

BRIGHTON & HOVE CITY COUNCIL
CHILDREN, YOUNG PEOPLE & SKILLS COMMITTEE

4.00pm 11 NOVEMBER 2019

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Allcock (Chair)

Also in attendance: Councillor Knight (Deputy Chair), Clare (Opposition Spokesperson), Brown (Group Spokesperson), Hamilton, Hills, McNair, Nield, Simson and Wilkinson

Co-optees: Lesley Hurst, Bernadette Connor, Karen James, Amanda Mortensen, Adam Muirhead, Rob Scoble.

PART ONE

25 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

25.1 Lesley Hurst substituting for Trevor Cristin.

(b) Declarations of Interest

25.2 There were none.

(c) Exclusion of the Press and Public

25.4 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the 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 business to be transacted or the nature of proceedings, that if members of the press and 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 100(I) of the Act).

25.5 **RESOLVED** – That the press and public not be excluded.

26 MINUTES

26.1 It was stated that Councillor Clare had presented the written question at the previous Committee in September not Councillor Mears.

27 CHAIR'S COMMUNICATIONS

27.1 The Chair gave the following communications:

I'd like to inform those present that this meeting will be webcast live and will be capable of repeated viewing. Can I remind everyone that the use of Mobile Communication Devices in the chamber is allowed as long as they remain in silent mode. I am also aware that anyone present is able to film, photograph or take sound recordings of today's meeting provided it is done in a way that does not interfere with the proceedings and that flash photography is not used.

I would like to start by mentioning home to school transport which continues to be a priority issue for us all. Cllr. Clare suggested to me that it would be useful to bring an update on Home to School Transport to this committee. This was a helpful suggestion and I was keen that the report was as up to date and informative for members as possible covering a range of relevant factors. As Chair I have agreed to accept this as a late report titled: 'Progress with Home to School Transport', which can be found on page 7 of the addendum.

I intend to take this late report (which was circulated on Friday) along with all other items regarding Home to School Transport together just after the call over. I would like to thank all stakeholders for their ongoing contributions to this work. We'll cover this in much more detail when we come to the item.

I am also aware that following the announcement of the General Election and guidance issued to councillors by the Monitoring Officer in regard to matters that should not be considered during the election period, Councillors Nield and Hills have agreed to the withdrawal of their items listed on the agenda. These being:

Item 31(b)(ii) Councillor Nield's letter relating to Government Funding for Schools and
Item 31(c)(i) Councillor Hills' Notice of Motion relating to 'Sixth Form College Strikes'

As colleagues may have heard, Pinaki Ghoshal has been appointed as the council's interim Executive Director for Housing, Neighbourhoods & Communities. He started in the role this week, but we are pleased that he is here today. He is expected to be within Housing, Neighbourhoods & Communities until Spring 2020 when he will return to Families, Children & Learning. I am pleased to confirm that Deb Austin has been appointed as the interim Executive Director for Families, Children & Learning and we all look forward to working with her in that role. Welcome to Deb.

I'd also like to welcome Rhian Hughes to the city as our new Head of Statutory SEN Services here at the Council.

Good news from Stonewall

In July, evidence was submitted to Stonewall's Children and Young People's Champion Award. A range of evidence of work done to prevent homophobic, biphobic and transphobic bullying and to promote lesbian, gay, bisexual and trans inclusion was required from teams within Families, Children and Learning. We also submitted information from schools about training, working groups, strategic leadership which included support from Members.

We heard last week that Brighton & Hove City Council scored very highly, with 126 out of a maximum of 130 marks and we've been awarded the Gold Children and Young People's Champion Award. This is a testament to the hard work of staff in schools and the local authority and it is important to celebrate this. This also could not have been achieved without our close partnership working with Allsorts Youth Project who provide a range of support including training, LGBT Peer educator sessions in school and the support for parents and carers of LGBT young people. We would like to record our thanks to everyone at Allsorts.

We know there is more work to do to improve our approaches across all areas of equality practice within the council. The Children, Young People & Skills Committee will continue to advocate for this work which supports the wellbeing and achievement of the children and young people of Brighton & Hove.

27.1 **AGREED** – that special thanks to Allsorts Group be recorded.

