

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

Thursday, 25 July 2019

6.30pm to 9.13pm

Record of the meeting

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

Present: Councillors: Opara (Vice-Chairman in the Chair), Aldous, Barrett, Sylvia Griffin, Howcroft-Scott, Hubbard, Steve Iles, Johnson, Mahil, Purdy, Thorne and Mrs Elizabeth Turpin

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

Clive Mailing (Roman Catholic Church representative), Fay Cordingley (Church of England Representative) and Akinola Edun (Parent Governor Representative)

Added members without voting rights:

Anna McGovern (Medway Youth Council), Oliver Branch (Medway Youth Council), Keith Clear (Medway Parents and Carers Forum), Geoffrey Matthews (Teacher Representative) and Margaret Cane (Healthwatch Medway CIC Representative)

Substitutes: Councillors:
Etheridge (Substitute for Hackwell)
Murray (Substitute for Cooper)
Williams (Substitute for Kemp)

In Attendance: Ann Domeney, Deputy Director, Children and Adults Services
Sarah Hall, Virtual Headteacher
Simon Harrington-Whitnall, School Admissions and Transport Manager
Sameera Khan, Assistant Head of Legal Services
Teri Reynolds, Democratic Services Officer
Ian Sutherland, Director of People - Children and Adults Services
David Watkins, Head of Education

182 Apologies for absence

Apologies for absence were received from Councillors Cooper, Hackwell and Kemp (Chairman).

183 Record of meeting

The record of the meeting held on 6 June 2019 was agreed and signed by the Chairman as correct

184 Urgent matters by reason of special circumstances

There were none.

185 Disclosable Pecuniary Interests or Other Significant Interests and Whipping

Disclosable pecuniary interests

Fay Cordingley (Church of England Diocese representative) declared a Disclosable Pecuniary Interest in item 5 (Proposed Amalgamation of Stoke Primary and Allhallows Primary Academies) as there would be an impact on the school at which she was Headteacher (St James' C of E Primary School), should Stoke Primary Academy close, because of the proximity of the two schools. Therefore, she withdrew from the meeting during the discussion and decision on this item.

Geoff Matthews (Teacher representative) declared a Disclosable Pecuniary Interest in item 5 (Proposed Amalgamation of Stoke Primary and Allhallows Primary Academies) as he was an employee of the Leigh Academy Trust. He therefore withdrew from the meeting during the discussion and decision on this item.

Other significant interests (OSIs)

There were none.

Other interests

In relation to item 6 (Council Response to LGO Complaint re Mainstream Home to School Transport Decision and Policy) Councillor Sylvia Griffin explained that although she had sat on the School Transport and Curriculum Appeals Committee that heard the case that gave rise to the LGO complaint, the report was about the LGO's finding in relation to the Policy which was the responsibility of the Cabinet and therefore she considered she was able to participate in the item.

186 Proposed Amalgamation of Stoke Primary and Allhallows Primary Academies

Discussion:

The Head of Education introduced the report which informed the Committee of a proposal by Leigh Academy Trust to amalgamate Stoke and Allhallows Primary Academies, along with the concerns and formal response raised by the

Children and Young People Overview and Scrutiny Committee, 25 July 2019

Council. He explained that following the publication of the report, the Headteacher Board of the Regional Schools Commissioner's office had referred the matter to Lord Agnew, Parliamentary Under Secretary of State, who had made the decision to refuse the merger of the two schools.

