

**BRIGHTON & HOVE CITY COUNCIL**  
**CHILDREN & YOUNG PEOPLE COMMITTEE**  
**4.00pm 18 NOVEMBER 2013**  
**COUNCIL CHAMBER, HOVE TOWN HALL**  
**MINUTES**

**Present:** Councillors Shanks (Chair); Pissaridou (Group Spokesperson), Brown, Gilbey, A Kitcat, Lepper, Mac Cafferty, Powell and Simson

**Non Voting Co-optees:** Graham Bartlett, Chair, Local Safeguarding Children Board, Rachel Travers, Amaze, Eleanor Davies, Parent Forum, Paul Belluscio, Youth Council and Bethan Winstanley, Youth Council

**PART ONE**

**37. PROCEDURAL BUSINESS**

**37(a) Declaration of Substitutes**

37.1 Councillor Mac Cafferty was present in substitution for Councillor Buckley.

**37(b) Declarations of interest**

37.2 There were none.

**37(c) Exclusion of Press and Public**

37.3 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).

37.4 **RESOLVED-** That the press and public be not excluded from the meeting during consideration of any item on the agenda.

**Note** - Members considered the exempt appendix in relation to item 44, “Free Childcare for Two Year Olds, Capital Plans” as background information when making their

decision. The content of the appendix was not discussed in the meeting however and so it did not need to go into closed session.

### **38. MINUTES**

- 38.1 Councillor Simson stated that she had declared a personal but not prejudicial interest by virtue of her position as a Trustee of the Deans Youth Project.
- 38.2 Ms Travers the CEO of Amaze stated that she had declared a possible Amaze interest in the Early Help Strategy item, this had not however been considered to constitute a prejudicial interest. In relation to the closing the gap strategy she had asked whether there was an acceptable level of “gap” which Brighton & Hove were hoping to get down too. It had also been suggested that a parent representative be asked to join the steering group, she understood that this matter had been carried forward.
- 38.3 Ms Travers requested that her comments made in respect of the NEET report be expanded, she had asked for a breakdown of the 6.65% who were NEET and had expressed some concern that the number of accessible places had not increased and that they needed to and had asked for clarity on how these issues were being linked together as more education/training opportunities needed to be created .
- 38.4 **RESOLVED** – That subject to the additions/amendments set out above the Chair be authorised to sign the minutes of the meeting of 14 October 2013 as a correct record.

### **39. CHAIR'S COMMUNICATIONS**

- 39.1 The Chair stated that she was pleased to report that Luke's Primary School and Coldean Primary School had recently won national awards. She had also attended a celebration event recently following new appointments to the Brighton & Hove Youth Council, the launch event for the “Early Help Strategy” and the Remembrance Day Memorial Service at Downs Junior School.
- 39.2 **RESOLVED** – That the Chair's Communications be received and noted.

### **40. CALL OVER**

- 40.1 All of the reports on the agenda were called for discussion.

### **41. PUBLIC INVOLVEMENT**

#### **41a Petitions**

- 41.1 There were none.

#### **41b Questions**

- 41.2 It was noted that 5 questions had been notified in advance of the meeting. The Questions and the Chair's responses to them are set out below

#### **(i) Ms Leechan Wilby**

41.3 Ms Wilby asked the following question:

“Given that BHCC has stated that CAMHS, ACE and 1-to-1 support will be available to assist with the inevitable consequences (social, emotional and academic) for each of these 11 children, if they have to leave SMLC, what will the total cost for this be (regardless of budgetary origin) over a transition period of a minimum of 6 months?”

41.4 The Chair responded in the following terms:

BHCC has not indicated that the services listed in this question will be made available to all of the 11 young people potentially affected by this decision.

Based on their attendance prior to the funding being made available, it is unlikely to be the case that all 11 children will need to be withdrawn from the SMLC if council funding cannot be accessed because:

-They can remain at the SMLC if their parents assume financial responsibility for that educational choice. Council funding only became available in 2012, and as we know from the deputations and consultation responses many of the 11 students attended the SMLC prior to there being any possibility of funding.

-If the SMLC meets the requirements of the DFE, as indicated in the committee report before us today, there is actually scope for the SMLC to reclaim the funding for some students directly from the DFE which could enable them to remain.