28 CALL OVER

28.1 The following items were reserved for discussion:

32. School Ofsted Presentation
33. SACRE Annual Report
34. School Admissions Arrangements 2021/22
35. Update on July 2018 Ofsted ILACS Action Plan
36. Moulsecomb Primary School Update
37. Reorganisation of Special Education in City-Progress Report
- 37a. Home to School Transport – Progress on the Independents Review

29 PUBLIC INVOLVEMENT

(a) Petitions

29.1 The Chair noted there were NO petitions to be submitted.

(b) Written Questions

29.2 The Chair noted that NO written questions had been submitted by members of the public.

(c) Deputations

29.3 The Chair noted that NO deputations had been submitted by members of the public.

30 ITEMS REFERRED FROM COUNCIL

(A) Deputation

(i) Home to School Transport for Students with Special Educational Needs & Disabilities (SEND)

30.1 The Chair provided the following response:

“Once again, I thank Pippa for her passionate and heartfelt deputation. You made a significant impact at Full Council and gave all councillors an understanding of the effect changes in Home to School Transport has had upon families with children and young people with Special Educational Needs.

I gave a full response at the council meeting; both the read deputation and my response are available on the webcast and have been well reported in local media.

You will hopefully see that a request for a Cross-Party Member Policy Panel has been requested in the motion that was also considered at the council meeting and is included in the extract from the minutes of the meeting and referred to in the late report we will discuss shortly.

In this regard I would like to move that the committee notes the deputation. Does the Committee agree?”

30.2 **RESOLVED** – that the committee note the deputation.

(B) Notice of Motion

(i) Home to School Transport – Policy Panel

30.3 The Chair provided the following response:

“As referred to earlier, the motion regarding the establishment of a Member Policy Panel was agreed at Full Council. In view of the unanimous support for the motion I suggest that the Committee agree to the request to establish a Cross-Party Member Panel.

I note the appointment process for the panel is covered in the late report and appendices, which we’ll move on to shortly.”

30.4 **RESOLVED** – that the Committee establish a Cross-Party Panel.

(C) Petition

(i) Give Kids the Right to Walk Safely to School in Brighton and Hove

30.5 The Chair gave the following response:

“Reflecting my reply at Full Council, I thank you for your petition Cllr Nield and I would like to congratulate you on this campaign. My previous response summarised the large range of initiatives that are underway on this however, I also noted that we always welcome new ideas and are keen to listen to the views view of parents/carers, children and young people and Schools.”

30.6 **RESOLVED** – that the Committee agree to note the petition.

31 MEMBER INVOLVEMENT

(A) Written Questions**(i) Reducing School Exclusions in Brighton & Hove**

31.1 Councillor Hills put the following question:

“The former Chair of this Committee, Councillor Nick Childs, said in the press earlier this year that reducing school exclusions in the City is a priority to the Council. Could the administration outline what steps are being taken in order to achieve this?”

31.2 The Chair gave the following response:

“The latest comparative data on permanent exclusions shows that Brighton and Hove remains in the top performing 20% of authorities for low levels of permanent exclusions from school.

Permanent exclusions in the city continue to be amongst the lowest in the country.

In the 2018/19 academic year there were 8 permanent exclusions in the city; this was less than the 10 in the previous 2017/18 academic year.

This is considerably lower than the national, South East and Statistical neighbour average.

We have had no permanent exclusions from primary schools since the 2016/17 academic year, when there was 1 primary exclusion.

The total number of fixed term exclusions in primary and secondary schools in Brighton & Hove for the 2018/19 academic year is below the levels of 2017/18.

For secondary schools this reduction in exclusions would put us as a local authority below the 2017/18 national average rate of 10.1% (which is the latest available data).

Fixed term exclusions in secondary schools have reduced over the last three years against a rising national trend, with the reduction occurring in a majority of schools across the city.

Fixed term exclusions in primary schools continue to be lower than the national average and to fall against the national rising trend in exclusion.

The Access to Education manager supports the Behaviour and Attendance Partnership (BAP) in both primary and secondary schools. The BAP challenges fixed term exclusion through the sharing of data and challenges all schools to explore alternatives to exclusion. This meets fortnightly for secondary and every three weeks for primary schools.

Data is shared about fixed term exclusion on a termly basis; challenge is made on exclusion due to various characteristics including SEND and BAME. This also includes visits to schools by the Brighton & Hove Inclusion Support Service staff (BHISS).

There is a clear agreed protocol for all schools to consider a range of options prior to permanent exclusion. Staff in Brighton & Hove Inclusion Support Service work directly with schools to promote inclusion and challenge the use of exclusion.

