

Children, Young People & Skills Committee

Date: **13 January 2020**

Time: **4.00pm**

Venue **Council Chamber, Hove Town Hall**

Members: **Councillors:**Allcock (Chair), Knight (Deputy Chair), Clare (Opposition Spokesperson), Brown (Group Spokesperson), Hamilton, Hills, McNair, Nield, Simson and Wilkinson

Co-optees

Karen James (Parent Governor Representative), Amanda Mortensen (Parent Governor Representative), Trevor Cristin (Diocesan Director of Education) and Bernadette Connor (Catholic Diocese)

Non-Voting Co-optees

Adam Muirhead (Community Works Rep), Rob Scoble (Youth Works)

Contact: **Greg Weaver**
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AGENDA

41 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;
- (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.

42 MINUTES

9 - 28

To consider the minutes of the meeting held on 11 November 2019.
(Copy attached)

43 CHAIR'S COMMUNICATIONS

44 CALL OVER

(a) Items (49 – 55) 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.

45 PUBLIC INVOLVEMENT

29 - 30

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;
 - (i) **Hangleton Primary School pupil admission number Consultation** – Sarah Wilks
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 7th January 2020;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 7th January 2020.

46 MEMBER INVOLVEMENT

31 - 34

To consider the following matters raised by Councillors:

- (a) **Written Questions:** to consider any written questions;
 - (i) **Schools involved in September 2019 Reception Baseline Assessment Pilot** – Councillor Nield
- (b) **Letters:** to consider any letters;
 - (i) **Stringer Plastics** – Councilor Heley and Councillor Rainey

47 RELIGIOUS STUDIES VIDEO

48 SCHOOL OFSTED PRESENTATION

35 - 40

Report of the Executive Director for Families, Children & Learning (copy attached).

Contact Officer: Mark Storey
Ward Affected: All Wards

Tel: 1273 294271

49 SCHOOL ADMISSION ARRANGEMENTS 2021/22

To Follow

Report of the Executive Director for Families, Children & Learning (copy to follow).

Contact Officer: Richard Barker
Ward Affected: All Wards

Tel: 01273 290732

- 50 FAMILIES, CHILDREN AND LEARNING FEES AND CHARGES 41 - 50**
Report of the Executive Director for Families, Children & Learning (Copy attached)
Contact Officer: Caroline Parker Tel: 01273 293568
Ward Affected: All Wards
- 51 YOUTH WISE - BRIGHTON AND HOVE DECISION MAKERS 51 - 56**
Report of the Executive Director for Families, Children & Learning (Copy attached)
Contact Officer: Deborah Corbridge Tel: 01273 292953
Ward Affected: All Wards
- 52 YOUTH SERVICE REVIEW 57 - 68**
Report of the Executive Director for Families, Children & Learning (Copy attached)
Contact Officer: Deborah Corbridge Tel: 01273 292953
Ward Affected: All Wards
- 53 TRANSPORT FOR CHILDREN AND YOUNG PEOPLE WITH SEND 69 - 76**
Report of the Executive Director for Families, Children & Learning (Copy attached)
Contact Officer: Jo Lyons / Tel: 01273 293514
Georgina Clarke-Green 01273 292257
Ward Affected: All Wards
- 54 DEVELOPMENT OF ASC SERVICES 77 - 86**
Report of the Executive Director for Families, Children & Learning (Copy attached)
Contact Officer: Georgina Clarke-Green Tel: 01273 292257
Ward Affected: All Wards
- 55 UPDATE ON SPECIAL EDUCATIONAL NEEDS AND DISABILITY STRATEGY DEVELOPMENT 87 - 98**
Report of the Executive Director for Families, Children & Learning (Copy attached)
Contact Officer: Carolyn Bristow Tel: 01273 293736
Ward Affected: All Wards

56 UPDATE ON ACADEMISATION OF MOULSECOOMB PRIMARY SCHOOL

99 - 102

Report of the Executive Director for Families, Children & Learning (Copy attached)

*Contact Officer: Mark Storey
Ward Affected: All Wards*

Tel: 01273 293513

57 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the 30 January 2020 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

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact Greg Weaver, (01273 291214, email greg.weaver@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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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 needed to take a view that was different and focused more on short term operational matters. It was noted that West Hove Infants and its linked junior school at Holland road were supported by the governing bodies of each school and that the PAN 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 Moulsecomb 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 Moulsecomb 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 Moulsecomb 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:**

1. That Committee note the report.

A PROGRESS WITH HOME TO SCHOOL TRANSPORT

37a.1 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.

37a.2 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.

37a.3 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.”

- 37a.4 Councillor Clare expressed concern regarding costs in future and requested that this be considered.
- 37a.5 The Chair stated that a list of suggestions would be made to inform the policy panel for consideration.
- 37a.6 Councillor Hills referred to the Equalities Impact Assessment and noted that these had been reviewed recently.
- 37a.7 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.
- 37a.8 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.
- 37a.9 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.
- 37a.10 Councillor Simson referred to the financial implications and stated that it was possible that the monies set aside may not be enough.
- 37a.11 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.
- 37a.12 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.

- 37a.13 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.
- 37a.14 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.

37a.15 **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 by the Committee.
2. That the Invitation to Quote document for the establishment of an independent review as detailed in Appendix 1 be noted by the Committee.
3. That the appointment of a Member Policy Panel and approval of the Terms of Reference for the Policy Panel detailed in Appendix 2 be agreed by Committee.

38 ITEMS REFERRED FOR COUNCIL

39 PART TWO MINUTES

40 PART TWO PROCEEDINGS

The meeting concluded at Time Not Specified

Signed

Chair

Dated this

day of

Subject: Petitions
Date of Meeting: 13 January 2020
Report of: Monitoring Officer
Contact Officer: Name: Greg Weaver **Tel:** 01273 291214
E-mail: Greg.weaver@brighton-hove.gov.uk
Wards Affected: Various

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive any petitions submitted directly to Democratic Services or any e-Petition submitted via the council's website.

2. RECOMMENDATIONS:

- 2.2 That the Committee responds to the petition either by noting it or writing to the petition organiser setting out the Council's views, or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options, including the following:

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- calling a referendum

3. PETITIONS

3. (i) Hangleton Primary School pupil admission number Consultation – Sarah Wilks

To receive the following petition signed by 1060 people (as of date of publication of agenda):

“We the undersigned petition Brighton & Hove Council to abandon its proposals to permanently reduce Hangleton Primary School pupil admission numbers.”

WRITTEN QUESTIONS FROM COUNCILLORS

A period of not more than fifteen minutes shall be allowed at each ordinary meeting for questions submitted by Members.

The question will be answered without discussion. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion. The person to whom a question, or supplementary question, has been put may decline to answer it.

(i) Councillor Sarah Nield

Do we know how many schools in Brighton and Hove took part in the September 2019 pilot of the Reception Baseline Assessment?

Geoff Raw
Chief Executive Office
Brighton and Hove City Council
Hove Town Hall
Norton Road
Hove, BN3 3BQ

19/12/2019

LETTER TO Children, Young People and Skills committee

Dear Geoff;

We are submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Children, Young People and Skills committee meeting of 13/01/2020.

As a parent and an ex-student of Dorothy Stringer High school, we have had meetings with the school about both the students and staff's concerns about the school's environmental impact. There is a strong desire for the school to do all they can to limit their carbon footprint and their waste.

As councillors we were inspired to hear from students as young as Year 7 about their initiatives to tackle littering and their campaigning to make Dorothy Stringer the first plastic-free school in Brighton and Hove.

No doubt, this is a very challenging thing to take on as well as very expensive. We have been discussing what would need to happen in order to be plastic free - which includes installing multiple new water dispensers around the school site to allow the canteen to stop selling plastic bottles.

The school are already planning fundraising activities to generate money for the large costs of these initiatives, but we are asking the Council to support them.

Can the Chair of the Children, Young People and Skills committee request some guidelines or a report for schools in Brighton and Hove with advice on how to proceed. This should outline the most cost-effective way, in terms of procurement and securing funding, for a school to become free of single-use plastics.

Please can the chair also advise on whether providing water dispensers and reusable bottles can be considered a basic need, and therefore be eligible for funding from the basic needs fund?

Kind regards,

**CHILDREN, YOUNG PEOPLE &
SKILLS COMMITTEE**

Agenda Item 46(b)

Brighton & Hove City Council

Cllr Amy Heley and Cllr Clare Rainey

Ofsted update 19 December 2019

Schools inspected since last committee 2019

School	Date of Inspection	OE Grade	Previous grade
Full inspections			
St Mary Magdalen Catholic Primary School	14/11/2019	2	2
Benfield Primary School	21/11/2019	2	2
Woodingdean Primary School	29/11/2019	not yet received	2
Homewood College	4/12/2019	Not yet received	3
Bevendean Primary School	5/12/2019	Not yet received	2

Snapshot from End of Sept 2019

	% of schools judged to be Good & Outstanding	National % schools judged to be Good & Outstanding	% Pupils in a Good or Outstanding School	% of schools judged to be Outstanding	National % Schools judged to be Outstanding
Primary	90.4	87.5	89.9	11.5	17.5
Secondary	100	75.9	100	0	21.1
Special	66.7	91.6	88.5	66.7	38.8
Colleges	100	-	-	-	-
PRUs	100	83.1	100	0	18.1
All Schools (not colleges)	91.2	86.0	93.9	14.7	19.9

National figures as at end of Sept 2019 Ofsted Monthly Management data

Overview of School Ofsted Outcomes

As at end Sept 2019	Outstanding	Good	Requires improvement	Inadequate
Brighton & Hove: % Schools	14.7%	76.5%	7.4%	1.5%
Brighton & Hove: Number of schools	10	52	5	1
National : % schools (as at end of Sept 2019)	19.9%	66.2%	10.4%	3.6%

The pupil referral units are now one establishment: The Central Hub Brighton

Overview of Early Years Ofsted inspections

- 97% of childcare providers on the Early Years Register in Brighton & Hove were judged good or outstanding (August 2019). This is above the figure of 96% in both the SE and England.
- A high percentage of settings are judged as outstanding in Brighton & Hove, well above national and local outcomes:
 - 28% (B&H), 22% (SE) and 20% (England).
- Early Years inspections since August 2019
 - 2 settings have retained an outstanding judgement
 - 2 settings have improved from requires improvement to good
 - 1 setting has retained a good judgement
 - 5 settings have moved from outstanding to good
 - 1 setting has been identified as requiring improvement

EY Ofsted inspections since last committee

Setting	Inspection date	Latest grade for overall effectiveness	Previous grade
Bright Start Nursery	7.11.19	Good	Requires improvement
Shirley Street Nursery	22.10.19	Good	Requires Improvement
Bear's House Nursery	18.10.19	Requires Improvement	n/a
One World Nursery	29.10.19	Good	Outstanding
Little Stars Nursery	12.11.19	Good	Outstanding
Home from Home Nursery	13.11.19	Outstanding	Outstanding
Little Angels Nursery	15.11.19	Good	Outstanding
Dolphins Pre-School	26.11.19	Outstanding	Outstanding
Boomerang Kids Nursery	29.11.19	Good	Outstanding

Ofsted Education Inspection Framework 2019

The revised Education Inspection Framework is now in place. It is important to note that achieving a judgement of outstanding is more challenging than the previous framework as **all** descriptors need to be met with no areas to improve.

Accordingly, some settings with a judgement of outstanding under the previous framework have not retained the grading. This trend is being noted across the country.

However, the reports show that very high quality practice continues. Reports are available at <https://reports.ofsted.gov.uk/>

Subject:	Families, Children and Learning Fees and Charges 2020/21		
Date of Meeting:	13 January 2020		
Report of:	Executive Director Families, Children and Learning		
Contact Officer:	Name:	Louise Hoten / Caroline Parker	Tel: 29-3440 / 3587
	Email:	louise.hoten@brighton-hove.gov.uk caroline.parker@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT:**

- 1.1 The purpose of the report is to review the Families, Children and Learning Services fees and charges in accordance with the corporate policy.

