

Medway Council
Meeting of Children and Young People Overview and
Scrutiny Committee

Tuesday, 5 December 2017

6.30pm to 9.15pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Aldous, Cooper, Fearn, Franklin, Johnson, Joy, Kemp, Opara, Price, Purdy, Royle (Chairman), Saroy, Wicks (Vice-Chairman) and Williams

Co-opted Members with voting rights on educational issues only:

Clive Mailing (Roman Catholic Church representative)

Added members without voting rights:

MYC Chairman (Medway Youth Council), Fay Cordingley (Teacher Representative) and David Laming (Healthwatch Medway CIC Representative)

Substitutes: Councillors:
Gilry (Substitute for Price)

In Attendance: Kate Ako, Principal Lawyer - People
Katey Arrowsmith, Head of Finance Strategy
David Ballard, Interim Manager Aut Even (Short Breaks Service)
Ann Domeney, Deputy Director, Children and Adults Services
Michael Griffiths, Partnership Commissioning Lead, Children and Families
Simon Harrington, Programme Lead, School Services
Mark Holmes, Head of Early Years Service
Rachael Horner, Partnership Commissioning Programme Lead for Looked After Children
Stuart Jeffery, Chief Operating Officer, Medway CCG
Helen Jones, Assistant Director – Commissioning, Business and Intelligence
Councillor Vince Maple, Leader of the Labour Group
Jade Milnes, Democratic Services Officer
Ian Sutherland, Director of Children and Adults Services
Tim Watts, Programme Lead, Children's Services Transformation
Mr Qureshi, Lead Petitioner

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547 Apologies for absence

Apologies for absence were received from Councillors Price, Keith Clear (Medway Parent and Carers Forum Representative), Tina Lovey (Headteacher Representative) and George Peck (Medway Youth Council Cabinet Member).

548 Record of meeting

The record of the last meeting of the Committee held on 5 October 2017 was agreed and signed by the Chairman as correct.

549 Urgent matters by reason of special circumstances

The Chairman confirmed that he had accepted one report as urgent. Item 11 'School Admission Arrangement 2019' was circulated separately to the agenda and was accepted as urgent to enable the Committee to consider a report before the Cabinet made any decisions on this matter on 19 December 2017.

550 Declarations of interests and whipping

Disclosable pecuniary interests

There were none.

Other interests

Councillor Opara declared an interest in agenda item 7 (Annual Report – Fostering Service) in relation to one of the social workers identified who was her daughter.

Whilst there was no reference to Rivermead School on the agenda, Councillor Cooper asked for it to be recorded that she had recently been appointed as a governor of Rivermead School.

551 Member's Item: Closure of All Saints Nursery

Discussion:

The Committee received a report which set out the response to both an issue raised by Councillor Maple, in relation to the impending closure of All Saints Nursery and a petition received by the Council, which fell within the remit of this Committee, on the same matter.

In accordance with the Council's petitions scheme, this petition had been referred to the Committee for discussion.

The Committee welcomed Councillor Maple, who introduced the lead petitioner, Mr Qureshi. Mr Qureshi set out the reasons for his petition. Mr Qureshi explained that the decision to close All Saints Nursery was very sudden and that the decision was made without consultation with the 43 families affected.

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He added, it was difficult to find an alternative provision and asked why an alternative provider could not take over the provision, for example, All Saints School, Magpie Hall Road, Chatham. Mr Qureshi expressed concern over some possible complexities associated with conditions on the consent to develop the wider area and questioned the use of funding for other Council activities.

Councillor Maple spoke in support of the petitioner's concerns and advised the Committee that in addition to the paper petition, 700 signatures were received on an e-petition hosted by change.org, which could not be accepted under the Council's current petition scheme. He recognised the interim position to extend the opening of the Nursery to the end of the academic year and welcomed an update on a permanent solution. Councillor Maple also raised some further concerns including, the loss of high quality staff, to whom he thanked for their services to the youngest in the community and inadequate communication by officers with Ward Councillors. He added that Ward Councillors would want to be advised of both the negative and positive news.

Councillor Maple also expressed concern in support of Mr Qureshi's previous comments regarding complexities associated with conditions on building consent. He added that there might be a number of cases in any Council owned building where an existing covenant would preclude the building from being used for purposes other than that originally specified and that this may warrant further scrutiny.