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

- **Local authorities loss of power** – concern was raised that academisation had weakened the strategic control of the Council and therefore decisions such as the one regarding this proposal were no longer the responsibility of the Council when they relate to academies.
- **Council Motion** – reference was made to the Motion passed at Council on 18 July 2019 which requested the Cabinet to commit to keeping rural and village schools open for the benefit of the local communities in so far as its powers allow. In response to a question about how this would be taken forward officers confirmed it would be included as part of the Annual School Place Planning Review, which was due to be considered by this Committee in October.
- **Reasons behind Lord Agnew's decision** – in response to a request for the detailed reasoning of Lord Agnew's decision, officers explained that it largely related to the speed at which the academy trust put forward the proposal and the importance of supporting rural communities and their schools. However, officers undertook to request for more detailed feedback on this decision and would circulate this to the Committee.
- **Nursery provision at Allhallows Primary Academy** – reference was made to the plans for nursery provision at the site of Allhallows Primary Academy, which was part of the amalgamation proposals put forward by Leigh Academy Trust. It was asked if the nursery provision, which would be a welcomed addition to the area, could be explored further with the Trust and in response, officers undertook to do so.
- **Concern of future proposals** – concern was raised that the proposal to merge the schools would be raised again in the future and it was asked how the Council could help safeguard against this and support continued education provision in the Stoke community. Officers explained that they were in close communication with the Regional Schools Commissioner's office on this issue and would continue to make clear the importance of maintaining and supporting Medway's rural schools. Reference was also made to the emerging Local Development Plan and to the partnership working with local planners in looking at education provision strategically in relation to future development across the peninsula.
- **Provision issues at Stoke Primary Academy** – reference was made to the notification parents of pupils at the school had received on the last day of term in relation to children from some year groups being transported to Allhallows Primary Academy for their learning from September due to structural concerns at the Stoke site. Officers

Children and Young People Overview and Scrutiny Committee, 25 July 2019

confirmed that they would be writing to the school about this issue as they had not been made aware of this.

- **Consultation of academies** – concern was raised about consultation by the Leigh Academy Trust with students when it was merged with the Williamson Trust as students at affected schools had not been consulted on this. Officers agreed consultation across academies could be improved and undertook to work with academy trusts to encourage them to complete thorough, timely and meaningful consultation and officers also undertook to raise this issue with the Regional Schools Commissioner.
- **Supporting Stoke Primary Academy out of ‘Requires Improvement’** – concern was raised about the Ofsted category of Stoke Primary Academy, which had been ‘Requires Improvement’ for a number of years prior to Leigh Academy Trust taking over the running of the school. Officers reassured Members that this issue was and continued to be raised with the Regional Schools Commissioner.

Decision:

The Committee noted the report and the decision by Lord Agnew, Parliamentary Under Secretary of State to refuse the proposed merger of Stoke and Allhallows Primary Academies and requested that more feedback be sought in relation to the decision.

187 Council Response to LGO Complaint re Mainstream Home to School Transport Decision and Policy

Discussion:

The Head of Education introduced the report which provided details of a Local Government Ombudsman (LGO) complaint regarding mainstream home to school transport, the LGO’s finding, which was that the Council’s policy was not in line with statutory guidance and the Cabinet decision in response to the finding which was to approve the Council’s continued use and application of the current Education Travel Assistance Policy (the policy).

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

- **Information available to families** – A Member commented that information was provided to families about the policy and the implications of preferences made in admission applications, which was confirmed by officers.
- **Additional information** – Members asked for additional information in the form of a briefing note, relating to the exact point of disagreement between the LGO and the Council, which officers undertook to provide.

Children and Young People Overview and Scrutiny Committee, 25 July 2019

- **Common policy across local authorities** – in response to a question as to whether a common policy shared across all local authorities could be provided to reduce the risk of different interpretations, officers explained that there was no statutory code for school transport and local authorities were therefore able to localise their policies to meet the needs of local communities but did need to have regard to the statutory guidance. It was added that a large proportion of local authorities had transport policies which were identical to Medway's in relation to determining the nearest qualifying school and those that did not were usually because of catchment areas, which did not exist in Medway.
- **Reputational risk** – concern was raised about the reputational risk to the Council if the LGO did publish a finding of maladministration. In response, officers explained that a similar LGO complaint on the same issue was made in 2015 and the LGO found no fault of the Council and had commented that the Council's policy was in line with the statutory guidance. There had been no changes made since then. It was confirmed there was a reputational risk to the Council, which was why officers had been working hard to find a resolution with the LGO and officers had given an undertaking to consider cases where an applicant could demonstrate there had been no real prospect of the child gaining a place at their nearest qualifying school and transport was being approved in such cases. However, this had not been the case for the family related to the LGO complaint. It was also confirmed that the Council had sought Counsel advice on two occasions and had requested a view from the Department for Education, all of which supported the Council's position. The Council had agreed to share its Counsel advice with the LGO if the LGO agreed to share the advice it had obtained, but this offer had not been accepted.
- **Payment to the family** – a Member questioned why the Council would not provide the cost of the bus pass for 2016/17. Officers explained that the family were not entitled to travel assistance in 2016/17 and therefore the Council was not willing to provide the cost of a bus pass for that year. However, an offer had been made to provide a gesture of goodwill payment, in addition to the cost of a bus pass for 2017/18 as a review of the route and the addition of a footpath into the GIS system had resulted in the school being attended becoming the child's nearest qualifying school during that academic year. This offer was yet to be accepted by the LGO.
- **Review of policy** – It was suggested that the policy be reviewed from an equalities point of view and suggested areas of focus included the impact of separated families choosing to have a 50:50 parental split and also eligibility of travel assistance for children attending Pupil Referral Units on a part time basis. Officers indicated they would be reviewing the policy.
- **Travel training** – in response to a question about travel training provision for children with additional need, officers explained that a