Letters are sent to all Heads each year to ensure they are aware of their individual exclusion rates in relation to other schools in the city and to the national rate. The challenge for them is to make improvements for the following academic year.

Fixed and Permanent exclusion rates are included in the KPIs for both Access to Education and BHISS and are scrutinised on a quarterly basis by the Performance Board.

Joint planning continues with BHISS, public health, SEN and Front Door for Families on a citywide inclusion initiative.”

(ii) Holiday Hunger

31.3 Councillor Nield put the following question:

“What steps are the Council taking to reduce holiday hunger?”

31.4 The Chair provided the following response:

*“For a number of years the school meals service has supported CHOMP holiday club with the provision of food and labour (at no cost to attendees). This has been held at both West Blatchington & Benfield schools during the school holiday period ensuring access for families to activities and a nutritious lunch during the school break. The school meals team worked with CHOMP & schools to facilitate/support expanding the holiday offer to families in the west of the city, in “non religious” premises. Schools in the west of the city promote availability and awareness of the schemes to their families and all are welcome
CHOMP also run clubs at Moulsecoomb, Whitehawk and One Church Gloucester Place”*

31.5 Councillor Nield enquired if BHCC would consider opening more venues for CHOMP or similar programs over this period.

31.6 The Chair confirmed a written response would be provided.

(iii) Anti-Bullying Week

31.7 Councillor Clare put the following question:

“This meeting takes place on the first day of anti-bullying week. What support does the Council put in place for young people to reduce bullying?”

31.8 The Chair gave the following response:

“The Equality and Anti-Bullying Service (as part of the Standards and Achievement Team) provides the following to schools who buy into the service core offer (£250 per year):

- *Guidance (for example on recording and reporting bullying and prejudice)*
- *Resources (including materials for anti-bullying week)*
- *Termly central training*
- *Telephone and email support*
- *Regular newsletters and updates*

Most schools in Brighton & Hove buy into the core offer. In addition, the service can provide training and consultancy to support schools who request as part of a buy back service. All maintained schools, Academies and Free Schools in Brighton & Hove have access to:

- *The Community Safety Team who can provide case working support to those who have experienced bullying or prejudice*
- *Regular bulletins which provide updates and signpost to national materials and guidance*
- *The PSHE Service which supports schools to develop a PSHE curriculum which prevents bullying and prejudice.”*

31.9 Councillor Clare referred to the theme being “it starts with us” and enquired if Councillors had a commitment to anti-bullying.

31.10 The Chair stated the positivity in Councillors maintaining a professional and respectful ethic. It was further noted that there were standards for of behaviour expected in public life and that this was true for social media as well.

(iv) Accountability For Long Term Staff and Pay Shortfall

31.11 Councillor McNair put the following question:

“Should schools be held accountable for the long-term staff pay shortfall when a) it is not a mistake of schools b) at least one other council has decided to make up the shortfall c) it will push many schools into deficit possibly leading to “restructuring” d) it leads to staff feeling pressured into not accepting their deserved pay increase knowing schools will struggle, e) special schools with the highest number of support staff may be asked to repay the most, and f) pupils will suffer?”

31.12 The Chair gave the following response:

“Thank you for question regarding the payment of backdated pay for Term Time Only staff due to a change at a national level in case law and new national guidance on pay and conditions that has affected the way in which their pay is calculated.

Whenever there are fundamental changes in the basis of calculating or evaluating the remuneration payable to staff, excluding annual pay awards, there is always a possibility of claims for backdated payments coming forward where the change has caused an increase in pay. These claims can be driven by collective staff groups,

Trade Unions, legal firms or any combination of these. Backdated payments arise for a very wide range of reasons including changes in national or European employment legislation, local or national legal challenges and subsequent case law outcomes, equal pay challenges and so on. Such claims are unfortunate but occur commonly and are a fact of life for all major employers. Where there is a strong legal case for backdated payments, these are normally negotiated with Trade Unions to avoid very expensive legal processes including Employment Tribunals.

Accountability for backdated payments lies with the employing body and is chargeable to the funding source that would otherwise have incurred the increased remuneration had it been paid to the staff at the correct time. In this case, the employing body are the Schools and the chargeable funding source is the Schools Budget which is funded by the ring-fenced Dedicated Schools Grant. This is distinct from the notion of the Council as the legal employer of staff as it is in many schools as regardless of this, responsibility for payment of remuneration is delegated to individual schools.