The Director of Children and Adults Services referred to the conversations he had had with Councillor Maple in relation to communication between officers and Ward Councillors and undertook to improve this.

The Head of Early Years Service reiterated the comments set out in Section 3 to the report and added there had originally been no clear, secure and safe arrangement in place for 1 January 2018. However, following an interim solution which had been secured, the Head of Early Years Service confirmed negotiations were ongoing with a provider for a permanent solution and an in principle agreement had been made with another partner organisation.

In response to a question from a Member whether the existing children would be accommodated under the new provider, the Head of Early Years Service confirmed all children currently attending the nursery would be able to also attend the Nursery under the new provider.

Members requested an update to be provided to the Committee, Ward Councillors and parents, as soon as the permanent solution was agreed and an update report also be provided to the Committee in the summer on the topic of Sure Start Children's Centre arrangements.

The Head of Early Years Service was thanked for his contribution to the Service, as it was noted he would be leaving the Council at the end of the year and he paid tribute to all Members for their commitment to young children in Medway.

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Decision:

The Committee thanked Councillor Maple and Mr Qureshi for their attendance and:

- a) Noted this report and in particular that officers have confirmed All Saints Nursery, in Magpie Hall Road, will remain open until July 2018; and
- b) Noted that a permanent solution was being sought to keep the nursery open after the summer break in 2018 and following confirmation on future permanent arrangements, Members and parents would be updated.

552 Assistive Reproductive Technologies - Policy Review

Discussion:

The Chief Operating Officer, NHS Medway Clinical Commissioning Group introduced the report, which set out the forthcoming review of policies relating to Assistive Reproductive Technologies (ART), by the Kent and Medway Clinical Commissioning Groups (CCGs), in response to financial pressures faced by Kent and Medway CCGs. The review would also consider funding of assistive contraception treatments to ensure equality of access. The local and national context was explained and the consultation process, as set out in paragraph 6.3 to the report, was outlined.

It was suggested by the Chief Operating Officer, NHS Medway Clinical Commissioning Group that the proposals might include reducing the number of NHS funded IVF cycles from two to one in line with 63% of England's CCGs which offered one or zero funded IVF cycles.

Members raised a number of questions and comments, which included:

- **The proposed policy revisions** – In response to a request from some Members, the Chief Operating Officer, NHS Medway Clinical Commissioning Group clarified that the policy revisions, including those pertaining to the use of donated genetic materials would be proposed by the Health Policy Support Unit. The intention of the review would be to ensure the same access to IVF for all eligible patient groups.
- **Overview and Scrutiny** – As requested by some Members, the Partnership Commissioning Programme Lead, Children and Families clarified that this report provided the Committee with notice that a review of policies relating to ART and funding of assistive contraception was due to commence and that a further report with the proposed policy revisions would be presented to the Committee in January for the Committee to determine whether the proposals constitute a substantial health service development or variation. If this Committee and Kent County Council's Health Overview and Scrutiny Committee were to determine the proposals amount to a substantial variation, a Joint Overview and Scrutiny Committee would be convened. A Member added

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that the Joint Overview and Scrutiny Committee would be able to comment on the proposals and require the provision of information. A Member suggested that the report on ART should perhaps be considered by the Health and Adult Social Care Overview and Scrutiny Committee as it did not relate to children's health.

- **Consultation** – Officers were encouraged by Members to work with Ward Councillors to generate a higher response rate. In response to a question concerning the risk of a poor consultation response, the Partnership Commissioning Programme Lead, Children and Families explained the consultation response might be low owing to few families accessing the service or not knowing at the point of consultation they would access the service in the future. In respect of what would be considered to be a low response, it was added that this would be guided by the North and East London (NEL) Commissioning Support Unit. However, to mitigate the risk, the consultation would be published on all CCG websites and social media feeds and public information meetings would be held in each of the CCG areas.
- **Drivers for review** - The Chief Operating Officer, NHS Medway Clinical Commissioning Group confirmed that the decision to review the above mentioned policies was financial and that the potential savings would be between £600,000 to £700,000. A Member expressed dissent with the proposal to reduce the funded cycles of IVF from two to one. The Chief Operating Officer, NHS Medway Clinical Commissioning Group agreed that the issue was sensitive, but recognised the current service provided was not in line with the national offer and merited review.