2. RECOMMENDATIONS:

- 2.1 That the position on fees charged for nurseries as detailed in section 3.3 be agreed.
- 2.2 That the position on fees and charges for Childcare Workforce Development as detailed in section 3.4 be agreed.
- 2.3 That the position on fees and charges for the Early Years Quality Improvement Programme as detailed in section 3.4.7 be agreed.
- 2.4 That the position on the charges for school meals as detailed in section 3.5 be noted.

Note: If the above recommendations are not agreed, or if the committee wishes to amend the recommendations, then the item will need to be referred to the Policy and Resources Committee meeting on 13 February 2020 to be considered as part of the overall budget proposals. This is because the budget is being developed on the assumption that the fees and charges are agreed as recommended and any failure to agree, or a proposal to agree different fees and charges, will have an impact on the overall budget, which means it will normally need to be dealt with by Policy and Resources Committee as per the requirements of the constitution. This does not prohibit the service committee from making alternative recommendations to Policy and Resources Committee.

3. CONTEXT/ BACKGROUND INFORMATION:

3.1 As part of the budget setting process Heads of Service are required to agree any changes to fees and charges through relevant Committee Meetings. The management of fees and charges is fundamental both to the financial performance of the City Council and also the achievement of the Council's corporate priorities. The recommendations agreed by this Committee will be subject to whatever is agreed regarding fees and charges in the budget report presented to Policy and Resources Committee on 13 February 2020 and then by Budget Council on 27 February 2020.

3.2 The council's Corporate Fees and Charges Policy requires that all fees and charges are reviewed at least annually and should normally be increased by either the corporate rate of inflation 2% or actual increases in the costs of providing the service. The corporate rate of inflation is applied to ensure that income is maintained in proportion to expenditure where annual inflationary cost pressures are experienced. The council's Standard Financial Procedures state that service committees shall receive a report from Executive Directors on proposed fees and charges variations above or below the corporately applied rate of inflation.

3.3 Nurseries

3.3.1 Part of the council's early year's strategy is to provide high quality childcare in the most disadvantaged areas to ensure local children can access provision. Council run full day care nurseries are:

- Acorn Nursery – North Portslade Children's Centre
- Bright Start Nursery – Old Slipper Baths (North Laines)
- Cherry Tree Nursery – Hollingdean Children's Centre
- Jump Start – Moulsecoomb Children's Centre
- Roundabout Nursery – Roundabout Children's Centre (Whitehawk)

There is also one sessional pre-school: Pavilion Pre-school – North Portslade

The Council also subsidises Tarnerland Nursery School to provide full day care in addition to free early education places.

3.3.2 The nurseries provide free part-time early education places for low income two year olds and three and four year olds and childcare that parents pay for. All of the nurseries are based in buildings owned by the Council.

3.3.3 The Council subsidy for the nurseries in 2019/20 is £554,000.

The total projected income for the all the nurseries in 2019/20 is just over £2.89 million:

- 35% fees from parents
- 46% dedicated Schools Grant (early years block) for the entitlement for 2, 3 and 4 year olds
- 19% council subsidy

3.3.4 The highest subsidies are for the nurseries in Whitehawk and Moulsecoomb where most children just take up their free childcare places and there are the highest number of funded two year olds. There are also more children with child protection plans and special educational needs and disabilities who need higher staff ratios.

Funding for free childcare places for 2, 3 and 4 year olds

3.3.5 Disadvantaged two year olds are entitled to 570 hours a year free childcare from the term after their second birthday and a key priority is to ensure there are sufficient high quality places for these children. Brighton and Hove is funded at an hourly rate of £5.20 per hour. This is the lowest rate in the south east. The highest is £5.88 and the average is £5.56. The Government has announced an increase of 8p per hour for 2020/21. This is a 1.5% increase.

3.3.6 All three and four year olds are entitled to 570 hours (15 hours a week, term time only) of free childcare. Funding is allocated by Government on a national formula. The rate for Brighton and Hove is £4.45 per hour which is significantly below the published national average of £4.88. The lowest rate in the South East is £4.30, the average is £4.80 and the highest is £5.79. These figures refer to the total rate paid to the local authority and include inclusion funding and central costs. The council is passing on 95% of its funding allocation to childcare providers, with an average hourly rate of £4.25, including additional support funding. This is less than the average fee that parents pay for childcare.

3.3.7 The Government published the national early years funding rates for 2020/21 in October 2019. The funding rate is being increased by 1.8% to £4.53. This is the first increase since 2016 and is well below the increase of 4.9% in the minimum wage this year.

3.3.8 The Council has repeatedly raised, with the Government, the issue of the low rate of early years funding for the city both through the city's MPs and directly with Ministers. Unfortunately the level of funding we receive compared to other areas has not increased.

Nursery Fees

3.3.9 The existing fee policy for the Council nurseries is:

- £5.57 for all ages of children (£5.50 for children attending Pavilion as the pre-school is based in a sports pavilion, sharing space with a football team. Typically sessional providers in shared buildings charge a lower rate).
- £2.30 for lunches and teas. Breakfast and snacks are included in the hourly rate. Parents can choose to bring a packed lunch

3.3.10 The proposal is to increase fees by the inflation rate of 2%. The proposals are to:

- Increase the standard hourly rate of £5.57 for all ages of children to £5.68. (£5.61 for children attending Pavilion). This is a 2% increase.

- Increase the cost of meals by 20p to a maximum of £2.50 per meal for lunch or tea where this is supplied by the nursery to reflect increases in costs from the supplier – an increase of 8%. This increase is due to an increase in the cost of food from the provider. The nursery meals contract is being re-tendered with a price range of between £2.30 to £2.45. The final cost will depend on the results of the re-tendering process.

3.3.11 Coram Children and Family (previously known as the Daycare Trust) publish an annual childcare cost survey. The 2019 Survey included average costs for 25 and 50 hours of childcare for children under two, two year olds and three and four year olds. The amounts for the south east for children attending 25 hours a week were:

	25 hours	Hourly rate
Children under two	£137.04	£5.48
Two year olds	£135.50	£5.40
Three and four year olds (based on 10 hours in addition to 15 hours free childcare)	£50.93	£5.09

3.3.12 There is a range of help from the Government for parents with childcare costs in addition to the free early years entitlement of 15 or 30 hours. Parents on Universal Credit can claim up to 85% of childcare costs and parents on higher incomes can apply for Tax Free Childcare which will pay 20% of their childcare costs (see paragraph 5.3.1). However parents report that they have concerns about the high cost of childcare in the city.

3.4 Childcare Workforce Development

3.4.1 It is proposed that charges for early years and childcare providers for childcare training are:

- £120 for paediatric first aid training
- £62 for full day training (£100 outside Brighton & Hove)
- £42 for half day training (£70 outside Brighton & Hove)
- £20 for safeguarding courses (£100 outside Brighton & Hove)
- £70 for a job vacancy advert (£120 outside Brighton & Hove)
- £140 for jobs plus service (£240 outside Brighton & Hove), which includes assistance with shortlisting and interviewing

3.4.2 The proposal is that these charges should stay the same as those agreed last year, with the exception of the charge of £20 for safeguarding courses, which is proposed in order to meet a proposed saving of £7,400 in the 2020-21 budget.

3.4.3 A fall in applications as a result of a price increase could reduce applications and have a negative impact on income generation.

- 3.4.4. Ofsted data shows that childcare providers in the city are high quality compared with the sector nationally and locally. This can partly be attributed to our offer of a high quality training programme and we want early years providers to continue to access this.
- 3.4.5 Early years providers have had no increase in government funding for the early years free entitlement for two, three and four year olds since 2017. The national increase is 1.8% for next financial year. Costs have gone up considerably with an increase in business rates, new pension contribution requirements and an increase in the minimum wage. A number of childcare providers in the city have become unsustainable and have closed.
- 3.4.6 Benchmarking with other local authorities is difficult because pricing is not easily available, and is not consistent. In addition some local authorities include training with a subscription for other services. However it is estimated that Brighton & Hove's charges are mid-range compared with others in the south of England.

Early Years Quality Improvement

- 3.4.7 It is proposed to charge early years providers £150 per module for completing our Quilt quality improvement programme. This charge will contribute to a proposed budget saving of £5,000 in the 2020/21 budget. Quilt modules have been free in the past.
- 3.4.8 There are currently 10 modules in the programme, and since 2018 thirteen early years settings and six childminders have completed some of these
- 3.4.9 Quilt is being revised and will be relaunched in April 2020. Charges for Quilt would be waived for early years providers who are less than Ofsted "good" as they would be delivered as part of an improvement plan. Charges would also be waived for early years providers with a high number of disadvantaged children.

3.5 School Meals

- 3.5.1 The cost of school meals to the local authority (schools) is inflated annually in accordance with the price review mechanism detailed in the school meals contract as detailed below. The current contract started on 1 August 2018 for a period of 4 years with an opportunity to extend up to 24 months. As a fully delegated service, schools may choose to buy into the contract or make their own school meals arrangements. All secondary schools and secondary academies within the city and the Bilingual Primary School and City Academy Whitehawk (since September 2019) provide meals, including free meals to entitled pupils, through their own individually negotiated contracts.
- 3.5.2 The current charge for school meals in primary schools has remained at £2.20, last increased in April 2018; the new contract requires the payment of the Living Wage (Living Wage Foundation) to employees.

Any decision to increase the selling price to parents will be made in June 2020 for implementation from 1st August 2020, and will be based on the April 2020 indices detailed below:

The meal price will be varied in line with the following two indices:

a) Food element

Annual movement in the Retail Price Index (all items) as published by the Office for National Statistics. (Food CHBA)

b) Labour element

The labour element will increase based on the percentage (%) annual movement as agreed by the Living Wage Commission for the UK Living Wage (outside of London).

c) Management Fee

The Management fee price will vary in line with the annual movement in the Consumer Price Index (all items) published by the Office for National Statistics.

As this is built into the contract terms and conditions, approval by the Children Young People & Skills Committee would only be sought if an increase exceeding inflation was being proposed.

3.5.3 Under the current contractual arrangement there continues to be a low fixed cost in the form of a management fee and a higher variable cost for each meal served, this ensures that the contractor should be more inclined to increase sales as we have seen with the previous contract.

This budget area is now operated in a way that the need to fulfil a shortfall would be most unlikely and this is being demonstrated through the current contract performance and the continued support of central government grant funded Universal Infant Free School Meals (UIFSM). There are strong incentives for the contractor to grow the service and these are supported by successful partnership working with the Council. The increased cost of free school meals has not been passed onto schools for the financial year 2019/2020, this will be mitigated through the provision, by the DFE, of the free school meals supplementary grant.

4 COMMUNITY ENGAGEMENT AND CONSULTATION

4.1 Budget holders with responsibility for specific fees and charges were consulted in the preparation of this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The total Families, Children and Learning fees and charges budget for 2019/20 is approximately £2.3m excluding schools.

5.1.1 The fees and charges recommended in this report have been reviewed in line with the Corporate Fees & Charges Policy and all relevant regulations and

legislation. The anticipated recurring financial impacts of fee changes will be reflected within service revenue budgets. Increases to meet the corporate rate of inflation of 2% are normally applied to all council income budgets to ensure income is maintained as a proportion of the net cost of service. Increases above or below the corporate rate of inflation require approval by the relevant service committee or Policy & Resources Committee and can result in additional contributions toward the cost of services and/or corporate and service overheads. This can also result in the achievement of a net budget saving to the council. Where this is the case, this will be reflected in 4-Year Budget Plan proposals for the relevant service and will be incorporated within the revenue budget report to Policy & Resources Committee and Budget Council in February 2020. Income from fees and charges is monitored as part of the Targeted Budget Monitoring (TBM) process.'