Children and Young People Overview and Scrutiny Committee, 25 July 2019

programme was being put in place and would be piloted from September for some eligible students at Bradfields School, with a view to expand the provision, where appropriate, across Medway.

- **Better use of digital technology to highlight the policy** – Members queried whether the online system for admission applications could be more interactive or used in a way that would highlight the implications of preferences on eligibility for travel assistance. Officers explained that the information requested via the admissions system was very prescriptive under the School Admissions Code but would work with colleagues in the Digital Team to explore ways in which information about the Education Travel Assistance Policy and eligibility could be highlighted further through the system.

Decision:

The Committee noted the report.

188 Council Plan Performance Monitoring Report Quarter 4 and End of Year 2018/19

Discussion:

The Deputy Director introduced the report which set out the Council's performance in relation to the two priorities that fell within the remit of this Committee. She highlighted key areas of progress and areas that required further improvement and focus.

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

- **Balance of experience amongst social workers** – in response to a question about the balance between experienced and newly qualified social workers, officers explained that there was a very careful balance of experience to ensure that newly qualified social workers were well supported and experienced social workers were not burdened. There was an aim to recruit 15 newly qualified social workers per year and generally one was allocated to each pod/team. It was added that more looked after children, particularly those with a disability, were being assigned to the same social worker for more than two years, which was key in terms of the experience of the child.
- **Early Years Foundation Stage (EYFS)** – concern was raised about the percentage attainment gap at EYFS and whether this was attributable to the reduction in children's centres which had been a driver in terms of supporting children for school readiness. Officers explained that due to strong efforts in encouraging take up of the free entitlement to the pre-school offer for 2 and 3 year olds, demand had greatly increased and officers were working hard to strengthen the offer available going forward.

Children and Young People Overview and Scrutiny Committee, 25 July 2019

- **Persistent absence** – in response to a question about the main cause of persistent absences officers explained it was largely attributable to pupil behaviour. It was added that figures were improving in this area and both schools and families were being supported to ensure boundaries were in place to support children with their behaviour when in and out of school.
- **Regional Adoption Agency** – concern was raised about the uncertainty for staff around the future adoption service. Officers confirmed they were aware of the impact of forthcoming change and were working across the local authorities involved to ensure careful communication with staff and the impact of the changes would be as minimal as possible.
- **Not in Education, Employment or Training (NEET)** – Concern was raised in particular about the 11 children with special education needs who had been identified as NEET. Officers undertook to share information with Members on what support was being provided to these children and young people.

Decision:

The Committee noted the report.

189 Educational Attainment of Medway Looked After Children

Discussion:

The Deputy Director, Children and Adults and the Virtual Headteacher introduced the report which provided the Committee with information regarding actions being taken to improve the educational attainment for Medway looked after children.

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

- **Partnership working with Medway Youth Council (MYC)** – the MYC Chair invited the Virtual Headteacher to work together to involve more looked after children into MYC and ensure the voices of looked after children are represented by the MYC.
- **Personal Education Plans (PEPs)** – in response to a request for more clarity around PEPs, officers explained that they were documents written with young people, their school, social worker, carer and others as applicable to record targets for educational achievement and the support required. Where a child does not meet the expected progress, this is picked up in PEP dialogues to identify any additional or alternative support the child may need.