Decision:

The Committee:

- a) Noted the review of Assistive Reproductive Technologies (ART) policies, set out in the report, in light of the financial challenges faced by Clinical Commissioning Groups (CCGs); and
- b) Noted the review process set out in section 6 of the report, in particular the public consultation element.

553 Annual Report - Fostering Service

Discussion:

The Deputy Director, Children and Adults introduced the Fostering Service Annual Report 2016/17, which set out performance data and the development of the Service over the reporting period and outlined targets and goals for the 2017/18 period.

The Deputy Director, Children and Adults drew the Committee's attention to the report highlights, set out in paragraph 3.1 to the report. In particular, she drew the Committee's attention to the payment structure review and explained it was

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hoped that following full implementation this would stimulate an increase in the number of foster carer applications.

The Deputy Director, Children and Adults also outlined additional developments within the Fostering Service, including the appointment of a Fostering Reviewing Officer to undertake an annual review of foster carers and the provision of additional support for foster carers from family support workers and youth workers acting as fostering mentors.

The areas considered to be the focus of the next year included recruitment, fostering presence in Fostering Fortnight and development of Short Break Services.

Members raised a number of questions and comments, which included:

- **Recruitment of Foster Carers** – Members expressed that they were pleased with progress to recruit additional foster carers. A Member commented that the recent Foster Carer Event, in which foster carers were recognised for long service, was very good. This event also provided an opportunity to meet new foster carers.
- **Youth Mentors** – At the request of a Member, the Deputy Director, Children and Adults undertook to arrange a presentation by the Youth Mentors to the Committee on the work they were completing in relation to the Fostering Service.
- **No Smoking Household Policy** – Asked by a Member whether the No Smoking Household Policy included e-cigarettes, the Deputy Director, Children and Adults explained that whilst she understood that the policy had covered e-cigarettes, a flexible approach was required to recruit family and friends as carers.
- **Social Worker information** – A Member commented that presenting the photographs and information on the Social Workers was a very good introduction.
- **Monitoring of Care Leavers** – Referring to an incident relating to inadequate monitoring of Care Leavers, a Member asked whether there was scope for increased monitoring. The Deputy Director, Children and Adults explained the Service was very focused on this matter and were investigating a number of proposals to expand the range of supported accommodation to meet the complex needs of children, in particular in the cohort of children aged 14-16. She noted that supported accommodation for children aged 16 or over was not regulated or inspected in the same way as children's homes. The Deputy Director, Children and Adults further explained new legislation had put additional responsibilities onto the Local Authority and additional reports would be presented to the Committee at the appropriate time, including the Sufficiency Statement at Agenda Item 8.

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The Assistant Director, Commissioning, Business and Intelligence added that the issue of antisocial behaviour was taken very seriously and in this particular instance there was not sufficient supported accommodation available through the Framework and this resulted in an undesirable spot purchase of provision. There were also complexities around the responsibility for monitoring. The Assistant Director, Commissioning, Business and Intelligence explained that whilst a supported accommodation provider may be in Medway, the children using the service may be from another Local Authority and therefore responsibility for monitoring would lie with that Local Authority. The facility under the provider referenced was no longer utilised and an embargo had been implemented on another facility as it was considered they were not securing appropriate outcomes.

- **Universal Credit** – Referring to a presentation at a Care Leavers Event, a Member commented that care leavers would find Universal Credit difficult to manage.
- **Leaving Care Nurse** – In response to a question on whether there was scope for an additional nurse, the Deputy Director, Children and Adults undertook to discuss this with Clinical Commissioning Group (CCG) colleagues. The Assistant Director, Commissioning, Business and Intelligence added that 0-19 Community Health Provision was being procured; within the specification sufficiency of Looked After Children (LAC), nursing was included.
- **Fostering approval process** – In response to a question about the length of the approval process for Foster Carers, the Deputy Director, Children and Adults advised that six months was considered to be the minimum length of time to enable a good quality assessment which commences with training. She added other operators benefit from having a larger pool of carers to match children with. In Medway, the pool of carers was smaller and required more careful matching.
- **Placement outside the Local Authority boundary** – In response to a question on the number of children placed outside the Local Authority boundary, the Deputy Director Children and Adults explained that this was improving and that there had been significant improvements in the number of in foster family based placements rather than residential provision. She added that the Service was reducing its dependence on Independent Fostering Agencies (IFAs) and where children were placed outside the Local Authority boundary they were in close proximity.