Where parents are unable to afford to assume financial responsibility for this choice of education, parents can of course also chose to provide full time education at home themselves, rather than with the assistance of the SMLC.

Before Child and Adolescent Mental Health Services, a special school or one to one support could be legitimately offered, the need for such services would need to be established. That could only be done on the basis of individual assessments. It is presumably not being suggested that every child currently attending the SMLC has the same profile or emotional needs. Council officers offered to discuss with the parents of the 11 children any support needs that may arise if their child now had to leave the SMLC, and I am advised that as of today there has only been one request for support out of 11 .

Where students do have mental health issues that require support then the relevant young people can access the support offered to any child with mental health issues in the city.

I think that there appears to be some confusion in the reference to ACE support. ACE was the BESD special school in the city until July 2013 at which point it became Homewood College. This provision would only become relevant if any of the 11 SMLC students receive a statement for special educational needs for behavioural, emotional and/or social difficulties which would suggest that was an appropriate provision to be named in the statement. It is the case that currently none of the 11 have been evaluated as having SEN.

At the current time it is therefore not possible to accurately quantify the costs of any legitimate support needs without a current assessment of the individual needs of the students. This has been offered and continues to be available, but currently there has only been one request to the nominated officer, and there has only been one request for this SEN.”

- 41.5 Ms Wilby was then invited to put a supplementary question should she have one. Ms Wilby stated that the reason parents had not contacted the LEA was because they were awaiting the outcome of the Committees’ decision. Ms Wilby enquired regarding the cost benefit analysis that would accrue from pupils attending the SMLC as opposed to a state school and the numbers of children across the city who were home educated. The Chair explained that the Council was not withdrawing funding, the situation whereby the LEA had been able to act as a conduit and had been able to claim any costs involved from the DfE had changed. It was further explained that an analysis of those who were home educated was not held as parents were not obliged to provide that information, the LEA held details of children from the point at which they sought access to a state school. The Government provided funding direct to state schools in respect of those pupils attending them.

**(ii) Madelaine (Maddie) Turner**

- 41.6 Ms Turner had given prior notification that she would be unable to attend the meeting and Dr Cunningham, the Principal of the Self Managed Learning College put the following question in her stead.

“How much was BHCC allocated for, and how much has BHCC actually, or estimates it will have, spent and under spent from their High Needs Block, and from their Dedicated Schools Grant for each of the financial years 2010-11, 2011-12, 2012-13 and 2013-14?”

- 41.7 The Chair responded in the following terms:

**Allocation**

The manner in which the Government allocated the Dedicated Schools Grant to Local Authorities had changed in 2013/14. This was the first year when the DSG had notionally allocated on the basis of blocks, therefore it was not possible to provide data before 2013/14. For 2013/14, the notional high needs block allocated to Brighton & Hove was £21.434m.

**Spend**

2013/14 was the first year of operation of the High Needs Block and as there were still several months of the financial year remaining it was not possible to provide a response to this question.

**Underspend**

It was not possible to answer this question for previous financial years as 2013/14 would be the first year of operation of the High Needs Block. For 2013/14, there was no estimated underspend within the High Needs Block.

**(iii) Mr Alan Turner**

41.8 Mr Turner asked the following question:

“Is it legal for the council to fund alternative provision?”

41.9 The Chair responded in the following terms:

The Council does have the power to fund alternative provision, however, before it exercises this power it must be satisfied that:

(i) the pupil has been assessed as requiring alternative provision, and

(ii) the alternative provision proposed is able to provide the standard of education suitable to meet those assessed needs.

41.10 Mr Turner was invited to ask a supplementary question and he referred to Section 19 of the 1996 Education Act which referred to the ability for alternative provision which could be provided for children who were unable to access education via a more traditional school route as a result of illness exclusion or otherwise. It had in his view been established at the previous meeting of the Committee that the SMLC was an approved alternative provider, he was enquiring therefore why these pupils could not continue to be funded in the same way as they had been to date, given that it could be clearly demonstrated that the traditional route had not worked for them and an identified alternative provision was available.

41.11 The Chair stated that some pupils at the SMLC had never on the roll at a maintained school. Officers of the LEA were happy to discuss the needs of individual children and to work with their parents to find an acceptable alternative provision in the event that they did not continue at the SMLC and in instances where evidence was provided of special educational or other needs. Parents had been invited to contact the LEA.

