the total number of pupils will rise from 270 to 360. No additional land will be purchased.

We oppose the current planned expansion because:

- any planned expansion of Stanford Infants must be supported by viable expansion plans for the Stanford Junior school. Otherwise, children will not be able to transfer with their cohort.
- communal hall space and outdoor play areas will be reduced.
- the nurturing and family feel of the school will be in jeopardy.
- expansion will have an adverse impact on traffic, environment and could compromise safety.
- it is possible that children will spend a significant part of their primary education on a building site with inevitable class disruption.
- outstanding performance could be impaired by the changes.
- access routes and parking spaces are already inadequate.
- expansion has an impact on the entire school community and the Junior school currently has no permanent head to lead through significant change.

We understand the school place issue in the city. However, we believe that the consultation process has failed to engage the community because:

- it is not clear or well-publicised – local residents have not been consulted.
- it is not accessible – online responses were invited too late in the process.
- it provides insufficient information. The consultation document and poorly-attended public meeting did not address any of the above concerns.

We are concerned about the impact of these measures on the quality of education, environment and experience for the city’s children. This proposal does not have the full support of our community. The council is required to give sufficient information for the community to engage. We would like the council to address our concerns, explore options and to work with our community to find a better solution.”

(350 signatures)

43.5 Mrs Lewis spoke in support of both petitions and the Chair welcomed her input. It was agreed that as there were a number of questions and a report appearing elsewhere on the agenda (Item 50) in respect of this matter, that the contents of the petition would be noted and received.

43.6 **RESOLVED** - That the content of the petition be received and noted.

43b Written Questions

43.7 Prior notification had been received of the questions set out below: The Chair responded to each question in turn, each of those asking the questions were permitted to ask one supplementary question if they so wished to which a response was given:

(1)“We assume that any planned expansion of Stanford Infant would have to be coupled with an expansion of Stanford Junior School; in order to avoid major problems as experienced by Balfour School in a related situation. Given that this issue is not mentioned in the current proposal; this has not been consulted on by relevant stakeholders; and the Junior School School site poses major restrictions due to its listed building status, limited playground space, protected air raid shelters and asbestos issues, what are the council’s plans with regard to an expansion of Stanford Junior?”

Meike Fechter

43.8 The Chair responded in the following terms:

“Should it be agreed that the proposal to expand Stanford Infant School goes ahead we will then consult on the expansion of Stanford Junior School for September 2016.

Officers have discussed the proposal to expand the Infant School and the implications for the Junior School with representatives from both Governing Bodies and are at present pursuing possible opportunities for additional space.”

(2a)“I cannot find examples of any other 3 form, let alone 4 form entry schools in the city with as little outdoor space as Stanford Infant school, and suggest this proposal will result in Stanford being the most overcrowded school within the Authority. Even if Stanford is not the smallest school, what actual research have officers and members done to satisfy themselves that the lack of outdoor space in expanded schools will not have a detrimental impact on schools or the children who attend them?”

Claire Donaldson

(2b)“As there is no new land in the proposal, is this not a 'contraction' rather than an 'expansion' since the intention is to squeeze 90 more children into an already capacity-constrained school which has staggered lunch times and extremely small school entrances and play-ground space?”

Andrew Staib

43.9 The Chair responded in the following terms:

“Officers have undertaken initial surveys at the Infant School and are confident that should the proposal go ahead the restructuring of the school buildings will ensure that education of pupils at the school will continue at the highest level.

At the Infant school the initial plan suggests an opportunity to increase the existing outside space.”

(3)“We understand that there is a backlog of £34m of repairs for schools across the City. Will funding that backlog take priority over building work to expand a school site?”

Adele Yaron

43.10 The Chair responded in the following terms:

“Repairs to School buildings are identified by a rolling programme of surveys carried out by NPS. Funding in recent years has only been sufficient to carry out the most urgently needed repairs thus leaving an increasing backlog. However funding to address repairs is allocated separately to the funding provided for new places”.

(4) “How is it possible to run the school applications process and this consultation concurrently? The deadline for school applications is 15 January. The final decision on any Stanford expansion is 11 March, with allocations to be notified on 19 April. Taking account of the Easter holiday, this leaves a maximum of 2 weeks for allocations to be checked and processed. Are members satisfied applicants have been treated fairly, and how can they assure us that school allocations are not already being made having pre-supposed the outcome of future decisions to be made by this Committee?”

Sophie Lewis

43.11 The Chair responded in the following terms:

“The Council identified the possibility of additional places being made available in the Admissions Booklet 2013. Members are satisfied that applicants are being treated fairly and confirm that allocations cannot be made to any new places until Committee confirms that proposals have.”

43c Deputations

43.12 There were none.

44. MEMBER INVOLVEMENT

44a. Petitions

44.1 There were none.

44b. Written Questions

44.2 There were none.

44c. Letters

44.3 There were none.

44d. Notices of Motion

44.4 There were none.

45. ANNUAL REPORT OF THE STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION (SACRE) 2011/12

45.1 This report was not subject to callover and therefore the report recommendations were agreed.

45.2 **RESOLVED** – That the Committee notes the content of the Annual Report of the SACRE.

46. PUBLIC HEALTH APPROACH TO PARENTING

46.1 The Committee considered a joint report of the Director of Public Health and the Interim Director of Children's Services detailing the proposed public health approach to parenting.

46.2 It was explained that evidence based parenting programmes had been proved to be effective in reducing adverse childhood experiences and behaviour problems. This approach had been instrumental in producing better outcomes for children, reduced mental health problems in parents, improved work performance and reduced sickness absence in working parents. Adverse childhood experiences had been linked to higher mortality rates in adults due to social and psychological factors such as violence, suicide, drugs and alcohol misuse. This scheme was targeted at all parents and participation was not seen as indicative of weakness or failure.

46.3 Two parents who had participated in the triple p scheme had been invited along and gave details from their own perspectives of how this had worked for them and the benefits which had resulted for them and for their families.

46.4 Councillor Wealls sought confirmation regarding the efforts that were taken to ensure that all parents would be given access to this. Lydie Lawrence explained that by rolling the scheme out this would make it more accessible to all parents.

46.5 Councillor Brown considered that the insight provided had been very informative and enquired regarding training given to staff in schools. In answer to further questions it was explained that training was given to parents who wished to train in order to train other parents, to attend repeat sessions and to progress through to Level 3 or ultimately Level 4.

- 46.6 Mrs Bricknell, Sussex Community Health Trust referred to the beneficial effects of this, which provided better outcomes for parents and families and ultimately resulted in significant savings too. The work between all partner agencies including training for health visitors would be ongoing.
- 46.7 Andrew Jeffery, Parent Forum referred to the fact that the input given by both parents who had spoken publicly regarding what this had meant for them was inspiring. Rachel Travers, Amaze concurred stating that it was important to be aware of this approach and the ability to direct parents to it.
- 46.8 Councillor Pissaridou welcomed this positive approach which she considered should be made available widely across the city.
- 46.9 Councillor A Kitcat stated that this work was impressive and uplifting.
- 46.10 **RESOLVED** – (1) That the Committee approve a joint public health and children’s services approach to the promotion of positive parenting. This will consist of:
- engagement with key partners and stakeholders;
 - a “Big Debate” that will help the local authority and partner agencies to ascertain the public’s views on impact of parenting in the community and support needed for parents;
 - a media parenting information campaign that will aim to get key messages and information about services to parents and professionals; and

(2) The Committee approve the development of an implementation strategy for a whole population public health approach to parenting, informed by the consultation process above. This would mean aiming to reach 60% of parents over a two year period, giving brief information and advice progressing to intensive support depending on need. It is estimated that about 10% of the population will benefit from intense services (e.g., an 8 week group).

47. CHILDREN'S SERVICES FEES AND CHARGES 2013/14

- 47.1 The Committee considered a report of the Interim Director of Children’s Services reviewing and seeking approval to the proposed Children’s Services fees and charges in accordance with corporate policy.
- 47.2 As part of the budget setting process Heads of Service were required to agree any changes to fees and charges through relevant Committee Meetings. The management of fees and charges was fundamental both to the financial performance of the City Council and also the achievement of the Council’s corporate priorities, in particular making better use of public money.
- 47.3 There were several distinct areas of fees and charges income for Children’s Services, some of which were approved by other bodies such as the Music Trust. The recommendations reflected the areas that needed approval and those which were for noting.

- 47.4 Councillor Brown referred to the outstanding provision by the music service and expressed concern that this could be compromised in the face of reduced funding. The Lead Commissioner, Schools, Skills and Learning stated this service was outstanding and that strong partnership arrangements were in place and it was not anticipated that there would be any reduction in the existing standard of provision in consequence of the changes in the way that funding was provided.
- 47.5 Councillor Pissaridou stated that she was disappointed to note that 100% subsidy was not available to those in receipt of welfare benefits, she was also concerned that the level of fees charges at Portslade Sports Centre had reached a tipping point. The Lead Commissioner, schools Skills and Learning explained stated that the levels of subsidy provided to targeted groups were assessed on an ongoing, a significant level of subsidy was provided however.
- 47.6 The Strategic Commissioner Planning and C ontracts explained that the fees and charges levied at Portslade Sports Centre were consistent with those charged elsewhere across the City.
- 47.7 In answer ti questions by Councillor Simson in relation to the fees charges at Council run nurseries it was explained that reviews of staffing structures were taking place in line with that being undertaken by other providers. Tarnerland School operated as a separate entity and set its own fees. In relation to the provision of free/subsidised provision all nurseries sought to maximise occupancy rates and confirmation of these criteria was awaited from central government. A sliding scale of assistance which would help some working families was expected to be in place by September 2014.
- 47.8 **RESOLVED** – (1) That the position on fees and charges in nurseries as detailed in section 3.3 of the report be agreed;
- (2) That the position on fees and charges for the Music and Arts Service as detailed in section 3.4 and Appendix 1 to the report be noted;
- (3) That the position on the charges for school meals as detailed in section 3.5 of the report be noted;
- (4) That the position on fees charged by the Portslade Aldridge Community Academy – Adult Learning in section 3.6 of the report be noted; and
- (5) That the position on fees charged by the Portslade Sports Centre in section 3.7 and Appendix 2 be noted.

48. SHORT QUALITY SCREEN OF YOUTH OFFENDING SERVICE

- 48.1 The Committee considered a report of the Interim the Director of Children’s Services detailing the outcome of the Short Quality Screening of the Youth Offending Service Inspection which had started in November 2012 with Brighton and Hove being the first YOS to be inspected in the Country.

- 48.2 It was noted that Inspection of Youth Offending work under the new arrangements identified by the Ministry of Justice in 2012 and consisted of the following four elements
- i. A full Joint Inspection Programme will be targeted at a number of Youth Offending Services (YOS) each year where performance gives particular cause for concern, together with some YOS where published performance is strong and worth sharing.
 - ii. A themed programme will undertake a focussed Inspection of specific aspects of work across a range of YOS.
 - iii. HMI Probation will contribute to the forthcoming (May 2013) Ofsted led Inspection of child protection arrangements.
 - iv. There will be a short screening programme targeted at about 20% of YOS each year focussing on the start of sentences.
- 48.3 The Chair, Councillor Shanks welcomed the improvements which had been effected over the last twelve months, which indicated that the service was on track, and showed how it would be delivered operationally in future.
- 48.4 Councillor Powell welcomed this follow up report and asked whether it would be possible to receive further update reports in future showing how areas identified were being addressed, perhaps by reference to anonymised case studies. It was confirmed that this could be done and that this could be timely following completion of the exercise currently underway to redesign the risk management procedures.
- 48.5 **RESOLVED** - That the Committee note the contents of the Youth Offending Service Inspection Report and note the Action Plan identified as a consequence of this inspection.

49. FAMILY GROUP CONFERENCE REVIEW PROPOSALS

- 49.1 The Committee considered a report of the Interim Director of Children's Services providing information and detailing options for the future delivery of Family Group Conferences for decision by the Committee.
- 49.2 It was noted that Family Group Conferences are an internationally recognised and evidence-based method of family based decision making for children and young people in crisis where a plan needs to be made for their welfare. They are now required under the Public Law Outline, the legal procedure to be followed when considering whether children should be brought into the care of the local authority.
- 49.3 In Brighton & Hove Family Group Conferences (FGC) had been provided by a specialist independent provider since October 2002. Family Group Conferences aim to divert children and young people from public care and maintain them within their families and communities. This is a key objective in improving outcomes for children and young people, and the Value for Money programme in Children's Services.
- 49.4 The Interim Head of Delivery, Children and Families stated that there were advantages and disadvantages in opting to tender for this service or to bring the service in house and these were set out in the report. The yearly rate of referral had been high with half the years allocation used within the first four months of the year. The current provider

had agreed to accept 105 referrals during 2012/13, this had indicated however that there was an issue with the current arrangements.

- 49.5 On the basis of cautious comparative cost indicators, the initial review had indicated that Brighton and Hove could provide a higher number of FCG s in house than provided for within the existing contract and would support the value for money prevention outcomes of stopping situations escalating, maintaining children safely with their families and communities and preventing children ending up in care.
- 49.6 Subsequently, the potential cost and outcome analysis had been shared with the current provider, who had offered to make management efficiencies to increase the number of proposals which could be taken and managed. This was not currently a contract proposal, but if it were to become one would need to be tested on the open market, it would deliver a lower unit cost than the one currently a in-house service. Advise of the Commissioning and Procurement teams had been that the current contract could not simply be extended again as it had been in place for 10 years and required significant updating. The choice was either to move to in house provision, which did not require a tender process or to develop a full re-tendering process. In consultation with the Strategic Commissioner, an estimate had been made of the costs of the tender process, including officer time which would be 10,500.
- 49.7 Councillor Simson sought clarification regarding the potential costs of the tender process and as to the potential number of providers. It was confirmed that there were between 5 - 10 providers in the south east region. The detailed costings document set out the various comparators, the costs would include the costs of drawing up a spec, advertising following consultation with focus groups.
- 49.8 Rachel Travers, Amaze stated that she was of the view that an independent provider was ultimately preferable as they were independent of the authority and could be viewed as "neutral" by families who might be less willing to deal with statutory agencies. The Interim Head of Delivery, Children and Families confirmed that if this service was placed in house it was intended that it would be delivered by the Friends and Families Team which would enable recipients to access a range of services whilst maintaining a degree of separation. A number of local authorities had this service provided by independent providers, it was important to maintain a vibrant voluntary sector and to protect jobs within that sector too.
- 49.9 The Chair, Councillor Shanks stated that ultimately this was a political decision. A decision had been taken by the Cabinet Member Meeting to explore whether or not the contract could be brought in house and the previous report and this follow up one indicated that as a viable option.
- 49.10 Councillor Simson stated that she considered that it would be preferable to tender as by doing so providers could provide details regarding the full range of services/number of cases they could take on within the spec drawn up.
- 49.11 Councillor Pissaridou stated that she was concerned that it was difficult to compare the pros and cons of providing an outsourced or in house service as it was difficult to compare them financially it was like comparing apples and pears. She considered

however, that the perceived independence of an external provider by service users was important. Councillor Gilbey and Wealls concurred in that view.

- 49.12 Councillor Powell enquired whether consideration would be given to Tupeing Day Break staff across if the service was brought in house. It was explained that if this service was tendered externally that would be an open process and Day Break might not provide the winning bid. If this work was brought in house, whether any staff would be Tupied over would depend on who was employed and their role, this would not be automatic but would need to be considered.
- 49.13 Councillor Buckley was of the view that there were benefits to both options, however, on balance she considered it was preferable for the service to be brought in house as this would enable the service to be streamlined and she considered that the independence of the service could be still be maintained in house.
- 49.14 A vote was taken and on a vote of 6 to 4 Members voted that the service should be retendered for.
- 49.15 **RESOLVED** – (1) That the Committee has considered the financial and comparative information between the current outsourced arrangement for Family Group Conferences, against the financial and comparative information on the provision of an in-house service, alongside demand and quality indicators, discussions with other services across the local authority, and further information from the current provider (set out in appendix 1 to the report); and
- (2) The Committee resolves to retender the service to external providers on the current financial allocation, with the Director of Children’s Services having delegated authority to determine the outcome of the tender; and
- (3) Once the decision of the Committee is known, a timetable be developed to ensure continuity of provision.

50. OPTIONS FOR PROVIDING ADDITIONAL SCHOOL PLACES IN 2013 AND 2014

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedural Rule 5 and Section 100b (4) of the Local Government Act 972 (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) are that the timeframe for the statutory consultation process did not expire until 4 January 2013 which was after the report deadline.

- 50.1 The Committee considered a report of the Interim Director of Children’s Services setting out the options for providing additional school places in September 2013.
- 50.2 The Strategic Commissioner, Planning and Contracts stated that current and projected pupil numbers indicated that there was an immediate and ongoing need for additional school places in the city as a whole and that the need was most acute in the west of the city. To meet the projected future growth in primary pupil numbers the authority should be looking to provide a minimum of 120 places in Hove, and a further 30 places in the south of Brighton by 2014.

- 50.3 The Committee had agreed at its meeting on 15 October 2012 on the preferred option for providing an additional two forms of entry that were needed by September 2013. The purpose of this report was to advise of the outcome of the initial consultation undertaken in November and December 2012 and to seek the Committees' endorsement to proceeding with the publication of the necessary statutory notices. Representations received up to and including 7 January 2013 had been taken into account in preparing the report. Additionally, detailed background documents detailing the consultation process and detailed responses received had been lodged in the Members Rooms.
- 50.4 The Legal Adviser to the Committee explained that the Committee were not being asked to make a decision on the expansion of the schools in question, they were only being asked to agree to the process proceeding with to the next stage of formal consultation via the publication of statutory notices. This was a statutory requirement and statutory notices had to be published on set timescales before any final decision could be taken on whether the expansion could go ahead. In this case the decision to expand could not be taken by this Committee, as this issue was reserved to full Council. If the committee agreed to proceed with the recommendation the matter would be referred to full Council for a decision on the proposed extension, after the publication of the notices on the date set out in the report.
- 50.5 The Chair, Councillor Shanks referred to the notification (immediately prior to the meeting) of a proposed Joint Labour and Co-operative Group and Conservative Group amendment, late advice of the amendment was very disappointing in view of the fact that cross party briefing sessions had taken place in order address any queries and concerns. Copies of the amendment were made available to all members of the Committee and the Chair confirmed that it would be considered during debate.

The Joint Labour and Cooperative Group and Conservative amendment (to recommendations in the circulated report) read as follows:

Proposer – Councillor Pissaridou
Seconder – Councillor Wealls

(1) Paragraph 2.1 That the Children and Young People Committee endorses the preferred option of expanding Aldrington Church of England Primary School by one form of entry from September 2013;

(2) Paragraph 2.2 That the Children and Young People Committee agree to the publication of the required statutory notice to progress this proposal;

(3) Paragraph 2.3 That the Children and Young People Committee recognizes the concerns of the Board of Governors of Stanford Community Infant School as expressed in their response to the consultation and the Council commits to working with them to address these concerns; and

(4) Paragraph 2.4 The Children and Young People Committee does not agree the expansion of Stanford Infant School unless/ until the Ministry of Defence agrees to release/ sell an appropriate amount of adjacent land to allow adequate outdoor space for children attending that school and the satisfactory resolution of the other concerns referred to in 2.3.

- 50.6 The Legal Adviser to the Committee confirmed in the interests of clarity, that should the proposed amendment be agreed, the consequence of it would be, that only those proposals relating to the expansion of Aldrington Church of England Primary School by one form of entry would go forward for approval by Council and the number of additional school places being sought would not be achieved by September 2013. The powers of the local education authority were not such that it could address any demand for additional places by building a new school.
- 50.6 In answer to questions, the Head of Capital Strategy explained that there were insufficient school places in those areas of the city where there was greatest pressure, the main reason for putting forward the proposal in respect of Stanford Infant School was in response to the need for additional places in that locality. Although there was considerable opposition to the proposal, there had also been a comparable level of expressions of support. There was an acute need for local places in that part of the city and that needed to be balanced against any other considerations. Without the additional places this proposal would provide it was highly likely that parents would have to travel some considerable distance across the city in order to access school places for their very young children. A number of children were likely to need to journey to Coombe Road Primary School or West Blatchington Primary School as the closest schools where there would be spaces. If the recommendations in the officers report were agreed the proposed building works could proceed at the same time as the statutory process and would provide greater clarity for those who had expressed concerns. Discussions which had taken place with the Roman Catholic Diocese (its own admission authority) into the possibility of it creating additional places had not been successful to date, indeed, the diocese had indicated that it was unwilling to do so.
- 50.7 Councillor Lepper referred to difficulties which had arisen in the past at a time when the admission number at Balfour Infant School had been greater by one class intake than that for the then junior school. This had led to a number of pupils not being able to transfer from the infant school to the junior school, she had always understood that measures would be taken in order to avoid this happening in future and asked therefore whether/what arrangements had been put into place to expand Stanford Junior School should the proposal to expand the infant school be agreed. It was explained that discussions would be carried out formally once agreement had been obtained to proceed to the next stage, publication of the statutory notices. Councillor Lepper considered that such discussions should have reached a more advanced stage in tandem with the proposals for the infant school.

Discussion, Debate and Decision Making Process

- 50.8 Councillor Pissaridou stated that she whilst she had sympathy for parents who might need to travel to access their nearest school having had the opportunity to visit Stanford Infant School the previous week, she considered that it was untenable to create additional places there at the present time taking into consideration the size and configuration of the existing site. She did not consider that expansion on this site was an option until/unless the Ministry of Defence who owned land next to the school could be persuaded to release that land. The existing outside space was inadequate in her view.

- 50.9 Councillor Pissaridou further stated that an overcrowded school with an overcrowded playground was not in the interests of any child. Parents of children already attending the school and the governors had significant and in her view valid concerns in this respect, supported by the large number of signatories to the one of the petitions; these concerns should be headed. Although she had been advised that signatories to the petition in support of expansion of the school also appeared to live locally, Councillor Pissaridou considered having visited the school that a compelling case not to expand at the present time had been made.
- 50.10 Rachel Travers, Amaze stated that her children who attended Goldstone Primary School had staggered lunchtimes, this could result in very young children having insufficient time to eat their lunch, lack of playground amenity space was also a problem. When she had referred to this issue at an earlier meeting of the Committee she had been advised that there was no requirement as to the minimum amount of outdoor space which should be made available. She considered it might be helpful if this could be confirmed. The Strategic Commissioner, Planning and Contracts confirmed that this was the case and that this was not specified by the DfE.
- 50.11 Andrew Jeffery, Parent Forum stated that all parents wanted what they perceived to be in the best interests of their children. Clearly parents of children already attending the school had major concerns regarding the pressures on space and potential safety issues which would result if additional pupils were admitted, the school governors had also expressed similar concerns.
- 50.12 Councillors Gilbey and Lepper concurred with Councillor Pissaridou stating that other options should have been investigated, for instance the setting up of free schools/academies. Negotiations and investigations into all options should continue. The Strategic Commissioner, Planning and Contracts confirmed that on-going negotiations would continue to take place with all interested parties in any event.
- 50.13 Councillor Gilbey stated that as lunchtimes/playtimes etc were already staggered to bring more children into an already cramped space was unacceptable. Even if you created more space by extending the existing buildings upwards you would not be able to extend the existing playground which would then need to accommodate 30 further children.
- 50.14 Councillor Buckley echoed the Chair's expression of disappointment considering that children's education was being used as a political football. The necessity for creating additional places and rationale for the proposals before the Committee that day had been clearly set out. Councillor Powell concurred in that view.
- 50.15 Councillor Wealls stated that he had wrestled with this issue following his visit to Stanford Infant School the previous week, the amendments had been put forward immediately prior to Committee following discussions in order to try to seek a way forward. Notwithstanding that he entirely understood the need to provide additional school places and the potential implications if they were not, he did not consider that extending Stanford Infant School at the present time represented a viable option. He considered that the consultation process had been rushed and had in consequence been confused and confusing.