Councils can choose to use their General Fund budget to support schools if desired. However, this is very unusual, even more so in recent years due to the very substantial reductions in government Revenue Support Grant which has substantially reduced local authorities' revenue funding since 2009/10 – this is over £100m reduction over this period for Brighton and Hove.

By contrast, the Dedicated Schools Grant has increased over the same period, although it is recognised that it too has not kept pace with inflation, increasing standards or the growth in pupil numbers and has also placed significant financial pressures on schools. Any decision by a council to support schools will therefore be based on local circumstances. However, Brighton & Hove City Council, as a unitary authority, has experienced lower settlement increases than most other classes of local authority and has been experiencing very large funding gaps for over 10 years with consequent impacts on important public services. We want Schools to know that we really do recognise the severe difficulties caused by backdated payments and our initial proposal was to meet half of the backdated payment liability and, further, to allow schools to spread their half of the cost over a 10-year period. This will result in average annual costs to Primary Schools of £2,500, Secondary Schools £6,250 and Special Schools £9,000. We recognise that these are unwanted additional costs.

No member of staff will be expected to forego their rightful pay claim. The local Scheme for Financing Schools provides mechanisms to aid schools in financial difficulty and allows them to run with a deficit budget for a period of years to give breathing space. This mechanism is used commonly and successfully by many schools to maintain financial sustainability and avoid destabilisation.

The local Scheme for Financing Schools will ensure that schools are not destabilised and that pupils do not suffer as a direct consequence of this liability. As noted earlier, the offer to part fund the backdated payments and to allow schools to spread their share over 10 years was designed to minimise the impact on school budgets. However, we have listened and will continue to listen very carefully to what Headteachers and Chairs of Governors are telling us about the challenge that this will represent.

Everyone know that politically things are in a state of flux right now and we believe it would be unwise to finalise any arrangements until there is greater certainty and more clarity about future funding for all involved.

So because the uncertainty and of what we have heard from schools, we think it is fair and sensible to put the proposed school's repayments on hold until the 2021/22 financial year. By this time everyone will hopefully have a clearer picture."

- 31.13 Councillor McNair enquired if head teachers were made clear of the reason for delay and further enquired if the decision could be reversed following a delay.
- 31.14 The Assistant Director – Education & Skills stated that Head Teachers were made clear that no decision had been made yet and that details would be forthcoming. It was confirmed that they would also be informed of how they could feed in to future responses.

(B) LETTERS

(i) Home To School Transport

- 31.15 Councillor Wares noted the trauma brought on to people as a result of the events. He gave praise to the work carried out by the parent and carers council and that their views were vital. It was stated that the cross-party panel would be a positive move to address this issue. Concern was expressed regarding the scope of the remit afforded to schools views on this. Councillor Wares suggested that others should also be able to provide their views to the policy panel. It was stated that the Terms of Reference were necessary and that the policy panel must not have its wings clipped as this endeavour signalled an effort to re-establish confidence and trust with everyone.
- 31.16 The Chair gave the following response:

"In response to Councillor Wares and Councillor Mears' letter, I wish to acknowledge their tenacious approach in highlighting concerns about home to school transport.

The report you are about to discuss addresses the issues raised in the letter and details how the independent review will be carried out. No stone will be left unturned.

Sadly, the councillors' letter appears to cast a shadow over the good work done by PaCC. As PaCC eloquently responded in their open letter to all councillors of this committee, their group consists of dedicated advocates who are all well aware of their remit.

I would like to be perfectly clear that I do not question PaCC's independence. I highly value their robust input and challenge, they've certainly rightly raised my awareness of the complexities faced on a daily basis and held me to account in a constructive way for which I am grateful.

I would like to reassure PaCC and other parent groups that we are committed to continuing our work to re-build a positive relationship with the community as we move forward.”

31.17 Mr Muirhead presented Amanda Mortensen’s statement in support of PaCC and requested that on behalf of her role, as a parent carer of PaCC, the extensive work they undertook be acknowledged.

31.18 **AGREED** – That the Committee note the letter.

(C) NOTICE OF MOTION

(i) Make Your Mark

31.19 Councillor Clare presented the Notice of Motion which called for the committee to request a report to a future meeting of the Children, Young People & Skills Committee detailing the Council’s action towards meeting the demands taken from the results of the national survey regarding the top five issues for young people.

31.20 The Committee were provided with a presentation that outlined a brief timeline of youth engagement with this program.