**(iv) Ms Talulah Miers**

41.12 Ms Miers asked the following question:

“How many children do BHCC currently have on their database or recorded as CME (i.e. Children Missing Education), what are the total figures for CME’s for 2010-11, 2011-12 and 2012-13, and what is BHCC’s process for securing suitable educational provision for these children?”

41.13 The Chair responded in the following terms:

There are currently 25 children on the Children Missing Education Register who are known not to be receiving an education in Brighton and Hove. It is worth noting that this is a fluid number as case numbers fluctuate through the year. For example, there were

54 cases open in September which is typical for the start of an academic year. 29 of these cases have been closed as the Children Missing Education Officer resolves issues.

In these cases the CME Officer will work with parents and School Admissions along with any other agencies that may be involved, to secure a suitable education provision. This would include a home visit to discuss education provision and completion of a Preference Form if necessary. If a child has significant behavioural difficulties the placement may be referred to the Fair Access Panel for decision. Parents also have the right to appeal for admission to particular schools.

In the event of a child not either being registered on a DfE registered school roll or registered as receiving home education the LA may prosecute for non attendance.

In terms of CME figures for previous years, these are as follows:

2013 – 2014	25
2012 – 2013	28
2011 – 2012	26”

41.14 Ms Miers was invited to ask a supplementary question and enquired regarding the number of children who were missing from education each year and the arrangements in place to address this for example home visits, also, the number of places available in maintained schools across the city and with alternative providers.

41.16 The Chair explained that those who were home/ alternatively educated where not categorised as being “out of school” or “missing education”. The number of places available in the city’s schools altered throughout the year as children moved into/out of the area. Alternative provision available was recorded differently and alternative providers would be able to advise individually in respect of spaces which they might have available. LEA maintained a central database and was able to liaise with neighbouring authorities. This database was updated regularly and it was best if parents approached the LEA in order that the needs of individual children could be discussed in detail.

**(v) Ms Samantha Wilson**

41.17 Ms Wilson asked the following question:

“Do the rules on the use of the high needs block state that this fund can be used for children both in and out of school and for children with high needs but not necessarily stated?”

41.16 The Chair responded in the following terms:

The High Needs Block is for the education and support for children and young people assessed as having high needs, and for the settings and services that provide support to meet these needs. As the children and young people currently funded by the LA at

the SMLC have not, to our knowledge, been assessed as having high needs it would not be appropriate to allocate spending to them from this budget.

However, the LA is concerned to hear that some young people may have special or additional needs and have, therefore, made the offer to discuss this and to make assessments where necessary. This offer still stands.

4.17 Ms Wilson was invited to ask a supplementary question and she asked what arrangements would be made by the LEA to ensure that these young people, some of whom had multiple educational and emotional needs were provided with a learning environment where they felt safe. Ms Wilson referred to the specific needs of one child known to her. The Chair responded that if approached by parents, officers would discuss the needs of individual children.

41.18 **RESOLVED** – That the questions asked and responses given be noted and received.

#### **41c Deputations**

41.19 It was noted that three Deputations had been received. Each of the Deputies was invited to come forward and to speak for up to five minutes in support of their Deputation. When each of the deputations had been heard the Chair gave a response to all three prior to the Deputations being noted and received. The wording of each of the Deputations and Chair's response are set out below:

##### **(i) Dr Ian Cunningham, Principal of the Self Managed Learning College**

41.20 Dr Cunningham spoke in support of his Deputation set out below:

"The Council continues to fund all existing students at SMLC that the Council has already agreed to fund until each student completes year 11 and leaves SMLC.' I note that the deputation can be up to 6 people but I do not feel the need to add other names unless it is required".

41.21 Dr Cunningham referred to information which had not been submitted in advance of the meeting and the Chair requested that copies of this be provided to the Council. Dr Cunningham stated that considered that the Council had a moral duty to provide funding for those children that they had approved to be at the SMLC. They were asking for 6 years funding which amounted to £21, 017 per annum to fund students they had started to pay for considering that this represented a reasonable compromise from wanting total funding for all. The Local Authority's stated position in respect of its inability to provide further future funding was refuted, legal advice had been sought and the college and parents were of the view that they had strong legal grounds to mount a challenge if a decision to cease funding was taken.