Finance Officer Consulted: Louise Hoten

Date: 12/11/2019

Legal Implications:

- 5.2 Families, Children and Learning Services are entitled to review fees and charges as set out in the report. At the time fees and charges are set they must be demonstrably fair and reasonable in all the circumstances. The report indicates the analysis against which the recommendations have been made and the obligations of the council in relation to the funding of free nursery places.

Lawyer Consulted: Serena Kynaston
2019

Date: 29 November

Equalities Implications:

- 5.3 Equal access to childcare is encouraged by ensuring that the nurseries all offer the universal free early years entitlement of 15 hours a week for all 3 and 4 year olds and eligible two year olds. The entitlement for 3 and 4 year olds with working parents is 30 hours (term time only).
- 5.3.1 Two year olds from low income working families are eligible for free childcare in addition to two year olds from families on out of work benefits. Parents with low incomes can claim the childcare element of the Working Tax Credit which pays for childcare costs of up to a maximum of 70% of £175 a week for one child or £300 for two or more. Parents claiming Universal Credit are entitled to claim 85% of childcare costs. Alternatively parents on higher incomes can apply for Tax Free Childcare. For every £8 a parent pays into their childcare account, the government will pay in an extra £2 up to a maximum of £2000. Parents can then use this money to pay their childcare provider.
- 5.3.2 Equal access to school meals is provided by all primary and special schools through participating in a citywide contract that is the same meal at the same price available to all pupils. The contract specifies that provision should be made for modified meals required on the grounds of cultural, religious or medical requirements.

Sustainability Implications:

5.4 There are no direct sustainability issues arising from this report.

Crime & Disorder Implications:

5.5 There are no direct crime and disorder issues arising from this report.

Risk and Opportunity Management Implications:

5.6 The services included in this report rely on being able to achieve their income targets in order to maintain the level of service provided.

Public Health Implications:

5.7 The opportunity to receive a free school meal or meal for no charge (UIFSM) is extremely important to a substantial number of children from low income families, for whom a school lunch may be the only balanced meal they will eat in a day. Research shows that when children eat better, they do better. Whether families are paying for school meals or are entitled to them for free, children are more likely to concentrate in the classroom in the afternoon after eating healthy school lunches in a pleasant environment. This also improves their health and their learning about making better food choices. Research also shows that children eligible for free school meals are less likely to: do well at school, continue into further education, or secure higher paid jobs. Therefore, ensuring that these children eat and gain the benefits of the free school meals they are entitled to, really will make a difference to their ability to learn and succeed.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 Alternative options considered for the nursery fee increases included limiting the number of free hours that children can use each day and further increasing the hourly charge for the hours that parents pay for in addition to the free hours.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 To agree and/or note the Families, Children and Learning Services Fees and Charges for 2020/21.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

Nones

Background Documents

1. Fees and Charges Analysis – 2019/20

Subject:	Youth Wise – Brighton and Hove's Decision Makers		
Date of Meeting:	13th January 2020		
Report of:	Executive Director for Families, Children & Learning		
Contact Officer:	Name:	Deborah Corbridge	Tel: 29-2953
	Email:	deborah.corbridge@brighton-hove.gov.uk	
Ward(s) affected:	(All Wards);		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to provide information on the current arrangements for young people to participate in decisions on services for young people in the city.

2. RECOMMENDATIONS:

- 2.1 That the Committee acknowledges and support the arrangements and agree the attached terms of reference for Youth Wise.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The group was formed as a result of the 'Protect Youth Services Campaign' that resulted in funding for youth services being retained. Councillors and senior officers were keen to keep open communication with young people from across the city and ensure they played a key role in making decisions around funding for services that impact on them.
- 3.2 The group has been running for two years. Young people representing a range of youth services, councillors from across the parties, senior officers and youth workers have attended meetings approximately every 3 months.
- 3.2 The group have to date covered and consulted on various items, including:
- **Youth Portal** (development of a website comprising of a wide range of services and activities on offer to young people)
 - **Youth Bus** (consultation and decisions made on the previously council owned youth bus which resulted in it transferring to the Hangleton and Knoll Project)
 - **Youth Led Grants Programme** (young people led on setting priorities, developing a framework for distributing the additional £90,000 for youth projects and setting up a young people's panel for evaluating bids. There have been two bidding rounds to date).
- 3.3 The young people have a range of agenda items they would like to see on future agendas, including:

- Building networks/communication
 - Highlighting good practice
 - Transport
 - Youth Service Grants Programme – recommissioning process
 - BYC / central hub development
 - Youth led Grants Programme
 - Themed campaigns on youth issues
 - Engaging young people in politics – education, understanding how money is spent on young people, votes for 16 year olds etc.
 - Mental Health
 - Transgender/sexual identity - bullying, accessing medical help, group need to be given a voice
 - Housing crisis
 - Bullying in schools and social media
 - Drug/alcohol misuse
- 3.4 The Brighton and Hove City Council 2020 to 2023 Corporate Plan outlines its commitment to deliver high quality youth services and states that we will give young people a stronger voice in future services. The development of this group is recognised as instrumental in delivering on this commitment.
- 3.5 The group was previously known as the Youth Cross Party Working Group; however after consultations and voting on a name they have agreed on Youth Wise – *Brighton and Hove's Decision Makers*
- 3.6 The youth groups that are represented at this meeting (or have been during the two years) include:
- Youth Council
 - Brighton Youth Centre
 - Hangleton and Knoll Project
 - Allsorts
 - Turner Community Project
 - Audio Active
 - Trust for Developing Communities
 - Children in Care Council
 - Youth Advice Centre
 - Impact Initiatives
 - Right Here

Other youth groups have been invited regularly but have not, as yet, attended.

- 3.7 The group have agreed their terms of reference (see appendix). It was also agreed that young people would be given bus tickets to help them attend the group.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The group has developed but acknowledge the numbers of young people involved is limited and they have an aspiration to significantly increase the numbers of young people participating in decisions that impact on them and will

be working on models to achieve this, particularly reaching the most disadvantage and those with protected characteristics.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 As part of their role young people attending the meeting will be representing the organisation they are part of and have agreed that the agenda is planned and disseminated well in advance (month before the meeting) so they have time to garner the views from the young people in their group so their voices can also be brought to the meeting.
- 5.2 Young people have in the past presented reports to this Committee and Housing Area Panels and would welcome further opportunities to present as the group's agenda widens.
- 5.3 It is acknowledged that youth workers from both the council and voluntary sector youth providers are integral to encouraging and supporting young people to have a voice and participate in consultations.

6. CONCLUSION

- 6.1 The work of this group has created a forum where young people's voices are heard and valued; where they have been at the forefront of making decisions on how resources are allocated and would welcome further opportunities to impact on services for young people in the city.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Funding to support the participation of young people is included in the Youth Participation Team budget and the Youth Service Grants.

The Youth Participation Team Budget for 2019-20 is £472,100

The Youth Service Grants Gross Budget for 2019-20 is £740,000 (includes £250,000 HRA income)

Finance Officer Consulted: David Ellis

Date: 11/12/19

Legal Implications:

- 7.2 Section 507b of the Education Act 1996 places a specific duty on the Council to secure 'as far as reasonably practicable' sufficient educational and recreational activities for the improvement of young people's well-being, and sufficient facilities for such activities. Young people are defined as those aged 13-19, and those with learning difficulties to age 24.
- 7.3 Statutory Guidance for Local Authorities on Services and Activities to Improve Young People's Well-being issued in 2012 clarifies that it is not prescribed which services and activities for young people local authorities should fund or deliver or to what level. Local authorities are responsible for securing, so far as is reasonably practicable, a local offer that is sufficient to meet local needs and

improve young people's well-being and personal and social development. They should strive to secure the best possible local offer within available resources. Under the guidance it is for local authorities to determine the mix of open access, targeted, preventative and specialist provision needed to meet local needs and how to integrate all services around young people and decide what facilities are needed and how to make these available and accessible, wherever possible maximising the utilisation and potential of all local partners' assets.

Lawyer Consulted:

Name: Natasha Watson

Date: 02/01/2020

Equalities Implications

The Group aim to widen membership to ensure that young people from all protected groups are represented.

SUPPORTING DOCUMENTATION

Appendices: None

Documents in Members' Rooms: None

Background Documents: None

Appendix

Youth Wise Terms of Reference (Brighton and Hove's Decision makers)

Purpose

Views and recommendations from this group will be taken into account and will be represented at the Children, Young People and Skills Committee by the Councillors and Youth Council representative.

Membership

- Councillors – usually one Member from each of the three political groups in the council who attend the Children, Young People and Skills Committee
- Young people from different areas, groups and youth services in the city including representatives from the Youth Council, Children in Care Council, commissioned youth projects and other youth organisations.
- Executive Director or Assistant Director for Families Children & Learning.
- Youth workers to support young people if deemed necessary
- Council Officer to oversee organisation and administration

Frequency –

Every 3 months, with task and finish groups as agreed and additional meetings set up when deemed necessary. Young people to meet before the more formal meeting with councillors and senior officers.

Venue –

The young people were keen to hold the meeting in various venues because it would be good to get to know other youth venues. Agreed to rotate venues across the city and include more formal meeting places to give young people that experience.

Agenda

The young people would like the agenda going out well in advance (month before the meeting) so they have time to garner the views from the young people in their group so their voices can also be brought to the meeting. Agenda items can be proposed by young people, councillors or senior council officers.

Chairing

The Chair of Children, Young People and Skills Committee Lead to chair the meeting with, if there is a volunteer, a young person.

Organisation/Administration

Council Officer to organise the meeting, consult and agree an agenda, circulate papers a month in advance and type up notes from meeting and circulate.

Communication

We need to reach out to other young people; past members have been involved, mainly due to knowing and having a good relationship with a youth worker. It was agreed that we need a robust communication plan with the meeting dates, agenda items and how they can feed into the group published widely via various routes such as Facebook. It was agreed that further discussion is required on this.

Subject:	Review of Youth Services		
Date of Meeting:	13th January 2020		
Report of:	Executive Director for Families, Children & Learning		
Contact Officer:	Name:	Deborah Corbridge	Tel: 01273 292953
	Email:	deborah.corbridge@brighton-hove.gov.uk	
Ward(s) affected:	(All Wards)		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to provide information on current youth services, the Youth Service Grants Programme and commissioning arrangements, offer options regarding the development of a central youth hub in the city and to make the Committee aware of a significant funding opportunity that may support any agreed plans.

2. RECOMMENDATIONS

- 2.1 That the Committee agrees to extend the current Youth Service Grants Programme and to fund the work of current recipients for a further six months from 1 October 2020 to 31 March 2021, subject to funding being agreed in the 2020/21 budget.
- 2.2 That the Committee agrees to a review of the provision of youth services across the city which will consider the areas set out in paragraph 4.1 of this report and that the findings of the review are brought back to Committee in June 2020. This timing may need to change depending on Government funding announcements.
- 2.3 That the Committee agrees that the terms of reference of the review be agreed by a cross party group of councillors and Youth Wise.
- 2.4 That the Committee agrees that the review will consider an Onside Youth Zone in partnership with Brighton Youth Centre as one option for the central youth hub.
- 2.5 That the Committee agrees the review should consider a financial assessment of the different options including sources of capital and revenue funding and long term financial viability.

3. CONTEXT/ BACKGROUND INFORMATION**3.1 Council's commitment to youth services**

The Brighton and Hove City Council 2020 to 2023 Corporate Plan outlines its commitment to deliver high quality youth services, stating we will:

- identify Council owned premises suitable for partners to offer youth services.

- maintain services for refugees and LGBTU young people and ensure that sexual health services and mental health support are delivered at youth centres across the city.
- protect funding and review youth services across the city to improve coordination, establish a central youth hub and deliver services directly where possible.
- give young people a stronger voice in future services.