- 50.16 Councillor Wealls further stated, that, if the adjacent Ministry of Defence land could be made available then, expansion of Stanford Infant School could be considered for 2014. On balance Members of the Committee putting forward the amendment had considered it necessary to reject the expansion proposals as they stood, rather than to agree them in principle because to do so, would in their view result in uncertainty; discussions needed to continue to resolve the outstanding issues.
- 50.17 Councillor Simson referred to the proposed expansion of Aldrington Church of England Primary School by one form of entry (30 pupils per year), about which the Committee appeared to be in agreement. She enquired whether it would be possible to ensure that the majority of places would be made available to local children. The Strategic Commissioner, Planning and Contracts explained that the school could not be compelled to do this as the diocese acted as its own admission authority and applied its own admission criteria. However, the parish boundary and local catchment area were broadly aligned and increased numbers of local children who met those admission criteria and took up places at Aldrington would ease the pressure on places at other schools in that locality.
- 50.18 Councillor Simson also referred to Cottesmore St Mary's Roman Catholic School which was located in relatively close proximity to Stanford Infant School. Notwithstanding the stance currently being taken by the Catholic Diocese she enquired whether negotiations were continuing to see whether it could be persuaded to create some additional places at that school. It was confirmed that discussions would be ongoing.
- 50.19 The Chair, Councillor Shanks re-iterated her concerns in respect of the proposed amendment, which if approved would result in insufficient additional school places being created where they were needed in the city by September 2013. This would result in a lot of parents having to make convoluted cross city travel arrangements (perhaps two bus journeys in each direction) to take and collect very young children to/from school, it was also probable there would be a consequential increase in the number of infant school (4+) appeals. If the proposals had been permitted to proceed to the second stage of the statutory process as recommended in the report, there would have been the opportunity for all current concerns to be fully addressed and resolved.
- 50.20 The Committee voted on the recommendations set out in the circulated report, which were lost on a vote of 6 to 4.
- 50.21 The Committee then proceeded to vote on the joint Labour and Cooperative Group and Conservative amendment proposed by Councillor Pissaridou and seconded by Councillor Wealls. On a vote of 10-0 resolutions 1 and 2 set out below were agreed. Resolutions 3 and 4 were agreed on a vote of 6 to 4. The wording of the amendment which was agreed in its totality is set in Paragraphs 50.22 and 50.23 below. It was noted that the consequence of agreeing these recommendations was that only resolutions (1) and (2) relating to Aldrington Church of England Primary School could be referred to Council for approval to the next stage which would enable the required statutory notice to be published in order to progress that proposal.
- 50.22 **RESOLVED TO RECOMMEND TO COUNCIL – (1)** That the Children and Young People Committee endorses the preferred option of expanding Aldrington Church of England Primary School by one form of entry from September 2013;

(2) That the Children and Young People Committee agree to the publication of the required statutory notice to progress this proposal;

50.23 **THE COMMITTEE FURTHER RESOLVED THAT** - (3) That the Children and Young People Committee recognizes the concerns of the Board of governors of Stanford Community Infant School as expressed in their response to the consultation and the Council commits to working with them to address these concerns; and

(4) The Children and Young People Committee does not agree the expansion of Stanford Infant School unless/until the Ministry of Defence agrees to release/sell an appropriate amount of adjacent land to allow adequate outdoor space for children attending that school, and the satisfactory resolution of the other concerns referred to in (3) above.

Note 1: Councillors Shanks (Chair), Buckley, A Kitcat and Powell voted against Resolutions 3 and 4 as set out above. These resolutions were however agreed on a vote of 6 to 4.

Note 2: Councillor Buckley referred to the fact that she had been challenged as to whether as a potential future parent of a child at Stanford Infant school it was appropriate to speak and vote on this issue. She was given unequivocal legal advice that this did not constitute a prejudicial interest and she therefore remained present at the meeting during consideration and determination of this item.

51. REVIEW OF THE SECONDARY ADMISSIONS PROCESS FOR 2014/15

51.1 The Committee considered a report of the Interim Director of Children's Services in relation to the work of the cross party working group which had been set up in 2011 to look at the availability of school places. In June 2012 the remit of that group had been expanded to review the secondary schools admissions policy and relevant catchment areas.

51.2 The report detailed the results of this review and the Strategic Commissioner, Planning and Contracts confirmed that stated that no changes were recommended to the present catchment areas for the academic year 2014/2015.

51.3 Councillor Gilbey stated that as a member of the Cross Party Working Group she had been notified of dates of future meetings, these had been scheduled on a six weekly basis rather than termly, in her view this was preferable. The Strategic Commissioner, Planning and Contracts confirmed that it had been agreed that meetings would be held six weekly in future.

51.4 **RESOLVED** – That the Committee notes the summary details of the Review into the Secondary School Admissions process for Brighton & Hove and its particular focus on the delineation of catchment areas;

(2) That the Committee agrees that no changes will be made to the existing Secondary Catchment areas for the academic year 2014/15;

(3) That the Committee agrees that the cross party working group will continue to meet on a six weekly basis to monitor the impact of national and local changes related to Secondary Admissions. This will include the creation of new academies or free schools;

(4) That the Committee agrees that the cross party working group will reform its stakeholder group as and when needed to consider proposals for any change beyond 2014/15;

(5) That the Committee notes that the Admissions Team will review its annual publications in the light of concerns over the "equal preference" system and the continuing mis understanding regarding parental "choice".

52. ITEMS REFERRED FOR COUNCIL

52.1 There were none.

The meeting concluded at 7.10pm

Signed

Chair

Dated this

day of

Subject:	Expanding the premises of Aldrington Church of England School – Final Decision		
Date of Meeting:	11th March 2013 Full Council 28th March 2013		
Report of:	Interim Director, Children's Services		
Contact Officer:	Name:	Gil Sweetenham	Tel: 29-3433
	Email:	Gil.sweetenham@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Current and projected pupil numbers for the city show there is an immediate and ongoing need for additional school places in the city as a whole. This need is most acute in the west of the city.
- 1.2 The Children and Young People Committee agreed at its meeting on 14th January 2013 on the preferred option for providing an additional form of entry for September 2013 at Aldrington CE Primary School and to publish the required statutory notice.
- 1.3 The purpose of this report is to report the representations and objections received during the period of the statutory notice period and to seek the Children and Young People Committee endorsement to the proposal.

2. RECOMMENDATIONS:

- 2.1 That the Children and Young People Committee endorse the decision to proceed with the proposal subject to securing planning consent necessary for the extension by 31st August 2013
- 2.2 That the Children and Young People Committee recommend that on 28th March 2013 Council confirms the statutory notice and resolves to expand the premises of Aldrington Voluntary Aided Church of England Primary School from September 2013 subject to securing the necessary planning consent by 31st August 2013.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Primary pupil numbers across the city are rising generally and the rise in south central Hove is greater than the city generally. This has already caused pressure on school places that could not be met locally. This prompted the introduction of 6 primary 'bulge' classes for September 2012.

- 3.2 At its meeting on 14th January 2013 the Children and Young People Committee agreed to publishing the statutory notice required to progress the proposal for providing an additional form of entry at Aldrington CE Primary School.
- 3.4 Owing to changes in the Council's constitution all decisions regarding proposed changes to the Council's school admission arrangements currently need to be determined by full Council. This means the final decision regarding enlargement of premises of Aldrington Voluntary Aided Church of England Primary School will need to be taken by full Council on 28th March 2013.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Consultation on enlargement of premises of community schools must follow the processes set out in section 19 (1) of the Education and Inspections Act 2006 (EIA 2006). The Act provides that before publishing any proposals to change the age range of a community school, the Council must have consulted 'such persons as appear to them to be appropriate'. This consultation was carried out between November 2012 and January 2013.
- 4.2 On 14th January 2013 the Children and Young People Committee authorised the Director of Children's Services to proceed to publish the required statutory notice for the enlargement of Aldrington Voluntary Aided Church of England Primary School. The subsequent representation period of four weeks was the final opportunity for interested people and organisations to express their views on the proposals.
- 4.3 Statutory notices were published in the local newspaper on 25th January 2013. In addition Notices were displayed at the entrances to the schools and at other places used by the community (details of locations are in the full proposal information in the Members rooms). The statutory notice stated how the full proposal information on the proposal could be obtained.
- 4.4 The Statutory Notices form part of the full proposals. Copies of the full proposals were sent to the Anglican and Catholic diocese, the governing body of the school, ward members, the Children and Young People Committee, the Member of Parliament and the Department for Education (DfE). Copies of the complete proposal have to be made available to anyone who requests a copy during the publication period. A copy of the full proposal information is in the members Rooms.
- 4.5 The closing date for receipt of representations or objections was 22nd February 2013.
- 4.6 During the statutory notice period there were no requests received for the full proposal information
- 4.7 During the statutory notice period there were no objections received to the proposal.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Capital costs arising from the proposal will be met from within the Education Capital Programme which includes funding for additional pupil places and maintenance. In addition to this the council has received additional funding for additional pupil places in the current financial year.

5.1.2 The revenue costs of funding the additional forms of entry will be met from the Dedicated Schools Grant (DSG) in 2013/14 onwards.

Finance Officer Consulted: Rob Allen

Date: 07/02/13

Legal Implications:

5.2 Statutory notices were published on 25th January 2012 in accordance with Section 19(1) and 19(3) of the Education and Inspections Act 2006 and the accompanying School Organisation Regulations (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 as amended in respect of the proposals to enlarge the premises of Aldrington Church of England Primary School. Following publication there followed a statutory four week period for representations to be made. The closing date for receipt of representations or objections was 22nd February 2013.

5.2.1 At the end of this representation period a decision on the proposals will need to be taken within 2 months.

5.2.2 The Education and Inspections Act 2006 sets out who decides proposals for any alterations to schools. In the case of these proposals the decision is to be taken by the LA with some rights of appeal to the schools adjudicator. Full Council will act as the Decision Maker for the Local Authority on these proposals.

5.2.3 Guidance published by the Department for Education ((i)Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form and (ii) Making Changes to a Maintained Mainstream School) provide that there are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals;

a) Is any information missing? If so, the Decision Maker should write immediately to the proposer/promoter specifying a date by which the information must be provided.

b) Does the published notice comply with statutory requirements? The Decision Maker should consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements it may be judged invalid and the Decision Maker should consider whether they can decide the proposals.

c) Has the statutory consultation been carried out prior to the publication of the notice? Details of the consultation should be included in the proposals. The Decision Maker should be satisfied that the consultation meets statutory requirements. If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the

points raised. If the requirements have not yet been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

- d) Are the proposals linked or related to other published proposals? Regulation provides that where proposals are related they must be considered together. Paragraphs 4.11- 4.14 provide statutory guidance on whether proposals should be regarded as “related.

5.2.4 In considering proposals for the expansion of a school, the Decision Maker can decide to:

- reject the proposals
- approve the proposals
- approve the proposals with a modification
- approve the proposals subject to them meeting a specific condition

5.2.5 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations. In this instance it is recommended that the approval is given on condition that planning consent is granted for the proposed extension by 31st August 2013.

5.2.6 All decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision. Section 7 of this report gives the reasons for the decision based on the legislative framework within which the decision must be decided.

Lawyer Consulted: Serena Kynaston

Date: 01 02 2013

Equalities Implications:

5.3 Planning and provision of school places is conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of best practice as described in the Admission Code of Practice.

Sustainability Implications:

5.4 All new extensions to Brighton and Hove Schools utilise, where ever possible, environmental and sustainable principles such as higher than minimum insulation levels, the use of efficient gas condensing boilers, under floor heating, solar shading and natural ventilation. Materials are sourced from sustainable sources where ever possible.

Crime & Disorder Implications:

5.5 Throughout the development of the proposals consultation will be undertaken with community groups and the Community Safety team and police liaison officers. It is anticipated that by including the community in the development and use of the facilities at the schools that crime and disorder in the local area will be

reduced. This will be further improved by offering extended use of the facilities to the community outside of the school day.

Risk and Opportunity Management Implications:

- 5.6 It is important that this opportunity is taken to ensure the future provision of learning and teaching, and continuing improvement in standards of education in the city.

Public Health Implications:

- 5.7 There are no public health implications arising from this report.

Corporate / Citywide Implications:

- 5.8 These proposals are an essential element in providing additional local school places for children.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 A paper to the Children and Young People Committee in October 2012 presented the full range of options available to address the need for future places in the city. The proposal within this report is part of the preferred option for addressing this need

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The Council has a statutory duty to provide a school place for any child that wants one. Current and projected pupil numbers for the city as a whole show there is an immediate and ongoing need for additional school places in the city.
- 7.2 It is recommended that the proposals to expand the premises of Aldrington CE Primary School are approved subject to securing the necessary planning consent as this will provide an additional form of entry for primary age children in Hove. .
- 7.3 The Council believes the advantages of the creation of all through primary schools are as follows:
- Greater continuity in teaching, pupil care and development under a single head teacher and teaching staff. It is very important to ensure continuity in planning the curriculum across the stages of education so that pupils make the best possible progress in learning.
 - The school could offer a greater range of teaching skills, including the opportunity to appoint curriculum co-ordinators with the time to oversee the effective teaching of individual subjects across the whole 4–11 age range.
 - Greater flexibility that a 4–11 school has in organising classes, deploying teachers and support staff and using resources, including buildings, more effectively.

- Closer contact with parents over a longer period of time and covering the full span of the children's primary education.
- Practical advantages to parents' e.g. same staff development days, the same school policies relating to home links, uniform, codes of conduct etc.
- Transfer to a different school environment after three years or less of schooling might be seen as an unnecessary disruption to pupil's sense of security and well being. A positive feature of 4–11 schools is the social interaction between younger and older pupils.

7.4 The initial public consultation on options for in respect of this proposal showed that the majority of parents and carers of children at the current schools were happy with the proposal. A few parents and carers were unhappy with the proposal. Subsequent consultation has shown that the number of parents and carers who do not support the proposals has further diminished.

7.5 The schools currently provide a range of extended services to the school community; this situation will not change as a result of these proposals.

7.6 The schools are covered by the admissions arrangements which strives to provide truly local schools which serves its most immediate community and assists in the aspirations of the Local Authority in terms of green travel arrangements.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. Full Proposal information for each school
2. Department for Education guidance document Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form

Background Documents

1. None

CHILDREN & YOUNG PEOPLE COMMITTEE

Agenda Item 60

Brighton & Hove City Council

Subject:	Youth Justice Strategy 2013-14		
Date of Meeting:	11 March 2013		
Report of:	Interim Director of Children's Services		
Contact Officer:	Name:	Anna Gianfrancesco	Tel: 29-6169
	Email:	Anna.Gianfrancesco@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE.

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Since 2000 there has been a requirement in the Crime and Disorder Act 1998 for Youth Offending Services (YOS) and their partnerships, to produce a Youth Justice Strategy, setting out how YOS will be resourced in a local area and the services which will be available in relation to the statutory primary aim of YOS to prevent youth offending in the area.
- 1.2 This plan is produced by the YOS manager and overseen by the partnership board which includes representatives of the Safer in the City Partnership, the wider Council, statutory and voluntary services.

2. RECOMMENDATIONS:

- 2.1 That the Youth Justice Strategy given in appendix 1 is agreed.
- 2.2 That the Children and Young People's Committee authorise the interim Director to proceed with the Youth Justice Strategy 2013-14.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS

- 3.1 The Youth Offending service over the last year has been through a period of change; a full restructure of the service has been undertaken and a new service structure will be in place on 1st April 2013, designed to focus on the core purpose of the service, and taking into account current performance and feedback from inspections. The strategy sets out the new delivery model and the partnership working that will be developed from this.

- 3.2 A full Joint Strategic Need Assessment was undertaken on youth offending across the city in 2012; this fed into a stakeholder event which included partners from across statutory and voluntary sectors. The service and delivery of interventions to young offenders across the city was scrutinised and as a result priority areas were identified for the city in order to address prevention of youth offending and focused support programmes to prevent reoffending.
- 3.3 This priority area included the development of a more robust restorative justice programme across the city, greater intelligence sharing between the police and YOS, stronger links between YOS and probation, multi agency planning and working to address and reduce repeat offending within the city. These requirements have been incorporated into the new YOS structure and model of working.
- 3.4 The Youth Offending Service over the last two years has been inspected twice by HMI Probation and undertaken a peer review, the most recent inspection being in October 2012. The youth justice strategy and plan have been developed to incorporate the findings from these inspections, with the aim being to develop a more robust, outcome focused services that will see a reduction in youth offending and increase in the management of risk and safeguarding of young people.
- 3.5 The implementation of the strategy and delivery of the plan will be monitored by the YOS partnership board on a quarterly basis. The YOS partnership board is made up of council, strategic and voluntary sector partners and is accountable to the Safe in the City Partnership Board and chaired by the Director of Children's Services.
- 3.6 The YOS restructure has also been considered by Children and Young People's scrutiny and it is planned that the outcome of the restructure will be looked at again in May by scrutiny and then yearly for the next three years to ensure the service is delivering on its outcomes and national performance indicators.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Young offenders, their families and victims are actively engaged by the YOS to provide feedback on the services. As part of the restructure process young people were involved, providing feedback as to what would help them reduce their offending and improve positive working models in the YOS. This has been incorporated in the restructure and young people have been involved in training for YOS staff.
- 4.2 Internal and external partners and agency have been consulted on this paper through the Youth Justice Strategy Group and the Safe in the City Partnership

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no financial implications as a direct result of this report

Finance Officer Consulted: Name David Ellis

Date: 21/02/13

Legal Implications:

- 5.2 Under the Crime and Disorder Act 1998 the Local Authority are required to produce a Youth Justice Strategy on an annual basis. This report and attached strategy fulfil the council's compliance with this legislation.

Lawyer Consulted:

Name Natasha Watson

Date: 21/02/13

Equalities Implications:

- 5.3.1 An equalities impact assessment was carried out on the restructure.
- 5.3.2 An underlying principle of the YJ Strategy is that it focuses on the vulnerable and excluded young people, a further EIA will be undertaken in 2013.

Crime & Disorder Implications:

- 5.5 This Plan is about reducing and managing crime and reoffending among young people across the city, building links and working relationships across the Community Safety Partnership and developing wider indicators and outcomes around crime and reoffending.

Risk and Opportunity Management Implications:

- 5.5 An improved Youth Offending Service will ensure that young people are supported to address their behaviour at an early stage, and will reduce reoffending, and the impact this has on the community.
- 5.6 The YOS services is developing a new risk management protocol with multi agency partners to ensure a joined up approach to the management of young people and the risk for their offending to the community.

Public Health Implications:

- 5.6 This plan will support the enabling of improved health and well being and life opportunities to young offenders to be maximised

Corporate / Citywide Implications:

- 5.7 The effectiveness of work undertaken by the YOS has implications on levels of crime committed in the City.

5.8 The Youth Justice Strategic Plan is a partnership document. It is owned by, YOS management board who reports to the Safe and the City Partnership Therefore, progress reports have implications for all public sector partners in the city.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 There are no alternative options

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 To meet the council's statutory requirements to produce a Youth Justice Strategy.

SUPPORTING DOCUMENTATION

Appendices:

1. Youth Justice Strategy 2013-14

Documents in Members' Rooms

1. none

2.

Background Documents

1. None

Brighton and Hove Youth Offending Service

Youth Justice Strategy 2013/14



**Brighton & Hove
City Council**

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1. VISION AND VALUES STATEMENT

Our Mission is to work in partnership to prevent and reduce offending, reduce the use of custody and improve the outcomes of young people by working proactively with them and their families and carers.

The vision of Brighton & Hove Youth Offending Service is to create a reflective and efficient culture that continuously responds to lessons learnt by improving and achieving high performance.

We aim to do this by managing risk and safeguarding vulnerable young people in the Criminal Justice System or at risk of entering it, irrespective of gender, sexuality, religion or ethnicity.

We will work collaboratively and creatively with them to stop, or prevent their offending and support them to realise their full potential and achieve positive outcomes for themselves. We will also support victims of youth offending and increase restorative justice measures.

We will work in collaboration with the Safe and the City partnership to ensure that the Youth Justice Strategic plan and Action Plan feed into the wider plans for the city.

2. BRIGHTON & HOVE YOS PRIORITIES FOR THE NEXT 12 MONTHS:

- 1) Improve service impact, particularly in reducing re-offending, by consolidating the internal changes made following the restructure of the service, and support staff through forthcoming developments.
- 2) Ensure recommendations of the SQS inspection are addressed through the action plan, promoting an integrated service that is cohesive and knowledgeable across all areas.
- 3) Encourage a collaborative and inclusive approach to working with partners to maximise the impact and efficiency of the service, and encourage the positive aspirations of young people, including engagement in education, employment or training.
- 4) Restorative justice provides opportunities for those directly affected by an offence, (the victim, offender and members of the community) to communicate and agreed how to deal with the offence and its consequences. The YOS will aim to develop a new model of Restorative Justice, with a policy to guide it, and robust processes to support it. Ensuring that Restorative Justice and the needs of victims underpin all services delivered.

- 5) Respond to the Munro Review of Child Protection by focussing on a greater emphasis in the quality of interventions and measuring the success of these in positive outcomes. To support this we will develop reflective practice that is person centred, and gives practitioners the opportunity to learn, and improve practice.
- 6) Ensure that the participation and feedback of young people is facilitated and encouraged so it helps shape future service delivery.
- 7) Develop Quality Assurance processes that ensure comprehensive management oversight to improve service outcomes and ensure the effective management of risk.

3. SHORT QUALITY SCREENING (SQS) INSPECTION OF YOUTH OFFENDING WORK IN BRIGHTON & HOVE 2012

The Inspection identified the following shortcomings as the most significant areas for improvement. The section of the plan where each area for improvement will be addressed is identified alongside it.