The Assistant Director, Commissioning, Business and Intelligence added the procurement process for the new IFA Framework had been undertaken and would hopefully be in place in the New Year. The Service had completed work to stimulate the market and within the tender process providers were assessed on their sufficiency to develop

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proficiency of service in Medway. In addition, the Service aimed to work with fewer providers and utilise them better so that there would be a greater incentive to invest in Medway.

- **MoMo (Mind of My Own) app** – At the request of a Member, the Deputy Director, Children and Adults explained the MoMo app was introduced in response to an action from being held to account by the Children in Care Council. The app enabled children and young people in care, as well as others, including professionals, to communicate their views into a central database. A Member commented that the scope and use of the app was presented at Corporate Parenting Board.

Decision:

The Committee noted the Fostering Service Annual Report 2016-17, as set out at Appendix 1 of the report.

554 Sufficiency Statement 2017

Discussion:

The Assistant Director, Commissioning, Business and Intelligence introduced the annual Sufficiency Statement which outlined the extent to which the Local Authority complied with their statutory duties to provide sufficient accommodation for Children in Care and Care Leavers, as well as plans to address the gaps in the provision.

The Assistant Director, Commissioning, Business and Intelligence drew the Committee's attention to the work undertaken by other service areas which had assisted in reaching more sufficient accommodation, including the Fostering Service. She added there had been improvements in permanency planning and the number of child and family placements had increased.

In referring to complexity of need, the Assistant Director, Commissioning, Business and Intelligence advised the largest cohort of Children in Care was 5-9 and 10-15 age group and in particular, the 10-15 cohort would require more specialist provision.

With regards to future priorities, as set out in Section 7 to Appendix 1 to the report, the Assistant Director, Commissioning, Business and Intelligence highlighted the key requirements for commissioning for Looked After Children included the utilisation of the Council's estate, procurement of a new Independent Fostering Agencies (IFA) Framework and working with fewer providers and other Local Authorities.

The Assistant Director, Commissioning, Business and Intelligence advised that the Children and Social Care Act 2017 had been introduced which placed additional responsibilities on Local Authorities to provide care leavers with support. She advised further that practical and resource implications were not yet known.

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Members raised a number of questions and comments, which included:

- **Supervision of young people** – A Member raised concerns over local provision and the impact it has had on local residents. The Assistant Director, Commissioning, Business and Intelligence expressed regret and explained that in instances where children had been placed in Medway from other Local Authorities, Medway Council had no monitoring powers, the responsibility for monitoring lied with the Local Authority which placed the children with that provider. The Assistant Director, Commissioning, Business and Intelligence added that Medway Council had put in place embargoes against the use of specified facilities; these had been respected by other Local Authorities and the cooperative relationship had improved.
- **Regulation of the Sector** – In response concerns from a Member in relation to the lack of regulation of the Sector and monitoring of young people which had also been raised with the Director of Children and Adults Services, the Assistant Director, Commissioning, Business and Intelligence advised that the Local Authority had monitored providers against a quality assurance framework and where the Local Authority had not been satisfied with the outcomes for young people had issued a warning, however, it was recognised more must be done in the absence of a formal regulator. The Assistant Director, Commissioning, Business and Intelligence undertook to add this to the work programme of her team and report back to the Committee the actions to be taken to improve monitoring of providers.

At the request of a Member, the Assistant Director, Commissioning, Business and Intelligence also undertook to report back to the Committee on the future provision of supported accommodation for Children in Care and Care Leavers.