3.2 Council run services for young people (see appendix for more details)

The Council directly deliver a number of services that support young people:

- Adolescent Service
- Youth Participation Team
- Youth Employability Service
- Integrated Team for Families

Youth buildings (see appendix for more details)

The Council own:

- 67 Centre (Youth Participation Team and Trust for Developing Communities (TDC) for delivering youth work)
- Portslade Village Centre (Extratime for Special Educational Needs and Disabilities youth work and community use)
- Woodingdean and Colden Youth Centres (both used by TDC for delivery)

Voluntary Sector buildings include:

- Brighton Youth Centre (central)
- Crew Club (Whitehawk)
- Young People's Centre (central)
- Tarner Community Project (and the Phoenix Community Centre) (central)
- Youth Advice Centre (YMCA) (central)

3.3 Current Youth Service Programme

The Youth Service Grants Programme 2017-2020 funding period runs from 1 October 2017 to 31 March 2020. Its annual budget is £400,000 (£250,000 from the Housing Revenue Account). The focus of this programme is to fund projects that support outcomes identified in the Brighton & Hove Youth Work Review 2015, equality outcomes and outcomes for Council tenants. £16,000 contributes to the ASPIRE database which enables users to manage their casework and report on outcomes. The rest of the funding is distributed as follows:

Lot	(Apr 19 – Mar 20)
Area 1: Hangleton, Portslade & West Hove Provider – Hangleton & Knoll Project	£79,000
Area 2: Whitehawk and the Deans Provider – Trust for Developing Communities	£61,000
Area 3: Moulsecoomb & Patcham Provider – Trust for Developing Communities	£88,000
Area 4: Central Hove & Brighton Lead Provider – Brighton Youth Centre & Partners (<i>Tarner Community Project, Youth Advice Centre and Young People's Centre</i>)	£99,000
Equalities: LGBTU - Allsorts	£19,000
Equalities: BME - BMEYPP	£19,000
Equalities: Disability - Extratime	£19,000
Total	£384,000

Please see appendix for more details of these services

3.4 The current grant agreements are monitored; with six monthly data and narrative reports being compiled and presented regularly to the Children, Young People and Skills and Housing Committees. In addition, meetings with the service providers take place on a quarterly basis. Current grant recipients are required to evidence standards of practice; particularly around knowledge/training, child protection and safeguarding, inclusivity, accessibility, health and safety and financial accountability. The recently completed Equality Impact Assessment provides evidence of good engagement with BAME, LGBTU young people and those with a disability or SEND.

3.5 In June 2019 the Children, Young People and Skills Committee and Housing Committee agreed to extend the current agreements by six months, to the end of September 2020, subject to consultation with Area Panels. This consultation took place in September 2019 and the Area Panels agreed.

3.6 In addition there is funding of £90,000 a year which has been allocated to a Youth Led Grants Programme. This has been used for annual small grants with decisions about the allocation of the funding led by young people.

3.7 Current central youth provision
Brighton Youth Centre (BYC) is the lead provider of the central Hove and Brighton commissioned Youth Service and receives £47,000 from the central £99,000 grant allocation. It is a purpose built youth centre that runs a wide range of activities with a particular focus on young people aged between 13-19 years and up to 25 for young people with SEND.

The site is owned and managed by BYC. The building is well used by young people but needs significant repairs. BYC estimate, to complete the major repairs/refurbishment would cost in the range of £800k - £1.2m and work to improve accessibility and general layout would cost at least an additional £1m.

3.8 The three organisations acting in partnership with BYC also receive grant funding from the Council:

- Tarner Community Project – receives £27k from the central £99k grant
- Youth Advice Centre (YMCA) – receives £10k from the central £99k grant
- Young People’s Centre - receives £15k from the central £99k grant

3.9 Onside – Youth Zones
Onside is a charity that aims to build a network of 21st century Youth Centres (Youth Zones) giving young people quality, safe, accessible and affordable places to go in their leisure time. They started in the North West, with the first Youth Zone built in 2006 and have expanded to projects in the South East with four Youth Zone projects in London opening in 2019/20. Onside secure charitable donations which match local authority capital and revenue investment.

3.10 The Council has been approached by Onside to support the development of a Brighton and Hove Youth Zone in the centre of the city. Other Onside projects have generally started with Council identifying a vacant site, which it owns, in a central location. The vacant site would then form part of the capital investment offer from the local authority. For Brighton and Hove this model is incompatible as there is no centrally located vacant site which the authority owns or that would

become available in the next 12-18 months. BYC owns the site that it is based on. The location is suitable for this project and is close to central bus routes that open up to the rest of the city. The Brighton Youth Centre manager and board members are supportive of a proposal to develop a partnership with Onside and the Council to develop a Youth Zone on this site.

3.11 The capital cost of a Youth Zone in Brighton would be £6.5 million with revenue costs of £800k per annum. Onside have expressed their commitment to securing £3.25 million towards these costs and £600k per annum towards the revenue costs for the first three years from the opening of the building. Onside's proposal requires the Council to commit to securing £3.25 million towards the capital cost of the project and £200k per annum towards revenue costs for the first three years. Funding of £800k per year would be needed from year four onwards.

3.12 Youth Investment Fund

The government have recently announced a new £500m Youth Investment Fund. This investment will help build 60 new youth centres across the country, refurbish around 360 existing youth facilities, and provide over 100 mobile facilities for harder to reach areas. In addition, another government announcement stated that youth projects across the country will receive a £12 million boost as part of the Government's commitment to help young people thrive and level up opportunities. We do not as yet know the detail of the conditions of this funding or the timing.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

Youth Review

4.1 It is proposed that the Youth Review will consider:

- The views of young people
- Services provided by the organisations in receipt of Council Youth Grants
- The range of services delivered by other youth providers in the city
- The extent of partnership working between organisations including the Council, Police and Health services
- The future viability of youth buildings owned by both the Council and community organisations
- Access to services by young people who are Council house tenants, living in disadvantaged areas and from protected groups
- The model for a central youth hub
- The allocation of the Youth Services Grants across the city
- Sources of funding including the Youth Investment Fund
- Value for money, the future value of any assets held by the Council and long term sustainability.

Youth Zone / Onside

4.2 The Youth Zone funding model requires the Council to contribute capital funding of £3.25 million. A contribution towards this may be available from the Youth Investment Fund. There are likely to be specific terms and conditions which will need to be considered including match funding. Options for additional capital funding are:

- Use of current revenue funding. Suitable revenue funding may be transferred to form a capital budget for the project. However, this would need approval by

the Chief Finance Officer and be dependent on sufficient funding being available and the prevailing revenue budget position.

- Capital receipts from the sale of assets. This requires the identification of suitable assets to be disposed, agreement that the funds generated will be ring-fenced for this project and relies on the value and timing of the sale.
- Unsupported Borrowing. Local Authorities have the power to borrow funds, within the terms of the prudential code. The service would be required to repay the loan over a specified period.

- 4.3 All of the above options will need Policy and Resources Committee approval against a set of criteria including the financial return on the investment, value for money, opportunity costs from other use of assets and any other benefits or additional resources derived from the asset. Funding of this project will entail considerable financial risk to the Council and it is critical that the Council's financial interests are protected and the value of any future asset held by the Council mitigates that risk.
- 4.4 As the land for this potential Youth Zone is currently owned by Brighton Youth Centre there would be no security on the Council investment. There may be an opportunity for the land to be transferred to the Council and for this to count towards the Council's contribution. This needs to be explored and the true value of the land ascertained. The future ownership of the building would also need to be agreed.
- 4.5 The Youth Zone model requires revenue of over £800,000 a year. Onside guarantee a contribution of £600,000 for the first three years and the Council would need to contribute £200,000. There would need to be consideration of how much of the existing youth service grants should be allocated to the Youth Zone and how much should be available for grants to other providers. For example if £100,000 was allocated to the Youth Zone and £300,000 to other providers then this would leave an additional £100,000 to secure for the first three years. There may be a contribution to revenue costs available through the Youth Investment Fund.
- 4.6 Other services for young people, such as sexual health, substance misuse, preventing criminal/sexual exploitation, mental health and youth employment specialists could be hosted in and made available to young people within the Youth Zone.
- 4.7 After three years the Onside £600k per annum revenue contribution would come to an end, leaving this amount as a possible annual shortfall. Established Youth Zones have managed to either retain their current donors or recruit new ones. This would be a risk for the Council.
- 4.8 Significant investment in the central area would need to be balanced with ensuring that young people from across the city could access services based in the Youth Zone. Young people may prefer to access services in their local area.

Alternative approaches

- 4.9 An alternative option may be for the Council to work with BYC to develop a central youth hub without Onside as a partner. In this model the Council could work alongside the Centre to provide a central youth hub that would provide traditional youth services and targeted services for young people across the city;

including those funded by the Council. There would be less revenue and capital funding in the short term but the model might be easier to sustain. It might be possible to attract additional funding from local businesses and possibly from the Youth Investment Fund depending on the Fund's published access criteria.

- 4.10 Another alternative would be to continue to support and develop a network of youth centres across the city and apply for capital from the Youth Investment Fund to refurbish more than one building to ensure that young people can access youth services in their local area.
- 4.11 There is also the option to do nothing other than retain the current commissioning process and BYC to attempt to secure alternative funding for refurbishing their building.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Brighton Youth Centre hosted an initial consultation event with young people in February 2019 in partnership with Onside. The workshop looked at what the possibilities were for a new youth centre and what young people would want to include in its design.
- 5.2 Further consultation events will be arranged with young people, led by the Council's Youth Wise group, and all existing youth providers.

6. CONCLUSION

- 6.1 To proceed with a review of the provision of youth services across the city including the option of an Onside Youth Zone.

7. FINANCIAL & OTHER IMPLICATIONS

Financial Implications:

- 7.1 The current revenue budget information and the allocation of funding is detailed within paragraphs 3.3 to 3.6.
- 7.2 There are a number of options summarised within the report with potentially significantly differing financial implications. Any capital and continuing revenue commitments borne by the Council from the options outlined will need to be evaluated and value for money ascertained to ensure financial risks are minimised. The key areas to be explored are:
- How any capital outlay will be funded, in particular whether unsupported borrowing will be required
 - Is the cost of assets reasonable compared with the benefits that will be derived; what will be the future value of any assets held by the Council following investment
 - How to ensure long term sustainability of the revenue funding required for the service.

Finance Officer Consulted: David Ellis

Date: 06/12/19

Legal Implications:

- 7.3 Section 507b of the Education Act 1996 places a specific duty on the Council to secure 'as far as reasonably practicable' sufficient educational and recreational activities for the improvement of young people's well-being, and sufficient facilities for such activities. Young people are defined as those aged 13-19 and those with learning difficulties to age 24.
- 7.4 Statutory Guidance for Local Authorities on Services and Activities to Improve Young People's Well-being issued in 2012 clarifies that it is not prescribed which services and activities for young people local authorities should fund or deliver or to what level. Local authorities are responsible for securing, so far as is reasonably practicable, a local offer that is sufficient to meet local needs and improve young people's well-being and personal and social development. They should strive to secure the best possible local offer within available resources. Under the guidance it is for local authorities to determine the mix of open access, targeted, preventative and specialist provision needed to meet local needs and how to integrate all services around young people and decide what facilities are needed and how to make these available and accessible, wherever possible maximising the utilisation and potential of all local partners' assets.

Lawyer Consulted: Natasha Watson Date: 2.01.2020

Equalities Implications:

- 7.5 An Equality Impact Assessment has been completed for the commissioned youth services. The Youth Grant funding includes funding for three equality organisations including LGBTU, BME and disabilities. Equalities considerations will be considered in the review of services.

SUPPORTING DOCUMENTATION

Appendices:

Summary of services for young people

Documents in Members' Rooms: None **Background Documents:** None

Services for young people summary (December 2019)

Statutory Guidance

- Local authorities have a statutory duty to secure services and activities for young people aged 13 to 19, and those with learning difficulties to age 24, to improve their well-being. The Government is reviewing the guidance.
- Local authorities are responsible for securing, so far as is reasonably practicable, a local offer that is sufficient to meet local needs and improve young people's well-being and personal and social development.
- Under the guidance it is for local authorities to determine the mix of open access, targeted, preventative and specialist provision needed to meet local needs and how to integrate all services around young people and decide what facilities are needed and how to make these available and accessible, wherever possible maximising the utilisation and potential of all local partners' assets.