- The assessment of risk of harm to others did not include sufficient detail and analysis. (Assessment, planning, intervention and supervision)
- The planning of community sentences to address the risk of harm to others, did not outline specific details of how the risk would be managed to prevent harm to others by the young person or child. (Managing risk of harm to others)
- Reviews of assessments and plans were not sufficient or regular. (Assessment planning, intervention and supervision)
- Insufficient attention to victims during assessment and sentence planning. (Overarching priorities for the next 12 months)
- Insufficient management oversight, including supervision. (Overarching priorities for the next 12 months)
- Insufficient quality assurance arrangements. (Overarching priorities for the next 12 months)

4. RESOURCING and VALUE FOR MONEY

Partnership contributions are not yet currently known for 13/14.

Below is the budget for 12/13 and expected reductions or increases.

Contributing organisation (12/13)	Amount	Expected reduction or increase	Reduction amount
YJB	406,987	-8.8%	35,815
Police Authority (PCC)	22,299	Stay same	
Police	18,368	-5%	918
Probation	12,000	-5%	600
Community safety	34,900	-20%	6980
Positive Future (prevention groups)	38,250	Unclear on this future funding pot	Included in lower estimate
EIG –Prevention	91,060	Stay same	
BHCC	734,982	Stay same	
Total budget (YOS and Prevention)	1,358,846		
Projected budget for 13-14			1,314,533-1,276,283

The YOS has over the last few years experienced budget cuts that it has absorbed into the non staffing costs or through the reduction of vacant posts. The restructure of the YOS has enabled the service redesign to incorporate prevention services into the YOS, thus producing value for money savings with a rationalisation of a management posts.

Through the restructure and redesign of the service, the development of new job descriptions, which have brought about a wider range of grading across the service and an overall net reduction of senior grades, the service will save around £100,000. The majority of these saving will come about as people leave or at the end of the 3 year protected pay period.

Through the development of a more robust multi agency risk management process which will include both statutory and prevention cases it is envisaged that partnership resources will be targeted at those young people presenting greatest risk, with clear multi agency plans being put in place. This should ensure that appropriate levels of resources are being put around young people and their families, who are at risk of or are offending.

5. STRUCTURES AND GOVERNANCE

The Management Board is the strategic partnership body within Brighton & Hove that oversees the local delivery of responsibilities under the Crime and Disorder Act 1998 for the Youth Offending Service (YOS). Chaired by the Director of Children's Services, the Board is responsible for the governance of the Service and monitors and challenges the functions and performance of the YOS. The Board will report to the City Council's Children and Young People's committee, with reports to the Safe in the City Partnership and the Youth Justice Board.

What the Board does to ensure effective governance:

- Supports the YOS in achieving its principal aims of reducing the number of first time entrants, reducing re-offending and reducing the use of custody.
- Ensures the effective delivery of youth justice services via monitoring of the implementation of the annual youth justice strategic plan.
- Monitors YOS performance against the National Indicators by scrutinising comprehensive quarterly performance reports and monitoring the progress of the actions for improvement where needed.
- Scrutinises the YOS annual spending to ensure that all core YOS services are delivered within the allocated budget.
- Ensures that the YOS is fully integrated into and able to influence strategic developments with which the partners are engaged.

All key partners are represented on the Management Board and where appropriate the Board will extend its membership to other partners to ensure the progression of a specific development issue.

The annually reviewed '*Management Board Terms of Reference*' ensures the Board operates within clearly defined guidance and an annual planning event allows the Board to consider the current priorities for the Youth Offending Service.

Board priorities for 2013-14

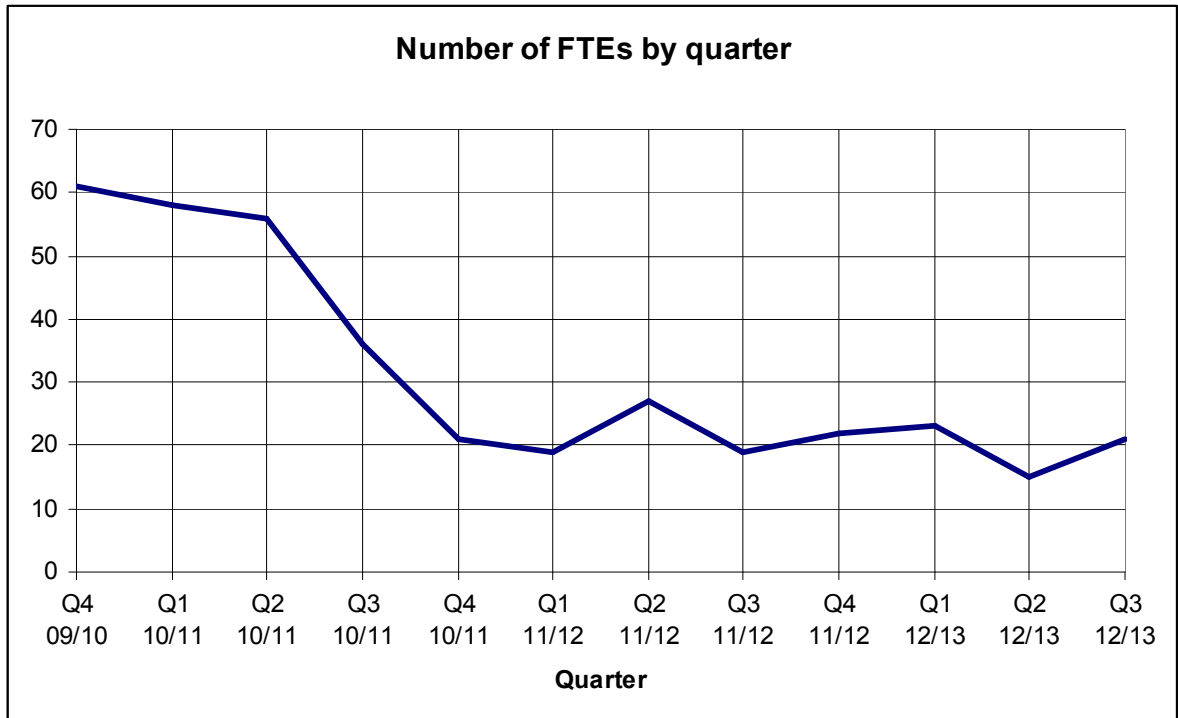
- Ensure the YOS fully implements the 2013-14 Youth Justice Strategic Plan.
- Ensure the YOS achieves a high level of performance against the three National Indicators.
- Monitor the impact of pending legislative changes such as the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LAPSO) and provide guidance on how this will influence the development of YOS services.
- Support and assess the impact of the changes following the restructure to improve service impact.
- Continue to monitor the ongoing funding arrangements for the YOS and ensure that opportunities to consolidate and improve the YOS budget are maximised.

6. OUTCOMES AGAINST THE 3 NATIONAL INDICATORS

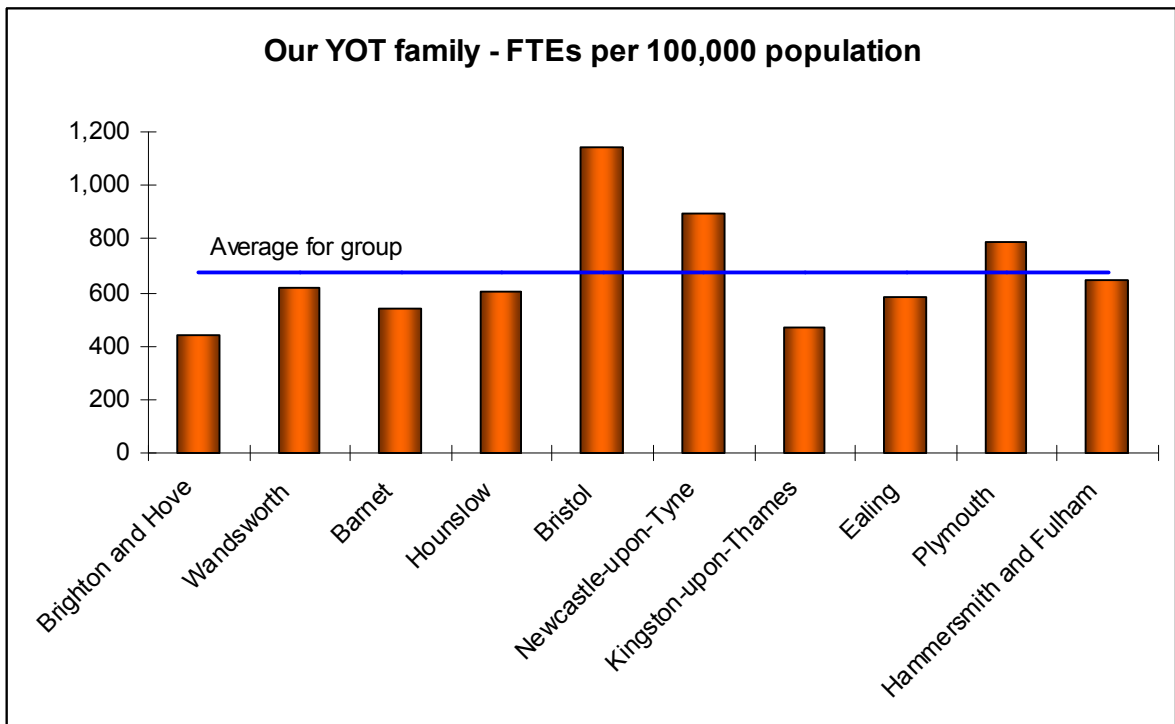
i. REDUCING FIRST TIME ENTRANTS

What are we doing well in Brighton & Hove

- There were 95 FTEs in Brighton and Hove in 2011/12 which is a significant reduction from 231 in 2009/10. Data for 2012/13 shows 59 FTEs for the first three quarters which continues the low numbers trend of the previous year, and is around 20 per quarter.



- Comparative data for FTEs shows that we have the second lowest rate of FTEs per 100,000 young people population in our family YOSs.



YOS	FTEs per 100,000
Brighton and Hove	440
Wandsworth	617
Barnet	542
Hounslow	601
Bristol	1,142
Newcastle-upon-Tyne	897
Kingston-upon-Thames	465
Ealing	580
Plymouth	790
Hammersmith and Fulham	646
Average for group	700

- Reductions locally can be in part attributed to the use of Community Resolution disposals which are used for first time low level offences. In 2011/12 there were just over 450 CRs given to youths in Brighton & Hove. Community Resolution is a diversionary scheme that offers young people an opportunity to engage with the YOS while on bail and prevents young people entering the Criminal Justice System by avoiding a reprimand or first warning.
- 166 young people were referred to YOS Prevention services between April and December 2012. Previous years data shows that around 70% of those referred engaged successfully in an intervention and between 20-30% of those referred went onto re-offend and enter the youth justice system. Unfortunately, comparative national and regional data is not provided by the YJB because Early Intervention provision varies considerably between YOSs.
- The YOS continues to work closely with partners including the Police and Schools to ensure that appropriate referrals are being made into the Early Intervention service.

- The Liaison and Diversionary Scheme is evidence of effective multi disciplinary partnership work which brings together the CAMHS nurse, Educational Psychologist and YOS worker to undertake an assessment, plan and deliver an intervention when a young persons is first arrested. The project targets those with emotional and mental health issues and/or learning difficulties and supports them away from the criminal justice system. During 11-12 and 12-13 Brighton and Hove have received separate monies through health for this provision and the service placed within the YOS team. It is currently unclear whether further funding will be available for partner agencies to continue with this work and as a result some of the early intervention work will be reduced in Brighton and Hove.
- The introduction of Reflective Practice in supervision and team meetings helps identify those at highest risk and targets them with bespoke interventions.

What are our key areas for improvement in 2013-14?

- Consolidate the transition amalgamating the two Early Intervention teams into one, and the development of a new generic role for the workers.
- Develop a policy to outline the criteria of the Young People that we work with in order to identify those at highest risk of entering the Criminal Justice System, so that resources can be targeted at those most in need of prevention intervention and reduce the 20-30% that go on to re-offend.
- Collaborative working with partners as part of the wider prevention city agenda.
- Ensuring positive participation of young people at risk of offending in education, employment and training.

ii. REDUCING RE-OFFENDING

What are we doing well in Brighton & Hove?

- The proportion of young people who re-offend is around 30% which is lower than the national average but slightly higher than the South East average. The actual number of young people in the twelve month cohort has reduced from around 900 in 2007 to just over 500 in 2010 (this can mainly be attributed to the reduction in FTEs). 2010 are our latest figures as re-offending is monitored 2 years past and the figures for 2011 have not yet been released by YJB.

What are our key areas for improvement in 2013-14?

- The rate of offences per re-offender is one of the highest figures nationally at 3.68 offences per person. In order to perform in the top quartile of YOSs we aim to reduce this figure by at least one offence per person.
- Using the analysis obtained about recidivism, identify the cohorts most at risk of re-offending in order to identify the specific issues surrounding their offending behaviour and develop strategies to address these.
- Use supervision to monitor new triggers of risk identified through the regular review of plans with young people, families and partner agencies.
- Develop an overarching policy that aims to provide Looked after Children with the opportunities to desist from offending and work towards avoiding their criminalisation.
- Consider the more prolific types of offending and develop interventions to target these behaviours.
- Provide Voluntary after Care following statutory interventions when the need for continued support is identified.
- Ensure active participation in education, employment and training.
- Addressing other needs such as housing and family issues.

iii. REDUCING THE USE OF CUSTODY

What are we doing well in Brighton & Hove?

- **Use of custody.** We have reduced the number of sentences to custody from 21 in 2010/11 to 13 in 2011/12, which is 5.1% of all sentences. Our rate of sentences per 1,000 young people population is slightly lower than the national average but higher than the South East average.

The table below shows that the number of sentences to custody has been decreasing. However, figures for 2012/13 have seen an increase from the previous year, with 14 custody sentences from April to December.

Results	2006/7	2007/8	2008/9	2009/10	2010/11	2011/12
BH Number of custody	23	30	40	14	21	13
BH rate of custody	1.12	1.47	1.96	0.70	1.07	0.64

- Confidence in the YOS disposals by training and informing the local judiciary about effective practices and alternative interventions, is reflected in the high congruence between PSR proposals and sentences.

- Working in partnership with adult agencies to provide a Mental Health triage in custody suites and Court cells to identify vulnerable young people with emotional and mental health needs and reduce the risk of remands and custodial sentences by providing more appropriate support.

What are our key areas for improvement in 2012-13

- **Remands.** Over the last three years, the average remand figures, for secure and not secure episodes, per year were 26 remand episodes each lasting just under one month given to 13 individual young people. 30 percent of these episodes were found to lead to a custodial sentence.
Although official national and regional comparative remand figures are not available from the YJB, their national statistics indicate that for those young people given custodial remands in 2010/11, 39 per cent went on to be given a custodial sentence. Our 30 per cent figure is therefore 9 per cent below the national average. The aim is to reduce the number of young people who did not go on to receive a custodial sentence from being remanded into custody pre sentence.
- Working in partnership with other agencies to identify deficits in a young person's life while in custody so that robust resettlement plans can be in place pre release and continue post release.
- Improve compliance to reduce breaches of orders and potential custody.
- Increase the compliance of bail conditions to reduce the likelihood of remand due to breach of bail.
- Increase the confidence of the Courts in our bail support packages to increase the use of bail remands.
- Address housing, education, employment and training needs.
- Manage the financial risk of remand.

7. OUTCOMES AGAINST 3 LOCAL INDICATORS

iv. ASSESSMENT, PLANNING, INTERVENTIONS and SUPERVISION

What are we doing well in Brighton & Hove?

- Use of ACCORDS acronym in case diary recordings (aim, content, communication, outcome, risk, diversity, safeguarding) to ensure that case workers focus on aim and outcomes of work and remain mindful of risk, safeguarding and diversity issues.
- YOS Substance misuse worker becoming involved at assessment stage so that his assessment is able to inform proposals for planning and interventions.
- Practitioners are more consistently utilising information relating to individual needs within their assessments, plans and interventions, including Learning Styles and feedback gained through the 'What Do You Think' assessment as an integral part of their ASSET assessments.
- There were a number of initiatives in the past year including one in collaboration with the Participation team to obtain feedback from young people about what worked well and what could be improved, and these were used to inform staff training and influence future practice.

What are our key areas for improvement in 2013-14?

- Implement reflective supervision for all practitioners, ensuring regular opportunities to explore the way theory can be adapted into practice and to question/challenge practice so it can be improved.
- Introduce more regular observation of practice by managers as part of the supervision process to assess and improve practice.
- All reviews for medium or high risk cases to be chaired by one of the management team, to ensure ongoing oversight of these interventions.
- Introduce a Quality Assurance process that gives greater management oversight and also focuses on quality and not just quantity. With audits to be carried out, analysed and reported to the Management Board.
- Multi agency plans addressing outcomes identified for and with the young people.

v. EFFECTIVE SAFEGUARDING

What are we doing well in Brighton & Hove?

- Working collaboratively with Education providers to manage safeguarding issues to ensure these do not act as a barrier to YOS young people accessing education.
- The SQS Inspection found that in all the cases inspected there had been effective planning to address vulnerability and/or safeguarding in reviews of plans in all during the custodial phase of the sentence.

What are our key areas for improvement in 2013- 14?

- Develop a process for referring cases where there are potential safeguarding issues to Children's Services to ensure these are appropriate and consistent and responses are noted.
- Develop a Children's Services Protocol ensuring that all staff within Social Care, Education and the YOS are aware of their responsibilities in relation to young offenders.
- Review the ways in which the YOS works with Looked after Children, identifying the specific individual needs of this cohort with their social workers and carers.
- Encourage positive activities and behaviours including engagement in education, employment and training.

vi. MANAGEMENT OF RISK OF HARM TO OTHERS

What are we doing well in Brighton & Hove?

- The SQS inspection found that risk management plans addressed the risks identified in the assessment in all custody cases inspected.
- A Practice Manager and two practitioners attended YJB accredited training for working with young people with harmful sexual behaviours (AIM 2) in order to gain knowledge and skills in improving assessments and delivering effective programmes for this cohort of young offenders.
- An audit is being undertaken of all cases to provide a baseline for future audits.

What are our key areas for improvement in 2013-14?

- Developing a New Risk Management Strategy including management oversight arrangements to improve performance in this area and ensure the quality of safeguarding work.
- Developing a Multi Agency protocol and Management of Risk Panels to manage risk collaboratively.
- Audit and outcome measures to demonstrate impact.
- Risk of harm to victims to be effectively managed.

8. MANAGEMENT BOARD SIGNATURES

NAME	ROLE	SIGNATURE
1.		
2.		
3.		
4.		
5.		
6.		

20th February 2013

Subject:	Section 75 Agreements Children's Services
Date of Meeting:	March 2013
Report of:	Director of Children's Services
Contact Officer: Name:	Anita Finlay/Alison Nuttall Tel: 29-0374/3736
Email:	
Ward(s) affected:	All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report outlines the revisions to the current Children's Section 75 Agreement for both Commissioning and Provision in Brighton and Hove.
- 1.2 From April 2013, Primary Care Trusts will no longer be in existence and Clinical Commissioning Groups (CCGs) will become the accountable body for commissioning health care in the city.
- 1.3 The proposed changes are the result of the Health and Social Care Bill receiving royal assent and becoming the Health and Social Care Act 2012.
- 1.4 In preparation for this change, the children's Section 75 agreements will need to be updated to reflect the new commissioning relationships with our health partners.
- 1.5 Brighton and Hove Clinical Commissioning Group is committed to maintaining the commissioning Section 75 arrangements with Brighton and Hove City Council
- 1.6 Sussex Community NHS Trust is committed to maintaining the provider Section 75 arrangements with Brighton and Hove City Council.

2. RECOMMENDATIONS:

RECOMMENDATIONS: That the Children and Young People's Committee:-

- 2.1 Notes the dissolution of the PCT from 31st March 2013 and the creation of the Clinical Commissioning Group (CCG) pursuant to the Health and Social Care Act 2012;
- 2.2 Authorises the Director of Children's Services, after consultation with the Director of Finance and Head of Law, to finalise and agree a new s75 Partnership Agreement between the Council and the CCG in relation to jointly commissioned children's services, such agreement to take effect from 1st April 2013 with a two year term;

- 2.3 Notes that the Council's existing S75 Agreement with Sussex Community NHS Trust in relation to the integrated provision of children's services remains in place until 1st April 2015 and that the Director of Children's Services is authorised to negotiate and agree any variations or amendments considered necessary within the term of that Agreement;
- 2.4 Authorises the Director of Children's Services, after consultation with the Director of Finance and Head of Law, to agree a revised contract between the Council and Sussex Community NHS Trust for the provision of children's community health services for a period of one year from 1st April 2013 with the option to extend for a further year

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 In April 2010, Brighton and Hove City Council signed two Section 75 Agreements: A Commissioning Section 75 Agreement between Brighton and Hove City Council and NHS Brighton and Hove (PCT) and a Provider Section 75 Agreement between Brighton and Hove City Council and Sussex Community NHS Trust (SCT). The term of both these agreements is until 1st April 2015.

The agreements enable the joint commissioning and delivery of children's community services through the creation of a pooled budget and integrated services.

Supporting the commissioning agreement there is an established joint commissioning unit which is accountable for commissioning across the pooled arrangements of the Section 75 and other aspects of health resources as identified below.

The provider agreement facilitates the secondment of health staff into the council and thus management accountability to the Director of Children's Services (DCS).

- 3.2 Both agreements were approved by the respective governance arrangements of the City Council, PCT and SCT. There is recognition amongst the partners that the partnership arrangements serve to deliver positive outcomes for Children and Young People, better coordination of services and improved efficiency.
- 3.3 As part of the governance management, there are regular provider and commissioner meetings between the partners to ensure that the commissioning and provider agreements receive scrutiny in relation to the identified service improvement areas, the pooled budget and performance, as specified within the schedules underpinning the agreements.

The Children's Committee through the Director of Children's Services will have oversight of these arrangements and all partners will receive reports as required.

- 3.4. As the S75 agreements are partnership agreements, the council has also entered into a contractual arrangement with Sussex Community NHS Trust to

enable the financial contributions to pass to SCT for the provision/supply of NHS services and for staff to work as part of an integrated service.

- 3.5. The schedules (service Improvement, service scope, resources, governance) which underpin both agreements are updated and amended annually as required while maintaining the terms of the core agreements.

Rational for change from April 2013:

- 3.6 In April 2013, following the Health and Social Care Act, Brighton and Hove Primary Care Trust/NHS Brighton and Hove will no longer be in existence and Brighton and Hove Clinical Commissioning Group (the CCG) will be the accountable body for commissioning health care in the city. The S75 agreement going forward in April 2013 will need to reflect a new partnership with the CCG.

- 3.7 It is also important to note that while the majority of health services will fall within the CCG's remit, there are a few areas which will be commissioned centrally by the NHS Commissioning Board, through the Surrey and Sussex Area Team. These will include:

- Public health services for children from pregnancy to age 5 (Healthy Child Programme 0-5) including Health Visiting and Family Nurse Partnerships. This arrangement will continue until 2015 by which time the commissioning will transfer to the Local Authority via Public Health
- Some highly specialised mental health services
- Immunisation programmes
- National screening programmes
- Public health services for people in prison and other places of detention
- Sexual assault referral services

- 3.8 The details of how these arrangements will translate locally are still being developed and will become clearer as the area team takes shape in the coming months. Council officers are part of these discussions with the Area teams and will play a key role in these negotiations.