- **Integration into the wider community** – In response to a comment from a Member concerning the value of local people to support Children in Care and Care Leavers, the Assistant Director, Commissioning, Business and Intelligence agreed with this point.
- **Communication with Ward Councillors** – At the request of a Member the Assistant Director, Commissioning, Business and Intelligence undertook to ensure Ward Councillors were appraised of both positive and negative developments in the sufficiency of supported accommodation for Children in Care and Care Leavers.
- **Transforming Care** – In response to a question from a Member on what would happen in March 2019 following the end of the three year Transforming Care Programme, the Assistant Director, Commissioning, Business and Intelligence explained that the principle of Transforming Care would remain. However, it was likely that the additional funding

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from NHS England would end. This was a small amount of funding and supported the provision of a care coordinator to manage cases and work with children and adults social workers. The Assistant Director, Commissioning, Business and Intelligence added that by 2019, the Service would have a good understanding of the cohort and would have commissioned community provision working across a Kent and Medway footprint, noting that the adult cohort added to budget pressures.

- **Regional Adoption Agency** – Asked by a Member for an update on the Regional Adoption Agency (RAA), the Deputy Director, Children and Adults, advised the RAA was in the next planning stages with the London Borough of Bexley and Kent County Council. In addition, it was suggested that a funding bid would be submitted to facilitate progress.
- **Medway care applications** – A Member commented that the reduction in Medway care applications was positive.
- **The independent fostering sector** – In response to a question regarding the independent fostering sector, the Partnership Commissioning Programme Lead for Looked After Children explained that the framework that was being procured would have two layers, this included working with a smaller group of agencies to develop relationships and remove competition.

Decision:

The Committee noted the 2017 Sufficiency Statement, as set out in Appendix 1 to the report.

555 Ofsted Inspection of Aut Even

Discussion:

The Director of Children and Adults Services, introduced the report which set out, at Appendix A to the report, the results of the monitoring visit undertaken by Ofsted on 20 October 2017. It was explained that whilst the majority of actions were closed, three items were deemed to require further time and a revised completion date of 10 November 2017 was granted by Ofsted.

It was reported that Ofsted had carried out an unannounced inspection on 30 November 2017 and 1 December 2017, the inspection findings had not been published at the time of the meeting but the Interim Manager, Aut Even (Short Breaks Service) advised feedback provided on the day was positive with some areas of improvement required. In line with previous inspections, these would be addressed in the action plan.

The Director of Children and Adults Services also explained that between 4 December 2017 and 8 December 2017, Ofsted were undertaking an inspection of the local area special educational needs and disabilities provision and he undertook to provide the Committee with a report outlining the findings.

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Members commended the improvements at Aut Even and raised a number of questions and comments, which included:

- **Future reporting** – At the request of a Member, the Director of Children and Adults Services undertook to provide an explanation of the previously reported rapid decline in the service performance.
- **Recruitment** – In response to a question from a Member regarding the recruitment of staff, the Interim Manager, Aut Even (Short Breaks Service) advised that deficiencies in the recruitment requirements identified by Ofsted had been rectified. In conjunction with HR, an audit of the recruitment processes had been undertaken at Aut Even. As a result, Ofsted had lifted the compliance notice in October in relation to the matter.

Decision:

The Committee noted the work to date on the service improvements, as set out in Appendix B to the report, in response to the Aut Even Ofsted Inspection on 25 and 26 July 2017 and that an update report will be provided to the Committee in March 2018.

556 Overnight Short Breaks Provision for Children with Special Educational Needs and Disabilities - Outcome of the Consultation and Business Case

Discussion:

The Assistant Director, Commissioning, Business and Intelligence introduced the report which set out the consultation response to the proposed relocation of overnight short break services from Aut Even to Parklands and presented the Business Case. It was reiterated that the physical environment at Aut Even was not fit for purpose and greatly restricted opportunities to extend the offer within the confines of the existing building. The Assistant Director, Commissioning, Business and Intelligence added that the split provision had also caused difficulties and that a coherent offer would be preferential. Other benefits of the relocation were highlighted including fully utilising the purpose built facility at Parklands and a reduction in budget pressures associated with running two facilities.

Referring to the consultation response, the Assistant Director, Commissioning, Business and Intelligence commented that overall, families were supportive of the relocation of Aut Even to Parklands and highlighted that 84% of respondents did not object to proposals to relocate the service. There had been two respondents that objected.

The Assistant Director, Commissioning, Business and Intelligence corrected the reference to the annual running cost at Parklands from £384k to £405k, set out in paragraphs 3.3.3 and 3.4.3 of the business case, set out at Appendix 3 to the report.