##### **(ii) Deputation by a student at the Self Managed Learning College**

41.22 A male student of the Self Managed Learning College spoke in support of his Deputation set out below:

“I am 14 years old and have been attending the college for a year and a half.

“I know you are planning to prevent the continuation of our funding which will force my friends and me to leave our College where we are happy, learning and safe, to go back into a place where we were unhappy, not learning and didn't feel safe.

We are all really distressed at the thought of having to leave our College, our community, and our friends. Some of you are hurting us, we're having trouble sleeping at night, you're breaking things that are important to us, and we are suffering from depression. We CANNOT go back into mainstream school because we were so unhappy there - most of us were horrifically bullied by students, all of us didn't fit in, all of us were desperately unhappy.

Our College, and the funding that you give to us students, allows us to continue our education in the way that suits us, and we are very happy at SMLC. We are learning, we have friends and we are part of a community.

Think about a time in your life when you were very unhappy – who were you with, what did it feel like, what did it look like? Now imagine you are being forced to go back there. What would YOU do about that?

Think about a time in your life when you felt happy and safe. Now imagine you are being forced to leave there. How would that make YOU feel?

It doesn't really matter whether you have been a 'conduit' or whether we should or shouldn't have been funded in the first place, or whether there is no other official 'label' to put on us, or our College. The fact is that we HAVE been funded for 2 years and to stop this now is the same as giving us hope and then taking it away'.

So the question is not 'what you did' but 'what are you going to do NOW?’

### **(iii) Deputation by a student at the Self Managed Learning College**

41.23 A female student of the Self Managed Learning College spoke in support of her Deputation set out below:

“I am 14 years of age and this is my 5<sup>th</sup> year at SMLC.

It doesn't matter if you're an adult or a child, a councillor or a member of the public. We are all human and we all have the right to be heard, but you're not doing that. You're ignoring people of your community who need to be able to speak and know they are being listened to.

Which leads me to the email I sent to Sue Shanks. I sent you an email telling you how you're causing so much disruption to children and to families. I sent it to you as a cry for help. I'm still waiting for a reply.



You have such a great power, a power that I am scared of - my local council using their powers against my friends and me to ruin our lives.

I felt like the odd one out at mainstream school and I was really unhappy. I was different to the rest of the people there and got treated differently because of this, a lot of the time in a mean way. I don't want to go back somewhere where I am not accepted for ME. I can speak for most students in that we were all treated horribly. We were easy targets before. You don't need to make us easy targets again.

It's quite horrible to have to say I feel you are all acting like the children and the children are acting like the adults. Your last committee meeting was appalling. It left vulnerable children in a crowd not knowing where they stand.

In your last letter you stated an 'invitation for us to contact the local authority to discuss any support and educational needs your child may have.' My needs are going to SMLC. It is where I feel safe, happy and I can learn there. If this is not an option, I want one-to-one tuition which you will pay for, support for my parents in sending me to a private psychologist (not CAMHS) which you will also pay for. We are all being damaged by your actions, I don't want to go into details here, but it is really bad. I want my council to listen to me. Really listen to me. I am worried that you all have a listening problem, which stops you from hearing what this is doing to us.

Unfortunately, you have started a war where people are getting hurt - physically and mentally. Luckily, I was taught to always stand for what I believe in. I believe in my college and that's why I am standing up to you. We are not going to back down. You have a long fight ahead.

Only continued effort wins the war; we can't lose if we don't quit."

41.24 Following receipt of each of all of the Deputations the Chair responded in the following terms:

"Thank you for those thoughts and we do value your input into this process, although we are concerned at some of the language that is being used. We do also note how one of you has pointed out that you were attending the SMLC prior to the funding being available and we have no reason to believe that students won't continue to be funded by their parents after 31<sup>st</sup> December 2013.

I understand your concerns but do want to point out that we also need to ensure we champion the views of approximately 33,000 pupils in Brighton and Hove and be mindful of those who don't have a voice for whom we have a statutory duty to provide an education. The council also has responsibility for a large number of vulnerable children and young people who we also need to listen to.