- 3.9 For Brighton and Hove Children's Services, the commissioning of Health visitors and the Family Nurse Partnership Programme will be the two main areas affected by this change.

- 3.10 In addition to the above, there will be a change to the funding route for school nursing, which traditionally came via the PCT. From April 2013, the financial contribution for this service will now come directly to the local authority through the public health ring fenced budgets.

- 3.11 The current S75 Agreements therefore need to be updated to reflect the new commissioning partner, B&H CCG, the revised contributions from partners and the new governance arrangements from April 2013.

Current Section 75 Commissioning Agreement

3.12 The current Section 75 Commissioning Agreement is between NHS Brighton and Hove (the PCT) and Brighton and Hove City Council.

3.13. Services covered under the Section 75 Commissioning Agreement include:

a. Community Child Health Services that are part of Sussex Community NHS Trust:

- Health Visiting
- School Nursing,
- Integrated Child Development and Disability Services (including Speech and Language Therapy, Occupational Therapy, Physiotherapy , Specialist Nursing)
- NHS Looked After Children's team
- Community Paediatric Services
- Audiology and Neonatology screening services
- NHS Safeguarding Team

b. Other health and public health children's areas such as:

- Teenage pregnancy
- Continuing health care processes and individual packages of care
- Child and Adolescent Mental Health including jointly funded specialist placements
- High cost individual community health care packages ie 'hospital at home'

c. A range of community and voluntary services contracts

d. Children's services provided through the city council including schools and communities, educational psychology, social care, early years and youth services.

3.14 The current financial contributions from Partners into the pooled Joint Commissioning budget for 2012/2013 is:

- NHS Brighton and Hove (the PCT)-£10,955,094 (This includes contribution for children's community health services, contributions to the voluntary sector contracts and contribution for functions of the children's commissioning team. Of this, £9,583,000 is passed over to Sussex Community Trust for the delivery of community health services)
- Brighton and Hove City Council -£59,795,470

Management of this agreement is through the Joint Commissioning Management Group which meets 6 weekly with representation from both partner organisations.

The City Council is the lead commissioner in this arrangement

Changes to the section 75 Commissioning Agreement from April 2013:

3.15 **The Partners:** The two partners entering into the section 75 commissioning agreement from April 2013 will be Brighton and Hove Clinical Commissioning Group (previously NHS Brighton and Hove/PCT) and Brighton and Hove City

Council. Both partners are committed to the continuation of the section 75 Commissioning arrangement.

3.16 **The financial contributions:** Due to the changes nationally and as outlined above, the financial contributions to this agreement from Brighton and Hove Clinical Commissioning Group will exclude the health visiting contribution and the school nursing contribution.

3.17 From April 2013, Health visiting will be commissioned by the NHS commissioning board through the Surrey and Sussex Area Teams until March 2015, after which the commissioning of this service will pass onto the Local authority

From April 2013, the school nursing contribution will come directly to the City Council via the ring-fenced public health budget

3.18 The total health contribution from Brighton and Hove Clinical Commissioning Group will be reduced to reflect the new financial arrangements and the contributions from the City Council will increase to reflect the public health contributions to include school nursing in particular.

3.19 **The Services:** In accordance with the national directive to commission health visiting through the NHS Commissioning Board, this area of commissioning will be outside the scope of the partnership in 2013.

3.20 **The Governance:** Governance and accountability arrangements will be adjusted to reflect the changes within the CCG structures. Reporting will be into the CCG board and Children's Committee through the Director of Children's Services, as is currently the case.

Current Section 75 Provider Agreement

3.21 The current Section 75 Provider Agreement is between Sussex Community NHS Trust and Brighton and Hove City Council.

3.22 Services covered under the Provider Section 75 Agreement include:

a. Community Child Health Services that are part of Sussex Community NHS Trust:

- Health Visiting
- School Nursing,
- Integrated Child Development and Disability Services (including Speech and Language Therapy, Occupational Therapy, Physiotherapy , Specialist Nursing)
- NHS Looked After Children's team
- Community Paediatric Services
- Audiology and Neonatology screening services
- NHS safeguarding Team

b. Children's services provided through the city council and includes schools and communities, social work, early years and youth services

3.23 The current financial contributions from Partners into the pooled Joint Provider budget for 2012/2013 are:

- Sussex Community NHS Trust - £9,583,000 via Brighton and Hove City Council
- Brighton and Hove City Council -£59,795,470

Management of this agreement is through the Joint Management Group which meets 6 weekly with representation from both partner organisations

The City Council is the lead provider in this arrangement

Changes to the Section 75 Provider Agreement from April 2013:

The provider agreement will need to be updated to reflect the changes in the commissioning landscape whilst maintaining integrated delivery arrangements.

3.25 The Partners: The two partners entering into the section 75 provider agreement from April 2013 will be Sussex Community NHS Trust and Brighton and Hove City Council. Both partners are committed to the continuation of the Section 75 Provider arrangement.

3.26 The contributions: The financial contributions to this agreement will be adjusted to reflect the changes in funding flows and will be noted within the resource schedule of the agreement. The health visiting contribution will be via the NHS Commissioning Board through the Sussex and Surrey Area Teams into Sussex Community NHS Trust.

3.27 The Services: the same services will be delivered through the integrated delivery arrangements with funding for health visiting coming through a different source

3.28 The Governance: governance and reporting will continue through the Joint Management group where both partners, the City Council and Sussex Community Trust are represented and it is likely that there will be reporting into the Surrey and Sussex Area Teams for Health visiting and the Family Nurse Partnership Programme.

The NHS contract between the City Council and Sussex Community NHS Trust.

3.29 Currently, an NHS contract exists between Brighton and Hove City Council and Sussex Community NHS Trust. The contract consists of service specifications for each of the health areas and includes: Health visiting, school nursing, therapies, community paediatrics, audiology, and administrative functions.

3.30 The current value of the contract is £9,583,000 and this contract will be expiring on the 31st of March 2013.

3.31 The city Council is the lead commissioner for this contract.

Changes to the NHS Contract from April 2013.

- 3.31 Following the expiry of the current contract, the city council and Sussex Community Trust will be required to enter into a new contract.
- 3.32 The services specifications for all the community child health areas will need to be updated to reflect local priorities
- 3.33 As health visiting will be commissioned via the NHS Commissioning board, the service specification for this area will be managed separately and not form part of the contract.
- 3.34 The contribution into this contract will be adjusted to reflect the above change

4. CONSULTATION

- 4.1 Officers from the Clinical Commissioning Group and City Council have been consulted and discussions have taken place in the Joint Commissioning Management Group where partners from public health, the council and clinical commissioning group have been represented. There have also been discussions and contributions at the Provider Joint Management Group where the council and Sussex Community NHS Trust are represented.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The financial information contained within paragraphs 3.14, 3.23 and 3.30 are correct and in accordance with the 2012/13 finance schedules within the section 75 agreement. The financial implications of the recommendations of the report do not generate any new risks for Brighton & Hove City Council. However, the section 75 agreement places significant responsibility on the Council for the partner organisation's financial performance. The transition to the new commissioning arrangements will need to be closely monitored to ensure stability of funding for services and that no additional budget pressures or shortfalls are created. At this stage the full impact of the new funding regime is not known and work is currently being undertaken to assess how this will translate into the 2013/14 budget schedules.

Finance Officer Consulted: David Ellis

Date: 08/02/13

Legal Implications:

- 5.2 The proposals in the report are in line with s75 National Health Service Act 2006 together with associated secondary legislation and guidance. Section 75 enables the Council to enter into arrangements to pool funds and integrate services with health partners. In particular the recommendations will ensure that the Council's S75 arrangements reflect the changes that have been introduced by the Health and Social Care Act 2012, such as the dissolution of the PCT and the creation of CCGs from 1st April 2013. The s75 agreements will be technical documents that will require time to finalise and hence the need for authority to Officers to settle the details based on the principles in this paper.

In relation to the contract between BHCC and NHS Community Trust, in view of the nature of the proposed contract and its link to the services covered by the s75 agreements, it is not appropriate to tender the contract. The contract will need to be made under seal pursuant to the Council's Contract Standing Orders

Lawyer Consulted: Elizabeth Culbert

Date: 13/02/13

Equalities Implications:

- 5.3 Equality_of provision is a key principle of integrated provision

Sustainability Implications:

- 5.4 No direct implications

Crime & Disorder Implications:

- 5.5 No direct implications

Risk and Opportunity Management Implications:

- 5.6 None identified at present but council officers will need to keep abreast of developments over the coming months.

Public Health Implications:

- 5.7 *The agreements will support the health and well being of young children through integrated arrangements and therefore have a positive impact on equalities by improving the outcomes for children and young people in the city.*

Corporate / Citywide Implications:

- 5.8 Continuation of the agreements will contribute to partnership working

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Not Applicable

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Changes in NHS structures and commissioning arrangements

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A: Governance arrangements for the S75 Commissioning Agreement

2. Appendix B: Governance arrangements for the S75 Provider Agreement

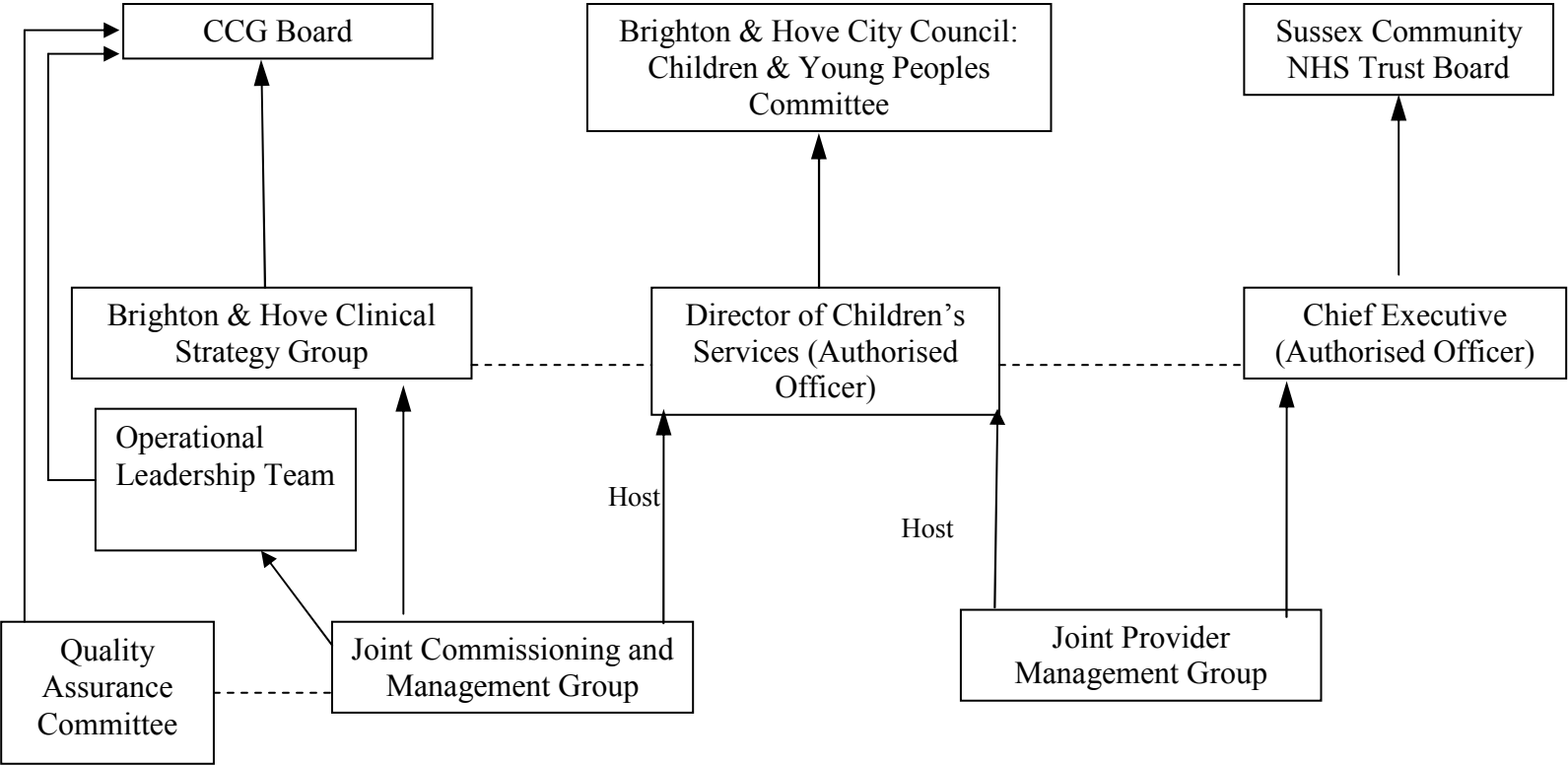
Documents in Members' Rooms

None

Background Documents

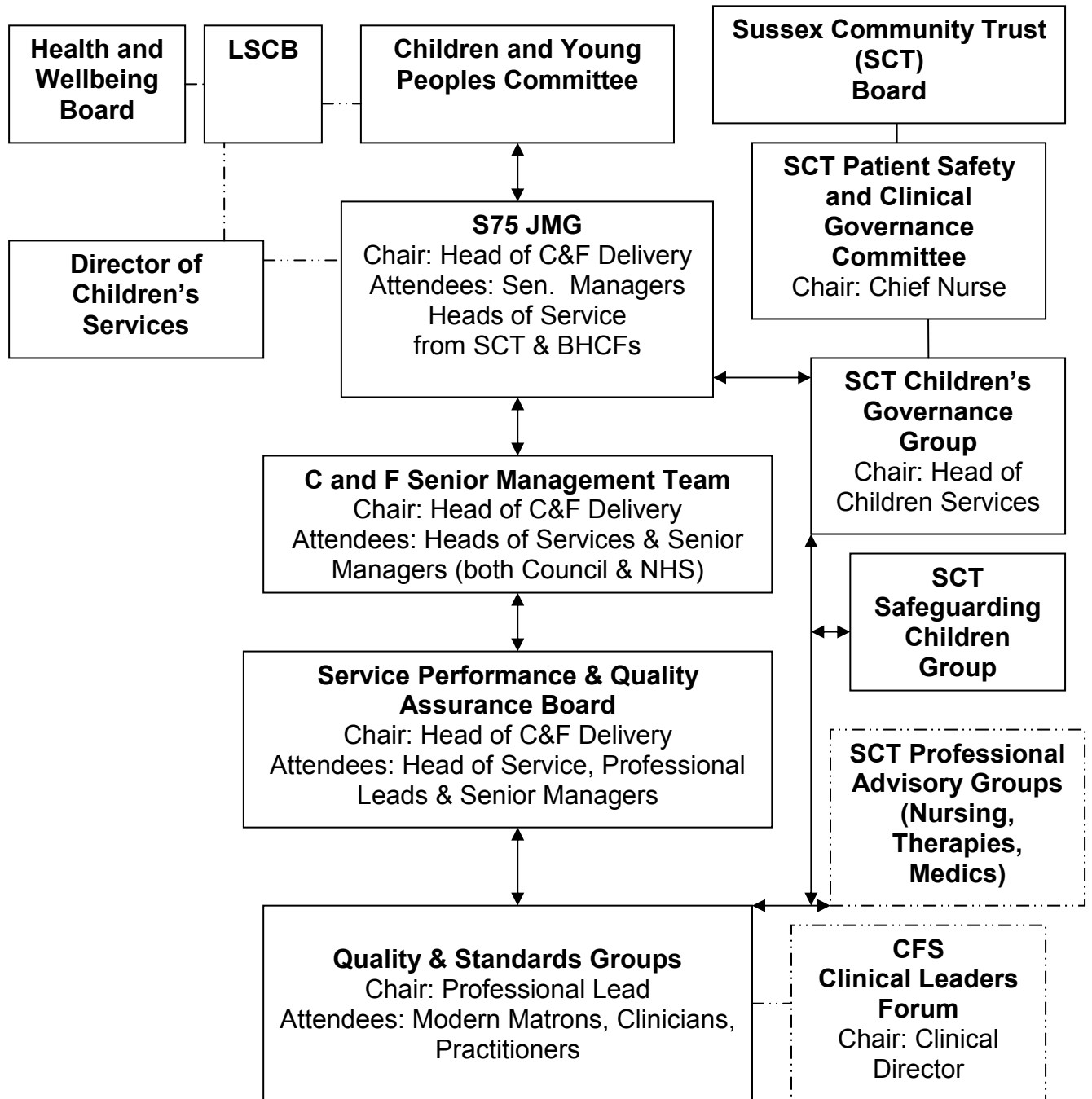
None

Governance Arrangements in the S75 Commissioning Agreement



55

Governance Arrangements in the Section 75 Provider Agreement



Subject: School Admission Arrangements for 2014/15
Date of Meeting: 11 March 2013
Report of: Interim Director, Children's Services
Contact Officer: Name: Gil Sweetenham Tel: 293433
E-mail: gil.sweetenham@brighton-hove.gov.uk
Key Decision: Yes
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Each year local authorities must consult upon school admission arrangements and school admission numbers with community schools and voluntary aided schools, neighbouring Local Authorities and with parents living in the City. This process includes the proposed admission priorities for community schools and those proposed by the governing bodies of voluntary aided schools and academies. This consultation takes place approximately 18 months in advance of the school year in which pupils will be admitted under the proposed arrangements. The consultation papers for the 2014/15 admission year for Brighton & Hove are attached as Appendix 1.
- 1.2 Local authorities must also set out schemes for co-ordinated admissions, including key dates in the admission process, and also the arrangements for consultation with Voluntary Aided schools in the City and with other local authorities. They also establish the area (the "relevant area") within which the admission consultation should take place.
- 1.3 The consultation process must have been concluded by 1st March 2013, with a minimum of 8 weeks consultation time. This requirement has been fulfilled. The City Council must have reached its decisions and confirmed its admission arrangements for 2014/15 by 15th April 2013 in order to conform to the requirements of the School Admissions Code.
- 1.4 At the time of drafting the report, the consultation process has not been concluded and it must be assumed that further responses will be received. All recommendations should be read with this in mind.

2. RECOMMENDATIONS:

That committee recommends the following to full Council for approval:-

- 2.1 That the proposed school admission numbers set out in the consultation documents be adopted for the admissions year 2014/15, with the exception of Stanford Infant School which will remain at 90 rather than increasing to 120 as proposed.

- 2.2 That the admission priorities for Community Schools set out in the Consultation documents be adopted for all age groups.
- 2.3 That the Council should review the final version of the Cardinal Newman Roman Catholic Secondary School and King's Church of England Free School admission arrangements (as amended in light of the Diocesan response and parental and school responses) to decide whether it should comment further.
- 2.4 That the co-ordinated schemes of admission be approved.
- 2.5 That the City boundary be retained as the relevant area for consultation for school admissions.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The admission numbers in the consultation reflect those previously agreed for 2013/14.
- 3.2 The decision was taken at Cabinet on 15 January 2013 to increase the size of Aldrington CE Primary School from one form entry to two. This change will take effect from September 2013. At the same meeting it was decided *not* to increase the size of Stanford Infant School, which will remain three form entry.
- 3.4 The proposed admission arrangements and priorities for community primary and secondary schools are set out in detail in the attached Appendix 1, the consultation document sent to schools, neighbouring local authorities and the diocesan authorities. The Brighton Aldridge Community Academy and Portslade Aldridge Community Academy will retain the same admission priorities as Community Secondary Schools for the admissions year 2014/15, although they act as their own admission authorities.
- 3.5 In the course of the school and governor consultation process the Council asked schools to use their newsletters and other forms of regular parental communications to inform parents of the parental consultation process via the Council website (and hard copy if required). The parental consultation was published on the website and was available via a link to the Council's consultation portal. This is attached as Appendix 2.
- 3.6 The co-ordinated schemes of admission for primary and secondary schools (Appendices 3 and 4) set out the admission arrangements and relevant dates for each part of the school admission exercise and the arrangements for coordination between admission authorities. The overall purpose of co-ordination is to ensure that each pupil receives one offer of a school place, so that different admission authorities are not holding open places for pupils that will not be taken up. It also ensures that the admission process takes place in a timely fashion. The in-year arrangements (Appendix 5) are not subject to set time scales, so the same document can be used from year to year, although annual consultation will still take place.
- 3.7 Periodically the LA must determine what is known as the "relevant area for consultation". This area will include the schools and other admission authorities (such as voluntary aided schools) that should be consulted on admission

arrangements. A relevant area may be either the LA area, less or more than that, or may include part of neighbouring LA areas. The whole of the LA must be included in one or more relevant areas. Some larger LAs sub-divide into smaller areas for consultation purposes. In Brighton & Hove the relevant area has been set as the city boundary. Whilst there is some cross-border movement of pupils, it has not been seen as significant enough to warrant a cross-border relevant area. The proposal in this year's consultation is to retain a relevant area co-terminus with the city boundary.

4. CONSULTATION

- 4.1 The Council scrutinised the Voluntary Aided (VA) Schools and Free Schools' proposed admission arrangements for 2014/15. VA schools are required to consult their religious authority (in this case the Diocesan Authority) before consulting others. The Council will review the final document published by the Governing Bodies before deciding whether it should comment or act further.
- 4.2 Parental responses to the consultation will be set out in Appendix 6.
- 4.3 School responses to the consultation will be set out in Appendix 6.
- 4.4 No responses to the Councils proposed arrangements for Community Schools have yet been received from neighbouring local authorities or the Church of England or Roman Catholic Diocesan authorities.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

It is not possible to quantify in detail the financial implications of these recommendations. However, any changes to admission arrangements or patterns may impact on the numbers of pupils at individual schools and therefore individual school budget allocations which are largely driven by pupil numbers.

Finance Officer Consulted: Louise Hoten

Date: 25 February 2013

5.2 Legal Implications:

Section 88C of the School Standards and Framework Act 1998 as amended by the Education and Skills Act 2008 requires admission authorities to determine before the beginning of the school year, the admission arrangements which are to apply for that year. The determination must be preceded by consultation with the Governing Bodies of Schools within the area of the LA for which the LA is the admission authority, with parents and with neighbouring admission authorities. Consultation must be completed by 1st March in the year preceding the admission round, and should be for a period of no less than 8 weeks. Admission arrangements must conform to the Admissions Code which sets out acceptable and unacceptable admission arrangements and priorities. Any person or body who considers that any maintained school or Academy's admission arrangements are unlawful, or not in compliance with the Code or relevant law relating to admissions can make an objection to the Schools Adjudicator.

Admission Authorities must determine their admission arrangements following consultation by 15th April.

5.3 Equalities Implications:

Planning and consultation for school admissions procedures and school places and the operation of the admission process are conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school and academy governing bodies must be mindful of bad practice with regard to equalities issues as described in the School Admissions Code of Practice.

