

**BRIGHTON & HOVE CITY COUNCIL
CHILDREN, FAMILIES & SCHOOLS COMMITTEE**

4.00PM 6 NOVEMBER 2023

COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ

MINUTES

Present:

Councillors: Taylor (Chair), Helliwell, Daniel, Alexander, Allen, Goddard, Hamilton, Shanks, Goldsmith, Hogan

Co-opted Members: Leslie Hurst, Simon Parr, Adam Muirhead, Becky Robinson

Standing Invitees: Pippa Hodge (Parent and Carer Council Representative for Home-to-School Transport), Fiona England (Parent and Carer Council Representative), Youth Representatives

PART ONE

26 Procedural Business

(a) Declarations of Substitutes

26.1 Cllr Alexander substituted for Cllr Mistry.

(b) Declarations of Interest

26.2 There were none.

(c) Exclusion of Press and Public

26.3 There were no Part Two items and so the press and public were not excluded from the meeting.

27 Minutes

27.1 **RESOLVED:** That the minutes of the meeting held on 11 September 2023 were agreed as a correct record.

28 Chair's Communications

28.1 The Chair delivered the following communications:

We have full agenda this evening with a number of extremely important items to be considered.

As a Labour administration, we are laser-focused on building a system and a city that tackles disadvantage, and provides support for those who most need it. Nowhere is that more important than in the area of Children, Families and Schools, which this Committee has responsibility for.

We in the Labour Party believe in the vital importance of Early Years provision. As a city, we have a record to be proud of in terms of early intervention. And that's why we are today exploring options for the future of Bright Start nursery, not simply closing the nursery as was proposed under the last administration.

We will also be receiving an update on the litigation that this administration brought against the Home Office and their shameful practice of placing Unaccompanied Asylum-Seeking Children in hotels. Let us be clear – this successful legal action, and the consequences that flow from it, was only possible because of the action of this Labour Council.

Brighton & Hove is a wonderful city, but it's also an unequal city – including in terms of secondary school outcomes for children from Disadvantaged backgrounds. This issue was highlighted brilliantly in the podcast series 'Class Divide', which rung true with my experience growing up in the city – where many of my classmates at Longhill didn't get the opportunities as those from popular schools in the centre of town. As a city, we have to start tackling this issue – and Committee is today asked to consider a proposal for Disadvantaged pupils (those eligible for Free School Meals) to be given higher priority in school admissions.

We want to see successful and properly funded schools right across our city. And that's why we will be considering primary school organisation at today's Committee. The sad truth is that pupil numbers in our city have fallen dramatically in recent years, and we need to take action to tackle the issue of underfunded schools. These decisions are not easy, but good government isn't just about doing the nice stuff and ignoring the thorny issues. Sometimes you have to make hard decisions, which you know to be in the best interests of children in the city, and our education system in the city.

We will also be receiving papers on provision of Short Breaks and School Holiday Activities for SEND children, as well as a change in policy for post 16 provision of Home to School Transport.

As I've said many times at this Committee and elsewhere, this country is in a mess after 13 years of a cruel and ineffective Tory Government. And the choices faced by council's up and down the country, including Tory-run councils, are stark. But this Labour administration is clear that we will use what money we do have to ensure we our city is one that provides the best education, care and support for our children and young people.

29 Call Over

29.1 All items, with the exception of Item 40 (Proposals for the Future of Hertford Infant and Hertford Junior Schools), were called.

30 Public Involvement

(a) Petitions

30.1 There were no petitions.

(b) Written Questions

30.2 Gary Vallier asked the following question:

Am I right to presume that the council has learnt the lessons of the independent barrister report into the home to school transport fiasco?

30.3 The Chair provided the following response:

Yes, we can confirm the Council reviewed all of the arrangements, including the legal advice that was received, and improvement measures were implemented. The Home to School Transport Service has a governance board in place, including PaCC representative, which oversaw the improvements to the service, and the successful contract re-procurement for September 2024.

