

BRIGHTON & HOVE CITY COUNCIL
CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

4.00pm 11 OCTOBER 2010

COMMITTEE ROOM 1, HOVE TOWN HALL

MINUTES

Present: Councillor Brown (Cabinet Member)

Also in attendance: Councillor Hawkes (Opposition Spokesperson) and Deane (Opposition Spokesperson)

Other Members present: Councillors Rufus, Older and Kemble

PART ONE

18. PROCEDURAL BUSINESS

18a Declarations of Interest

18.1 There were none.

18b Exclusion of Press and Public

18.2 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Cabinet Member for Children & Young People 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(1) of the Act).

18.3 **RESOLVED** – That the press and public be excluded from the meeting during consideration of item 35, Non-Public Minutes of the Previous meeting as this item was exempt under Paragraph 3 of Schedule 12A of the Act.

19. MINUTES OF THE PREVIOUS MEETING

19.1 **RESOLVED-** That the minutes of the previous meeting held on 12 July 2010 be approved and signed as the correct record.

20. CABINET MEMBER'S COMMUNICATIONS

20.1 The Cabinet Member introduced the following communication:

As detailed at the Cabinet Member Meeting on 12 July 2010 the Connaught Centre was identified as the preferred site for part of the new primary provision. Negotiations with City College regarding the acquisition of the Connaught Centre have just concluded and a paper will be presented to the Cabinet Meeting on 14 October asking for approval to grant a lease for Wilson Avenue in return for a 30 year lease for the Connaught Centre.

Once this decision has been taken, Gillian Churchill will lead a working group to determine the specific detail related to the Connaught Centre and plans for complementary accommodation to provide the full 3 form entry primary school for Hove for September 2011.

A paper detailing these plans will be brought to the 10 December 2010 Children and Young People Cabinet Member Meeting.

The Chairman conveyed her delight at this achievement and thanked the Officers responsible for their work thus far. She expressed her confidence that they would continue their efforts onward into providing a top-class educational facility.

20.2 The Chairman noted that the Brighton Aldridge Community Academy had opened this past September and she had attended the recent open evening at the school which included a Topping Out ceremony. She congratulated all involved in the process and was eagerly anticipating the completion of the new buildings work which would be completed for September 2011.

20.3 The Chairman explained that Item 34 would be brought forward to Item 28 in the running order.

21. ITEMS RESERVED FOR DISCUSSION

21.1 **RESOLVED-** All items were reserved for discussion by the Cabinet Member.

22. PETITIONS

22.1 No petitions had been received.

23. PUBLIC QUESTIONS

23.1 Mr David Jones asked the following question:

“How much of the £230k cost of bringing the condition on Barrack Yard up to good condition would have to be spent on the building regardless of its future use?”

- 23.2 The Cabinet Member for Children and Young People answered that having taken legal advice she was not proposing to give a specific answer at this time. This was because the issue and others would be highlighted at the consultation stage which was due to commence shortly. The paper that was to be considered at the present meeting identified the option of closing the nursery and was asking for approval to commence a consultation with staff and parents. However, no decision to close the nursery would be made today. The proposal would return to the next Cabinet Member Meeting in December when all the issues raised in the consultation process would be considered and taken into account before any decision is made. It would not therefore be appropriate at this stage to give an answer which pre-empted the consideration and outcome of the consultation.

24. DEPUTATIONS

- 24.1 No Deputations had been received.

25. LETTERS FROM COUNCILLORS

- 25.1 No Letters from Councillors had been received.

26. WRITTEN QUESTIONS FROM COUNCILLORS

- 26.1 No Written Questions from Councillors had been received.

27. NOTICES OF MOTIONS

- 27.1 No Notices of Motion had been received.

28. BRIGHT START NURSERY CONSULTATION

- 28.1 The Cabinet Member considered a report of the Acting Director of Children’s Services concerning the beginning of consultation with Bright Start nursery staff and parents of children who use it on the closure of the nursery by April 2011.
- 28.2 Councillor Hawkes informed the meeting of her disapproval of the consultation of closure. Although there were a lot of nursery places now available across the city, this did not mean that Bright Start should be closed. In her opinion the quality of care at the nursery was of the highest standard and moves should be made to increase attendance at the nursery rather than begin a consultation to close. Should the consultation lead to a decision to close the nursery, she had great concern for the emotional impact upon the children of the nursery. In addition, Councillor Hawkes did not believe that the report

accompanying the agenda had made a viable financial argument on the potential reasons for closure.