Background

- Nationally there have been very large reductions in central Government funding on youth services which has led to reductions in local authority spending.
- Services provided by the Council focus on disadvantaged young people. The Council no longer provides detached or open access youth work. However this is still commissioned from the voluntary sector. A proposal in the 2017 Budget to reduce commissioned services led to a campaign by young people and £250k funding was reinstated from the Housing Revenue Account. Additional funding of £90k was agreed in 2018 for youth led grants and £10k for the Youth Bus.

Summary of services

There is a wide range of services young people available in the city described in the [Services for young people factsheet](#) published by the Family Information Service. There are two main websites aimed at young people www.wheretogofor.co.uk and www.brightonandhoveyouthcollective.org.uk .

Youth Participation Team (67 Centre in Moulsecoomb)

Youth Advocacy Project – for children in care, children and young people on child protection plans and care leavers

- Children in Care Council – including Young Ambassadors (social work recruitment)
- Arts Award Programme targeted for children in care and receiving family coaching (Duke of Edinburgh Awards are now supported by south east DoE)
- Youth Council – including the Make Your Mark Campaign
- Youth Wise – Youth Cross Party Group (representatives from council and voluntary sector and councillors. Developed and allocated Youth Led Grants).
- Independent Visitors – volunteers who meet with children in care (68k budget)

Adolescent Service (Regency Road)

Provides a comprehensive response to young people with complex needs with teams brought together into a co-located, multi-disciplinary service:

- The Youth Offending Service
- RUOK? a substance misuse team for young people
- A health team providing sexual health, mental health and wellbeing support
- An Adolescent Social Work Pod who work with the most vulnerable and risky young people in the city,
- Functional Family Therapy
- Extended Adolescent Service, which offers flexible support to children and young people at risk of becoming looked after or being exploited.

Youth Employability Service (Regency Road)

- Careers and employability support for young people aged 16-19, who are not in education, employment or training (NEET).
- Support for young people aged up to 25 if they have had a statement, Education, Health and Care Plan (EHCP), or are a care leaver from Brighton & Hove.
- Advisers provide careers information and advice, guidance and support with finding the right college course, apprenticeship, training or job.
- Joint European project with the Supported Employment Team “Think Futures” aimed at 18/19s with multiple barriers and complex social, emotional and or mental health needs.

Integrated Team for Families

- Family Coaches work with the whole families with multiple, complex needs that fall just below the social work threshold for 6-9 months.
- They work to improve education, parenting capacity, employment, health, domestic abuse, financial inclusion and anti-social behaviour /crime outcomes
- Youth workers were transferred into ITF as part of the restructuring of youth services. Council funding for this service has also been reduced. The service is also funded by the national Troubled Families programme.

Youth Funding for the Community and Voluntary Sector (£0.500m)

- The Youth Grants Programme runs from 1st October 2017 to 31st March 2020 (extended to September 2020) with an annual budget of £400,000.
- Based on 4 areas of the city and 3 citywide equalities services, focussed on young people living in council houses. The funding is a grant, not a contract. Organisations work in partnership to meet youth and housing outcomes.
- Activities and support for young people across the city include:
 - Open access youth clubs
 - Detached/street based youth work
 - Healthy lifestyles and relationships
 - Volunteering opportunities
 - Arts based activities
 - Equalities based youth work

- A range of sporting activities
 - Participation opportunities
 - Youth Bus (run by Hangleton and Knoll Project)
- The contracts are managed by the Service Manager for the ITF, Youth and Parenting with co-ordination meetings with lead providers each quarter.
 - Progress was last reported to the Children and Young People's and Housing Committees in June 2019 ([Youth Service Update and Use of Housing Revenue Account Funding](#)). The Committees agreed that the current contracts should be extended to September 2020 subject to consultation with Area Panels. Presentations were made to the four Area Panels in September and all agreed that HRA funding should continue.

Lot	Apr 19 – Mar 20
Area 1: Hangleton, Portslade & West Hove Lead Provider – Hangleton & Knoll Project	£79,000
Area 2: Whitehawk and the Deans Lead Provider – Trust for Developing Communities	£61,000
Area 3: Moulsecoomb & Patcham Lead Provider – Trust for Developing Communities	£88,000
Area 4: Central Hove & Brighton Lead Provider – Brighton Youth Centre (plus Tarnerland and YPC)	£99,000
Equalities: LGBTU - Allsorts	£19,000
Equalities: BME - BMEYPP	£19,000
Equalities: Disability - Extratime	£19,000
Aspire data management system contribution	£16,000
Total	£400,000

Youth Led Grants

- Funding of £90,000 a year for Youth Led Grants programme designed and assessed by young people who agreed priorities on mental health, youth activities, alcohol and substance misuse, volunteering and work experience (see annex 1). £10,000 for the Youth Bus (Hangleton and Knoll Project).

Other funding

- REBOOT offers support to vulnerable young people to prevent them being exploited into criminal behaviour. TDC is working with YMCA DLG, AudioActive and the Hangleton & Knoll Project) to deliver the REBOOT across Sussex.
- The Police Violence Reduction Unit are funding TDC to establish a Brighton Streets partnership for young people as part of an early-intervention model to reduce rates of serious violence, particularly knife crime.

Youth Centres and Buildings

The table in annex 1 sets out the youth centres and other buildings used to deliver services for young people.

Annex 1 – Youth Buildings

Voluntary Sector Buildings			Comments	Council funding
Crew Club	26 Coolham Drive, WhitehawkBN 2 5QW	East		Funding from Communities & Third Sector Team
Brighton Youth Centre	64 Edward Street BN2 0JR	East	Youth Grants main provider	Yes - Youth Grants
Young People's Centre	69 Ship Street BN1 1AE	Central	Linked to BYC	Yes - Youth Grants
Tarner Community Project	Tarner Park, c/o 6 Tilbury Place BN2 0GY (Phoenix Community Centre)	Central	Linked to BYC	Yes - Youth Grants
Youth Advice Centre (YMCA)	11 St Georges Place	West	Advice, support and guidance	Yes - housing, Youth Grants, NHS
Council buildings				
67 Centre	Hodshrove Lane BN2 4SE	East	Used by the Council Youth Participation Team and TDC	Yes - Youth Grants
Portslade Village Centre	Village Centre, 43 Windlesham Close B41 2LL	West	Leased to Extratime.	Yes - Youth Grants
Woodingdean Youth Project (TDC)	Warren Road, Woodingdean BN2 6BB	East	Now run by TDC	Yes - Youth Grants
Coldean Youth Centre	Beatty Avenue BN1 9ED	East	Run by TDC	Yes - Youth Grants

Services are also provided by the Adolescent Service and the Youth Employment Service from Regency Road

Subject:	An update on matters associated with Home to School Transport		
Date of Meeting:	13 January 2020		
Report of:	Executive Director for Families, Children & Learning		
Contact Officer:	Jo Lyons	Tel: 01273 293514	
	Name: Georgina Clarke-Green	Tel: 01273 292257	
	Email:	Jo.lyons@brighton-hove.gov.uk	
		georgina.clarkegreen@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report provides an overview of the on-going actions being taken to address the issues that occurred at the start of the new academic year.
- 1.2 The report also gives an update on the progress in relation to the independent review and the Member policy panel which have been established.

2. RECOMMENDATIONS:

- 2.1 That the committee note the progress made with addressing concerns about the operation of the home to school transport service.
- 2.2 That the committee note the progress in the establishment of the independent review and the Member policy panel.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The council provided a report to the CYP&S committee in November 2019 that detailed the progress made in addressing specific issues that occurred at the start of the academic year.
- 3.2 The report also provided an update on the process of arranging an independent review team and policy panel.

Operational Improvements

- 3.3 The council currently has 182 routes being operated as part of its home to school transport responsibilities, including transport to post 16 establishments. In total 437 learners are being transported. All of these routes are 'permanent' arrangements after all of the previous temporary arrangements at the start of

term were re-arranged.

- 3.4 The service is now being delivered without the level of concern expressed at the start of the Autumn term.
- 3.5 The council has introduced an action plan of improvements to address the issues that had emerged and to ensure that service delivery improves. This builds on our existing service improvement plans.
- 3.6 All new transport arrangements start only on receipt of a completed Pupil Information Sheet. A new process of assessing the risk and documenting decisions is being trialled and a new application form is being developed. None of which impacts the eligibility of applicants.
- 3.7 The council continues to add all the relevant information on to its new software to ensure that it has a central record of operators, vehicles, drivers and vehicle passenger assistants.
- 3.8 Any issues that have been identified in the joint spot checks by the home to school transport team and Licensing team are dealt with and then added to the database together with any other incidents during journeys. Four spot checks have taken place this academic year and future checks will take place, the timing of which can be influenced by any intelligence received.
- 3.9 Vehicles are not able to undertake journeys until CCTV is installed. All operators have been reminded of the requirement to meet the specification of the contract and in the spring term spot checks and contract management meetings will focus on the compliance of operators with all the requirements of the service specification.
- 3.10 The current arrangements for the accompaniment of children between vehicles and the school building will continue into the spring term. Meetings are being held with the Headteachers of the special school hubs to review these and consider alternatives.
- 3.11 A transport manager has been identified on secondment from within the council and additional administrative resource has been agreed and is in place. It has been agreed to resource an additional caseworker post. This post will provide stronger links with the SEN service to support needs assessment in order to build capacity and knowledge in the team and will be recruited to in the Spring term. We have also redirected resources from other parts of FCL and the council to support the HTST service

3.12 Independent review

- 3.13 Initial submissions for the independent review were reviewed in November 2019, however no bid satisfactorily met the requirements of the invitation to quote document so the formal procurement was repeated with a deadline of December 2019. The formal procurement process for the Independent Review has now been completed. One bid, from the Local Government Association, was submitted within the timescale. The bid was scored against the criteria set out in

the Invitation to Quote by the evaluation panel on the 16 December 2019 and the scores were then moderated with support from the procurement team.

- 3.14 An evaluation report produced by the procurement team was sent to the Lead Member, Chair of the Audit and Standards committee, the Council's Leaders Group and the Parent and Carers Council (PaCC) for their information and for any observations they wished to make to the Chief Executive before he made the decision.
- 3.15 The Chief Executive made the decision on the 17 December to award the contract to the LGA and signed the relevant documentation.
- 3.16 The Contract that includes the Data Protection Schedule was sent to the LGA for sign off on the 19 December 2019.
- 3.17 The contract will begin on the 13 January 2020 and the following timescale will apply:

Phase	Date
Pre-onsite preparation	13 – 24 January 2020
Onsite at the Council	28, 29 and 30 January 2020
Draft feedback report finalised	28 February 2020

The draft report will be shared with the Members Policy Panel (details given below) by the end of Feb for their consideration. The intention is that the final report will be shared at committee alongside the recommendations from the Member Policy Panel.

Member Policy Panel

- 3.18 Following approval of the proposed Member Policy Panel terms of reference at the CYPS meeting in November 2019, the first meeting of the Members' policy panel was held on 18th December.
- 3.19 The Policy Panel is made up of 2 councillors from each party with relevant officers also attending representing Strategy, Governance and Law and Families, Children & Learning.
- 3.20 At the first meeting the following was discussed and agreed;
 - Cllr Hannah Clare was appointed as the panel chair
 - The scope of the Panel which is to consider current issues and to examine the findings of the independent review
 - Meetings will be held at least monthly and will be open to the public and press. In addition an agreed list of key stakeholders (Parent and Carer Council representative, special schools and vehicle operators) will receive direct invites to attend
 - The panel agreed the ambition to report back to June CYPS committee
- 3.21 The panel agreed a comprehensive list of issues which it will consider over forthcoming months. This list includes:
 - The impact on stakeholders
 - How route allocations are determined

- Training and health and safety considerations on service delivery
- Impact on the year end budget

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The council is undertaking an independent review and holding a policy panel to review matters associated with the introduction of transport arrangements from September 2019.
- 4.2 This report provides an update on the actions being undertaken to address the operational concerns that are known to the council.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The council continues to engage with the PaCC steering group and Amaze about the issues identified and actions to review them.