30.4 Garry Vallier asked the following question on behalf of Jenny Smith:

The Equality and Human Rights Commission (EHRC) has updated its technical guidance for schools in England and Scotland, outlining the obligations the Equality Act places upon schools regarding pupils with protected characteristics and the provision of their education. With DfE guidance yet to emerge and school heads crying out for support on this, does the Chair agree with me that the council should, as a matter of urgency, recommend this guidance to our schools?

30.5 The Chair provided the following response:

The Commission updated its technical guidance on 22nd September, and this was widely publicised at the time, schools have access to this guidance which is public and is linked to on the DfE website on their section on equalities and the Council shares this with schools in various documents.

30.6 Gary Vallier asked the following supplementary question on behalf of Jenny Smith:

The EHRC update removed previous references to so-called 'misgendering', indicating that it is not direct gender reassignment discrimination for schools to maintain that sex is binary. Given the gender affirmative approach of the Council's co-authored tool kit for schools, does the Chair agree that it would be prudent if the trans inclusion toolkit was immediately suspended pending a review.

30.7 The Chair provided the following response:

No, the trans toolkit is reviewed regularly. As answered in the previous question, the advice has been published and that is available to schools. I would just correct one contention in your previous question which is that school heads are crying out for support on this; I meet school heads all the time, very regularly. I'm meeting two tomorrow, primary and secondary, and I can honestly say that in meeting most of the head teachers in the city over the last couple of months not one has raised this with me but thank you for your question.

(c) Deputations

30.8 There were no deputations.

31 Items Referred from Council

31.1 There were no items referred from Council.

32 Member Involvement

(d) Petitions

32.1 There were no petitions.

(e) Written Questions

32.2 Councillor Shanks presented her question, which can be found on page 19 of the agenda, to the Committee.

32.3 The Chair provided the following response:

Thanks Councillor Shanks. As you say, I'm aware this has been an issue that you've been working on for a long time, Youth Provision. I was pleased to visit Brighton Youth Centre a couple of weeks ago to look at their very exciting plans for developing that site, which the Council has supported, and I know you've championed that Youth Centre.

As you suggest, in autumn 2023 the DCMS published refreshed statutory guidance for section 507b of the education act for all young people aged 13 to 19 (and up to 25 with SEND) to have the right to access youth work activities which are for the improvement of their wellbeing and promote their personal and social development.

The National Youth Agency has published a tool kit to support local authorities to meet the updated guidance. We will be evaluating how our current youth work offer meets the nine essentials of a local youth offer, required to secure compliance and fulfilment of the 2023 statutory guidance.

Brighton & Hove has made considerable progress against the nine essentials of a local youth offer.

In terms of needs assessment, the Youth review in 2020 consulted with young people and stakeholders to assess the current youth offer and make recommendations for improvements. This report was integral to the recommissioning of the Youth Service Grants programme.

On youth engagement. youth voice, participation and engagement are a fundamental right. Current youth voice mechanisms include the Youth Council and YouthWise. It was agreed at the Young People and Skills committee in January 2021 to sign up to the power of youth charter. Progress against the Charter is regularly monitored as part of the quality assurance process. Care experienced young people are heard through the Children in Care Council and the Care leavers Forum.

In terms of VCFS engagement, the voluntary sector currently commissions youth grants providers. They collaborate with other youth organisations in the city, including the equalities groups. There are a number of partnerships working groups. The Local Authority are collaborating on Youth Investment Fund bids to build and improve youth centre buildings. The Youth led Grants process reaches out to other youth organisations in the city. This is a young person led grant process.

In terms of the Local youth offer plan, the Council's Youth Service Grants Programme 2021-2025 focusses on the findings of the Youth Work Review in 2020 and outcomes outlined in the National Youth Agency's Youth Work Enquiry and curriculum. This includes the Equality groups.

In terms of quality of youth work practice, the youth grants providers produce six monthly and annual narrative and data reports, demonstrating how they have met the requirements of the youth work offer.

In terms of workforce planning, it's a requirement under current commissioning that Nationally recognised, qualified youth workers are in place, and that all staff have access to appropriate training. This is evaluated at monitoring visits.