31.21 The Chair gave the following response:

“I agree that the Committee should note the five national issues identified as part of the campaign. These are all important and wide-ranging issues. One Committee report would not do justice to them, so I suggest we should consider these issues as part of agenda planning for the Committee over the next year.

We have heard that the priority that Brighton and Hove young people voted for is Protecting the Environment. This was also the national issue chosen for the debate last week. I suggest that that the young people should take their presentation to the Environment, Transport & Sustainability Committee to agree how their views can be fed into the Council’s strategy on the Environment.”

31.22 **AGREED** – that the committee note the Notice of Motion.

32 SCHOOL OFSTED PRESENTATION

32.1 The Head of Education Standards & Achievement and Head of Service – Early Years Youth & Family Support gave a brief overview of the current situation regarding Ofsted Inspections. It was noted that no inspections had currently occurred which accounted for the lack of data available.

- 32.2 Councillor Hills enquired if there had been many inspections since the report was drafted.
- 32.3 The Head of Service – Early Years Youth & Family Support confirmed 2 inspections had taken place since.
- 32.4 Councillor Clare enquired of the potential implications as a result of changes and requested clarification of the further implications that led them to being marked as outstanding that were not there prior.
- 32.5 The Head of Service – Early Years Youth & Family Support stated that the previous definition was already hard to attain.
- 32.6 The Head of Education Standards & Achievement stated that a declination was likely and that many schools would have to endure 2 inspections.
- 32.7 The Chair noted that it appeared the goal posts were changing and stated that support would be provided where needed.
- 32.8 The Assistant Director – Education & Skills stated that BHCC were in a fortunate position in regard to Ofsted as schools were well placed to do well in future inspections. It was noted that nationally, few schools would be seen through this framework and that BHCC would seek to gain knowledge from other's experiences.
- 32.9 Councillor Simson enquired if previous reports would state specific elements whereby if the school retained aspects previously considered outstanding.
- 32.10 The Head of Education Standards & Achievement confirmed that this would be the case.
- 32.11 **AGREED** – that the Committee agreed to note the presentation.

33 STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION (SACRE) ANNUAL REPORT

- 33.11 The Committee considered the report of the Executive Director for Children's Services, which provided an outline of the work of Standing Advisory Council for Religious Education (SACRE) over the past year. The report was introduced by the Partnership Adviser Health & Wellbeing.
- 33.12 Councillor McNair affirmed that SACRE was key in supporting parents with developing children's ethics and morality. Clarification was sought on how BHCC engaged people with regard to religious education and further sought advice on how BHCC could prepare and help schools with Deep Dives.
- 33.12 The Partnership Adviser - Health & Wellbeing stated that schools provided their curriculum on the website and that SACRE was in the process of carrying out website reviews as part of its statutory duty. It was noted historically Ofsted placed little focus on religious education.

- 33.13 The Chair suggested that BHCC focus on good communication with SACRE.
- 33.14 Councillor Clare proposed a survey be carried out to further attain data on what was currently being undertaken in schools and enquired if EBAC could be considered a reason for issue relating to entry figures among others.
- 33.15 The Partnership Adviser – Health & Wellbeing stated that EBASC was a contributing factor however clarified that there were other reasons such as the differing priorities across different schools.
- 33.16 Councillor Simson enquired what was being done to encourage as wide a breadth of engagement with Community Engagement Vacancies.
- 33.17 The Partnership Adviser – Health & Wellbeing stated that members of SACRE found it difficult to engage other groups although were still in ongoing efforts to do so. It was further noted that direct contact was often pursued along with challenging people to get involved.
- 33.18 Karen James referred to section 3.10 and offered to help look at key bids.
- 33.19 The Partnership Adviser – Health & Wellbeing welcomed this and noted that this would be taken back to SACRE.
- 33.20 **RESOLVED:**
1. That the SACRE report be noted and that Committee support for the work of SACRE be considered.

34 SCHOOL ADMISSION ARRANGEMENTS 2021/22

- 34.1 The Committee considered the report of the Executive Director of Children's Services regarding school admission arrangements for 2017/18. The report was introduced by the Head of School Organisation.
- 34.2 The Committee were advised that the surplus places were expected for 2021/22. It was further stated that long term strategic planning was key. It was noted that West Hove Infants and Hove Junior Schools were supported by government bodies of religious schools and that the consultation would be an opportunity to hear the proposals set out.
- 34.3 Councillor Clare expressed concern regarding reductions and stated that change wasn't enough however agreed that the action pursued was correct.
- 34.4 Karen James questioned the duration of the consultation.
- 34.5 The Head of School Organisation stated that the consultation was restricted to take place across at least 6 weeks. It was noted that the duration was set to allow for as much input from as many people possible.
- 34.6 Councillor Hamilton expressed concern regarding the reduced numbers and noted that enough numbers of pupils had to be made viable.