5.4 Sustainability Implications:

School admission arrangements are intended so far as it is possible to provide pupils with local places where they have asked for them. The planning of school places for the City takes into account the changing population pattern and resultant demand for places. The current pattern of parental preference is reflected in different schools operating both over and under capacity. In planning for school places the Council will have regard to sustainability priorities and seek to provide local places and places which are accessible by safe walking and where possible cycling routes and public transport wherever this is possible.

5.5 Crime & Disorder Implications:

Balanced school communities with firm parental support contribute to orderly and harmonious communities.

5.6 Risk and Opportunity Management Implications:

Any change to school attendance patterns and pupil numbers will impact directly on resource allocation both revenue and capital, and on the Council's ability to meet parental expectations on school places. Pupil data and broader population data is used to identify the numbers of school places required and where they should be located. This feeds into the capital programme so that resources are allocated where they will have the most beneficial effect.

5.7 Corporate / Citywide Implications:

The allocation of school places affects all families in all parts of the City and can influence where people choose to live. Failure to obtain the desired choice of school can create a strong sense of grievance. The process of expressing a preference and if disappointed, entering an appeal can create intense anxiety for many families in the City. Admission arrangements together with school place planning are framed in such a way as to be mindful of supporting the needs of communities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The City Council is required in law to review its school admission arrangements every year, although the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) Regulations 2012 now provide that if an admissions authority does not propose any change to admission arrangements the duty to consult on arrangements has been increased from every three to every seven. The consultation is intended to identify alternative proposals for admission arrangements. Issues raised by schools and parents will be set out in the appendices to this report.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The City Council must conform to legislative requirements on the publication of admission arrangements which reflect the requirements of the Admissions Code. The recommendations ensure the City Council's compliance, and reflect the body of debate and consultation which has taken place around admission arrangements in Brighton & Hove this year and in previous years.

SUPPORTING DOCUMENTATION

Appendices:

1. Admission consultation document for schools including proposed admission numbers.
2. Parental consultation document.
3. Coordinated scheme of admissions – secondary.
4. Coordinated scheme of admissions – primary.
5. Coordinated scheme of admissions – in year
6. Summary of school and parental responses to the consultation

Documents in Members' Rooms

1. Consultation responses from schools and parents.

Background Documents

1. Consultation documents from schools and parents.



Brighton & Hove

Schools' Bulletin

Date:	Ref:
To: Governors and Headteachers of all Schools, East Sussex County Council, West Sussex County Council and Diocesan Authorities.	From: Head of School Admissions and Strategic Commissioner, Planning and Contracts
Title: School Admissions Consultation 2014/2015. Coordinated schemes of admission for 2014/15 and in year admissions consultation for 2013/14	Action Required By : Voluntary Aided schools 21 December 2012, others 28 February 2013

Admission Arrangements for Brighton & Hove Schools 2014/15

Governing Bodies of all maintained schools and Academies in the City are invited to give their views on the proposals for admission arrangements to Community Schools. The responses to this consultation will be presented to the Children and Young People Committee at a meeting in March 2013. The new admission arrangements will be ratified by a meeting of the full Council. The consultation will also invite comment from parents in the City who have a child or children between the ages of 2 and 18 years of age. Parents will be directed to the consultation materials through a press release and may access the consultation through the Council website, or by accessing a hard copy. Schools are also asked to draw parents' attention to the consultation by inserting the following paragraph into their newsletters:

We would like to inform parents that Brighton & Hove City Council is currently consulting on admission arrangements for the 2014/15 admission year. The consultation proposals may be found on the Council's website www.brighton-hove.gov.uk/schooladmissions. Alternatively a hard copy can be obtained from the School Admissions team by telephoning (01273) 293653 or e-mailing schooladmissions@brighton-hove.gov.uk. All parents are invited to comment upon the proposed admission arrangements.

At the same time the admission arrangements for BACA, PACA and Voluntary Aided and Free Schools must also be consulted upon (unless the arrangements are unchanged from last year and the governing body has chosen not to consult). As in the past the Council will provide access for other schools to view own admission authority schools' policies via the schools' section of the Wave, and will make them available for public comment on the Council website or by providing hard copy. Please read the section below about own admission authority school consultation.

In line with current guidance and regulations from the Department for Education, the consultation process must conclude by 1st March 2013, and must run for a period of at least 8 weeks. This also means that Voluntary Aided Schools, Free Schools and Academies must provide their draft admission priorities for consultation before Christmas 2012 (unless

they are not consulting, in which case they will need to specify this). All VA schools, Free schools and Academies will need to consult the current [School Admissions Code](#) and [Appeals Code](#) which came into force in 2012 to ensure that their draft admissions priorities comply with their requirements.

Admission authorities that have not changed their admission priorities now only need to consult every seven years. However all admission authorities must determine their arrangements by 15 April each year even if they have not changed and there is no consultation.

Community Secondary Schools, BACA and PACA

This part of consultation is about the process for the secondary schools admissions system which remains a catchment area system with random allocation being used as the tie breaker in each admission priority in the event of oversubscription.

No changes are proposed to the over subscription priorities for community secondary schools, BACA and PACA which are applied in the context of an equal preference system as required by the Admissions Code. They are currently:

1. Children in the care of a local authority (looked after children), and children who were previously in the care of a local authority but have ceased to be so because they were adopted (or became subject to a residence order or special guardianship order).
2. Compelling medical or other exceptional reasons for attending the school.
3. The sibling link (providing the family home is within the catchment area for the school).
4. Those pupils living in the designated catchment area for the school.
5. Other children.

The areas of the City which switched from the Hove Park/Blatchington Mill catchment to the Portslade or Dorothy Stringer/Varndean catchment areas for 2013-14 will have the sibling link allowed for both areas until 2017-18 admissions.

The Aldridge Community Academies currently share these admission priorities and are also asked to comment upon them.

Admissions Arrangements for Community Infant, Junior and Primary Schools

No changes are proposed for the admission arrangements to community infant, junior and primary schools. The over subscription priorities are applied in the context of an equal preference system as required by the Admissions Code. The over subscription priorities are:

1. Children in the care of a local authority (looked after children) and children who were previously in the care of a local authority but have ceased to be so because they were adopted (or became subject to a residence order or special guardianship order).
2. Compelling medical or other exceptional reasons for attending the school.
3. The sibling link
4. For junior schools only: children attending a linked infant school
5. Other children.

Within all these priorities, the tie break is home to school distance (measured by the shortest available route).

More detail about the current primary and secondary admission arrangements can be found in the two school admission booklets. Schools have copies of the booklets which can also be viewed on the Brighton & Hove City Council web site.

Relevant Area for Consultation

The relevant area for school admissions in the city is currently defined as the area within the city boundary. This is the area which the LA uses when consulting on admissions arrangements, and can include other admission authorities and voluntary aided schools outside the city. The area can be larger than LA boundary, or smaller through the operation of a number of different relevant areas within the LA. The use of a relevant area was a requirement of the School Standards and Framework Act 1998, and this requirement remains in force. It is currently defined as the area within the Brighton & Hove city boundaries, so all voluntary aided schools within the city are required to consult all schools within the city boundary about their proposed admission arrangements. No change is proposed to the relevant area for 2014/15.

Academies, Free and Voluntary Aided Schools Consultation

Academies, Free and Voluntary Aided schools are required to consult with all other city schools, with the LA and with parents in the City who have children between the ages of 2 and 16 about their proposed admission arrangements for 2014/15 *unless the arrangements are unchanged from last year and have been consulted upon within the last seven years*. We will continue to publish proposed arrangements on the schools' section of the Wave, but in order to allow the parental consultation we will also publish on the Council's website. Schools not wishing to use this method of consultation, but still needing to consult, must conduct their own consultation process. In any event they must consult the LA and other City schools before finalising their admission arrangements. Consultation, if taking place, must be completed by 1 March 2013, and the Governors must have settled the final version of their admission arrangements by 15 April 2013.

If schools whose admission arrangements have changed do not consult then their admission arrangements will be open to challenge by parents and by appeal panels. I cannot emphasise strongly enough that failure to consult will lead to very difficult consequences for the schools concerned. Church of England and Roman Catholic VA schools are reminded that in law they must consult their diocesan authority with their proposed admission priorities before consulting anyone else.

In order to comply with the DfE regulations VA schools, Free Schools and Academies which are changing their admission arrangements must consult for a period of 8 weeks before 1 March 2013. This means that those schools wishing to use the LA website and schools section of the Wave to meet their consultation requirements must provide an electronic copy (Word format please) by 3 January 2013 at the latest. Realistically the Christmas break means that it would be better if the documents were forwarded to the School Admissions Team by the end of the autumn term. Diocesan Authorities have already been in contact with schools about the consultation requirements. Schools which are not consulting should notify the School Admissions team by the end of the autumn term as well.

This process is the same as last year. The new Code has made consultation less frequent if no changes are made as above. However if there have been any changes consultation must be conducted.

Published Admission Numbers

The proposed admission numbers for each school are attached to this bulletin. Schools are asked to comment on whether they agree with the number shown. These numbers are based on the net capacity range of each school, or in some cases a higher figure. As

previously, this list includes the expected admission numbers for voluntary aided schools, academies and free schools which act as their own admission authorities and set their own admission number. I should be grateful for a response from all schools as to whether they agree with the number shown on the attached list.

Co-ordinated Admission Schemes for 2014/15

The coordinated schemes are attached for comment. There is no longer a legal requirement to co-ordinate in year admissions (as of 2013/14) however Brighton & Hove City Council has drafted a scheme for doing so as it makes the process less arduous for parents. All VA schools and academies are required to take part in the operation of coordinated schemes of admission for admission at normal point of entry.

The in year coordinated scheme and the secondary scheme do contain an important change which is proposed. This is to withdraw the 'reallocation pool' arrangements with effect from the end of the Autumn term in year 7 from Autumn term 2013 onwards.

The Admission Timetable for 2014/15

The dates for applications and allocations for admission for the 2014/15 school year will be:

Infant, Junior and Primary Schools:	Closing date	15 January 2014
	Letters to parents/carers	16 April 2014
Secondary schools:	Closing date	31 October 2013
	Letters to parents/carers	1 March 2013

These dates are set out in more detail in the co-ordinated schemes.

The Consultation Timetable

- 3 January 2013** Voluntary Aided Schools to have provided the LA with their proposed admission arrangements for 2013/14 for publication if they wish to make use of the LA school and public consultation process using the schools' section of the Wave and the Council website.
- 1 March 2013** Schools and others to have returned any response to the Community School admission arrangements for 2013/14.
- Mid March 2013** Children and Young People Committee to consider admission arrangements for Community schools, taking into account the consultation responses. The arrangements will then go to full Council to be ratified. The proposed admission arrangements for Voluntary Aided schools, Free Schools and Academies may also be discussed at this meeting and may be commented upon. Schools and other admission authorities will be notified of the Council's conclusions within 2 weeks of the meeting.
- 15 April 2013** Deadline for Voluntary Aided Schools to have finalised their proposed admission arrangements.

Documents attached

1. Reply form

2. Proposed Admission Numbers – Primary
3. Proposed Admission Numbers – Secondary
4. Coordinated scheme – secondary
5. Coordinated scheme – primary
6. Coordinated scheme- In-year

Consultation Responses

Governing Bodies are asked to respond to this bulletin as soon as possible, using the attached response form. The closing date for responses is 28 February **2013**. Please note that this consultation bulletin and its attachments are being sent to all schools. The neighbouring Local Authorities of East and West Sussex are also being consulted in accordance with the Admissions Code requirements, and views will also be sought from the Church of England and the Roman Catholic Diocesan authorities. VA colleagues are again reminded that they must have determined their proposed admission arrangements by **3 January 2013** and sent them to the admissions team by that date for inclusion on the Council website consultation.

<p>Contact Name: Jo Miles Telephone: (01273) 293653 Email: schooladmissions@brighton-hove.gov.uk Address: King’s House, Grand Avenue, Hove</p>	
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Reply Form – Please return this form to School Admissions, 3rd Floor, King’s House, Grand Avenue, Hove, by 28 February 2013.

School Admissions Consultation - Admissions for the 2014/15 academic year

Name of School:

Name of Respondent:
(Please print)

Signature:

School Admission Arrangements and Over Subscription Priorities – Community Secondary Schools, Brighton Aldridge Community Academy and Portslade Aldridge Community Academy

Do you agree that waiting lists/reallocation pools should only apply during the first term of year 7 at secondary school level? Yes/No (please delete as appropriate). Do you have any comments on this proposal?

Please set out below any comments or changes you would propose to the published arrangements.

School Admission Arrangements and Over Subscription Priorities – Community Infant, Junior and Primary Schools

Please set out any comments or changes you would propose to the published arrangements.

Published Admission Number

This school agrees/disagrees* with the proposed admission number.

Comments on admission number.

Voluntary Aided Admission Priorities (for completion by VA schools only)

I confirm that this school will formally consult with maintained schools in the LA area (the Relevant Area), with the LA, parents and carers and with other consultation partners as required in law about the school's proposed admission arrangements for 2014/15 and will/has provide(d) draft admission arrangements for publication on the schools' section of the Wave. (Please tick the box.)

I confirm that this school is not proposing to consult as the admission arrangements are unchanged from last year and the school has consulted within the last two years.

Coordinated Schemes of Admission

Please set out any comments or changes you would propose to the coordinated schemes. Please notice the proposal to restrict waiting lists/reallocation pools at secondary level.



**Brighton & Hove
City Council**

SCHOOL ADMISSIONS CONSULTATION WITH PARENTS AND CARERS Admission Arrangements for Brighton & Hove Schools 2014/15

Final admission arrangements and right of objection

Once the Council, Academies and Voluntary Aided schools have determined their admission arrangements following this consultation, the Council will issue a press release before 1 May 2013 confirming those arrangements and setting out where they can be viewed. Once they have been published then parents and carers will have a right of formal objection to the Schools Adjudicator. Details of that objection process will be given in the public notice.

Admission Arrangements for Secondary Schools

No changes are proposed for the admission arrangements for community Secondary schools.

The Council uses a catchment area system with random allocation being used as the tie breaker in each admission priority in the event of oversubscription. These arrangements are also used by Brighton Aldridge Community Academy (BACA) and the Portslade Aldridge Community Academy (PACA). Cardinal Newman Catholic Secondary School and the King's School have their own admission priorities which they are consulting on separately (please visit www.brighton-hove.gov.uk/schooladmissions for details).

The over subscription priorities are applied in the context of an equal preference system as required by the School Admissions Code. They are:

1. Children in the care of a local authority (looked after children), and children who were looked after but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order).
2. Compelling medical or other exceptional reasons for attending the school.
3. A sibling link applied for those living within the designated catchment area only.
4. Those pupils living in the designated catchment area for the school(s).
5. Other children.

Within all these priorities, the tie break is random allocation.

The current catchment areas are set out in the [attached map](#). It also includes information about which post codes are in each of the catchment areas.

The Westdene area of the City was switched from the Hove Park/Blatchington Mill catchment to the Patcham catchment area after the new admissions arrangements had been implemented. As a result those living in Westdene will have the cross city sibling link allowed for one extra year (2014/15 admissions). The areas of the City

which switched from the Hove Park/Blatchington Mill catchment to the Portslade or Dorothy Stringer/Varndean catchment areas for 2013-14 will have the sibling link allowed for both areas until 2017-18 admissions.

For the purposes of this priority a sibling is defined as a child living within the same household as another.

Random allocation

Random allocation is only used as a tie break within each of the over subscription priorities. So far it has only been used at priority 4 (children living in catchment area) when one of the schools in a dual catchment has had more applications than places left, or when there are places left over in a catchment which can be offered to pupils living outside. Random allocation is not used as a priority in itself, only in conjunction with the published over subscription priorities 1 - 5.

For a full description of how the over subscription priorities operate, please use this link to the [Admissions Booklet for 2013/14](#).

The council welcomes your comments on any aspects of the secondary school admission arrangements, suggestions as to how they might be improved and your views on how they have operated to date.

Admissions Arrangements for Community Infant, Junior and Primary Schools

No changes are proposed for the admission arrangements to Community Infant, Junior and Primary schools. The over subscription priorities are applied in the context of an equal preference system as required by the Admissions Code. They are:

1. Children in the care of a local authority (looked after children), and children who were looked after but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order).
2. Compelling medical or other exceptional reasons for attending the school.
3. The sibling link.
4. For junior schools only: children attending a linked infant school
5. Home to school distance (measured by the shortest available route).

Within all these priorities, the tie break is home to school distance (measured by the shortest available route).

More detail about the primary admission arrangements can be found in the [school admission booklet](#). Schools have copies of the booklet which can also be viewed on the Brighton & Hove City Council web site. Your views about the primary school admission arrangements are invited.

Relevant Area for Consultation

The relevant area for school admissions in the city is currently defined as the area within the city boundary. This is the area which the Local Authority (LA) uses when consulting on admissions arrangements, and can include other admission authorities and voluntary aided schools outside the city. The area can be larger than LA boundary, or smaller through the operation of a number of different relevant areas within the LA. The use of a relevant area was a requirement of the School Standards and Framework Act 1998, and this requirement remains in force. It is currently defined as the area within the Brighton & Hove city boundaries, so all voluntary aided

schools, free schools and Academies within the city are required to consult all schools within the city boundary about their proposed admission arrangements. No change is proposed to the relevant area for 2014/15.

Own Admission Authority Schools Consultation

Schools whose governors are responsible for their own admission arrangements (Free Schools, Academies and Voluntary Aided Schools) are required to consult with all other city schools, with the LA and with parents in the City who have children between the ages of 2 and 18 about their proposed admission arrangements for 2014/15 *unless the arrangements are unchanged from last year*. These proposed arrangements will be on the Council's website or available from the schools. Consultation, if taking place, must be completed by 1st March 2013 and the Governors must have settled the final version of their admission arrangements by 15 April 2013. Parents may wish to send their comments on own admission authority schools' proposed admission arrangements direct to the school or can send them to the Council which will pass them on to the individual school governing bodies. Those governing bodies are responsible for deciding admission arrangements for their own school.

Published Admission Numbers

The proposed admission numbers for each school are attached to this document. You are invited to comment on whether you agree with the number shown. These numbers are based on the net capacity range of each school, or in some cases a higher figure. The net capacity is a nationally required means of measuring how many pupils a school can take. As previously, this list includes the expected admission numbers for own admission authority schools who set their own admission number.

Co-ordinated Admission Schemes for 2014/15

The coordinated schemes are attached for comment. They set out the arrangements, including dates, for the coordination of secondary and primary admissions and in-year applications. The purpose of this coordination is to ensure that all parents and carers receive one offer of a school place for their child within published timescales. The scheme applies to all maintained (ie state) schools in Brighton & Hove, including Academies, Free Schools and Voluntary Aided schools.

The only change to these is that we propose to restrict the use of reallocation pools/waiting lists at secondary school level to children in their first term of year 7. This is because experience tells us that moving school at secondary level can be damaging to children's performance, and because it is very rare for parents to be offered a place for their child in this way due to oversubscription levels.

The Admission Timetable for 2014/15

The dates for applications and allocations for admission for the 2014/15 school year will be:

Infant, Junior and Primary Schools:	Closing date	15 January 2014
	Letters to parents/carers	16 April 2014
Secondary schools:	Closing date	31 October 2013
	Letters to parents/carers	3 March 2014

These dates are set out in more detail in the co-ordinated schemes.

BRIGHTON & HOVE CITY COUNCIL

Scheme for co-ordinated admissions to secondary schools – Admissions Year 2014/15 (Admissions in September 2014)

Introduction

The main purpose of the co-ordinated scheme is to ensure that every parent of a child living in Brighton & Hove who has completed a school preference form receives one offer of a secondary school place at the conclusion of the normal admission round for pupils transferring from primary to secondary school. The scheme is designed to foster clear communications on school admissions between the City Council, community schools, Academies (for the purposes of this document Free Schools are included as Academies), Cardinal Newman School, which as a voluntary aided secondary school acts as its own admission authority, and neighbouring Local Authorities (LAs) and admission authorities. It fulfils the requirements of the School Admissions (Admission Arrangements and Co ordination of Admission Arrangements (England)) Regulations 2012 and more detailed arrangements set out in the School Admissions code 2012. It also conforms to the new School Admissions Code 2012.

The scheme does not affect the rights of the different admission authorities mentioned to set their own admission priorities, and consider applications on the basis of those priorities. It is intended to set out a process and time scale for the exchange of pupil information between the parties to the scheme, resulting in the offer of a single school place. This should represent a preference listed by the parent /carer that it is possible to meet following the application of the admission priorities by this LA or by other admission authorities. Where it is not possible to allocate a place at any of the preferred schools for a child living in Brighton & Hove, a place will be offered at the nearest school to their home address within the city boundaries with a place available. This will not preclude parents from seeking an alternative place elsewhere if they are unhappy with the offer, nor will it prevent them from lodging an appeal with the admission authority for their preferred school.

All residents of Brighton & Hove should apply using the City Council's common application form (online or paper) even if they are seeking a place at a maintained school in the area of another Council.

The time scales set out in the scheme work towards the prescribed date (1st March or the first working day following 1st March where it falls at a weekend) on which secondary school place decisions must be notified to parents/carers. It will also be broadly in line with the time scales used by neighbouring LAs.

Key dates

- | | |
|---|----------------------|
| • Online application facility available | 1 September 2013 |
| • Distribution of admission leaflets | by 12 September 2013 |
| • Distribution of admission booklets | on demand |
| • Closing date for applications | 31 October 2013 |

- Preference data exchanged with Cardinal Newman School, King's School and neighbouring LAs 18-22 November 2013
- Cardinal Newman & King's School provide LA with provisional ranking order of applicants. 20 December 2013
- Neighbouring LAs asked for provisional list of offers to B&H residents, B&H provides Provisional list to those LAs. 20 December 2013
- Consider qualifying late applications. 24 January 2014
- Finalise allocations and exchange offer details with Cardinal Newman, King's school and neighbouring LAs Between 27 January- 7 Feb 2014
- Notification e-mails sent to parents, decisions posted to applicants using paper forms 1 March 2014
- Deadline date for acceptance of places and appeals to be heard in the main round. 31 March 2014

Process and detailed time scale

1. The school admissions leaflet published by the City Council will be distributed to parents at the beginning of September 2013. This LA will have identified those pupils entering Year 6 in city maintained schools (the transfer cohort) from primary school records. Neighbouring LAs will be asked to provide records of Brighton & Hove children attending schools in their areas so that admission leaflets can be sent to their parents/carers. Brighton & Hove will in return provide information to other LAs about their residents attending Brighton & Hove schools.
2. Parents/carers will be invited to list 3 preferences for a school place ranked in order of priority. These may be at a City Community School, an Academy, a Free School or a voluntary aided secondary school (Cardinal Newman), or any maintained school outside the City of Brighton & Hove. Those resident in the City must use the Brighton & Hove school admission preference form to indicate their preferred schools, either the paper or online form. No other form of application will be valid. The LA allocates places on the basis of equal preference, and each preference listed will be prioritised in accordance with the published admission priorities for community and own admission authority secondary schools in the City. If it is possible to offer more than one place on the basis of those priorities, the one ranked higher on the preference form will be offered.
3. Parents and carers are strongly advised to apply online through the facility available on the Brighton & Hove City Council website. This will provide them with a response which confirms their preference listing and acts as proof of application. Alternatively the paper form should be completed and returned to the child's primary or junior school in the City, or to the Admissions Team at King's House **by 3.00 on Monday 31 October 2013**. Applicants for Cardinal Newman and/or King's School will need to return their supporting information directly to the school as well as submitting an online application or paper form to the Council. If supporting information is returned to the Local Authority, the documents will be shared with the

school. This closing date has been set in order to conform with the law and to the admission timetables of neighbouring LAs and assist coordination of applications. As it will fall during half term schools will need to advise parents applying on paper and/or completing a paper SIF of arrangements for returning forms during half term (King's House will be open during half term between 9am and 5pm Monday-Friday).