In terms of the curriculum for National Youth Work, the Youth Service Grants programme is based on the National Youth Agency's National Youth work curriculum. Access to out of school provision is being looked at as part of the Council five-year Education Disadvantage Strategy and the Brighton & Hove Active CYP Alliance.

In terms of safeguarding, Brighton & Hove Childrens Safeguarding Board provide ongoing training, information and briefings.

Lastly, in terms of Monitoring evaluation and impact, youth grants providers complete six monthly, annual narrative and data reports. Quarterly meeting with all providers to discuss good practice, share news and opportunities. In person monitoring visits are completed on an annual basis.

32.4 Councillor Shanks asked the following supplementary question:

What is the strategy for engaging young people, maybe a lot of whom don't access our usual youth provision?

32.5 The Chair provided the following response:

Thanks, Councillor Shanks, I think it's a good follow-up question. I think, as we highlighted, there are already various mechanisms that we do engage with young people. There's a youth participation team that work with young people on their priorities and we obviously have the Youth Council.

I think on the graffiti point, which is a perfectly legitimate question, as you say it's not about blaming young people, there are reasons why some people engage with that kind of activity, the reimagined project as you've said, one of the topics within that will be graffiti and we will want young people to contribute. There are also other elements of the reimagine project not related to graffiti, but will specifically involve young people in what kind of city they would like to see and get their engagement. Those are some of the ways that we try to engage young people in the city.

(f) Letters

32.6 No letters were received.

(g) Notices of Motion

32.7 No Notices of Motion were received.

33 Home to School Transport Post 16 Policy Statement

33.1 The Assistant Director - Education and Skills introduced the report on the Home to School Transport Post 16 Policy for the academic year starting in September 2024.

33.2 Councillors Shanks, Allen and Goldsmith, as well as Pippa Hodge, asked questions and contributed to the debate of the report.

33.3 The Chair moved a vote on the recommendations of the report.

33.4 **RESOLVED:** That the Committee -

1. Approved the Home to School Transport Post 16 Policy Statement 2024-2025, for the academic year starting in September 2024, introducing a proportionate financial contribution of the same value as a CitySAVER ticket (at the time of writing, approximately 5% of actual transport costs) towards taxis and minibuses for pupils of sixth form age with special educational needs and disabilities. No contribution would be requested where families experience low income or in circumstances where the young person travelled with a specialist professional (e.g. nurse or medically trained support staff) and/or large/essential medical equipment.

2. Approved the provision of home to school transport for young people of sixth form age and adult learners at the beginning and end of the establishment's day, unless there were exceptional circumstances which prevented the young person/adult from remaining on site.

34 SEND Short Breaks and School Holiday Activities

34.1 The Assistant Director of Health, SEN and Disability Services introduced the report which provided information for members about Brighton & Hove City Council's duty to provide short breaks for parents/carers of disabled children and young people under the Breaks for Carers and Disabled Children regulations 2011.

34.2 Councillors Helliwell, Goddard, Shanks, Daniel and Goldsmith, as well as Fiona England, Adam Muirhead, Becky Robinson and Youth Council Representatives asked questions and contributed to the debate of the report.

34.3 The Chair moved a vote on the recommendations of the report.

34.4 **RESOLVED:** That the Committee -

1. Instructed the Executive Director for Families, Children & Learning to take all necessary steps to award grants to multiple providers for up to a maximum annual award of £130,000 per annum for an initial term of one (1) year with an option to extend for a further period or periods of up to two (2) years (as two 1 year extensions) subject to good performance for the 105 provision of short breaks and school holiday activities for parents/carers of children and young people with a disability.

35 Bright Start Options Proposal

- 35.1 The Head of Service for Family Hubs introduced the report, which can be seen in addendum 4 of the agenda papers, that outlined options for Bright Start Nursery.
- 35.2 Councillors Allen, Goldsmith, Shanks, Daniel, Alexander, and Goddard asked questions and contributed to the debate of the report.
- 35.3 The Chair moved a vote on the recommendations of the report.
- 35.4 **RESOLVED:** That the Committee –
1. Noted the circumstances of Bright Start Nursery in terms of its location, availability of places in the surrounding area and the numbers and needs of children attending the setting.
 2. Agreed the preferred option to move the Bright Start Nursery provision to Turner Family Hub as outlined in the paper.