There are:

2000 children and young people who are young carers for parents with various difficulties;  
958 who have statements of special educational need;  
430 of who are on roll at special schools;

111 children who are in care;  
86 children who attend special units attached to mainstream schools;  
44 children with specific medical needs that mean they can't attend school;  
11 permanently excluded pupils; and  
3 school-age mothers

The local Authority's duty is to ensure we have places available at an Ofsted registered provider for all those parents who require it, this is done through ensuring there are school places available at one of the schools within the City. As already stated, we will do everything we can to help with reintegrating those of you who want to return to a state school if the availability of funding ceases.

- 41.25 The Executive Director of Children's Services confirmed that should any parents wish to return their child to community schooling the LEA would of course support them to ensure appropriate school places were found in line with the school admissions code.
- 41.26 **RESOLVED** – That the content of the Deputations and the Chair's response to them be noted and received.

## **42. MEMBER INVOLVEMENT**

- 42.1 There were no items.

## **43. SELF MANAGED LEARNING COLLEGE (SMLC)**

- 43.1 The Committee considered a report of the Executive Director of Children's Services providing further information about issues that might be required to enable the Committee to decide on the recommendations listed below, the Committee not yet having reached a decision about future funding
- 43.2 It was noted that the report should be read in conjunction with the two previous committee reports submitted to the Committee on 16 July and 14 October 2013, in respect of local authority funding of pupils in receipt of elective home education who were in attendance at the SMLC.
- 43.3 The Head of Behaviour and attendance confirmed that at its meeting on 14 October 2013, the Committee had been unable to reach agreement regarding whether or not there should be any future funding for pupils currently benefiting from LA funding beyond the end of the current academic term. As in the event that no decision had been made by the Committee, the status quo applied, as it stood funding was in place until the end of the academic year.
- 43.4 In this case the status quo was that the criteria which had applied to the funding of places of children in receipt of elective home education no longer applied, as the previous criteria had specified that the LA could enter a child on the census return to the Department for Education, and that no funding could exceed the amount that the Council could recoup from the DfE. In these circumstances the Interim DCS, Heather Tomlinson had exercised her discretion to agree funding until December 2013, in order to provide for an opportunity for transition to other arrangements, and to allow for a period of consultation to look at future alternatives.

43.5 The Local Authority had contacted parents of students attending the SMLC to advise them of the current situation with regard to funding and to offer support with regard to future educational options in mainstream schools. Of the 16 young people currently attending the SMLC, one was being funded by a mainstream school and 11 were being funded that term by the Local Authority. If the recommendations contained in the report were agreed there were a number of options the SMLC and parents might want to explore and these were set out in the report. The LA had offered to support parents and to explore the options available to them. To date one parent had made contact with the Local Authority.

43.6 Notification has been received that the Conservative Group wished to put the amendment set out below:

“The Conservative Group would like to insert into Recommendation 2.1, (vi) as follows:

**“With the exception of those students attending the SMLC who have already begun Key Year 10 or 11 in September 2013 and are currently in receipt of local authority funding arising from the previous arrangement, for whom exceptionally funding will be provided through to the conclusion of their academic Year 11 (ie. for a maximum of up to two years),** a decision is made that from December 31<sup>st</sup> no further funding will be offered to provide for children who are in receipt of education otherwise than at school to attend a fee paying college, including those children receiving elective home education currently attending the SMLC.

The amendment had been put by Councillor Wealls and was seconded by Councillor Simson.

43.7 Councillor Wealls stated that the Conservative Group had put forward their amendment in order to address the situation which had arisen at the previous meeting, whereby in voting against the proposed amendment when it became the substantive recommendations, those recommendations had fallen and the Committee had failed to make a decision. It was considered that the amendment was fair in that it recognised the needs of those students who had embarked on their GCSE studies and sought to support them to the end of their school career rather than place them in a position of having to find alternative educational provision. He hoped that those who had supported the earlier amendment would be able to support this one.

43.8 Councillor Wealls queried whether, as the current high needs block budget had been worked out based on historical spending funding for these 11 young people was already in the Council pot. It was explained that this was not the case the Local Authority had simply acted as a conduit, although it was recognised that school funding arrangements were complicated.