6. CONCLUSION

- 6.1 The report details the progress in addressing specific issues that occurred at the start of the academic year and the progress in introducing improvements as part of the modernisation of the service.
- 6.2 The report also provides an update on the independent review and policy panel that have been instigated to review the delivery of the council's home to school transport function. These processes are part of our commitment to be transparent and accountable.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The financial position of the Home to school Transport budget and the impact of the actions taken to address the specific issues that occurred in September and October has been reported within the month 7 Targeted Budget Monitoring report. This position may worsen following some ongoing discussions relating to other additional costs being incurred by providers.

7.2 Funding has been identified and allocated to cover the costs of the independent review from within the Families, Children & Learning budget.

Finance Officer Consulted: David Ellis

Date: 19/12/19

Legal Implications:

7.3 The report sets out how the Council is addressing obligations to provide home to school transport for eligible young people, and address the need for review and future recommendations regarding the service.

Lawyer Consulted:

Natasha Watson

Date: 02/01/2020

Equalities Implications:

7.4 There are no equalities implications associated with this report which is a update on actions being undertaken in the home to school transport function.

Sustainability Implications:

7.5 There are no sustainability implications as a result of the proposals in this report.

Any Other Significant Implications:

7.6 None

SUPPORTING DOCUMENTATION

Appendices:

1. Terms of reference for Member Policy Panel

Documents in Members' Rooms

None

Background Documents

None

Crime & Disorder Implications:

- 1.1 None

Risk and Opportunity Management Implications:

- 1.2 None

Public Health Implications:

- 1.3 None

Corporate / Citywide Implications:

- 1.4 The finding of the independent review and Member policy panel will ensure that lessons can be learnt so that future changes to the home to school transport function do not have such a widespread and negative impact on families of disabled children.

TERMS OF REFERENCE FOR THE HOME TO SCHOOL TRANSPORT POLICY PANEL

1. Name

1.1 The panel shall be called the Home to School Transport Policy Panel (“the Panel”).)

2. Purpose and remit

2.1 The Panel shall:

- Review the current issues and challenges around the home to school transport service and oversee any results of the Independent External Review;
- Provide advice and make recommendations to the Children, Young People and Skills Committee as well as to the Acting Executive Director, Families, Children & Learning, as necessary.

3. Status

3.1 The Panel have the status of a task and finish policy panel. It will be an advisory body and will not have subcommittee status. The political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

4. Reporting

4.1 The Panel will report to the Children, Young People and Skills Committee with recommendations, but may also provide advice to the Executive Director for Families, Children & Learning as necessary.

5. Membership

5.1 Membership of the Panel shall consist of 6 elected Members, 2 each from the three political groups on the Council nominated by their Groups.

5.2 The appointments may be made, in accordance the wishes of the political Groups, at the meeting of the Children, Young People & Skills Committee when the terms of reference are agreed or notified to Executive Director by the relevant Group following the meeting.

5.3 Nominees will normally be selected from the membership of the relevant parent committee(s).

6. Chairing of meetings of the Panel

- 6.1 The Chair of the Panel shall be appointed by the Children, Young People and Skills Committee from members of the Panel who are members of the opposition.
- 6.2 If the Committee does not appoint the Chair, the Panel itself will appoint the Chair at its first meeting. An Officer authorised by the Executive Director will preside over the appointments process.

7. Meetings and ways of working

- 7.1 The Panel will agree ways of working appropriate to its role and remit at the scoping meeting (the meeting to discuss how the work will be organised, who to invite, and timescales.)
- 7.2 In line with normal practice, it is expected that the Panel will have 3 or 4 meetings, but this is without prejudice to the ability to have additional meetings if the Panel consider it necessary.
- 7.3 The Panel will decide whether some or all of its meetings are open to the public having regard to the nature of the issues to be discussed, the wishes of witnesses and any legal or commercial sensitivities.

8. Duration

- 8.1 As an ad-hoc panel, the Panel will come to an end when it concludes its deliberations and submits its report, if any, to the Parent Committee. This is expected to be early in the new year.

Subject:	Development of ASC services	
Date of Meeting:	13 January 2020	
Report of:	Executive Director for Families, Children & Learning	
Contact Officer:		
	Name:	Georgina Clarke-Green Tel:01273 292557
	Email:	georgina.clarkegreen@brighton-hove.gov.uk
Ward(s) affected:	All	

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To update CYPS committee on the progress regarding the development Autistic Spectrum Condition (ASC) provision within Brighton and Hove.

2. RECOMMENDATIONS:

- 2.2 To note that only one Cullum Centre will be required to meet the forecast future need and that this provision will be based at Hove Park School on both sites and open in September 2020.
- 2.3 To agree to develop another specialist facility located on both primary and secondary mainstream sites for children and young people who have a diagnosis of Autistic Spectrum Condition (ASC) and who also have Social Emotional Mental Health difficulties (SEMH) and/ or Learning Difficulties (LD).
- 2.4 To note the progress of the co-produced primary and secondary flexible model of educational provision project for ASC children and young people who are unable to attend school as described in the report.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 Cullum Centres

- 3.1.1 At the Children, Young People and Skills Committee on 18 September 2017, final decisions were taken regarding the re-organisation proposals which included a commitment to open a new Specialist Facility for children with autism in a secondary school in the City.
- 3.1.2 Since September 2017 progress has been made through discussions with both Hove Park and Dorothy Stringer who had both expressed an interest in having a Cullum Centre on site. Preliminary work has also been undertaken by corporate property on where the provision could be based on each site.

- 3.1.3 Further analysis has also been undertaken on the future demand for specialist ASC places matched against the criteria for a Cullum Centre placement as set out by the National Autistic Society and the Cullum Family Trust.
- 3.1.4 The criteria states that a pupil attending a Cullum Centre should be able to study for at least 5 GCSEs or equivalent and spend a significant majority of their time within mainstream classes rather than within the Centre.
- 3.1.5 The analysis took into account the numbers of children in Years 1 to 5 with an EHCP or who receive SEN Support with a primary need of ASC. It then applied the admission criteria to identify how many of those children over the next 5 years with an EHCP would meet the threshold. A weighting of 25% was then applied to account for the conversion rate of SEN Support to EHCP upon transition to secondary provision and this number was added to the cohort who already had EHCP for each year up to September 2024.
- 3.1.6 The outcome of the analysis indicated that Brighton and Hove will only require one Cullum Centre of 20 places to meet the future demand for specialist ASC places in the city.
- 3.1.7 Having identified that only one centre would be required conversations have been had with the Headteachers of both schools and it has been agreed that the Cullum Centre will be based at Hove Park.
- 3.1.8 Discussions have also been had with PaCC, Amaze and mASCot to explain the reasoning behind the decision to only commission one Cullum Centre.
- 3.1.9 Although the building works will not be complete by September 2020, temporary arrangements have been agreed between the Headteacher of Hove Park and Corporate Property to ensure that the first cohort can start in September 2020.
- 3.1.10 A staffing structure has been proposed by Hove Park that meets the requirements of the National Autistic Society (NAS) and the local authority and a cost per pupil has been agreed that will cover the staffing costs, plus resources and training.
- 3.1.11 There is a meeting with the NAS to finalise the project plan and senior officers and the SLT from Hove Park will be working together to draw up the service level agreement between the Local Authority, Hove Park and the NAS in the new year.

3.2 Additional ASC provision

- 3.2.1 The number of children and young people with a diagnosis of ASC is increasing within Brighton and Hove. The number of pupils with EHCPs with ASC as a primary need in both mainstream and special schools has increased by 35% from 156 in January 2015 to 230 in January 2019. There has also been a 42% increase in the number of pupils with an EHCP for ASC within mainstream schools in the last 5 years.
- 3.2.2 The issue is that many of these pupils who have a diagnosis of ASC also have other needs; either in terms of their learning and/or their social emotional mental health. From the analysis undertaken to inform the commissioning of the Cullum

Centre placements we identified that there are likely to be an average of 35 pupils per year either with an EHCP for ASC or receiving SEN Support who would not meet the Cullum Centre criteria.

- 3.2.3 Many of these pupils will be able to succeed within mainstream school on a full time basis accessing all areas of the curriculum with some additional support and some adaptations to their learning environment. However a smaller number of pupils, including those pupils who upon transfer to year 7 find it difficult to maintain a mainstream place, will require access to a more specialist environment and would benefit from having a specialist facility place.
- 3.2.4 The Special School phase transfer meeting was held in November 2019. This is a forum attended by LA officers, the Executive Heads of the three hubs, Specialist Facility Leads and PaCC representatives to consider referrals of year 6 pupils who currently attend mainstream, PRU or a specialist facility for a place in a special school or specialist facility for Year 7.
- 3.2.5 There were 12 young people who had mixed profiles of ASC/SEMH/LD who could potentially be appropriate for a small unit. Of this cohort we were only able to place 5 within our current specialist provision. Therefore, the remainder are likely to remain in secondary mainstream school with bespoke packages of support.
- 3.2.6 In the primary phase there has been an increase of 114% from the January census in 2015 in the number of children who have an EHCP with a primary need of ASC. In 2015 there were 47 pupils within the city's primary provision with an EHCP for ASC in 2019 this had risen to 96.
- 3.2.7 The increase in numbers will ultimately impact upon post 16 educational provision. The local authority will need to work in partnership with parents/ carers, young people and providers to consider how we improve the city's local offer for young people on the autistic spectrum.
- 3.2.8 Although, further work is required to identify the exact numbers and age ranges that would benefit from an additional specialist facility for ASC/SEMH/LD, the local authority would like to pursue this option and bring back a proposal to the March CYPs Committee for consideration and approval.

3.3 Co-produced primary and secondary project for ASC children and young people who are not attending school

- 3.3.1 In 2018 mASCot, a group of parents who have children or young people who are on the autistic spectrum raised their concerns with the Local Authority that there was no provision for their children who could not attend school.
- 3.3.2 Many of the reasons for their absence were due to mental health issues, anxiety and sensory sensitivity. Therefore, many of their children were either not receiving an education or just a few hours of 1:1 tuition.
- 3.3.3 The Local Authority are keen to work with parents/carers to address this issue and have been in the process of developing a flexible model of educational provision that would meet this particular profile of need.

- 3.3.4 The model has been co-produced with parents and experts from mainstream schools and members of the Brighton and Hove Inclusion Support Service. It is based upon the premise that each child will require a bespoke package of support and that their programmes will include a range of elements that may include mental health support, off site activities, further assessment, on line learning, 1:1 tuition etc.
- 3.3.5 The aim of the programme will be to build up their learning time so they are able to either go back to mainstream school or another long term placement. However, what is important is that this is achieved at the child's pace without any time pressure or expectation, and that the programme is in place for as long as it takes them to reach the point when they are ready to transition to something more permanent.
- 3.3.6 The model comprises of two full time co-ordinator posts, one for the primary phase and one for secondary phase. The job descriptions were co-produced with all stakeholders and the posts will be line managed through BHISS.
- 3.3.7 It is proposed that the post holder for the primary phase will be based within a central local primary school with spare accommodation and the secondary co-ordinator will be based in Tudor House, Brighton and Hove's short breaks residential provision for disabled children and young people. Tudor House is not used in the day and can therefore provide an environment which is quiet and has a specialist sensory area.
- 3.3.8 The co-ordinators will be responsible for working with the child or young person and their family to co-ordinate a tailored programme of learning and support with agreed milestones so that progress can be measured. The co-ordinator will also liaise with other agencies involved with the child/ young person and their family to draw in their support as and when appropriate.
- 3.3.9 When the child or young person is ready to make the transition to a longer term provision, the co-ordinator will oversee the integration and liaise with the child or young person, their family and the educational placement.
- 3.3.10 It is anticipated that the two Co-ordinator posts are recruited in the Spring Term 2020 with the view that the post holders will start with a caseload of 15. It is anticipated that they will start their work with families in the Summer Term 2020.
- 3.3.11 The governance of the provision will be through the current stakeholder group, where termly reports would be submitted by the co-ordinators on a termly basis. An annual report will also be submitted to the SEND Partnership Board.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 An alternative option to developing a further specialist provision for ASC children and young people would be to extend the complex needs hubs. However, there is not the physical capacity to do this on either of the East and West Hub sites.
- 4.2 The local authority could decide not to develop any further provision, however, this would place further pressure on the complex needs hubs and increase the number of agency placements.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Local Authority officers have sought and received input from PaCC, Amaze and mASCot on the proposed approach. The analysis of the future demand for Cullum Centre places has been shared with members of the PaCC Steering Group and the Directors of mASCot. They support the proposal of only one Cullum Centre provided there is another provision developed for those children and young people who have more complex needs.
- 5.2 The model proposed for those children and young people on the autistic spectrum has been co-produced with parents from mASCot and specialists from schools and the Brighton and Hove Inclusion Support Service.