36 Proposals for Consultation on School Organisation

- 36.1 The Head of Service for School Organisation introduced the report, which can be seen in addendum 1 of the agenda papers, that detailed the proposed closure of two primary schools.
- 36.2 Councillors Allen, Goddard, Shanks, Goldsmith, Alexander, and Helliwell, as well as Youth Council Representatives asked questions and contributed to the debate of the report.
- 36.3 The Chair moved a vote on the recommendations of the report.
- 36.4 **RESOLVED:** That the Committee agreed –
1. to consult on the closure of St Bartholomew's C of E Primary School to take effect on 31 August 2024.
 2. to consult on the closure of St Peter's Community Primary School to take effect on 31 August 2024.

37 School Admission Arrangements 2025-26

- 37.1 The Head of Service for School Organisation introduced the report, that can be seen in addendum 1 of the agenda papers.
- 37.2 Councillors Goddard, Shanks, Allen, Helliwell, Hamilton, Daniel, Shanks, and Hogan, as well as Becky Robinson and Lesley Hurst asked questions and contributed to the debate of the report.

37.3 A Green Group amendment to the report that can be seen in addendum 3 of the agenda papers was moved by Councillor Shanks and seconded by Councillor Goldsmith.

37.4 The Chair moved a vote on the Green Group amendment proposed by Councillor Shanks.

37.5 The Green Group amendment was not carried.

37.6 The Chair moved a vote on the recommendations of the report.

37.7 **RESOLVED:** That the Committee agreed -

1. to make no changes to the council's admission arrangements or school catchment areas (other than the changes listed below).
2. to consult upon a change to the Published Admission Number (PAN) of Brunswick Primary School from 120 to 90.
3. to consult upon a change to the Published Admission Number (PAN) of Goldstone Primary School from 90 to 60.
4. to consult upon a change to the Published Admission Number (PAN) of Patcham Infant School from 90 to 60.
5. to consult upon a change to the Published Admission Number (PAN) of Queen's Park Primary School from 60 to 30.
6. to consult upon a change to the Published Admission Number (PAN) of Rudyard Kipling Primary School from 60 to 45.
7. to consult upon a change to the Published Admission Number (PAN) of Saltdean Primary School from 90 to 60.
8. to consult upon a change to the Published Admission Number (PAN) of Stanford Infant School from 90 to 60.
9. to consult upon a change to the Published Admission Number (PAN) of St Luke's Primary School from 90 to 60.
10. to consult upon a change to the Published Admission Number (PAN) of Woodingdean Primary School from 60 to 45.
11. to consult on amending the admission priorities for Brighton & Hove community secondary schools to include a new priority 3 for pupils eligible for Free School Meals (up to the city average percentage).
12. to make no changes to the "relevant area".

38 UASC Judgement

38.1 The Executive Director of Families, Children and Learning introduced the report on this item which can be seen in addendum 2 of the agenda papers. The Head of Legal Litigation and Safeguarding also spoke on the report.

38.2 Councillors Daniel, Shanks, and Goddard, as well as Adam Muirhead asked questions and contributed to the debate of the report.

38.3 The Chair moved a vote on the recommendations of the report.

38.4 **RESOLVED:** That the Committee noted -

1. that the systematic use of hotels to accommodate UAS children was declared unlawful in a judgement handed down by Mr. Justice Chamberlain on 27.07.23

39 Items Referred for Full Council

39.1 There were no items referred for Full Council.

40 Proposals for the Future of Hertford Infant and Hertford Junior Schools

40.1 **RESOLVED:** That the Committee -

1. noted the responses to the publication of statutory notices between 15 September and 15 October 2023.
2. agreed to the proposal contained in the statutory notice to amalgamate Hertford Infant and Junior Schools to become a one form entry, all through primary school, through the closure of Hertford Junior School and expanding the age range of Hertford Infant School from 4 – 7 years to 4 – 11 years from 1 September 2024 on the site of the current Hertford Junior School.

The meeting concluded at 19.18.