4. Where as part of its admission priorities a voluntary aided school, free school or academy within the City or beyond requires additional supporting information, such as a Governors' form, or proof of denominational commitment, that form or proof should be completed and returned by the same closing date. This is to ensure that target dates for the exchange of pupil information between authorities and the notification date for parents/carers can be met. Provided the LA common application form has been completed and returned, that additional information may be given direct to the school, or handed in with the preference form. Parents/carers will be advised through the admissions booklet of Brighton & Hove or neighbouring LAs, or through school published parent information, of any such additional information requirements for own admission authority schools.
5. If using an application form rather than online application parents and carers whose children attend maintained primary schools in the City are strongly advised to return the form via the school. Parents who prefer to post the form should understand that proof of posting is not proof of receipt, and they will not have confirmation of receipt in the same way as those applying online or returning the form to their child's school. All maintained junior and primary schools in the city will return secondary preference forms they receive to the LA in batches as they are received, with the final batch as soon as possible after the closing date. Schools should maintain a list to record the date on which each form was received, the school preferences, and if required will provide proof of receipt to the parent/carer. This ensures that on time applications and late applications are clearly recorded as such. It also provides assurance for parents should the school or the LA subsequently mislay the form.

No later than 22 November 2013.

- ∇ LA will identify the number of preferences (first, second or third) received for each school.
- ∇ Cardinal Newman School and King's School will be provided with details of any parental preference (via form or online applications) where it gives the school as a preference (first, second or third) received by the LA. It will apply its oversubscription criteria to prioritise all preferences. Where pupils have a Statement of Special Educational Needs and must be offered a place as first priority this will be indicated. (Stated pupils must be given priority for school of preference in accordance with the SEN and Admissions Codes of Practice.)
- ∇ West and East Sussex and other LA's as necessary will be forwarded the details of preferences (forms and Online applications) expressed for their schools by Brighton & Hove parents/carers (first, second and

third). Where the pupil has a Statement of Special Educational Needs this will be indicated.

- ∇ West and East Sussex will be asked to provide a list of pupils living in those areas who have expressed a preference for a Brighton & Hove school (first, second or third), indicating those who have a Statement of Special Educational Needs.

No later than 20 December 2013

- ∇ Cardinal Newman School and King's School will provide the LA with a list showing children in priority order for places at the school. The list will show which admission criterion was applied to each child and the point at which the final place would be offered. The school will advise the LA of such additional information as is necessary to inform parents of the reason for its decision when allocation letters are sent on 1st March 2014.
- ∇ Brighton & Hove will apply its admission priorities to all preferences received for community schools, and where the children are resident in other LAs, will inform that LA.

Between 27 January and 7 February 2014

- ∇ Brighton & Hove will establish whether more than one offer could be made on the basis of the application of its own admission priorities and those of voluntary aided schools, free schools/Academies and other LAs. It will determine in each case which is the highest parental ranking.
- ∇ Final lists of school allocations will be prepared.
- ∇ Emails and letters to parents/carers will be prepared.
- ∇ Consideration will be given to late applications received before the allocation date, as set out in Appendix A below.
- ∇ Neighbouring LAs will be sent final details of children living in their area offered a place at a Brighton & Hove school, and for whom they will need to send allocation letters.

1st March 2014

Online applicants will receive their decisions by e-mail. Letters will be sent to parents/carers who have not applied online or who have specifically requested this. The LA letter to parents will contain the following:

- ∇ If they have not been allocated a school of preference, the reason why not.
- ∇ How places at all Brighton & Hove schools were allocated.
- ∇ Where it is an own admission authority school, the fact that the offer is made on behalf of the governing body of the school.
- ∇ Where it is a school maintained by another LA, the fact that the offer is made on behalf of that LA.
- ∇ The right of appeal to an independent panel, and how to arrange an appeal for a community school, a voluntary aided school, and in the case of schools in other LA's, who to contact.

31 March 2014

Parents and carers should accept offers of places by this date in order to allow schools and the LA ample planning time for the new intake. This does not affect their right to appeal if the place they are accepting is not their highest preference. Parents should also have exercised their right to appeal by this date if they want to be assured of having their appeal heard in the main round of appeals.

Proof of address

The LA may require parents/carers to provide proof of address if they apply for a place at a community school. Own admission authority schools may also request proof of address from their applicants.

Appendix A – Changes of address and late applications

New arrivals in the city

Parents/carers moving into the City in the course of the admission process who are making an application on the basis of their new address must provide evidence of either a tenancy agreement of six months or more or an exchange of contracts if they are purchasing a property. Applicants should return their preference form by the closing date if possible, especially if their move took place before the closing date, forwarding proof of the move at the earliest opportunity. If they provide the form and the evidence of the move by 24 January 2014 their application will be included in the main admissions round.

Late applications received before the allocation date.

- I. With the exception of families moving into the area and cases as described at V below, forms received after the closing date will not be considered by the LA until school allocations have been made for those received by the closing date. Any received for Cardinal Newman School and/or King's School will be forwarded to the school, which will decide whether or not to include the application in the main admission round.
- II. Any preference forms for community schools received in respect of children in public care will be included in the main admission round as valid first preferences at any time up to the allocation date on **7 February 2014**. Where such applications are received after that date, the LA will, if attendance at that school is seen as a necessity for the welfare of the child, seek to offer places at the school of first preference, if necessary negotiating with that school to admit beyond the published admission number in order to do so. If, however, it is acceptable to offer a place at a lower ranked school without going over numbers, the LA will discuss that possibility with the social worker for the child. Applications for Cardinal Newman School, King's School or schools in other LA areas for children in public care will be considered in line with the admission arrangements for those schools and the requirements of the Admissions Code.

- III. Applications received after the closing date but before the allocation date on 7 February 2014 will be sent a letter allocating a school place on 1 March 2014 or as soon as possible after that date if the volume of late applications is high. Applications received after the allocation date will be sent an allocation letter as soon as possible after 1st March 2014.
- IV. Parents/carers living in the City who change a preference as a result of a change of address within the city, and who return the new form and evidence of the address change will have that change considered in the main round of allocations if it is received by **24 January 2014**. They will have to provide evidence of the address change. Those preference forms received after that date will be considered as late applications.
- V. Other late applications where there is good reason for the delay will be considered in the main round of allocations if received by **24 January 2014** where independent evidence is given by a third party (usually a professional source such a doctor or social worker) to support the reason for the delay.

Late applications received after the allocation date

- I. Where an application is received after the allocation date, from a parent/carer living in the City, they must use a Brighton & Hove preference form. If the preference(s) is for a community school, the LA will allocate a place if the school remains under subscribed. If the school(s) is fully subscribed, a place will be allocated at the nearest school to the home address that has a vacancy. Brighton & Hove will seek to make a decision as soon as possible after receiving the form. Where a preference is given for a free school, an Academy, Cardinal Newman School or a school in a neighbouring LA, the form will be passed to that admission authority for a decision. They will be asked to reach a decision within fourteen days of receiving the form. Brighton & Hove will endeavour to send a decision to the parent /carer as soon as possible once it has either reached a decision, or been informed of a decision by the other admission authority.
- II. If a change of preference or preference order is received following the decision letter on 1st March 2014 and the home address has not changed (and there has been no other relevant change of circumstances), that changed preference will not be considered until after 30th June 2014. This allows reasonable time for the consideration of late first applications and the operation of the reallocation pool where places have been offered and refused.
- III. All applications received after the beginning of the autumn term will be regarded as outside the admission round. Nonetheless, Brighton & Hove will act as the point of contact for all preferences for parents/carers living in the City, and will liaise with Cardinal Newman School, King's School, BACA, PACA and other LAs over applications for admission to schools other than Brighton & Hove Community Schools. The Brighton & Hove preference form should be used in all cases by City residents and returned to the Brighton & Hove Admissions Team. The same arrangements will apply to applications

for admission to schools for year groups other than the normal admission group in Year 7. Where the LA, Cardinal Newman School, King's School, BACA, PACA or another admission authority is not able to offer a place in accordance with a parental preference, the LA will offer a place at the nearest school to the home address of the applicant with a vacancy in the appropriate year group. This may be an Academy or a VA school. Admissions to Years 12 and 13 in those schools that make such provision will be regarded as transfer admissions rather than admission at a normal point of entry. (The majority of such pupils will have attended the school from Year 7, or transferred to the school in Key Stage 3 or 4.) Should any other schools adopt Academy status, this paragraph will also apply to them.

Re-allocation Pool

- I. Brighton & Hove will operate a re-allocation pool system for its community schools, BACA and PACA. (Cardinal Newman School and King's School will operate their own waiting list/reallocation arrangements.) The ranking within this system will be based on the Brighton & Hove admission criteria. All children will be automatically placed in the re-allocation pool for the community school for which they have expressed the highest preference. Parents/carers will be asked to indicate if they also wish to be placed in the re-allocation pool for a different preferred school when the allocation letters are sent on 1st March 2014. Places will be offered to children from the pool as soon as a place becomes available at an over subscribed school and the admission priorities have been applied. This LA will notify other LAs as appropriate if it offers a place from the pool at a Brighton & Hove school to a pupil living outside the City. The pool will operate until the end of the Autumn Term.
- II. Other admission authorities will operate a re-allocation or waiting list system. If they are able to place a child resident in Brighton & Hove in one of their schools they are asked to notify this LA at the earliest opportunity.

School Admission Appeals

- I. Parents/carers wishing to appeal against the LA's or a voluntary aided school's decision not to offer a place at a preferred school should do so in writing by 31 March 2014 if they want to be assured of having their appeal heard in the main appeal round.
- II. The LA will not arrange an appeal, or ask an own admission authority school to arrange an appeal for a school that was not included on the original application. It will only arrange an appeal for a school that was listed as a preference, as it will not have given a decision to the parent/carer for schools not included on the form. If a parent/carer wishes to receive a decision for a school not included in their original preference, and thus acquire a right of appeal, they must complete a further preference form. However, unless there is a change of address or other change of circumstances leading to the change of preference this new form will not be considered until after 30th June 2014.

- III. Parents/carers will receive 10 school days notice of the date of the appeal hearing, and will receive copies of any documentation relating to the appeal 7 days in advance of the hearing.
- IV. Whilst the City Council, other LAs and the Governing Bodies of Academies and voluntary aided schools will make every effort to hear appeals within 40 school days of the deadline for submitting appeals, as suggested in the Appeals Code, they cannot guarantee this time scale. The volume of appeals to be heard and the availability of the appeal panel members, who are volunteers, will have a direct affect on the timing of the appeal hearings.
- V. Appeals for late applications and school transfers outside the normal admission round will be arranged as soon as practicable after the decision to refuse a preference has been conveyed to the parent/carer or if appropriate to the student, and in any case within 30 school days of the appeal being lodged.
- VI. Appeals will be heard for refusals to places in Years 12 and 13 on the basis that they are school transfers.

BRIGHTON & HOVE CITY COUNCIL

Scheme for co-ordinated admissions to infant, primary and junior schools – Admissions Year 2014/15 (Admissions in September 2014)

Introduction

The main purpose of the co-ordinated scheme is to ensure that every parent of a child living in Brighton & Hove who has completed a school preference form receives one offer of an infant, primary or junior school place. This will be on a set date following the conclusion of the normal admission round for pupils seeking admission to school. The scheme is designed to foster clear communications on school admissions between the City Council, community schools, and voluntary aided schools which act as their own admission authority.

The scheme does not affect the rights of voluntary aided schools and Academies to set their own admission priorities, and consider applications on the basis of those priorities. It is intended to set out a process and time scale for the exchange of pupil information between the parties to the scheme, resulting in the offer of a single school place. This should represent a preference listed by the parent /carer following the application of the admission priorities by the Local Authority (LA) or by voluntary aided schools. Where it is not possible to allocate a place at any of the preferred schools for a child living in Brighton & Hove, a place will be offered at the nearest school to their home address within the city boundaries with a place available. This will not preclude parents from seeking an alternative place elsewhere if they are unhappy with the offer, nor will it prevent them from lodging an appeal with the admission authority for their preferred school.

All residents of Brighton & Hove should apply using the City Council's common application form (online or paper) even if they are seeking a place at a maintained school in the area of another Council.

The time scales set out in the scheme will be broadly in line with the time scales used by neighbouring LAs. **Please be aware that the timescale has tightened slightly in line with the new national offer day and VA schools' and Academies' governing bodies will need to meet between 24 February 2014 and 14 March 2014 when the ranking order needs to be returned to the Local Authority.**

Key dates

- Online application facility available 1 September 2013
- Distribution of admission booklets on request
- Closing date for applications 15 January 2014
- Preference data exchanged with Voluntary aided schools and other LAs. 14 February 2014
- Voluntary Aided schools provide Council with provisional ranking order of all applicants. 14 March 2014
- Data exchanged with VA schools and

- neighbouring authorities 28 March 2014
- Consider qualifying late applications. 14 March 2014
- Finalise allocations and provide schools with offer details. 28 March 2013
- Decisions emailed to parents/carers, 16 April 2014
Letters posted to parents who applied on paper.
- Deadline for acceptance of places and appeals to be heard in the main round. 20 May 2014

Process and detailed time scale – infant, junior and primary schools

1. The school admissions booklet published by the City Council will be distributed on request to parents/carers applying for infant or primary school places. A publicity campaign will be launched in September 2013 encouraging parents to apply online. This will include a leaflet sent via the post, schools, other council services, early years settings, the press and other media to parents of those pupils seeking places in school. Schools will be asked to act as a collection point for information about pupils seeking school places.
2. Parents/carers will be invited to list 3 preferences for a school place ranked in order of priority. These may be for Community Schools or voluntary aided schools within the city. The Brighton & Hove school admission preference form must be used to indicate their preferred schools, either paper or online version. No other form will be valid. They should list the schools in order of priority (e.g. 1, 2, 3). The LA allocates places on the basis of equal preferences, and each preference listed will be prioritised on the basis of the published admission priorities for community and voluntary aided schools. If it is possible to offer more than one place on the basis of those priorities, the one ranked higher on the preference form will be offered.
3. Parents and carers are strongly advised to apply online through the facility available on the Brighton & Hove City Council website. This will provide them with a response which confirms their preference listing and acts as proof of application. Alternatively the paper form should be completed and returned to their local infant/primary school or to the Admissions Team at King's House, Grand Avenue, Hove **by 3.00pm on 15 January 2014.**
4. Where as part of its admission priorities a voluntary aided school requires additional supporting information, such as a Governors' form, or proof of denominational commitment, that form or proof should be completed and returned by the same closing date. This is to ensure that target dates for the exchange of pupil information and the notification date for parents/carers can be met. Provided the LA preference form has been completed and returned, that additional information may be given direct to the school, or handed in with the preference form. Parents/carers will be advised through the admissions booklet for Brighton & Hove, and through school published information, of any such additional information requirements for voluntary aided schools. Parents/carers with queries

about voluntary aided school admission requirements should contact the school for further information.

5. If using an application form rather than online application parents and carers are strongly advised to send their form via a preferred school. Parents who post the form should understand that proof of posting is not proof of receipt, and they will not have confirmation in the same way as those applying online or returning the form to a school. All maintained infant and primary schools in the city will return preference forms to the LA in batches as they are received, with the final batch as soon as possible after the closing date. Schools should maintain a list to record the date on which each form was received, and if required will provide proof of receipt to the parent/carer. This ensures that on time applications and late applications are clearly recorded as such. It also provides assurance for parents should the school or the LA subsequently mislay the form.
6. **No later than 14th February 2014**
 - ∇ LA will identify the numbers of preferences (first, second and third) received for each school.
 - ∇ Voluntary aided schools, free schools and academies will be provided with details of parental preferences where their school is given as a preference (via form or online). They will apply oversubscription criteria to prioritise all preferences. Where pupils have a Statement of Special Educational Needs (naming the school) and must be offered a place as first priority this will be indicated. (Statemented pupils must be given priority for school of preference in accordance with the SEN and Admissions Code. This applies to all maintained schools, including Voluntary Aided.)
 - ∇ West and East Sussex and other LA's as necessary will be forwarded the details of preferences (forms and Online applications) expressed for their schools by Brighton & Hove parents/carers (first, second and third). Where the pupil has a Statement of Special Educational Needs this will be indicated.
 - ∇ West and East Sussex will be asked to provide a list of pupils living in those areas who have expressed a preference for a Brighton & Hove school (first, second or third), indicating those who have a Statement of Special Educational Needs.
7. **No later than 14 March 2014**
 - ∇ Voluntary aided schools, free schools and academies will provide the LA with a list showing which children in priority order for places at the school. The list will show which oversubscription criterion was applied to each child, and relevant information to apply any necessary tie-break. The school will advise the LA of such additional information as is necessary to inform parents of the reason for its decision when allocation letters are sent on 16 April 2014.
 - ∇ Other LAs will provide Brighton & Hove LA with a list of which Brighton & Hove pupils could be offered places in their schools. They will advise

Brighton & Hove of the reason where a preference cannot be met for inclusion in the allocation letters on 16 April 2014.

- ∇ Brighton & Hove will apply its admission priorities to all preferences received for community schools, and where the children are resident in other LAs, will inform that LA.
- ∇ The LA will apply its own admission priorities for all community school preferences.

8. No later than 28 March 2014

- ∇ Brighton & Hove will establish whether more than one offer could be made on the basis of the application of its own admission priorities and those of voluntary aided schools, free schools, academies and other LAs. It will determine in each case which is the highest parental ranking.
- ∇ Final lists of school allocations will be prepared.
- ∇ Emails to parents/carers will be prepared.
- ∇ Consideration will be given to qualifying late applications received before 14 March 2014.
- ∇ Discussions will take place with other admission authorities as necessary to resolve any remaining unallocated applications.
- ∇ Neighbouring LAs will be sent final details of children living in their area offered a place at a Brighton & Hove school, and for whom they will need to send allocation letters.

9. 16th April 2014

Online applicants will receive their decisions by e-mail. Letters will be sent to parents/carers who did not apply on line. The LA email or letter to parents will contain the following:

- ∇ If they have not been allocated a school of preference, the reason why not.
- ∇ How places at the preferred schools were allocated.
- ∇ The right of appeal to an independent panel, and how to arrange an appeal for a community school or a voluntary aided school.

10. 20 May 2014

Parents and carers should accept offers of places by this date in order to allow schools and the LA ample planning time for the new intake. This does not affect their right to appeal if the place they are accepting is not their highest preference. Parents should have also exercised their right to appeal by this date if they want to be assured of having their appeal heard in the main round of appeals.

11. Proof of address

The LA may require parents/carers to provide proof of address if they are applying for a community school place.

Appendix A – Changes of address and late applications

New arrivals in the city

Parents/carers moving into the City in the course of the admission process who are making an application on the basis of their new address must provide evidence of either a tenancy agreement of six months or more or an exchange of contracts if they are purchasing a property. Applicants should return their preference forms by the closing date if possible, especially if their move took place before the closing date, forwarding proof of the move at the earliest opportunity. If they provide the form and the evidence of the move by 14th March 2014 their application will be included in the main admission round.

Late applications received before the allocation date

- I. With the exception of families moving into the area and cases as described at V below, forms received after the closing date will not be considered by the LA until allocations have been made for those received before the closing date. Any received for an own admission authority school will be forwarded to the school. The school will decide whether or not there is a good reason to include these late applications in the main admission round, but will only consider them if they are received before 14th March 2014.
- II. Any preference forms received for community schools in respect of children in public care will be included in the main admission round as valid preference at any time up to 28th March 2014. Where such applications are received after that date, the LA will, if attendance at that school is seen as a necessity for the welfare of the child, seek to offer places at the school ranked highest on the preference form. If, however, it is acceptable to offer a place at a lower ranked school without going over numbers, the LA will discuss that possibility with the social worker for the child. Applications to voluntary aided schools, free schools and academies received on behalf of children in public care will be considered in line with the published admission policy for each school and the requirements of the School Admission Code.
- III. Applications received after the closing date will be sent a letter allocating a school place as soon as possible after the main notification date of 16 April 2014.
- IV. Parents/carers living in the City who change any preference as a result of a change of address, and who return the new form by 14th March 2014 will have that change considered in the main round of allocations. They will have to provide evidence of their new address and will not have their changed application accepted without that evidence.
- V. Other late applications where there is a good reason for this will be considered in the main round of allocations if received by 14th March 2014 where independent evidence is given by a third party (usually a professional source such as a doctor or social worker) to support the reason for the delay.

Applications received after the allocation date

1. Where an application is received after the allocation date, from a parent/carer living in the City, they must use a Brighton & Hove preference form. If the preference(s) is for a community school, the LA will allocate a place if the school remains under subscribed. If the school(s) is fully subscribed, a place will be allocated at the nearest school to the home address that has a vacancy. Brighton & Hove will seek to make a decision as soon as possible after receiving the form. Where a preference is given for an own admission authority school or a school in a neighbouring LA, the form will be passed to that admission authority for a decision. They will be asked to reach a decision within fourteen days of receiving the form. Brighton & Hove will endeavour to send a decision to the parent /carer either as soon as possible once it has reached a decision, or has been informed of a decision by the other admission authority.

11. If a change of preference or preference order is received following the decision letter on 16th April 2014 and the home address has not changed, that changed preference will not be considered until after 30th June 2014. This allows reasonable time for the consideration of late first applications and the operation of the waiting list where places have been offered and refused.

111. All applications received after the beginning of the autumn term 2014 will be regarded as outside the admission round. Nonetheless, the LA will act as the point of contact for all preferences from parents/carers living in the City. The LA will liaise with own admission authority schools over applications for admission to those schools, and will inform parents of their admission decisions, if necessary allocating an alternative school place. The LA preference form should be used in all cases. The same arrangements will apply to applications for admission to schools for year groups other than the normal Reception year. (See also School Transfers below.) This ensures that the LA has a full record of pupil admissions, and supports both the schools and the LA in their responsibilities for pupil tracking and safety.

Waiting List

- I. Brighton & Hove will operate a waiting list system for its community schools. (Voluntary Aided schools make their own waiting list arrangements- this will also apply to Academies and Free Schools). The waiting list ranking will be based on the LA admission criteria. Rankings within each priority will be determined by home to school distance. All children will be automatically placed on the waiting list for the community school for which they have expressed the highest preference, although parents will be given the option of also asking to go on the waiting list for a different preferred school place when places are allocated on 16th April 2014. Places will be offered to children from the waiting list as soon as a place becomes available at an over subscribed school and the admission criteria have been applied. The waiting list will operate until the end of the Autumn Term.