6. CONCLUSION

- 6.1 The report has detailed the progress made to date of the development of ASC provision for the city. It also details future proposals for an additional specialist facility and a flexible model of education for those children and young people who are on the autistic spectrum and who are not attending school.
- 6.2 As set out in the body of the report, there is a convincing argument for additional educational provision that meets the needs of children and young people who have a diagnosis of ASC and who are believed to be on the autistic spectrum but awaiting assessment.
- 6.3 If the committee agree for the local authority to progress another centre for children and young people with a diagnosis of ASC with SEMH and or LD. It is anticipated we could go out to local schools for expressions of interest in the Summer Term 2020.
- 6.4 A further update on the development of ASC provision will be produced for the September 2020 CYP&S committee. At this point the Cullum Centre is expected to be open and the flexible primary and secondary project should be fully operational.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 As part of the Dedicated Schools Grant settlement for 2020/21 the Government has announced an additional sum of £780m nationally for high needs. For Brighton and Hove, it is estimated that this will result in an increase in the High Needs Block (HNB) allocation of c. £2.5m. The HNB includes funding for education provision for high needs pupils and students from birth to 25 and the LA is responsible for the allocation of this budget.
- 7.2 The LA has identified the level of revenue budget that will be required to develop the provision outlined in this report and this is summarised in the table below.

Provision	Estimated HNB Revenue Budget Requirements (full year costs)
Hove Park Cullum Centre	£0.300m
Development of specialist facilities to support children and young people who have a diagnosis of ASC and who also have SEMH and/ or LD	£0.290m
Primary and secondary project for ASC children and young people who are not attending school	£0.120m
Total	£0.710m

- 7.3 It is proposed that the extended ASC provision detailed in the report is funded from the additional resource available within the HNB of the Dedicated Schools Grant.

Finance Officer Consulted: Steve Williams Date: 27 November 2019

Capital funding

Cullum Centre

The capital cost of the Cullum centre at Hove Park School will be met partly by the Cullum Trust who have indicated that they will contribute £1,000,000 to the cost of this provision and £848,837 from the Special Provision Capital Fund from the Department for Education giving a total budget of £1,848,837. The current estimated total cost of this project is approximately £2.7million meaning that the remaining £851,163 will have to be funded from the Basic Need Capital allocation provided by the Department for Education to the Local Authority to ensure that there are sufficient school places available in the city. There is sufficient uncommitted Basic Need funding available to meet this shortfall in cost however there are many competing priorities for this funding.

Additional ASC provision

If there are capital costs associated with setting up the additional specialist facility on both a primary and secondary site for young people who have a diagnosis of ASC and who also have SEMH and/ or LD these costs will also have to be met from the Basic Need allocation.

At the present time, as the additional ASC provision is within the scoping stage, neither of these proposals have been considered by Policy Resources and Growth (PR&G) Committee and it will be necessary to take these proposals to PR&G committee to add these projects to the capital programme.

Head of Education Capital consulted: Gillian Churchill Date: 2 December 2019

Legal Implications:

The Council has a legal obligation to make appropriate provision for education for young people known to be on the autistic spectrum. The report describes the current level of need, and how the range of provision will be extended to meet assessed need, to include an additional specialist facility and a flexible model of education for those children and young people who are on the autistic spectrum and who are considered unable to manage school.

Equalities Implications:

This stage of the process focuses on scoping and defining total need, according to the criteria defined by the NAS and Cullum Family Trust, to identify what level of provision is needed. The process has included consultation with relevant specialist VCS groups (PaCC, Amaze and mASCot) and has also identified the need for further provision to meet the needs of young people with ASC and SEMH and/or LD and for those not attending school. An EIA will be completed on the next stage of the project, to inform the practice and approach of the provision as it is defined in detail. This will focus on the intersectionality issues: looking at ASC as they interact with gender, ethnicity, other impairments (including SEMH and/or LD) and ensuring that what is provided in the new centre addresses this. The EIA will inform development of all provision and will be available for consideration at the next committee meeting in March.

SUPPORTING DOCUMENTATION

Appendices:

1. Glossary of terms

Documents in Members' Rooms

None

Background Documents

None

Crime & Disorder Implications:

- 1.1 None

Risk and Opportunity Management Implications:

- 1.2 None

Public Health Implications:

- 1.3 None

Corporate / Citywide Implications:

- 1.4 None

Appendix 1

Glossary of terms

Autism Spectrum Condition

Autism is a lifelong, developmental disability that affects how a child or young person communicates with and relates to other people, and how they experience the world around them. Autistic people see, hear and feel the world differently to other people.

All autistic people share certain difficulties, but being autistic will affect them in different ways. Some autistic people also have learning disabilities, mental health issues or other conditions, meaning people need different levels of support. All people on the autism spectrum learn and develop. With the right sort of support, all can be helped to live a more fulfilling life of their own choosing.

Mental health and autism

Even though mental illness can be more common for people on the autism spectrum than in the general population, the mental health of children and young people with autism is often overlooked. Some of the more common mental health difficulties experienced by people with autism are anxiety, obsessive compulsive disorder (OCD) and depression.

Anxiety disorders

There is a relatively high rate of anxiety disorders amongst people on the autism spectrum. Roughly 40% have symptoms of at least one anxiety disorder at any time, compared with up to 15% in the general population. Understandably, this can lead to sadness or depression.

It is thought that a combination of factors, leading to vulnerability to stress, is likely to explain why anxiety disorders are so common in autistic people. Biological differences in brain structure and function, a history of social difficulties (leading to decreased self-esteem and a tendency to think of threats as greater than they are) and problems with finding flexible responses to apparent threats are all likely to contribute.

Many people on the autism spectrum may have difficulty describing the symptoms they experience. A sudden change in behaviour could mean they have developed an anxiety disorder, even if there is no complaint of the typical symptoms.

Obsessive compulsive disorder (OCD)

OCD is an anxiety disorder. If someone has OCD, it means that they experience repetitive thoughts and behaviours that are upsetting to them. OCD occurs in about 2-3% of people who are not autistic and is more common in people who are autistic. It is thought that our genes (DNA) and our psychological predisposition can make us

vulnerable to developing OCD, which can run in families. OCD can be distressing, exhausting and can get in the way of everyday life for the person who has it and their families. However, it is treatable.

There are two main parts to OCD: obsessions (thoughts) and compulsions (behaviours). OCD can be overlooked in people on the autism spectrum as it may be mistaken for repetitive behaviour.

Depression

When people feel sad and low these for more than a few weeks and get in the way of day-to-day functioning, this can indicate a period of depression. This is no different in an autistic person than a non-autistic person. It is estimated that at least 20% of the population will experience a period of depression at some point but it is even more common in people on the autism spectrum.

People who are depressed can experience a range of symptoms which vary from person to person in their combination, and can be mild or severe. It may be especially hard for depressed people on the autism spectrum to seek help because they might find change daunting and anxiety-provoking, feel worried that they will be blamed, or feel unsure about how to describe their symptoms. Anxiety and depression can also make people more generally introverted, withdrawn and isolated. All people with depression may have difficulty sharing their thoughts and feelings. But because people with autism can have difficulty labelling their feelings, it can be especially hard to communicate symptoms or concerns.

Learning difficulty

The term 'learning difficulty' includes children and young people who have 'specific learning difficulties', for example dyslexia, but who do not have a significant general impairment of intelligence.

Information from: <https://www.autism.org.uk/>

Subject:	Update on Special Educational Needs and Disability (SEND) Strategy development		
Date of Meeting:	Children, Young People and Skills Committee 13 January 2020		
Report of:	Deb Austin Interim Executive Director, Families, Children & Learning		
Contact Officer:	Name:	Carolyn Bristow	Tel: 01273 293736
	Email:	Carolyn.bristow@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

1.1 The report sets out the updates in developing a new SEND Strategy in the city.

2. RECOMMENDATIONS:

2.1 That CYPS committee note the progress made towards the new SEND Strategy.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The city's current SEN strategy expires at the end of 2019 and over the previous five years the SEND landscape has changed dramatically. These changes include the introduction of new national legislation and a code of practice and a significant redesign of special education provision in the city following the SEND review. Therefore it is timely to now develop a new SEND Strategy for the city.

3.2 The city's SEND partnership board have requested a core group of members facilitate the development of a new city SEND strategy, to launch in 2020.

3.3 The purpose of the strategy is to seek a city-wide agreed vision for the commissioning and delivery of SEND services in the city, providing a framework against which provision can be measured and improved. To allow for measurement of the strategy's success, an accompanying action plan will be introduced with clear outcomes and milestones. This action plan will be overseen regularly by the SEND Partnership Board.

3.4 Principles we want to apply to this strategy development

The SEND Partnership Board have agreed to the following principles in developing and managing the new strategy.

- There will be an open co-produced approach with families, service users and all stakeholders. A co-production agreement will be drawn up with the Parent and Carer Council locally (PaCC) articulating their role and the processes of co-production in implementing the strategy.
- Voice of our service users, colleagues and stakeholders to be fully embedded
- The strategy should take a look at all ages including closer links to strategy for adults with learning difficulties
- The strategy should ensure that whatever is developed, it is an approach that works from individual needs through to providing a city-wide strategy
- It should address real issues around funding and in the needs to further build an inclusive approach in the city
- That, once launched, the strategy must remain live and relevant, it should be designed to be flexible where needed over the course of the next five years
- Create a format that enables progress to be measured and the strategy / SEND Partnership to be held to account
- Design a strategy development process that enables partners to truly engage, taking the conversations to them

3.5 Review of existing strategy

Work is underway to review the current outgoing strategy, to enable learning from that to inform the new strategy. An overview is provided in Appendix 1.

3.6 Developing the new strategy

A sub group of the SEND partnership board met and agreed the process in principle. A core group (Chair of PaCC, Lead CCG commissioner and Service Manager for Policy) hold regular discussions on approach and progress, checking in with the SEND Partnership and other key partners.

A range of early consultations have taken place with a wide group of stakeholders including parents/carers, schools, colleges, Adult LD services, early years professionals, curriculum leaders and others. Further consultations and engagement activities will take place in early 2020.

3.7 Provisional agreed priority areas for the new strategy

A large consultation event for stakeholders took place in June 2019 and helped inform the proposed provisional priority areas, shared here.

- **Inclusion** - are those with SEND included? In school or college? In the community? At work?
- **SEND Journeys/Pathways** - are people's experiences of SEND processes, services and provision good?

- **Sufficiency of SEND Services and Provision** - do we have the right support and provision available at the right times and in the right places? Can we accurately predict future need?
- **Transitions** - are changes of schools/colleges, homes, day services, employment, social workers or health care well managed?
- **Early Identification and Intervention** - are needs picked up early enough?
- **Achievement and outcomes** – can people with SEN and disabilities reach their full potential?