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Members then raised a number of questions and comments, which included:

- **Refurbishment works** – A Member commented that a lot of hard work was undertaken to obtain the funding to improve Aut Even and this Service had always been supported, but this hard work also extended to obtaining the funding for Parklands. The Member praised the Parklands facility which was built specifically as a respite home.
- **Business case** – In response to a question in relation to the money which was spent on bringing Aut Even up to standard, the Director of Children and Adults Services expressed it was regrettable that this approach had been taken but the priority had been the safety of the Children, so at the time the money had to be invested to rectify the identified deficits and fulfil the Local Authority's statutory duty. Parklands was designed for respite services and would enable the Service to effectively maintain a safe environment and schedule care for children in a way which could be planned around groups of children whose needs were broadly similar.
- **Demand for service** – In response to a comment from a Member that the service at both Aut Even and Parklands were necessary, the Director of Children and Adults Services expressed that in the context of the analysis completed, the provision at Parklands would be adequate. This was reiterated by the Assistant Director, Commissioning, Business and Intelligence who added that the environment at Aut Even was no longer fit for purpose.
- **Future use of Aut Even** – When asked about the future use of Aut Even, the Assistant Director, Commissioning, Business and Intelligence explained that that the Council's estate, including Aut Even was being considered for other purposes and a business case was being scoped. A further question was asked by a Member in relation to the proposed recommendation to proceed with option D (Move to Parklands, and use Aut Even for supported accommodation), in particular how the service would work in view of the structural issues reported. The Deputy Director, Children and Adults advised the range and quality of supported accommodation was being considered as well as a package which could be scaled up and down in relation to need, noting that caution would be required around numbers. She added that no decision had been made at present and the analysis was ongoing.
- **Timeframe** – At the request of a Member the Programme Lead, Children's Services Transformation advised following Cabinet approval, the refurbishment of Parklands could commence in two to three months. However, it would be important to carefully consider a transition period before relocating the service from Aut Even to Parklands, it was estimated this might be summer 2018.

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- **Revenue generation** – In response to a question from a Member in relation to the purchase of the sixth bedroom, the Assistant Director, Commissioning, Business and Intelligence clarified that this provision was included to enable greater flexibility to meet different needs of Medway families. In addition, if families expressed a preference, Medway Council purchased places from Dragons Retreat and so, to further enhance flexibility, it was foreseeable that other Local Authorities might enter into a similar arrangement.
- **Cabinet** – At the request of a Member, the Assistant Director, Commissioning, Business and Intelligence confirmed this proposal would be presented for consideration and approval to Cabinet on 19 December 2017 and undertook to amend the inaccuracies in the annual running cost at Parklands carried forward in the business case set out at Appendix 3 to the report.
- **Visit Parklands** – At the request of a Member, the Assistant Director, Commissioning, Business and Intelligence undertook to arrange a site visit to Parklands for Members of the Committee.
- **Service capacity** – A Member raised concerns that the service would be stretched at Parklands should Cabinet approve the relocation.

Decision:

The Committee noted the outcome of the consultation on the proposed relocation of overnight Short Break services from Aut Even to Parklands, as set out in Section 4 and 6 and Appendix 1 of the report, and the business case, as set out in Appendix 3.

557 School Admission Arrangements 2019

Discussion:

The Programme Lead – School Services, introduced the report which provided the Committee with the proposed 2019 admission arrangements. The report included details of the consultation on the proposed primary and secondary co-ordinated admission schemes. One response to the consultation was received and was supportive of the proposals. The Programme Lead – School Services also outlined the proposed changes to the Primary and Secondary co-ordinated scheme and admission arrangements. Save for the revision of dates to fit the 2019 admission deadline, the only changes were to the primary admissions and these included the introduction of a criterion for the children of ‘crown servants’ and clarity of the definition of ‘teaching staff’. There were no further changes to secondary admissions.