43.9 In answer to further questions the Acting Assistant Director, Education and Inclusion explained that it was not necessary for a child to be statemented in order for alternative provision to be made, if parents were able to evidence special educational or other needs an appropriate level of provision could be made. If approached the local authority could discuss/ assess the needs of individual children and could support parents in that process.

- 43.10 The Legal Adviser to the Committee re-iterated her comments set out in the report, that by law the responsibility for a child's education rested with their parents. This could be either by attendance at school or by "education otherwise" which was more commonly described as elective home education. The young people who were the subject of this report were regarded in law as being home educated. The SMLC was not a school it was a provider of private education and parents who chose to electively home educate their children assumed financial responsibility for it. The previous basis upon which funding had been provided for these young people was no longer available.
- 43.11 Councillor A Kitcat commended the report which in her view was well written and set out the current position very clearly.
- 43.12 Councillor Pissaridou stated that in her view the position was clear students did not take GCSE's at the SMLC they took them subsequently elsewhere. The previous arrangements were no longer available and the high needs block should be used as it was intended had ceased and for the benefit of the city's children overall. Other options were available, as set out in the report and parents can be invited to contact the LA.
- 43.13 Ms Travers, the CEO of Amaze sought clarification that if a child was moved from a mainstream school whether funding would move with them. It was confirmed that it would and that this arrangement would be between the school and the SMLC and was different from conduit arrangement.
- 43.14 The Executive Director Children's Services re-iterated that the LA was happy to provide advice and support if approached by parents.
- 43.15 A vote was taken formally on the Conservative Group Amendment and on a vote of 7 to 3 it was lost. A further vote was taken on the recommendations set out in the Officers' report and these were agreed on a vote of 7 to 3.
- 43.16 **RESOLVED** - (1) That the committee notes the changes in the capacity of local authorities to recoup the cost from the DfE of children who are in receipt of elective home education attending a college of further education or other "alternative provider", which means that the previous criteria under which the local authority had agreed to fund attendance of some pupils in receipt of home education at the SMLC is now defunct;
- (2) The committee notes that continued funding was agreed by the former Interim Director of Children's Services (DCS) until the end of this academic term to allow time for alternative arrangements to be made for those affected children who were attending the SMLC, and for consultation on the way forward;
- (3) The committee notes the consultation and the issues raised by the affected parents and pupils, and further notes the ongoing offer of support and advice which has been made to any affected pupils, including the possibility of attendance at a maintained school;
- (4) The committee notes that the education of those pupils whose parents chose to educate them otherwise than in school continues to be the responsibility of their parent according to the law;

(5) The committee notes that if it meets the requirements of the DfE it is possible for colleges, including the SMLC, to reclaim from the DfE the fees otherwise charged to the parents of children in receipt of elective home education; and

(6) A decision is made that from December 31<sup>st</sup> 2013 no further direct funding will be offered to provide for children who are in receipt of education otherwise than at school to attend a fee paying college, including those children receiving elective home education currently attending SMLC.

#### **44. FREE CHILDCARE FOR TWO YEAR OLDS: CAPITAL PLANS**

- 44.1 The Committee considered a report of the Executive Director of Children's Services which set out capital expenditure plans which aimed to increase supply of free childcare places for eligible two year olds across the city. A free childcare place has been a statutory entitlement for all eligible two year olds from September 2013, and a change in eligibility will come into effect from September 2014 which will increase the likely number of children eligible for a free childcare place in Brighton & Hove to 1,300. The government had provided capital to local authorities to ensure that there are sufficient places available, and this report sets out details of proposed expenditure.
- 44.2 Since September 2013 a free childcare place has been a statutory entitlement for all two year olds in families who meet the eligibility criteria also used for free school meals, or are looked after by the local authority. In addition the council also provides free childcare for two year olds with a child protection plan if their family does not meet the income eligibility criteria. There are currently 451 children in the city accessing this entitlement which amounts to 87 per cent of children for whom there is funding; it is anticipated that this number will increase further as the scheme progresses.
- 44.3 From September 2014 eligibility will expand to include families in receipt of working tax credit and have a low income, as well as disabled children and those who have left care through adoption or special guardianship. An estimated 1,300 two year old children in Brighton & Hove will take up this entitlement.
- 44.4 The Early Years and Childcare Strategy Manager stated that the latest available data indicated that eligible children lived in most areas of the city, with some clusters in lower income areas. At present there appeared to be sufficient provision for eligible two year olds, but there might be a shortage of places in September 2014.
- 44.5 The Head of Sure Start explained that the report sought to set out the changes that had been made and details as to how arrangements would work in future. The capital projects referred to in the report would extend the number of places available in central Brighton. In the West of the city it had been identified that there was likely to be shortage of places in Hangleton it was proposed to develop a council-owned building to be let to a private or voluntary sector provider to run.
- 44.6 Councillor Simson stated that she was uncertain whether the level of provision suggested would provide sufficient quality for such young children and was also concerned whether there would be enough trained staff coming through to provide the staff needed in the expanded settings proposed and whether additional places could be provided for two year olds at the expense of places for three and four year olds.