- 28.3 Councillor Deane said she agreed with the points raised by Councillor Hawkes. Councillor Deane suggested that there were options for a higher uptake in attendance to the nursery including more flexible session times. Councillor Deane did not believe a case for the financial implications had been made. She understood that a refurbishment of the nursery would cost £5,000 which in her opinion would make more sense than consulting on closure and lead to a higher uptake at the nursery. Councillor Deane added that the birth rate in Brighton was rising which would necessitate the need for more nursery places, that a transfer of nursery provision would be disruptive for a young child and that she felt sympathetic for the staff who she believed were so highly qualified that they had become too expensive to employ. In addition, Councillor Deane queried the legal implications of closing a staff nursery.
- 28.4 The Chairman noted the comments and stated that evidence suggested that flexible session times very often led to empty sessions. She also noted that the report indicated an increase in fees would still not cover the financial losses at the nursery. She recognised that this was an extremely sensitive issue for everyone involved and that the nursery was rightly held in high regard by the community. However, this did not detract from the matter that the restrictions of the present financial climate necessitated that the option of closure should be considered and consulted on.
- 28.5 **RESOLVED-** That the Children and Young People Cabinet Member agrees to a consultation with Bright Start nursery staff and parents of children who use the nursery on the closure of the nursery by April 2011.

29. ANNUAL FOSTERING SERVICE REPORT

- 29.1 The Cabinet Member considered a report of the Acting Director of Children's Services. The report met the regulation that required an annual fostering report to be received by the Council Executive and Standard 1 of the National Minimum Standards for Fostering Services that required the statement of purpose to be endorsed by the Council's Executive annually. The report focused on fostering activity and a profile of the work of fostering teams with the Fostering and Adoption Service.
- 29.2 The Cabinet Member thanked the officer for the report and issued her praise to the staff within the Fostering Service and to the members of the Fostering Panel for their hard work and dedication.
- 29.3 Councillor Hawkes also issued her thanks for the report that recognised the work of the service and how it could transform lives. Councillor Hawkes stated that she was pleased that this was a mandatory annual report as it clearly detailed various achievements and the challenges to be faced.
- 29.4 Councillor Deane commented that she was pleased that this service had remained within the public service remit and the report showed a high standard of work. She asked what checks were in place for observing medical services for children who had multi-placements.

29.5 The report author stated that the Fostering team had a pro-active relationship with the health team and often collaborated on cases. She identified this as one of the strengths of the Fostering team.

29.6 **RESOLVED-** That the Cabinet Member notes the Annual Fostering Service Report and the progress of the Fostering & Adoption Service in relation to fostering activity and endorsed the revised Fostering Statement of Purpose.

30. ANNUAL ADOPTION SERVICE REPORT

30.1 The Cabinet Member considered a report of the Acting Director of Children's Services. The report met Standard 17.3 of the National Minimum Standards for Local Adoption Services (2003) which requires the Adoption Agency to produce an Annual Report to the Council Executive and Standard 1.2 of the National Minimum Standards for Local Adoption Services that required a Statement of Purpose to be endorsed by the Council Executive annually. The report gave full information about adoption activity and compliance with the national adoption standards, a profile of the work of the Adoption and Permanence teams and the revised Statement of Purpose. The report author went on to highlight some of the work of the service including the support offered to birth families post adoption to enable them to maintain some form of relationship with children that have been adopted in line with adoption support plans.

30.2 The Cabinet Member thanked the report author for the very detailed report and the Adoption and Permanence Panel for their extremely good work.

30.3 Councillor Hawkes welcomed the report and praised the work undertaken in maintaining birth family ties. She believed this would assuage the impact of the process.

30.4 **RESOLVED-** That the Cabinet Member-

1. Notes the Annual Adoption Agency Report and the progress of the Agency in relation to adoption and permanence activity.
2. Notes the six month Adoption and Permanence panel activity report for April 2010 – September 2010.
3. Endorses the revised Adoption Agency Statement of Purpose.

31. PROPOSED EXTENDING OF THE AGE RANGE OF BENFIELD JUNIOR SCHOOL. PROPOSAL TO MOVE TO STATUTORY NOTICE.

31.1 The Cabinet Member considered a report of the Acting Director of Children's Services that reported the outcome of the initial consultation undertaken between July and October 2010 and sought endorsement to proceed with the publication of statutory notice on the creation of a new all through primary school to replace Benfield Junior School.