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Members raised a number of questions and comments, which included:

- **Halling School** – In response to request from a Member for assurances that sufficient school places would be available for children in the St Andrew's Park Development in Halling School, the Programme Lead – School Services advised Halling had an ease of access area and further that there had not been an issue in previous years to accommodate the school children. The Programme Lead – School Services noted that under the Greenwich Judgement priority could not be given to Medway children over Kent children and unless there was an ease of access area, distance would be the prevailing criterion. He added St Andrew's Park was equidistant between Halling and Cuxton Schools although officially within Halling. The Programme Lead – School Services undertook to liaise with officers working on the School Organisation Plan to monitor sufficiency of places.
- **Medway Test** – In response to concerns in relation to the publication of the test results, a Member asked whether the timing of the distribution of the results could be brought forward to 10am, the Assistant Director, Commissioning, Business and Intelligence explained that the Finance Department were undertaking a review of the process. The Assistant Director, Commissioning, Business and Intelligence undertook to provide the Committee with a summary report on the review of the Medway Test.

A Member agreed that the Medway Test process required improvement but raised concerns that bringing forward the timing of the results distribution would cause issues within the playground if some parents had results and others did not.

A Member further commented that sending out a hard copy of results in addition to email complicated matters.

- **Consultation response** – In response to a question from a Member, the Programme Lead – School Services clarified that the consultation was open to the public, not just headteachers and a range of means to notify interested parties of the consultation had been employed, including emailing every school, sending out a bulletin and a press release, in addition to requesting schools to print a paper copy for parents who preferred to access a hard copy.
- **'Crown servants' and 'teaching staff' clarification** – In response to a request from a Member for clarification, the Programme Lead – School Services explained 'crown servants' included UK Service Personnel and those working in the Diplomatic Services posted internationally, the criterion was not as broad as the Civil Service. In addition 'teaching staff' would not extend to catering staff or facilities staff for example but had been extended to Teaching Assistants in response to a challenge at a recent School Admission Appeal Hearing.

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- **Academies and Free Schools** – Asked whether the arrangements for Academies and Free Schools were different, the Programme Lead – School Services explained in relation to the over subscription criteria and published admission numbers academies were responsible for setting their own. The Local Authority had a duty to monitor the arrangements of these school types to ensure they were legal and complied with the School Admissions Code. The Local Authority would also respond to any consultation in the same way a member of the public could. Point of entry admission processes were coordinated by the Local Authority as a statutory requirement. In year admissions would vary. The Programme Lead – School Services Free added that free schools would be their own admission authority and the Local Authority would have the same statutory duty to monitor their legal compliance.
- **False information** – In response to a question on Medway Council's policy on parents providing false or fraudulent information, for example, incorrect address to achieve the desired school placement, the Programme Lead – School Services advised the Council would undertake an investigation and, if necessary, withdraw the offer. If a child had been at the school for some time, it would be more difficult to withdraw the offer as the wellbeing of the child would need to be considered. There had not been an incidence of this at Medway Council.

Decision:

The Committee noted the proposed admissions arrangements and schemes and the outcome of the consultation and recommended them to the Cabinet for approval.

558 Draft Capital and Revenue Budget 2018/19

Discussion:

The Head of Finance Strategy introduced the report which provided an update on progress towards setting the Council's draft capital and revenue budgets for 2018/19. In accordance with the Constitution, Cabinet was required to develop 'initial budget proposals' approximately three months before finalising the budget and the Council setting council tax levels at the end of February 2018.

The draft budget was based on the principles contained within the Medium Term Financial Strategy (MFTS) 2017/2022 and reflects the latest formula grant assumptions.

Members raised a number of questions and comments, which included:

- **Quarter two budget monitoring** – In response to a question from a Member, in relation to the second round of budget monitoring, which had predicted an overspend of £1.507million, the Head of Finance Strategy directed Members to the budget monitoring reports presented to Cabinet

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on 21 November 2017. This set out the sources of budget pressures and management action.

- **Adjustment to draft budget requirement** – At the request of a Member, the Head of Finance Strategy confirmed that the total adjustment, set out in Appendix 1 to the report, reflected the reduction in the net budget requirement for Children and Adults following management action agreed by the Service in consultation with Council Members. In response to a request from a Member to provide further detail on this adjustment, the Assistant Director, Commissioning, Business and Intelligence advised the Service had made efficiencies through transformation of services and procurement. The Head of Finance Strategy undertook to provide further detail on savings made by the Service reflected in the adjustment figure.
- **SEN and Psychology** – In response to a question from a Member about the adjustment for SEN and Psychology, the Assistant Director, Commissioning, Business and Intelligence outlined a reduction in the price of placements led to this change.
- **Service delivery** – At the request of a Member, the Head of Finance Strategy undertook to provide further detail on the changes between the MTFS position and budget position in future reports wherever possible.