- II. Parents/carers wishing to keep their child's name on the list for longer than the end of the Autumn Term must inform the LA. They must renew the waiting list place each term thereafter. Applicants outside of the main admission exercise will be placed on waiting lists for one term, and must ask for the child's name to remain on the waiting list each term thereafter.

School Admission Appeals

- I. Parents/carers wishing to appeal against the LA's decision not to offer a place at a preferred school should do so by 20 May 2014 if they want to be assured of having their appeal heard in the main appeal round.
- II. The LA will not arrange an appeal or ask a voluntary aided school to arrange an appeal for a school that was not included on the original preference form. It will only arrange an appeal for a school which was listed as a preference, as it will not have given a decision to the parent/carer for schools not included on the form. If a parent/carer wishes to receive a decision for a school not included in their original preference, and thus acquire a right of appeal, they must complete a further preference form. However, unless there is a good reason for a change of preference this new form will not be considered until after 30th June 2014.
- III. Parents/carers will receive 10 school days notice of the date of the appeal hearing, and will receive copies of any documentation relating to the appeal 7 days in advance of the hearing.
- IV. Appeals for on-time applications must be heard within 40 school days of the closing date for appeals to be lodged. The volume of appeals to be heard and the availability of the appeal panel members, who are volunteers, will have a direct effect on the timing of the appeal hearings.
- V. Appeals for late applications and school transfers outside the normal admission round will be arranged as soon as practicable after the decision to refuse a preference has been conveyed to the pupil and the parent/carer, and in any case within 30 school days.



BRIGHTON & HOVE CITY COUNCIL

Scheme for co-ordinated admissions In Year allocations – Admissions Year 2013/14

Introduction

The requirement for In-Year co-ordination has been abolished by the School Admissions Code 2012, however there is still a requirement for the LA to retain a monitoring role in in-year allocation of school places. In view of this it is proposed to retain in-year co-ordination between maintained schools in Brighton & Hove. The co-ordination referred to in this document will be offered to schools free of charge. However, it may be possible for own admission authority schools to purchase additional services should they wish to do so.

This scheme for in-year admissions will come into force from 1 September 2013.

Procedure

1. Parents may name up to three preferences on the Brighton & Hove application form and all preferences expressed by parents will be treated equally. This means that each preference will be measured against the published oversubscription criteria only, without reference to the order stated by the parent. Only one school place will be offered, and this will be the highest possible preference expressed by the parent that can be agreed.
2. Where it is not possible to offer any of the named preferences, the applicant will remain at their current school if possible, or an alternative school place within Brighton & Hove will be offered. This will normally be the nearest school appropriate to the child's age and educational needs with a place available.
3. In order for parents to make a valid application for a maintained school place in Brighton & Hove, parents must complete a common application form provided by Brighton & Hove City Council. The Brighton & Hove application form will be available in paper form or can be accessed directly online or as a download from the Brighton & Hove City Council website.
4. Schools where the governing body is the admission authority may require additional information in order to apply their oversubscription criteria and in the case of voluntary aided church schools will provide a supplementary information form to the parent. Where the parent fails to complete the supplementary form, the

governing body will rank the application according to the information given on the application form only. Where the parent completes the supplementary form but fails to complete the application form, this will not constitute a valid application.

5. Completed supplementary information forms will be returned to the individual schools, and not the Admissions and Transport Section.

Preferences for schools where Brighton & Hove City Council is not the admission authority.

1. Where the parent names a school in Brighton & Hove, where the City Council is not the admission authority (ie a Voluntary Aided school, a free school or an Academy), the child's details, (i.e. name, address, date of birth and any supporting documents) will be sent to the governing body. They will rank the preferences according to their published admission criteria and confirm with the City Council, no later than **five school days** after receipt of the form, whether it would be possible to offer a place. Should any other schools become Academies before or during the 2013/14 academic year, this paragraph will also apply to them.

2 Any applications submitted by parents/carers to schools in error must be forwarded to the City Council admissions team.

3 Brighton & Hove admissions authority acting for BACA and PACA will rank admissions priorities as these Academies are at the present time retaining the same arrangements as other Brighton & Hove Community Schools.

Notifying parents of the outcome of their applications.

1. The City Council will notify parents of the outcome of their applications. This is regardless of whether the City Council is the admission authority. This will be done by email or letter as appropriate, and will advise parents to contact the allocated school to arrange a mutually convenient start date.

2. Parents are expected to confirm acceptance of the offer of a school within fourteen days after the date of the offer.

Postdated Applications and changes of address

1. Parents who apply for a school place for a date which is more than half a school term in the future will be sent a holding letter explaining that their application will not be processed until the half term before the date the place is required. Their application will be considered along with any others which are outstanding at that point.

2. Parents who are moving into, or within Brighton & Hove, may apply at any time during the moving process. However, their application will not be processed until the City Council has received proof of the new address (e.g. evidence of exchange of contracts or a copy of a signed tenancy agreement). This allows the Council to apply the appropriate priority for admission based on the new address.

Appeals

1. Parents will be informed of their statutory right of appeal when they receive the outcome of their applications. Parents can appeal for any preference expressed but not allocated, even if it was a lower preference than the one offered.
2. Parents will be allowed 20 school days from the date of the notification letter to submit a written appeal. Appeal forms will be available from individual admission authorities. Parents are entitled to appeal at any point during the remainder to the academic year of their application.
3. Appeal forms for Brighton & Hove community primary and secondary schools will not automatically be sent with the notification letter, but will be available on request. They can also be downloaded from the Brighton & Hove website. Appeal details for voluntary aided schools and Academies will be available from the individual governing bodies.

Waiting lists

1. Waiting lists for all Brighton & Hove community **primary** schools will be held by the City Council, but schools where the governing body is the admission authority will maintain their own waiting lists and advise on the ranking of these lists in accordance with their published oversubscription criteria.
2. All community **primary** school waiting lists or re-allocation pools will be cleared at the end of each term, and any parents wanting their child to remain on waiting lists for schools will need to contact the admission authority to request this.
3. There is no requirement to maintain waiting lists after the end of the Autumn term of the year of entry (ie Reception, year 3 or year 7). This being so, Brighton & Hove City Council proposes to close re-allocation pools for **secondary** schools at Christmas of year 7. Other admission authorities may continue to maintain waiting lists.

Subject:	Annual SEN Performance Report		
Date of Meeting:	11 March 2013		
Report of:	Interim Director, Children's Services		
Contact Officer:	Name: Regan Delf, Head of SEN	Tel: 293504	
	E-mail: regan.delf@brighton-hove.gov.uk		
Key Decision:	Yes		
Ward(s) Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This is the report on Special Educational Needs (SEN) Performance for the academic year 2011/2012. The analysis of SEN and disabilities across the City is largely based on census information from January 2012. The January 2013 census is still on-going and national data will not be published until the autumn of 2013. However where we can, we have included more recent internal data to show a continuing trend. Pupil performance data relating to SEN and disabilities is based on national tests and public examinations in the summer of 2012.

2. RECOMMENDATIONS:

- 2.1 That Council agrees to the publication of the final draft of the new SEN Annual Report 2011/2012.

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 This report updates the previous SEN Annual Report 2010/2011 with some significant additions. Data has been included on the overlap between FSM and SEN and disabilities to draw links between SEN and deprivation. Additionally in line with the focus on 'outcomes' rather than 'processes' for children with SEN and disabilities that is key to our new SEN Partnership Strategy, data is included on the performance of pupils with SEN and disabilities against national thresholds for 2012.

4. CONSULTATION

- 4.1 No consultation has been undertaken as part of this audit exercise as it is not relevant to this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1.1 This report is historical in looking at outcomes and outputs in relation to children and young people with SEN and disabilities across the City. However it shows a positive trend in most key areas that has resulted in considerable on-going savings in relation to the SEN 'agency' or out of City budget. It has been possible to re-invest savings in mainstream schools and this has further improved inclusivity of our mainstream provision, such that more than half of our Statements of SEN are now in mainstream schools.

Finance Officer Consulted : Steve Williams, 25 February 2013

Legal Implications:

- 5.2 The Local Authority has a statutory duty under the Education Act 1996 to ensure that the needs of children and young people with SEN and disabilities are met and to publish the arrangements for meeting those needs. The Authority must also ensure that it complies with the provisions of the Equality Act 2010 to ensure that disabled children are not discriminated against.

Members should also be aware that the Government is proposing new legislation in the form of the Children and Families Bill, which if passed through Parliament is expected to come into force in September 2014. This legislation will significantly change current SEN practice and procedure, particularly in relation to the assessment process

Legal Officer Consulted : Serena Kynaston,, 25 February 2013

Equalities Implications:

- 5.3 The LA is committed to fair, equitable and transparent processes in relation to assessment, funding and decision making for pupils with SEN and disabilities. A new multi-agency Scrutiny Panel established this term will have the job of scrutinising LA decision-making processes to ensure they are providing equal access for all children and young people with SEN and disabilities.

Sustainability Implications:

- 5.4 There are no specific sustainability implications

Crime & Disorder Implications:

- 5.5 There is no relevant data in this report.

Risk and Opportunity Management Implications:

- 5.6 Elements of the budget for SEN and disabilities are demand-led and come under sustained pressure. The SEN team has been successful to date in managing pressures and reducing spend on out of City 'agency' placements but continues to work closely with partner services and agencies to reduce risks for the future in terms of unaffordable budget demands.

Public Health Implications:

- 5.7 There are no public health implications in this report.

Corporate / Citywide Implications:

- 5.8 The success of the City's provision for children and young people with SEN and disabilities depends on the quality of the LA partnership arrangements. Support for young people with SEN and disabilities extends much beyond education. Such partnership is currently strong and effective, enabling a multi-agency approach to implementing the new SEN Partnership Strategy.

SUPPORTING DOCUMENTATION

Appendices:

1. SEN Annual Report 2011/2012

Special Educational Needs Annual Report 2011/12

National Context

The publication of the special educational needs (SEN) and disability Green Paper '*Support and Aspiration*' in March 2011 heralded a range of national developments in the arena of SEN and disabilities which are already having a significant and increasing impact on the local context. Following consultation and a 'next steps' document, the DfE published draft proposals for new legislation in the impending Children and Families Bill in September of 2012. These proposals have been out to consultation and were reviewed in a report from the Education Select Committee in December 2012. It is intended that the Children and Families Bill goes before Parliament in the Spring of 2014 with a proposed implementation date of September 2014.

In September 2011, the DfE announced the initiation of 20 SEN and Disability Pathfinder projects and Brighton and Hove became part of the South East Seven (SE7) project of seven neighbouring LAs in the south east under the leadership of East Sussex. The purpose of Pathfinders is to test the key proposals in the SEN and Disability Green Paper, as although the Green Paper had stated the current SEN system was not fit for purpose, there was little evidence available about what might work better.

On 6th November 2012, the DfE announced the extension of the Pathfinders for 18 months to run through to September 2014. Brighton and Hove is currently considering its position in relation to the invitation to the LA to extend its current project very considerably to meet a new set of performance indicators.

New SEN Partnership Strategy

On 30.11.12, Brighton and Hove launched its new SEN Partnership Strategy at an over-subscribed conference of all key stakeholders, including parents. This strategy has been steered throughout by the SEN Partnership Board made up of a range of partners from education, health and social care and also of parents, chaired by the Lead Commissioner Learning and Partnership. The new strategy replaces the former strategy which ran from 2007 to 2012 and achieved many successes in promoting better inclusion across the City and improving value for money in SEN spending.

Under the strapline 'Better outcomes, better lives' for children and young people with SEN and disabilities, the strategy sets out actions under five priority areas:

1. To improve outcomes and combat disadvantage
2. To improve the assessment and identification of SEN and disabilities across all agencies
3. To create and ensure high quality provision
4. To work proactively and collaboratively with parents, children and families
5. To improve transition arrangements post 16 and services for young people up to the age of 25

Data in this report

SEN data is collected nationally and locally in the January census. The key exception is data on pupil achievement which is based on national tests and public examinations taken in the summer term, with results becoming available over the autumn term.

All nationally reported data in this report, apart from pupil achievement data, is therefore based on the year from January 2011 to January 2012. National census data from the January 2013 census, which is still on-going, will not be published until October/ November 2013. However much has happened in the 13 months since the January 12 census and where possible this report will include internal data to January 13. This data continues to show a positive direction of travel.

The Prevalence of SEN in the city.

	School Action	School Action Plus	Non Statemented %	Statemented Pupils in B&H Mainstream Schools	B&H maintained School Population
Jan-09	4207	2421	22.00%	515	30062
Jan-10	4464	2662	23.90%	521	30250
Jan-11	4200	2773	23.40%	484	29822
Jan-12	4308	2879	21.10%	506	30035

PUPILS WITH STATEMENTS OF SPECIAL EDUCATIONAL NEEDS

As at January each year: 2009-2012

	2009	2012
ENGLAND	2.8%	2.8%
Stat Neighbours	2.7%	2.7%
B & H	3.5%	3.3%

PUPILS WITH SEN BUT WITHOUT A STATEMENT

As at January each year: 2009-2012

	2009	2012
ENGLAND	17.9%	17.0%
Stat Neighbours	19.1%	18.2%
B & H	20.1%	21.1%

As at January each year: 2009-2012

Will add local data on position in January 2013 once collated

Since 2009 there has been a decrease in the percentage of pupils with a Statement of Special Educational Needs while over the same period the equivalent for England and or statistical neighbours remained constant. However the percentage of statements of SEN in the City remained higher than the national average to Jan 12, although it needs to be noted that this percentage includes a proportionately high number of pupils with Statements from neighbouring authorities in B&H schools and particularly certain special schools such as Downs View.

**NUMBER OF PUPILS WITH A STATEMENT MAINTAINED BY BHCC
2009 - 2012 (SEN2)**

	2009	2010	2011	2012	% Change since 2009
ENGLAND	228,895	228,220	229,015	230,155	0.55%
Statistical Neighbours	11,665	11,685	11,830	11,815	1.28%
Brighton and Hove	1,065	1,050	1,010	975	-8.45%

Since 2009 we have witnessed an annual reduction in the number of statements maintained by the Local Authority year on year (i.e. excluding Statements maintained by neighbouring LAs where the child attends a B&H school). At the same time there has been a corresponding increase both nationally and amongst our statistical neighbours.

**Maintained Special School Provision
(School Census January 2012)**

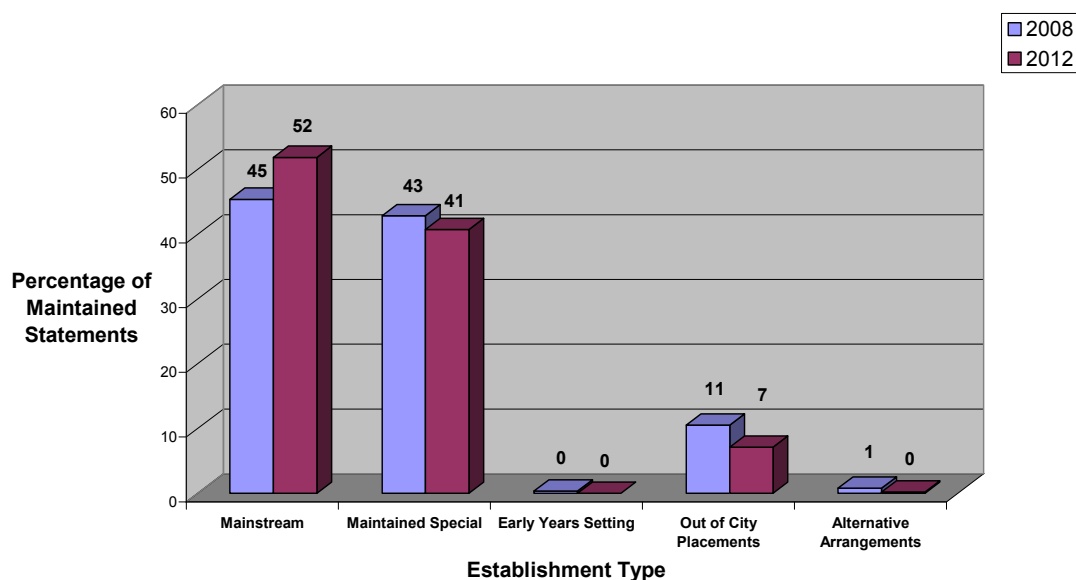
	2009	2010	2011	2012
Cedar Centre	111	94	77	78
Downs Park	88	84	70	76
Patcham House	54	48	44	46
Hillside	50	54	60	60
Downs View	115	105	106	110
ACE	56	52	44	47
total	474	437	401	417

Data for 2013 is showing a decrease and a further decrease will occur in Sept 13 as 11 places have been de-commissioned across the special school sector – to be inserted

Placement of pupils with statements of SEN (SEN2 January Census)

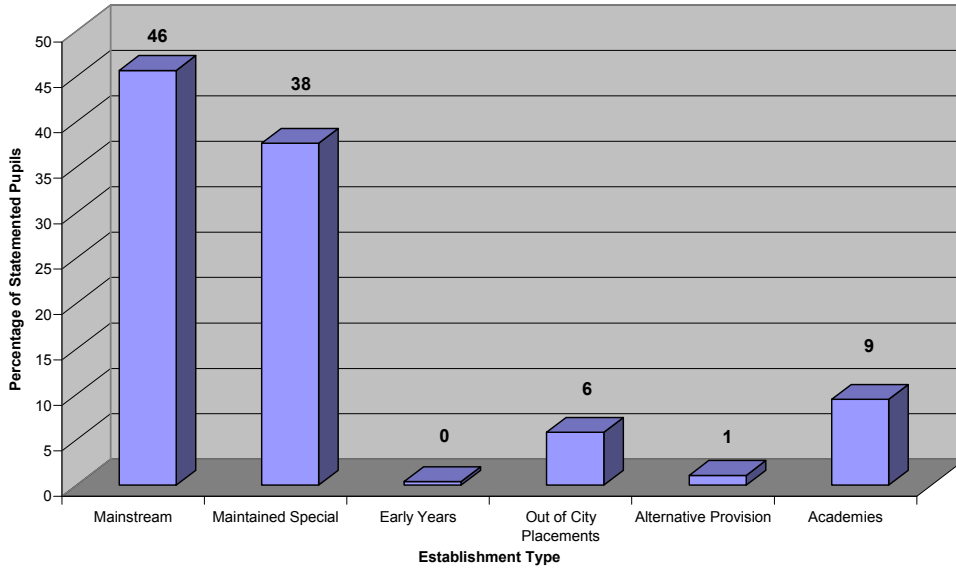
School Type	2009	2010	2011	2012
Mainstream	515 (48%)	533 (51%)	529 (52%)	507 (52%)
Maintained Special	435 (41%)	410 (39%)	386 (38%)	398 (40%)
Early Years Setting	5 (0%)	2 (0%)	0 (0%)	0 (0%)
Out of City Placements	102 (10%)	97 (9%)	88 (9%)	70 (7%)
Alternative Arrangements	10 (1%)	5 (0%)	6 (0%)	2 (0%)
Total	1067	1047	1009	977

Placement by Establishment Type



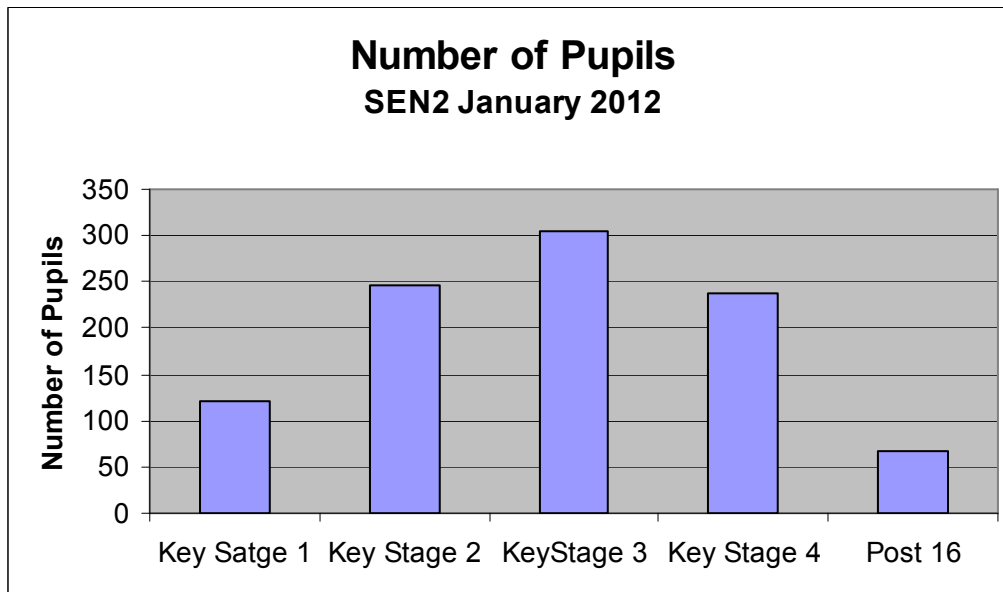
Whilst the number of statements maintained by B&H has decreased over the years the proportion of those educated in a mainstream setting has increased. This reflects the progress of our inclusion agenda and brings us significantly closer to the national profile.

Placement of Statemented Pupils By Establishment Type

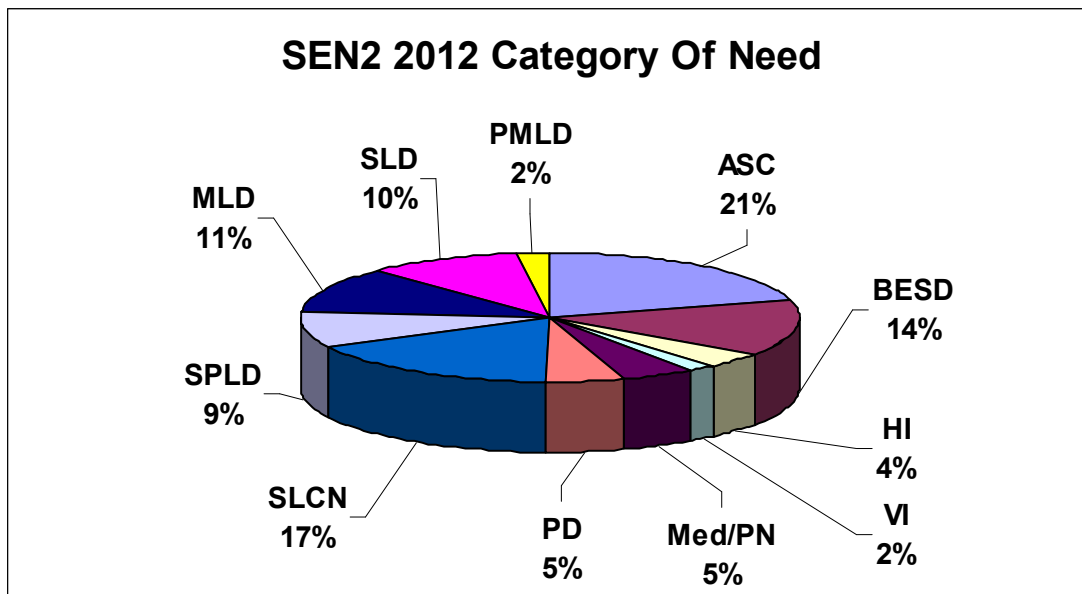


As at January 2012, the national profile for the placement of statemented pupils and that of Brighton & Hove is very similar. In the latest data release, nationally, academies were represented as a single entity (both mainstream and special); in Brighton & Hove all of our academies are mainstream and as such are incorporated in to the mainstream figure.