- 34.7 Councillor Brown stated that the Committee needed to make a decision regarding the reduction of school places. Clarification was sought regarding the likelihood of an increase in numbers.
- 34.8 The Head of School Organisation confirmed that this could occur however in the event of a decline, further consultation would be necessary.
- 34.9 Councillor Nield stated that Westdene school was happy with a reduction. Concern regarding the prospect of schools being seen negatively as a result of not attaining enough pupils, was expressed.
- 34.10 The Head of School Organisation stated that the long term view was to ensure that it was not BHCC's intention to close schools. BHCC would also have to allow parents to provide preferences on schools.
- 34.11 Councillor Simson enquired if many schools had objected in the past.
- 34.12 The Head of School Organisation stated that they were not aware if this had happened in recent history.
- 34.13 The Chair stated that CYPS would need to look at this and welcomed consultations and efforts to address issues going forward.

34.14 **RESOLVED:**

1. That no changes to the Council's admission arrangements or school catchment areas where applicable be made by Committee.
2. That consultation on a change to the Published Admission Number (PAN) for West Hove Infant (Connaught Road Site) from 90 pupils to 60 pupils and a change to the PAN for Hove Junior School (Holland Road Site) from 128 pupils to 90 pupils be carried out by Committee.
3. That a consultation on a change of PAN for Mile Oak Primary school from 90 pupils to 60 pupils and a change to the PAN for Hangleton Primary School from 90 to 60 pupils be carried by Committee.
4. That no changes to the "relevant area" be made by Committee.

35 UPDATE ON JULY 2018 OFSTED ILACS ACTION PLAN

- 35.1 The Committee considered the report of the Executive Director of Children's Services regarding the July 2018 Ofsted ILACS Action Plan. The report was introduced by the Executive Director – Families, Children & Learning.
- 35.2 The Committee were advised that over the past year focus was placed on strategy and what worked. It was stated that a regular practitioner had been hired and that it was vital that all children brought forward had to have the best care. A new strategy alongside partners had been launched last month and this led to improvements. It was noted that

Ofsted found issue with children case files. It was further note that BHCC were confident that the new procurement service would prove to be highly beneficial as opposed to the current system which was outdated. A brief overview of the difference in systems was provided.

35.3 The Interim Executive Director – Housing, Neighbourhoods & Communities gave praise to the service and stated that BHCC were now seeing the positive results of decisions made years ago.

35.4 The Committee agreed that the Chair write to staff teams with congratulations and to express thanks.

35.5 **RESOLVED:**

1. That progress made in respect of the recommendations made by Ofsted following the 2018 ILACS be noted by Committee.

36 MOULSECOOMB PRIMARY SCHOOL UPDATE

36.1 The Committee considered the report of the Executive Director of Children's Services regarding the Moulsecoomb Primary School Update. The report was introduced by the Head of Education – Standards & Achievement.

36.2 The Committee was advised that following the ballot, parents voted against academisation. It was further stated that the Regional Schools Commissioner selected TRUST and that it was the duty of the Local Authority to work with TRUST to facilitate the transfer over to academy.

36.3 Councillor McNair stated that efforts were underway to open up the Blue Bell Primary School ahead of 2021 and enquired how the decision was made.

36.4 the Head of Education – Standards & Achievement stated that the headteacher board had not yet met and that 3 different trusts were considered.

36.5 The Interim Executive Director – Housing, Neighbourhoods & Communities clarified that BHCC were not involved in the decision making process and that this was a matter for the Regional School Commissioner and the Headteacher.

36.6 Councillor Brown stated that academies had a good record of working closely and positively with local authorities and further stated that BHCC should be reaching out to them and not denigrating New Horizon Trust.