Decision:

The Committee noted that Cabinet had instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2018/19 and beyond.

559 Council Plan Performance Monitoring Report Quarter 2 2017/18

Discussion:

The Deputy Director, Children and Adult Services, introduced the report which summarised the performance of the directorate in Quarter 2 of year 2017/18 for the key measures of success and projects for this Committee. With respect to exclusions the Director of Children and Adults Services reported that the Service was working closely with the Regional Schools Commissioner and a letter had been sent to all schools and academies in relation to ongoing concerns. Schools had also been asked to share good practice and an opportunity to access funding from the Strategic School Improvement Fund had been identified.

Members then raised a number of questions and comments, which included:

- **Key Stage 1 (KS1) and 2 (KS2) attainment** – Members commented that the results for KS1 and KS2 were encouraging. In response to questions from a Member about why there was a discrepancy in the

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target set by the Local Authority for the percentage of children who achieved the required standard or above in reading, writing and mathematics at KS2 (53%) and the National Standard (61%) and further, why the Local Authority target remained at 53% when it had been exceeded (57.3%) the Director of Children and Adults Services undertook to validate the data.

- **Key Stage 4 (KS4)** – A Member expressed concern regarding Key Stage 4 (KS4) performance. In response to a request from a Member, the Director of Children and Adults Services undertook to clarify the data set out in paragraph 5.2.3 to report, in relation to the percentage of KS4 students achieving the threshold (level 4) in English and Maths.
- **‘The percentage of Looked after Children (LAC) who achieve the expected standard in GCSE English and Maths’** – At the request of a Member, the Director of Children and Adults Services explained the target was set at 20% as there were a high proportion of students within the cohort with Special Educational Needs.
- **Social workers** – In relation to a comment on the development and retention of social workers, the Deputy Director, Children and Adults expressed the retention of social workers was a priority and further it was hoped that the recently approved revised terms and conditions would help stimulate recruitment.
- **Smoking in pregnancy** – At the request of a Member, the Director of Children and Adults Services undertook to provide feedback from the recent Smoking in Pregnancy event.
- **Key Stage 5 (KS5) Attainment** – At the request of a Member, the Director of Children and Adults undertook to confirm whether data on KS5 would normally be included with the Council Plan monitoring report.

Decision:

The Committee noted the report.

560 Petitions

Discussion:

The Committee received a report advising of those petitions received by the Council, which fell within the remit of the Committee, including a summary of the responses sent to the petition organisers by officers.

One petition was referred by the lead petitioner to the Committee for consideration. This matter was dealt with under agenda item 5 - Member's item: Closure of All Saints Nursery.

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Decision:

The Committee noted the petition response and appropriate officer actions in paragraph 3 of the report.

561 Work programme

Discussion:

The Democratic Services Officer introduced the report which provided the Committee with its current work programme and proposed amendments.

The Director of Children and Adults Services undertook to provide the Committee with a report on the Ofsted findings from the inspection of local area special educational needs and disabilities undertaken on the week of 4 December to 8 December 2017.

The Chairman of the Medway Youth Council undertook to provide the Committee with a report on outcome of the Annual Medway Youth Conference in due course.

Decision:

The Committee:

- a) Agreed the work programme as set out at Appendix 1, subject to adding:

11 January 2018:

- Assistive Reproductive Technologies Policy Review;
- Immunisation Services Update; and
- Maternity Services Transformation.

8 March 2018:

- Annual Report of the Children's Social Care Service;
- Female Genital Mutilation; and
- Update on the Transfer of the Family Nurse Partnership Service the Health Visiting Service.

- b) Noted that a Member's Item from Councillor Johnson regarding young refugees and unaccompanied asylum seeking children would be scheduled on the work programme for the Committee for 11 January 2018. This had been on the work programme as an information item with a date to be determined since 1 August 2017.
- c) Noted that a report from the Task Group on Employment Opportunities for Young People in Medway would be scheduled on the work programme for the Committee for 11 January 2018.

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2017**

Chairman

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