When looking at the age profile of pupils with Statements of SEN, almost two thirds are for secondary aged pupils.



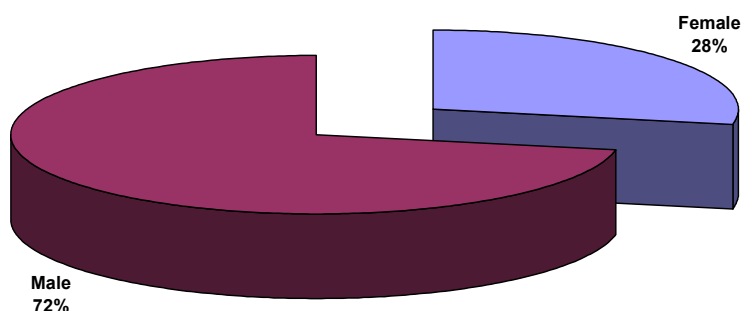
SEN Key	
ASC	Autistic Spectrum Condition.
BESD	Behaviour, Emotional & Social Difficulties
HI	Hearing Impairment
Med/PNI	Medical/Physical and Neurological Impairment
MLD	Moderate Learning Difficulty
PD	Physical Difficulties
SLCN	Speech, Language and Communication Needs
SLD	Severe Learning Difficulty
SpLD	Specific Learning Difficulties
VI	Visual Impairment



Data on category of need for pupils with SEND shows that the largest group are pupils with Autistic Spectrum Condition, with Speech, Language and Communication Needs the second largest and Behaviour, Educational and Social Needs the third.

Gender Analysis

Maintained Statements by Gender - January 2012



Boys are almost two and a half times more likely to have a statement than girls.

Social Deprivation - Links between SEN and Poverty

SEN Category Of Need	Percentage of Pupils in receipt of FSM
Autistic Spectrum Condition	22%
Behaviour, Emotional and Social Difficulties	51%
Hearing Impaired	47%
Medical	8%
Moderate Learning Difficulties	45%
Physical Difficulties	33%
Profound and Multiple Learning Difficulties	22%
Speech, Language and Communication	34%
Severe learning Difficulties	31%
Specific Learning Difficulties	36%
Visually Impaired	25%

In 2012 34.3% of pupils with SEN were also eligible for Free School Meals (FSM). However there was very significant variation in relation to this overlap between categories of need. Notably, over 50% of pupils with a BESD statement are eligible for FSM whereas only 22% of those with a statement for ASC are eligible and only 8% of those with medical needs.

Priority 1 of the SEN Partnership Strategy aims to improve outcomes and combat disadvantage for pupils with SEN. We will be working hard to combat the overlapping disadvantages of poverty and SEN by ensuring a strong initiative to narrow gaps in achievement for both the SEN and FSM groups, recognising the high percentages of pupils in both groups.

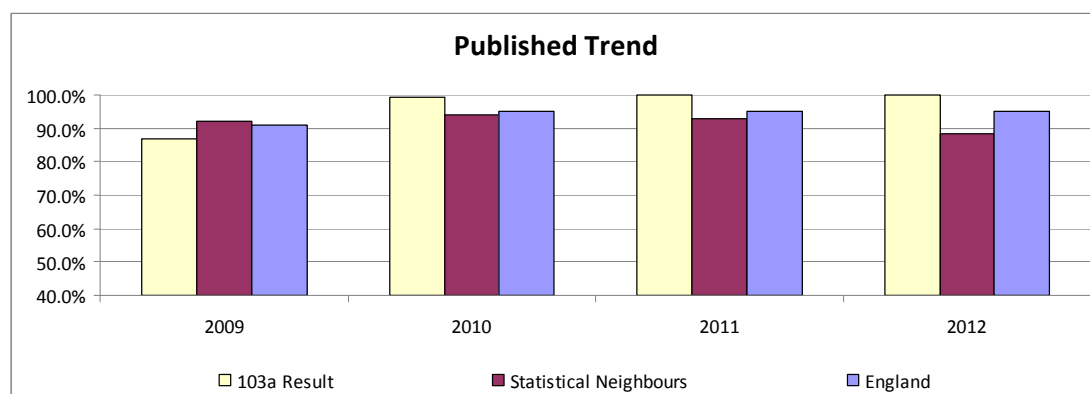
SEN Assessment

Priority 2 of the SEN Partnership Strategy looks at improving further the identification and assessment of SEN. This area of work is changing with the new Education, Health and Care Plans (EHCP) being introduced in the Children and Families Bill and which are also currently being produced in the City as part of the work of the Pathfinder.

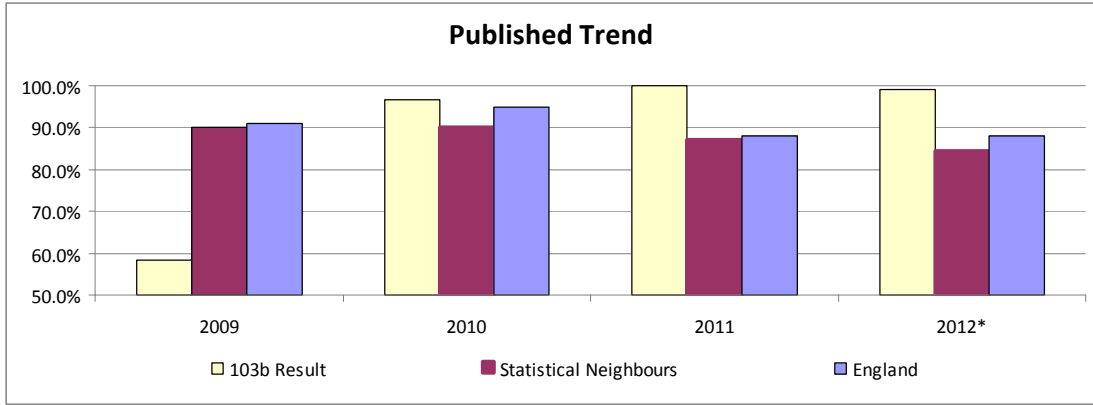
Meantime the SEN team continues its exemplary record in completing statutory assessments within national deadlines.

The Department of Education closely monitors the performance of the assessment process and this year the SEN team successfully issued all statements (both proposed and final) within the suggested guidelines. This achievement places B&H well above both our statistical neighbours and the average for England with 100% of statements issues within 26 weeks excluding exceptions.

Final Statements issued within timescales including and excluding exceptions



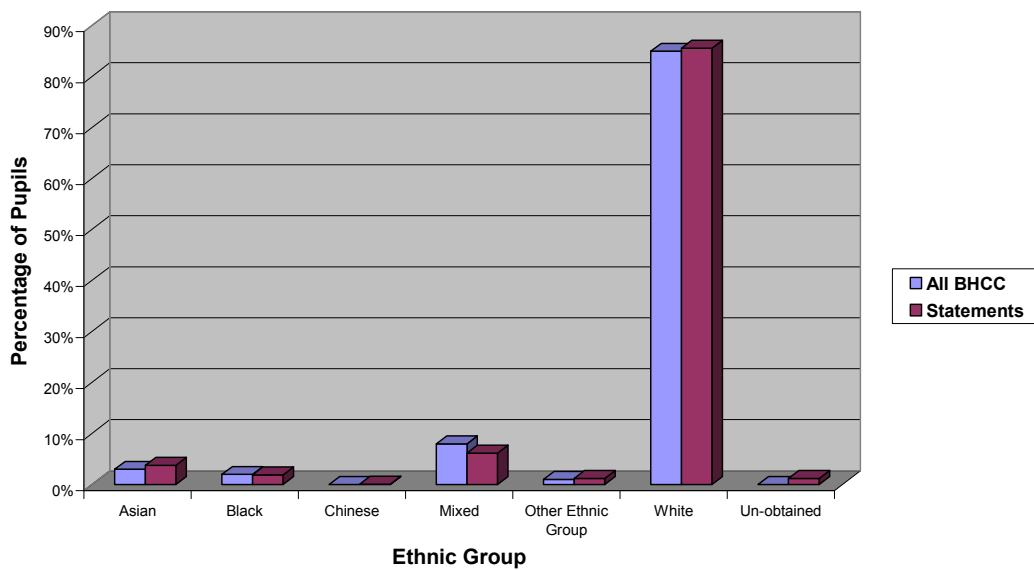
N103a: Number of final statements issued within 26 weeks excluding exceptions.



N103b: Number of final statements issued within 26 weeks including exceptions.

Ethnicity

Ethnicity Analysis



Reviewing pupils with Statements by ethnic background, the table above shows that the distribution of statements is very similar to the distribution of ethnic groups overall and shows no particular bias in this regard.

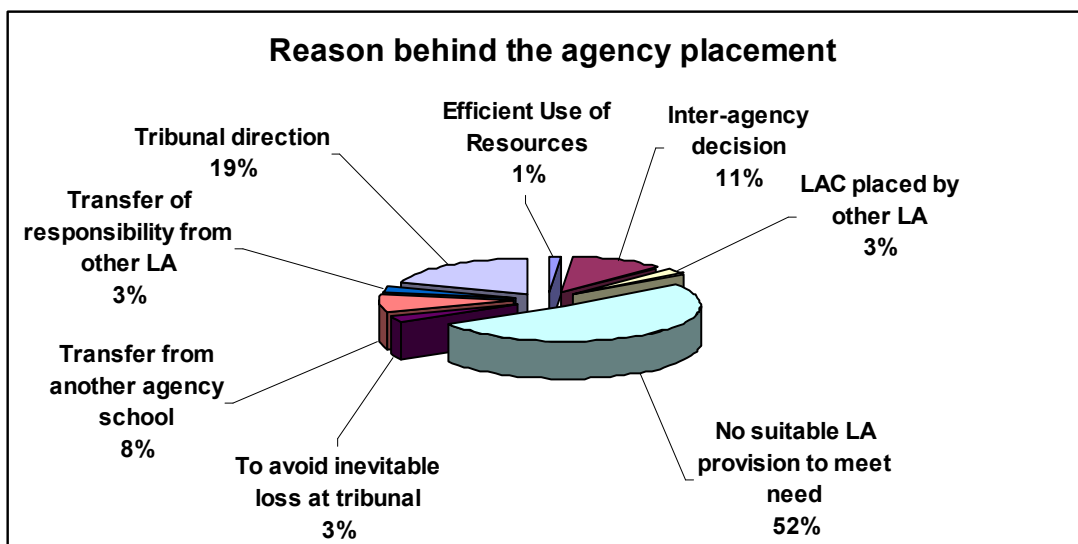
Agency/ Out of Authority Placements

In line with national trends and targets, Brighton & Hove has continued to focus on reducing the overall number of Out of Authority Placements and the table below shows the achievements over the last five years. We report on the number of Agency Placements in two different ways. From a budgetary point of view we calculate the Full Time Equivalents (FTE) and this includes all pupils placed in that particular financial year. For census statistics we use the Numbers on Roll (NOR) at a given point in time. When comparing year on year we use the SEN2 census which takes place in January each year.

	FTE	Agency Budget – Year End	unit cost
Apr-09	109	£3,761,167	£34,506
Apr-10	95	£3,452,942	£36,349
Apr-11	79	£3,002,159	£38,002
Apr-12	63	£2,422,871	£38,458

The SEN Team supported by our colleagues in schools and our partner agencies, has been very successful in bringing about this reduction and the impact on pupil numbers and the actual impact on the budget is very noticeable. The LA has worked very closely with the maintained sector, both mainstream and special, in order to bring about more appropriate local provision. We have not only been successful in our attempts to prevent pupils from going in to Out of Authority Placements, we have had some success in taking pupils out of these placements and re-integrating them in to maintained provision. One particular area of success has been in securing local provision in our mainstream schools for pupils with complex physical and medical needs.

Together ASC and BESD account for over 50% of Agency Placements, and pupils that fall in to these two categories have complex needs, including social or mental health issues, and appropriate local provision is hard to find. However, the number of placements needing to be made solely because our local school provision is at capacity has reduced this year.



- Tribunals – over 50% relate to Northeast Manor School
- The placement of some pupils in agency schools occasionally breaks down, and we take this opportunity to review whether the pupil can be returned to B & H provision.
- Looked After Children (LAC) – the majority of these placements are the result in changes in residential needs of LAC
- No Suitable LA Provision - This category includes schools like Hamilton Lodge, for pupils whose first language is British Sign Language (BSL), which we view as part of our continuum of provision, as we do not make this provision ourselves.
- Transfer from other authority – we have a responsibility to maintain the provision named in the statement for pupils that move in to the authority. It is not uncommon for families to move to Brighton & Hove to be nearer the school named in the child's statement. There are several agency schools in our area.

The LA has recognised the work done by the maintained schools and has been able to divert much of the budget savings in to local provision. In the current financial year every mainstream school has received an additional sum of money delegated via the schools funding formula as well as extra monies targeted towards behaviour support programmes.

Development of Special Schools and Special Facilities

Priority 3 of the new SEN Partnership Strategy seeks to improve further the quality of provision for children and young people with SEN in all settings.

In relation to special schools and special facilities, a commissioning report will give an overview of all developments, linked to intelligence on numbers of pupils and types of SEN in the system and also linked to the new High Needs Block funding formula which will be introduced in April 2013.

From 2013, there will be 11 fewer commissioned special school places and 18 fewer special facility places as the SEN team in response to reduced demand. However specialist places are being re-designated where necessary to increase the specialism of provision and to offer a credible alternative to out of City agency placements.

Currently all of the 6 special schools in the City have a good or outstanding judgment from their previous Ofsted inspection. However in the context of the new tougher Ofsted framework, special schools have been categorised in line with all schools according to the LA's view of the level of support they need. Three special schools have been assigned a 'low support' category, two have been assigned a 'medium support category' and one a 'high support' category. In the case of the latter 'high support' school, there is significant LA intervention currently to help the school improve the quality of provision and prepare for Ofsted inspection.

Changes to Special Needs Education post-16

Priority 5 of the new SEN Partnership Strategy aims to improve transition post 16 for young people with SEN and up to age 25 in line with proposed new legislation.

In April 2010, the local authority inherited the responsibility for providing all of the necessary education and training for special needs pupils between the ages of 16 and 25 from the Learning Skills Council (LSC). We are now responsible for the assessment and placement of all young people with learning difficulties. Central Government determined that it is the LA who is best placed to determine the needs of these young people and as such it was decided to disband the LSC. As a result, staff previously employed by the LSC have now been transferred to local authorities across the country. Here in Brighton & Hove, seven members of LSC staff are now employed by the local authority.

It is recognised that the complexity of these changes to post-16 provision will inevitably lead to a certain degree of anxiety amongst the learners and their carers. It is with this in mind that the SEN Team and Youth Employability Service (YES) staff will work closely together to ensure that all of these changes meet the needs of these young people and address any concerns of their carers. We are working with our geographical neighbours to ensure that there is a uniform approach to this provision across the region.

Proposals are out to consultation currently to merge the SEN and YES teams in the LA to support the better provision of a seamless assessment service from 0-25 for young people with SEND.

Appeals to SENDIST (Special Educational Needs and Disability Tribunal)

Priority 4 of the SEN Partnership Strategy is to work proactively with parents, children and families and one data set that gives an indication of the confidence of parents in the system is the rate of parental appeals to the SEN Tribunal.

Since the number of registered appeals peaked at 39 in 2011/12, there has been a dramatic reduction this academic year. From 1.9.12 – 31.1.13 there have only been 7 registered appeals. Of these only 3 are current at the present time. The recent fall in the number of appeals has been matched by a marked increase in the number of appeals found in favour of the LA (5 in a row) in recent months. This has been achieved within a context of careful budget management and reducing costs of out of City (agency) placements.

While some appeals are inevitable in all LAs, the approach of the SEN team over the last six months has differed productively in two key respects:

1. A new SEN Panel has been introduced of key stakeholders in all school phases and officers with the purpose of making fair, equitable and transparent decisions based on published criteria linked closely to the SEN Code of Practice
2. The SEN team has adopted a supportive and problem-solving approach where families may have issues with the support on offer – the increased flexibility and additional time spent negotiating with families has paid dividends

Tribunal figures are recorded by the academic year in which the appeal is lodged. However it is important to note that the SENDIST process can take up to 5 months from the date they are lodged so a number of the appeals for academic year 2011/12 will not be concluded until the autumn term of academic year 2012/13.

Total number of appeals in each academic year

2004/05	2007/08	2008/09	2009/10	2010/11	2011/12
15	24	18	27	25	39

Since the start of the current academic year the number of tribunals lodged has decreased significantly, so far there have been 5 appeals lodged. 3 of the appeals are still ongoing, one has been conceded and one was resolved.

SENDIST Outcomes

	2007/08	2008/09	2009/10	2010/11	2011/12
Parental upheld	5	7	4	8	3
Withdrawn by Parents	12	6	11	4	16
Parental dismissed	7	1	2	5	7
Withdrawn by LA		4	10	8	12

Achievement

The new SEN strategy has a focus on 'outcomes rather than processes' and there is a major focus within priority 1 of the strategy on increasing pupils' achievement and on narrowing the gaps between pupils with and without SEN. There is much to be done here as SEN achievement still lags way behind the achievement of other pupils. However there has been an encouraging and positive trend of improvement which is continuing in all but Key Stage 4. A key focus is thus to work with the secondary school Compact to tackle both attainment and SEN gaps as a priority for the coming year.

Data covers at least the last five years in establishing trends with latest figures from summer 2012.

Early Years

NI 92 Foundation Stage - Narrowing the Gap

Results	2007	2008	2009	2010	2011	2012
B&H	35.0%	35.9%	32.2%	27.7%	27.9%	27.8%
Target	30.9%	28.4%	28.3%	27.9%	N/A	N/A
Stat Neighbours	35.0%	34.0%	32.0%	30.7%	30.8%	30.0%
England	37.3%	35.6%	33.9%	32.7%	31.3%	30.1%

There is a positive and improving trend in Early Years Foundation Stage (EYFS). B&H has continued to narrow the gap between the median and the lowest achieving 20% of the population. The gap is narrower than our statistical neighbours and the national figure.

KS1

Key Stage 1 Reading Level 2+ (SEN gap)

Results	2008	2009	2010	2011	2012
B&H Gap	42.4%	43.4%	43.3%	40.6%	35.5%
SN Gap	47.5%	42.9%	41.8%	42.4%	40.2%
England Gap	44.2%	43.1%	42.8%	43.0%	40.1%

Key Stage 1 Writing Level 2+ (SEN gap)

Results	2008	2009	2010	2011	2012
B&H Gap	42.4%	44.7%	46.6%	44.7%	45.5%
SN Gap	51.4%	47.9%	48.3%	48.3%	47.7%
England Gap	49.6%	48.6%	48.6%	49.0%	46.9%

Key Stage 1 Maths Level 2+ (SEN Gap)

Results	2008	2009	2010	2011	2012
B&H Gap	27.4%	27.5%	29.1%	24.7%	23.4%

SN Gap	31.8%	31.1%	32.9%	31.9%	31%
England Gap	32.2%	32.5%	32.8%	33%	31%

There is a positive and improving trend at KS1 in Reading and maths. In writing, outcomes for pupils with SEN were more mixed.

For both maths and English, results in 2012 were the highest for five years and the SEN gap the lowest in five years. The gap was significantly less than the national and statistical neighbour gap.

In writing, very slightly fewer pupils (0.3%) with SEN achieved Level 2 than in 2011, and the gap increased by just under 1%. However the B&H gap is still less than the England and statistical neighbour figures.

Key Stage 2 Level 4+ (Gap in attainment for SEN pupils)

Current Performance

Results	2007	2008	2009	2010*	2011	2012
B&H SEN	41%	42%	43%	43%	37%	43%
B&H Non SEN	86%	90%	88%	93%	87%	92%
B&H Gap	45%	48%	45%	50%	50%	49%

Year Trend Data and Targets

Results	2007	2008	2009	2010*	2011	2012
B&H Gap	45%	48%	45%	50%	50%	49%
SN Gap	49%	48%	50%	52%	55%	51%
England Gap	52%	54%	53%	53%	50%	49%

There is a positive and improving trend at Key Stage 2.

Pupils with SEN achieved their best ever results in English and maths in 2012 (discounting 2010 which is the year of the SATS boycott and thus not a reliable direct comparator). There was an improvement of 6 percentage points from 2011 to 2012. The gap narrowed by one percentage point remaining equal to the national average and 2 percentage points below the statistical neighbour average.

Key Stage 4 % 5+ A*-C GCSE (Including Maths and English) and SEN gaps

Current Performance

Results	2006	2007	2008	2009	2010	2011	2012
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B&H SEN	5%	8%	15%	12%	13%	22%	19%
B&H non SEN	51%	52%	55%	56%	62%	66%	69%
B&H SEN cohort		454	560	572	649	690	585
B&H Non SEN cohort		1850	1778	1717	1718	1632	1628

Published Trend Data

Results	2006	2007	2008	2009	2010	2011	2012
B&H Gap	46%	44%	42%	44%	49%	44%	51%
SN Gap	41%	45%	47%	47%	49%	50%	50%
England Gap	43%	44%	45%	45%	46%	48%	47%

The trend here is not positive with fewer pupils with SEN achieving the national threshold and a widening gap between pupils with SEN and their peers.

After a number of years of continuous improvement in terms the number of pupils with SEN gaining 5+A*-C grades including English and maths, there was a fall of 3 percentage points from 2011 and a widening of the gap by 7 percentage points to a level above both the national and statistical neighbour averages.

B%H secondary schools conduct their own school improvement via a Compact agreed with the LA. While there are benefits to this system, the LA will be reviewing data on outcomes for pupils with SEN with secondary schools to put in place a strategy for improvement.

Appendix

Education Demographics

0-19 Population (2001 Census)	52576
Total School Population (including Independent Schools)	34760
B&H Maintained Population (PLASC returns 2011)	29822

SEN Key	
ASC	Autistic Spectrum Condition.
BESD	Behaviour, emotional & social difficulties
HI	Hearing impaired
Med/PNI	Medical/Physical and Neurological Impairment
MLD	Moderate learning difficulty
PD	Physical disability
SLCN	Speech, Language and Communication Needs
SLD	Severe learning difficulty
SpLD	Specific learning difficulties
VI	Visual Impairment