36.7 Councillor Hills enquired if there were minutes of the meeting being discussed and if so could this be shared.

36.8 The Assistant Director – Education & Skills stated that they would request a copy of the minutes.

36.9 Councillor Knight enquired if BHCC could seek assurances about the set up of the trust.

- 36.10 The Interim Executive Director – Housing, Neighbourhoods & Communities state reaffirmed that the local authority was not involved in the decision making process.
- 36.11 Councillor Knight enquired if it would be possible to raise concerns.
- 36.12 The Interim Executive Director – Housing, Neighbourhoods & Communities confirmed that this was possible.
- 36.13 Karen James stated disappointment that parents views were being ignored and further emphasised the importance of BHCC's support for parents through this.
- 36.14 On behalf of the Green Group, Councillor Nield moved a motion to add recommendations 2.2 and 2.3 as shown in bold italics below:

2.2 That committee agrees to receive a further update report on Moulsecoomb Primary, including:

- information regarding the proposed academy sponsor, New Horizons Academy Trust, and the outcome of the required due diligence process;***
- further information on the financial implications of any proposed academisation, including: the liability for any deficit held by the school if a transfer to an academy takes place.***

2.3 That this committee agrees to formally note support for the outcome of the parental ballot held on 07 10 2019.

- 36.15 Introducing the motion, Councillor Nield explained that it was important to ascertain as much information as possible with regard to New Horizon taking over the process as there was no guarantee that Moulsecoomb would maintain under their purview.
- 36.16 Councillor Clare formally seconded the motion.
- 36.17 The Chair then put the motion to the vote that passed.
- 36.18 The Chair then put the recommendations, as amended to the vote that was agreed.
- 36.19 **RESOLVED:**

1. That Committee note the report.
2. That a further update report on Moulsecoomb Primary be received by the Committee including:
 - a. Information regarding the proposed academy sponsor, New Horizons Academy Trust, and the outcome of the required due diligence process;
 - b. Further information on the financial implications of any proposed academisation, including: the liability for any deficit held by the school of a transfer to an academy takes place
3. That support for the outcome of the parental ballot held on 7th October 2019 be formally noted by Committee.

37 RE-ORGANISATION OF SPECIAL EDUCATION IN THE CITY - PROGRESS REPORT

- 37.1 The Committee considered a report of the Executive Director for Families, Children & Learning, which provided an update of Special Education in the City. The report was introduced by the Assistant Director – Health SEN & Disabilities.
- 37.2 The Community Works representative submitted 5 questions.
- It was enquired if there would be problems of space with regard to the Downsview hub.
 - It was proposed that parents be able to engage with the consultation.
 - Clarification was sought on how the analysis, following the consultation, would be presented.
 - Further clarification was sought on how the Committee could further support AMAZE to achieve its targets.
 - The representative enquired what the savings were to date.
- 37.3 The Assistant Director – Health SEN & Disabilities noted that works had commenced on both sides and that efforts to minimise disruption would be undertaken. It was confirmed that parents would be involved in the consultation process. A task and finish group that was set up in September 2019 had in attendance, a range of stakeholders it was noted that part of the action plan was to consider how everyone would be engaged. It was further stated that analysis would be shared first with stakeholders. It was clarified that efforts would be made to consider routes of engagement with parents and schools with regard to SEND. It was noted that BHCC were acutely aware of the need for spaces for under 5's and that the Jean Saunders centre was vital. Finally in regard to savings, the Assistant Director – Health SEN & Disabilities would provide information at a later date once overall figures had been fully established.
- 37.4 Councillor Brown sought clarification on what would be considered a suitable timeframe.
- 37.5 The Assistant Director – Health SEN & Disabilities gave a brief overview of the timetables for the East, West and Central hubs. It was agreed that further information regarding post 16 pupils would be brought at a later date.
- 37.6 Following an error found in the report, the Chair requested that an updated version including the Equalities Impact Assessment be circulated.
- 37.7 Councillor Clare enquired of the possibility to propose that carbon-neutral measures be considered.
- 37.8 It was clarified that a defined value of the outcome of claims had not yet been ascertained and that BHCC would be contacting to contractors regarding this issue.
- 37.9 Councillor Simson thanked the contractors and officers involved and noted that the changes made would increase the safety of children.
- 37.10 Councillor Wilkinson enquired if a primary school had been identified following the consultation.

37.11 The Assistant Director – Health SEN & Disabilities stated clarified that a primary school had not yet been identified and that the timescale of consultation was being extended. It was further noted that local primaries would be approached at a later date.

37.12 **RESOLVED:** That the report be noted.

A PROGRESS WITH HOME TO SCHOOL TRANSPORT

37.13 The Committee considered a report of the Executive Director for Families, Children & Learning, which provided a update on the Progress on Home to School Transport. The report was introduced by the Head of School Organisation and Assistant Director – Health SEN & Disabilities.