- 44.7 The Chair confirmed that measures had been put in to place to seek to ensure that a high level of provision was available and that all settings provided a high standard of care and that no children were placed into settings where provision had been identified as being unsatisfactory.
- 44.8 Councillor Pissaridou enquired whether any places were funded currently at facilities which were considered inadequate and it was confirmed that was not the case.

44.9 **RESOLVED** - That the committee approves capital spend as set out in the report.

#### **45. EARLY YEARS AND CHILDCARE: ROLE OF THE LOCAL AUTHORITY**

- 45.1 The Committee considered a report of the Executive Director of Children's Services which set out changes to the role of the local authority in relation to childcare as set out in the Government publications More Great Childcare (January 2013) and More Affordable Childcare (July 2013).
- 45.2 It was noted that the Government was strengthening the inspection regime, making Ofsted the sole arbiter of quality and limiting the role of the local authority. It was recognised that high quality early education promoted children's development in their early years and was crucial to their future success at school and was especially beneficial for the most disadvantaged children.
- 45.3 The Head of Service, Surestart explained that in the future the Government wanted local authorities to act as "champions" for disadvantaged children and their families and to focus on challenging and supporting early years providers judged as "requires improvement" by Ofsted. A key role would be to identify hard to reach families and help them choose an early education provider. The Family Information Service (FIS) already encouraged families to apply for 2 year old funding, performing eligibility checks and supporting them to find a childcare provider. Most families self served on line and used the FIS helpline if they needed more support. FIS provided a case work service for families who needed more help, for example those referred from social work, including helping with forms and claiming benefits, and referring to specialist agencies.
- 45.4 Ms Travers the CEO of Amaze emphasised that it was important to ensure that staff received comprehensive training to enable them to provide high quality care which was appropriate for those children who had special educational needs. The Head of Sure Start explained that the Local Authority could still ensure that provision was inclusive and in instances where children had significant special needs provide the appropriate level of funding and support.
- 45.5 Councillor Wealls sought clarification regarding the availability of funding streams and application of the Dedicated Schools Grant whether this would result in reductions in staff. It was explained that ways of working more efficiently were subject to regular review. Funding for 2,3 and 4 year olds came from the Dedicated Schools Grant. The proportion of central spend was 8% compared to SE and England percentages of 11% and 15%. It was noted that the Government planned to reform early education funding with the aim of having a new system in place from 2015/16.

45.6 **RESOLVED** – That the Committee agrees to continue to promote high quality early years provision across the city by offering support to all early years providers and by targeting most support on the weakest early years providers and those with the highest numbers of funded two year olds.