3.8 What needs to be done next?

Based on detailed feedback already received a full draft strategy will be developed for consultation in early 2020.

Listening to children, young people and adults with SEND is key and we will use a combination of existing feedback plus some new engagement activities to ensure this is a strategy reflecting their needs and wishes.

Engagement now needed on proposed priority areas (and draft action plans) with full range of stakeholders including children, young people, families and service providers to ensure they are right. The right time also needs to be given to ensure key partners such as the many stakeholders and colleagues in the health sector can fully contribute to the strategy development.

We have a mailing list we can use for some of this work, to communicate with interested parties, and further people can be added to this by contacting sendstrategy@brighton-hove.gov.uk email address.

3.9 Proposals on how the strategy will be kept live and held to account

- Further discussions are taking place between local authority, PaCC steering group and our health colleagues on the detailed governance arrangements for the strategy. Below are some current considerations on how the governance will work.
- The SEND Partnership Board will oversee and own the SEND Strategy and will monitor the progress of the priority areas.
- Each priority area will have an accompanying action plan, suggested template given as Appendix 2.
- Each priority area will have a focus group of professionals attached as 'priority owners'. This does not mean they hold responsibility for all progress in that priority area but they are a group who will meet regularly (bi-annually is most likely), assess what progress has been made in this area, provide challenge and support to action leads and report back to the SEND Partnership Board.
- Each focus group will also have a PaCC Steering Group representative aligned to it. This essential role is to ensure there is a built-in mechanism for parent/carers feedback and contributions at

all points of the strategy management, plus providing a 'critical friend' view over each priority area on a regular basis to hold us to account. The PaCC rep will likely join the priority area review meetings, providing challenge and asking key questions on the progress made. They will contribute to the report back to the SEND Partnership Board.

- A suggested template for reporting is given as Appendix 3.

3.10 Ways of feeding into the emerging strategy

We are looking for invites to sessions to discuss the emerging strategy with a wide range of stakeholders

We are particularly keen for ideas on how to engage with children, young people, adults who have used SEND services and their families, or to have feedback already collected shared with us. Queries and suggestions should be shared to: sendstrategy@brighton-hove.gov.uk

4. **ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Stakeholders agree that the city needs a new SEND Strategy.

5. **COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Extensive community engagement is underway on the draft Strategy with further work scheduled for early 2020. A key principle of the development of the new strategy is to ensure that the voice of children, young people and adults with SEND are heard and incorporated.

6. **CONCLUSION**

- 6.1 For Council sign off of the strategy it will be brought to a future meeting of CYPS committee and of the Health, Wellbeing Board. Our key partners will also take the strategy through their own sign off arrangements, including through PaCC steering group. The SEND partnership board will make ultimate sign off and will own the strategy. Suggestions about further engagement opportunities are welcomed.

7. **FINANCIAL & OTHER IMPLICATIONS:**

Financial Implications:

- 7.1 Future strategies and priorities will need to be considered in conjunction with available budget. As part of the Dedicated Schools Grant settlement for 2020/21 the Government has announced an additional sum of £780m nationally for high needs. For Brighton and Hove, it is estimated that this will result in an increase in the High Needs Block (HNB) allocation of c. £2.5m. This additional resource will give the LA some capacity to develop strategies.

Finance Officer Consulted: Steve Williams

Date: 28/11/19

Legal Implications:

- 7.2 The proposed strategy will set out the Council's vision, principles and priorities in relation to SEND so as to ensure that it is working effectively with partners in education, health, parent carers and young people to identify and meet the needs of children and young people in Brighton and Hove with Special Educational Needs and/or Disabilities (SEND) from birth to the age of 25 as required under the Children and Families Act 2014.

Lawyer Consulted:

Serena Kynaston

Date: 02/01/2020

Equalities Implications:

- 7.3 The ability of residents with disabilities to access services is a key consideration in the development of the new strategy

Sustainability Implications:

- 7.4 None

Any Other Significant Implications:

Crime & Disorder Implications:

- 7.5 None

Risk and Opportunity Management Implications:

- 7.6 None

Public Health Implications:

- 7.7 Early discussions on the new SEND Strategy development have taken place to ensure it is aligned with the city's existing Health & Wellbeing Strategy.

Corporate / Citywide Implications:

- 7.8 None

SUPPORTING DOCUMENTATION

Appendices:

1. Overview of review of existing strategy
2. Template for action plan
3. Template for action plan reporting

Appendix 1: Review of existing SEN Strategy

The current SEN Strategy for Brighton & Hove was developed in 2012, launched in 2013 and extended to run until 2019. The 2013 – 2019 strategy was written knowing that a period of change was coming nationally around how SEND was to be managed and overseen by central government.

In 2013 the strategy was launched with the following vision:

Our aim for all our young people with SEN and disabilities: ‘ Better outcomes, better lives’

The priorities set were:

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

Each priority statement had a set of actions attached, describing how the work in that area would be taken forward.

Work is currently underway to look at how these priorities were met, and what learning can be taken into the development of the city’s new SEND Strategy. This review will be overseen by the SEND Partnership Board.

Appendix 2: SEND Strategy priority action plan template

Brighton & Hove SEND Strategy 2020-2025 Priority Area:				
Vision Statement:				Leads for this priority area:
				Parent and Carer Council Steering Group assigned rep:
Fuller description of what this priority area vision means in terms of service delivery:				
Action reference (e.g. Inclusion 1)	Actions needed to take place over the course of the next year	Measures of success (need figures where applicable)	Action Lead(s)	Key milestones / deadlines

Appendix 3: SEND Strategy priority update report template (to be shared with the SEND Partnership Board at regular intervals throughout the life of the strategy)

<p align="center">Brighton & Hove SEND Strategy 2020-2025 UPDATE REPORT Priority Area:</p>
<p align="center">Date of Update:</p>
<p>Overview of latest performance data for priority area:</p>
<p>Commentary on current performance (agreed by priority leads):</p>
<p>PaCC Steering Group assigned rep comment:</p>
<p>Who was present at discussion:</p>

Subject: Moulsecoomb Primary School Update
Date of Meeting: 13th January 2019
Report of: Executive Director Families Children & Learning
Contact Officer: Name: Mark Storey Tel: 01273 293513
Email: mark.storey@brighton-hove.gov.uk
Ward(s) affected: (All Wards);

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 Children, Young People and Skills Committee requested a further update report on Moulsecoomb Primary School.

2. RECOMMENDATIONS

- 2.1 That the report is noted

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Moulsecoomb Primary School is a two-form entry primary school with 283 children currently on roll. Over 50% of children qualify for pupil premium subsidy. The proportion of pupils with Special Educational Needs or Disabilities (SEND) is also well above that seen in other schools across the country.

- 3.2 Moulsecoomb Primary School was inspected by Ofsted on 3rd and 4th of April 2019 in a section 5 inspection. Following this inspection the school's overall judgement moved from Requires Improvement to Inadequate.

The arrangements for safeguarding are effective. All safeguarding requirements are met.

- 3.3 The reasons for the inadequate judgement are outlined in the report. [Moulsecoomb Primary School Ofsted Report](#).

Schools that have been judged inadequate fall into two categories: Schools Ofsted judge as requiring significant improvement (known as serious weaknesses) and schools Ofsted judge as requiring special measures.

Moulsecoomb has been judged to have serious weaknesses. This is the better of the two categories as it means that Ofsted consider leaders, managers and governors are demonstrating the capacity to improve the school.

3.4 The school has made significant progress since last inspection as outlined at November Children Committee.

3.5 There has been no further inspection at the school or monitoring visit. The council has written to Ofsted to request that the school be reinspected.

4. UPDATE ON ACADEMISATION

4.1 An academy chain, New Horizons Academy Trust, was identified to sponsor Moulsecoomb Primary School. New Horizons Academy Trust completed a range of due diligence checks including finance.

4.2 On Monday 16th December 2019 the school and Council became aware through a press article that New Horizons Academy Trust had withdrawn from becoming the Academy sponsor for Moulsecoomb Primary School. Neither the school nor the Council were notified of this by either the Department of Education or New Horizons Academy Trust.

4.3 The article in the press suggests that the school may close. This is not the case and there are no plans to close Moulsecoomb Primary School.

4.4 The Department for Education do still want Moulsecoomb Primary School to become an Academy.

4.5 The Council will continue its commitment to support Moulsecoomb Primary School.

4.6 There has been no further meeting between the Regional Schools Commissioner and the Council and, as yet, the Council has no details regarding any other potential sponsors.

4.7 The Regional School Commissioner (RSC) has a legal duty to make an academy order for any maintained school that has been judged inadequate, to enable it to become an academy. This academy order has been made. The Regional Schools Commissioner, acting on behalf of the Secretary of State, takes responsibility for ensuring that conversion to academy happens. The RSC chooses academy sponsors and make arrangements with those sponsors to enable academisation to take place.

5. LIABILITY FOR DEFICIT

5.1 When academisation takes place the Local Authority is liable for any deficit Moulsecoomb has at that time. The is currently approximately £230,000. It has not yet been agreed where in the council this funding will come from. This could come several budgets including council core funding or schools contingency funding.

6. DUE DILIGENCE

6.1 Due diligence is a process that will be conducted by a Trust before a school

joins that trust. It helps them to understand the implications and liabilities they would be taking on. Any trust will only be able to agree to take on Moulsecoomb if they are satisfied by these checks. If any trust at this time felt unable to take on Moulsecoomb for any reason then the Regional Schools Commissioner would find a new sponsor.

- 6.2 This document explains the due diligence process undertaken.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/778091/Due_diligence_best_practice_guide.pdf

7. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 7.1 None identified

8. COMMUNITY ENGAGEMENT & CONSULTATION

- 8.1 Detailed within the report.

9. CONCLUSION

- 9.1 The report is for information purposes.

10. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

- 10.1 The Local Authority is responsible for the deficit of the school when it transfers to academy status, as per the DfE guidance. The DfE guidance also says – “School deficits are not an allowable charge on the LA’s schools budget (funded by its allocation of Dedicated Schools Grant (DSG)); however, if the schools’ forum has agreed to de-delegate a contingency provision, then the deficit may be funded from that contingency, depending on the criteria agreed for its use.” We have de-delegated £300,000 for schools contingency and one of the criteria for use of that contingency is “Additional costs relating to new, reorganised or closing schools”, so the deficit could be funded by any available balance of the £300,000 in 2019/20, or from any contingency agreed in 2020/21.

If the deficit is not covered by the balance in the schools contingency then the local authority’s council budget will have to meet the deficit. The Licensed Deficit agreed with the school is £204,979, however the current position indicated by the school is around £230,000. Discussion is needed with the school to ensure they keep within the agreed deficit, or improve this. Checks and controls will need to be put in place to ensure the school does not spend any of the school’s budget on things that will be the responsibility of a new academy sponsor or the new Academy.

If the balance or part of it is not met by the schools contingency then this will impact on the council budget when the school converts to an Academy. The timescale for this is still to be determined, however this is most likely to be during the financial year 2020/21.

Finance Officer Consulted: Andy Moore

Date 29/11/2019

11. Legal Implications

- 11.1 Following the recent Ofsted inspection the school has been issued with an Academy Order under section 4 of the Academies Act 2010. The Order will not take effect until the date of conversion.
- 11.2 Under section 5B of the Academies Act 2010, the governing body of the school and the local authority are under a legal duty to take all reasonable steps to facilitate the conversion of the school into an academy by a date to be determined by the Regional Schools Commissioner. This will include co operating with the proposed sponsor during the due diligence process referred to in the body of the report. Due diligence enables the proposed sponsor to make an informed decision about whether to bring the school into its trust.
- 11.3 During the interim period between a maintained school receiving an academy order and the school re-opening as an academy the local authority retains the responsibility for the school's performance, including provision for school improvement.
- 11.4 The RSC has the power to revoke the order only in exceptional circumstances

Lawyer Consulted:Serena Kynaston

Date: 19.12.2019