37.14 The Head of School Organisation and Assistant Director – Health SEN & Disabilities expressed their apologies and acknowledged that this protracted event had negative consequences. It was stated that efforts were already underway to resolve this issue and rebuild trust. Pace and efficiency were areas that would be looked at and scrutiny of procurements systems and service was key. Terms of reference had been made to inform the independent review as well as a plan of action to address issues that had been identified.

37.15 The Chair gave the following statement:

“I am a relatively new Chair of this committee. And, as I have already said, I will leave no stone unturned in resolving the issues, so this vital service succeeds for the families who need it.

I am grateful to all who have helped address this important matter. The level of engagement from all involved shows how we much we need to work together to make sure those who need the service most are the focus of all we do.

We all need this process to be honest, have clarity and be delivered in the spirit of co-operation.

The problems should not have happened, we all know that, and no one wants this to happen again. I want to repeat my unreserved apology today. I also want to reassure you and all parents and carers that we will not rest until this situation is completely resolved.

At this point, we need to make sure we are putting our energy into making the service a success for the good of all. I will continue to apologise but will not let apologies or politics stand in the way of making things right.

I understand that up to 30 of some 450 children we transport were affected by the recommissioning of this service. This is 30 too many families.

We’ve already made some tangible changes, including ensuring that the officer team are responding promptly and effectively. We’re also setting up the independent review process.

I want to ensure that valuable lessons are learned. I will continue to work closely with PaCC to rebuild trust and confidence.

I know that the council now has a much more detailed understanding of home to school transport arrangements than ever before. This was a key aim of the changes introduced and it saddens me deeply we have gained this vital knowledge in a way that was so disruptive. This has been a hard lesson learned for everyone.

The report of the independent review and the contribution of the cross-party policy panel will inform the changes needed. This work has already begun.”

- 37.16 Councillor Clare expressed concern regarding costs in future and requested that this be considered.
- 37.17 The Chair stated that a list of suggestions would be made to inform the policy panel for consideration.
- 37.18 Councillor Hills referred to the Equalities Impact Assessment and noted that these had been reviewed recently.
- 37.19 The Head of School Organisation noted that the existing Equalities Impact Assessment was in place however that this was being reviewed and that this had been added to take account of the terms of delivery of service.
- 37.20 Councillor Nield stated that there was a short time between the draft and submission of draft report in January and enquired how schools would be given enough time to get involved.
- 37.21 The Assistant Director – Health SEN & Disabilities stated that BHCC were keen to provide answers for stakeholders and the community. It was noted that this was doable and that discussions had taken place with the LGA. It was stated that someone would be in charge of co-ordinating the timetable and also that there had been discussions with PaCC and AMAZE to consult parents for their views.
- 37.22 Councillor Simson referred to the financial implications and stated that it was possible that the monies set aside may not be enough.
- 37.23 The Head of School Organisation stated that this had been viewed by colleagues in financial services however that it would be hard to determine the full scope of costs. It was further stated that BHCC were waiting to hear proposals from advisors following the review.
- 37.24 The Interim Executive Director – Housing, Neighbourhoods & Communities confirmed that this budget would not come from the Home to School Transport budget and that it would be taken from the directorate budget. He further acknowledged that it would be hard to quantify officer time.
- 37.25 Councillor Brown enquired if the issue of taxi drivers not taking children to school had been fully resolved and enquired if there were possible insurance implications.

37.26 The Head of School Organisation stated that this had been resolved for the period until the end of this Autumn term. It was noted that there were commitments to meet with regard to Downs View School. It was stated that 1 specific operator was the main issue. It was clarified that staff had been reached and efforts would be made to work toward full resolution before winter.

37.27 RESOLVED:

- (1) That the efforts of families and their stakeholder organisations in working with the Home to School Transport Team to address issues arising from the new arrangements be recognised;
- (2) That the Invitation to Quote document for the establishment of an Independent Review as detailed in Appendix 1 be noted; and
- (3) That the appointment of a Member Policy Panel and approval of the Terms of Reference for the Policy Panel as detailed in Appendix 2 be agreed.

38 ITEMS REFERRED FOR COUNCIL

39 PART TWO MINUTES

40 PART TWO PROCEEDINGS

The meeting concluded at 18:00

Signed

Chair

Dated this

day of