- 31.2 The Cabinet Member informed the meeting that she recently visited the schools open day and had seen first-hand the fantastic work completed inside and outside of the building and thanked the author of the report as the officer responsible for her efforts.
- 31.3 Councillor Hawkes thanked the officer for her work and welcomed the news as part of the long-term solution to school places in the west of the city.
- 31.4 **RESOLVED-** That the Cabinet Member-
1. Notes and endorses the proposal to create an all through primary school by changing the age range of Benfield Junior School from 7-11 as at present to 4 to 11 from September 2011.
 2. Agrees to the publication of the required Statutory Notices to progress this proposal.
 3. That the results from the publication of the Statutory Notice are referred to the Cabinet Member meeting on 10th December 2010 for decision.
- 32. PROPOSED CREATION OF AN ALL THROUGH PRIMARY SCHOOL TO REPLACE BALFOUR INFANT AND JUNIOR SCHOOLS. FINAL DECISION.**
- 32.1 The Cabinet Member considered a report of the Acting Director of Children's Services that informed Members of the outcome of the statutory consultation on the proposed discontinuation of Balfour Infant School and proposals for changes to the age range and expansion of the premises at the school to an all through Primary School.
- 32.2 The Cabinet Member noted that there were no objections received to the proposal during the publication period and was very pleased that a consensual decision could be made.
- 32.3 Councillor Hawkes welcomed the consensus and congratulated the officers on their work.
- 32.4 **RESOLVED-** That the Cabinet Member confirms the statutory notice and resolves to discontinue Balfour Junior School, extend the age range and expand the premises of Balfour Infant School from September 2011.
- 33. CONTRACT FOR PROVISION OF HEALTH SERVICES BETWEEN SOUTH DOWNS NHS TRUST AND BRIGHTON & HOVE CITY COUNCIL**
- 33.1 The Cabinet Member considered a report of the Acting Director of Children's Services that sought approval for the Council as the lead commissioner on behalf on itself and the Primary Care Trust (PCT) to enter into a commissioning contract with South Down's Health (SDH) for the provision of children's health care services that formalised the commissioning role of the Council as prescribed in the s75 agreements. The contract would be for one year with possibility for a one year extension and would have a value of £9.847m.

33.2 Councillor Deane asked if there would be any increase in value to the contract should the one year extension was taken up.

33.3 The report author explained that the total sum was agreed upon on an annual basis. Should the one year extension be taken up, there could be an increased cost.

33.4 **RESOLVED-** That the Cabinet Member-

1. Agrees that a contract for up to 1 year with a possible extension of up to 1 year with a value of £9.847 million per annum be entered into with South Downs Health NHS Trust for the provision of children's health care services.
2. Authorises the Acting Director of Children's Services, after consultation with the Cabinet Member for Children and Young People, to finalise the detailed terms of the contract and to take all steps necessary or incidental to completing the contract.
3. Authorises the Council's Head of Law to prepare and execute the contract.
4. Authorises the Head of Law to make any necessary or consequential changes to the s75 agreements to ensure consistency with the contract, in particular in relation to payment arrangements.

34. RESPONSE TO THE REPORT OF THE CHILDREN & YOUNG PEOPLE'S OVERVIEW & SCRUTINY COMMITTEE SCHOOL EXCLUSION REPORT

- 34.1 The Cabinet Member considered a report of the Acting director of Children's Services detailing the response to the report of the Children and Young People's Overview and Scrutiny Committee (CYPOSC) on school exclusions. Their report identified and investigated whether specific groups of children were more vulnerable to exclusion, the differences between schools in practice and outcomes, the causes of exclusion and the outcomes of exclusion. The report had thirteen recommendations.
- 34.2 The Cabinet Member thanked Councillor Fryer and CYPOSC for the work invested in the report and indicated that the recommendations would be accepted by the Children and Young People Trust.
- 34.3 On behalf of Councillor Fryer; Councillor Deane introduced questions and observations of the report. These were:
- She stressed that recommendation 1 of the CYPOSC report on early identification made economic and educational sense.
 - In recommendation 3 she was concerned that "creative use" had been misinterpreted as a synonym for 'efficient' and this wasn't acceptable practice for SEN funding
 - That as per recommendation 6, SEN budgets should be ring-fenced as not doing so could lead to the provision being inconsistently applied
 - Recommendations 10 and 12 were put into place as CYPOSC had found that many parents of excluded children felt barred from the exclusion process and that School

Behaviour Policies should focus on education not punishment. In addition, Informal Exclusions should be prohibited

34.4 The report author clarified that the Children's Trust Board did not run schools did would try to coerce actions when needed. In response to the matters raised, Informal Exclusions were strictly not permitted and that recommendation 10 should go into school policy which CYPT would try to influence. It was very important that there were a high number of early interventions within schools and widespread use of Pastoral Teams were encouraged. In response to recommendation 3, CYPT would, and do, challenge schools on correct use of SEN funding.

34.5 **RESOLVED-** That the Cabinet Member-

- (a) Notes the recommendations of the report from CYPOSC and acknowledge the work of that committee.
- (b) Implement the actions within the response.
- (c) Ensure that the monitoring procedures are followed

35. PART TWO MINUTES

35.1 **RESOLVED-** That the Part Two minutes of the previous meeting held on 12 July 2010 are approved and signed as the correct record.

36. PART TWO ITEMS

36.1 **RESOLVED-** That the above items remain exempt from disclosure to members of the press and public.

The meeting concluded at 4.55pm

Signed

Chair

Dated this

day of