#### **46. SCHOOL STANDARDS AND ACHIEVEMENT: ANNUAL REPORT**

- 46.1 The Committee considered a report of the Executive Director of Children's Services which provided an analysis of the unvalidated assessment data for the academic year 2012/ 2013.
- 46.2 The data showed a rise in standards across all key stages (6, 11, 16 and 18 year olds) and also an increase in progress. The full data set, including value added was not yet available and would be included in a future update report. Whilst standards and achievement were moving in the right direction, the available data indicated that more remained to be done and outlined the priorities that had been set moving forward.
- 46.3 The Strategic Commissioner, Standards and Achievement explained that this represented an interim update and that a further report would be brought back to the Committee when all of the data had been finalised.
- 46.4 Councillor Simson stated that in the past Members had received details of the outcome of any Ofsted assessments which were available at each meeting. It was useful for Members to receive this information and she requested whether it would be possible for this to appear as a standing item on future agendas. The Executive Director of Children's Services confirmed that this could be done and that information available when each agenda was printed would be provided for future meetings.
- 46.5 Mrs Davies, Parent Forum sought clarification of the numbers of exclusions that had taken place over the period covered by the report. It was agreed that this information would be provided to Mrs Davies.
- 46.6 Councillor Lepper referred to an article for which no source had been given which had referred to a rise in the number of assaults on teachers. She considered that the article was divisive and misleading given that the progress that had been made in all areas across the city's schools over a number of years.
- 46.7 Ms Travers, CEO of Amaze also referred to the work being undertaken by the Scrutiny Panel which had undertaken work around this issue. It would be helpful if its findings and final recommendations could be shared with the Committee. Councillor Brown concurred in that view, she believed that the Panel was in the process of formulating its recommendations and that it was intended for them to be forwarded to the Committee for information.
- 46.8 The Executive Director of Children's Services stated that bullying, particularly when it involved serious/illegal instances such as assault were taken very seriously and robust measures were in place to deal with such incidents.

- 46.9 The Acting Assistant Director Education and Inclusion stated that a lot of work had been carried out in relation to this matter in order to provide advice and support to schools particularly in the area of fixed term exclusions.
- 46.10 It was noted that although the figures contained in the report remained to be verified there were unlikely to be significant differences between the draft and final data.
- 46.11 Councillor Wealls commended GCSE result - however he referred to the initiatives being undertaken to close the gap in achievement particularly at Key Stages 2 and 4. It was explained that various initiatives were in place as part of a five point strategy to address these problems which included courses for middle leadership staff within schools, schools mentoring other schools, use of the pupil premium and training for school governors.
- 46.12 Councillor Wealls commended the continuing improvements in GCSE results, but considered that it was also important to draw out and emphasise the value added work that was carried out too. He also, Wealls considered that it was important that training available especially that for school governors was well publicised to ensure maximum take up.
- 46.13 Councillor Gilbey referred to the initiatives in place to support the lowest 20% and the characteristics of this group, noting the percentage of this group who were summer born. Given that children in this group could be considerably younger than their peers it was recognised that there was often a gap in their achievement levels particularly during their when entering school. Councillor Gilbey enquired whether data relating to summer born children was available for other categories.
- 46.14 Councillor Pissaridou enquired whether it was possible for children to delay the date of entry into school and it was confirmed that children were placed in the appropriate age group for their year on entry into school, summer born children would be full time by the spring/easter term.
- 46.15 Councillor Simson asked how parents were made aware that their child had received a fixed term exclusion and it was explained that a letter was sent by recorded delivery from the school. This process had to be observed in order for the document to be legal. The Acting Assistant Director Education and inclusion explained that the makeup of cohorts moving through schools changed year on year. However, the LEA worked with schools to address any issues that arose.
- 46.16 Councillor Powell referred the poem set out on page 61 of the agenda which was an encouraging example of the standards achieved in schools.
- 46.17 Councillor A Kitcat referred to the emerging picture across Brighton and Hove schools which were very encouraging. Councillor Kitcat noted the initiatives which were due to take place during 2014/15 this was an exciting initiative and in answer to further questions it was confirmed that the impetus of these would be carried forward in order to maintain high quality improvements particularly where levels fell below the national average. The Executive Director of Children's Services confirmed that initiatives were intended as a tool to help to embed good practice which would be self sustaining within schools.



46.18 **RESOLVED** – That the Committee note the contents of the report.

**47. ITEMS REFERRED FOR COUNCIL**

47.1 There were none.

**PART TWO**

**48 FREE CHILDCARE FOR TWO YEAR OLDS, CAPITAL PLANS - EXEMPT CATEGORY 1**

**SUMMARY OF ITEMS CONSIDERED IN PART TWO**

**48. FREE CHILDCARE FOR TWO YEAR OLDS CAPITAL PLANS - EXEMPT CATEGORY 1**

48.1 The Committee considered and noted the supporting exempt information contained in appendices 2 and 3 to the report but did not discuss their contents nor go into closed session in order to do so.

**49. PART TWO PROCEEDINGS**

49.1 There were none.

The meeting concluded at 6.15pm

Signed

Chair

Dated this

day of