Children and Young People Overview and Scrutiny Committee, 25 July 2019

- **Future funding of the virtual school** – in response to a concern raised, officers reassured Members that funding would be continued and was provided via the high needs section of the Dedicated Schools Grant.
- **Supporting Care Leavers beyond 18 years old** – in response to a concern about the high proportion of looked after children within the justice system and the vulnerability of young people leaving care, officers confirmed that the local authority had a responsibility for children in care up until the age of 25 and encouraged children in care to remain with their foster carers until at least that age. It was added that officers were in the latter stages of planning for a Care Leavers Hub which would support care leavers in a number of ways including emotional support and independent living skills.
- **Educational journey of a child in care** – in response to a request officers undertook to produce a presentation for Members about the educational journey of a child in care and the challenges and opportunities available to them.
- **Supporting Medway looked after children placed out of area** – in response to a question about how the Virtual School ensure support is provided to Medway children placed out of area, officers confirmed that there was strong partnership working with Virtual Schools of other areas which was vital in terms of sharing the knowledge of the child and also the local knowledge of schools in the relevant area to ensure the best educational placement.

Decision:

The Committee noted the report.

190 Draft Medway Children and Young People's Plan 2019-2024

Discussion:

The Director of People – Children and Adults, introduced the report which provided the Committee with the outcome of consultation on the draft Children and Young People's Plan (CYPP) and the updated draft CYPP was attached at Appendix 1 to the report. He explained that consultation was ongoing and confirmed that responses from Medway Youth Council had since been received and would be reviewed and incorporated into the plan before final approval by Cabinet in October.

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

- **Representing the voice of children with additional need** – concern was raised about how consultation with children and young people with disabilities and additional needs would be carried out as it was felt these were unlikely to be represented by the Citizens Advice Panel. Officers confirmed that consultation was taking place with a group of young

people with disabilities and had also taken place with the Special Educational Needs and Disabilities (SEND) Improvement Board, membership of which included two young people with disabilities. He also undertook to explore the representation on the Citizen Advice Panel.

- **Children's health issues** – in relation to a comment about the prominence of children's health issues in the Sustainability and Transformation Plan, officers confirmed that this was an area of focus across all agencies and more strategic leadership on this had been a finding of both Medway's and Kent's most recent SEND Inspections.
- **Measurable outcomes** – comment was made that the plan would benefit from an accompanying document that had more measurable outcomes to determine progress and achievements. Officers explained there would be a number of key performance indicators that would support the plan in terms of measuring progress and these could be pulled together into a supporting document. In response to a further comment about the reality of achieving the ambitions within the plan, officers confirmed that the association of Directors of Children's Services continued to lobby the Government for additional funding and in addition officers were looking with their strategic partners at how effectively resources were being shared to maximise the impact for children and young people of Medway.
- **Thriving in Our Community** – in response to a question about what this meant for a child or young person in Medway officers explained it focussed on early identification of need and effective intervention to support families to be resilient.
- **Children and young people friendly version** – following a suggestion, officers indicated their wish to work with the Medway Youth Council to assist in creating a version of the plan which was child and young person friendly.

Decision:

Members agreed to forward their comments to the Cabinet for consideration.

191 Work programme

Discussion:

The Democratic Services Officer introduced the report which advised the Committee of its current work programme and recommended additions to future meetings, which were highlighted in italic text within the work programme attached at Appendix 1 to the report.

She also informed the Committee that at the meeting of Business Support Overview and Scrutiny Committee it was agreed that the next in-depth review

Children and Young People Overview and Scrutiny Committee, 25 July 2019

topic would be 'Physical Activity'. She added that this would be a cross-cutting topic and that one Conservative Member and one Labour Member from this Committee would be invited to join the task group.

A Member also requested that the item scheduled for the next meeting relating to proposed change to St Nicholas Infant School also include related changes that would be proposed at Gordon Primary School, as this proposal, although separate, was a direct link to the proposed changes at St Nicholas Infant School.

Decision:

The Committee agreed:

- 1) The work programme as set out at Appendix 1 to the report, including the proposed additions which were outlined in italic text at Appendix 1;
- 2) To receive an Inspections Update report at its meeting in either October or December 2019;
- 3) That a demonstration of the Mind of My Own app be provided to Committee Members immediately before the 3 December 2019 meeting.

Chairman

Date:

Teri Reynolds, Democratic Services Officer

Telephone: 01634 332104

Email: democratic.services@medway.gov.uk