

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

**Thursday, 4 March 2021**

**6.30pm to 10.40pm**

**Record of the meeting**

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

**Present:** Councillors: Kemp (Chairman), Opara (Vice-Chairman), Aldous, Barrett, Sylvia Griffin, Hackwell, Howcroft-Scott, Johnson, Osborne, Purdy and Thorne

**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:**

Archie Bean (Medway Youth Council), Carl Guerin-Hassett (Headteacher Representative) and Margaret Cane (Healthwatch Medway CIC Representative)

**Substitutes:** Lisa Scarrott (Substitute for Michelle Dewar - Medway Parent and Carer Forum)

**In Attendance:** Claire Burton, Regional Schools Commissioner for South London and the South East  
Kelly Cogger, Head of Early Help and First Response  
Lee-Anne Farach, Assistant Director - Children's Social Care  
Councillor Mrs Josie Iles, Portfolio Holder for Children's Services – Lead Member (statutory responsibility)  
Chris Kiernan, Assistant Director, Education and SEND  
Venita Mattu, Legal Advisor  
Councillor Martin Potter, Portfolio Holder for Education and Schools  
Teri Reynolds, Democratic Services Officer  
Rebecca Smith, School Challenge and Improvement Lead  
Roy Smith, Youth Service Operations Manager  
Ian Sutherland, Director of People - Children and Adults Services

**775 Apologies for absence**

Apologies for absence were received from Councillors Ahmed, Carr, Cooper, Chrissy Stamp, Mrs Elizabeth Turpin and from Geoff Matthews (teacher).

During this period, it was informally agreed between the two political groups, due the Coronavirus pandemic, to run Medway Council meetings with a reduced number of participants. This was to reduce risk, comply with Government guidance and enable more efficient meetings. Therefore, the apologies given reflects that informal agreement of reduced participants.

**776 Record of meeting**

The record of the meeting held on 7 January 2021 was agreed and signed by the Chairman as correct.

**777 Urgent matters by reason of special circumstances**

There were none.

**778 Disclosable Pecuniary Interests or Other Significant Interests and Whipping**

Disclosable pecuniary interests

Councillor Johnson declared a DPI in item 11 (Petition) due to his employment at the Medway Citizen Advice Bureau (CAB) being one of the organisations that supported the Holiday Food and Activity Programme. If specific mention was made to Medway CAB, he would withdraw from the meeting.

Councillor Opara declared a DPI in item 5 (Annual Report on School Performance 2019 to 2020) due to working with the Leigh Academy Trust and would leave the meeting if any specific reference to the trust was made.

Councillor Osborne declared a DPI in item 5 (Annual Report on School Performance 2019 to 2020) due to his employment by the Leigh Academy Trust and would leave the meeting if any specific reference to the trust was made.

Fay Cordingley (Church of England Diocese representative) declared a DPI in item 5 (Annual Report on School Performance 2019 to 2020) due to her employment at St James' Primary Academy and St Margaret's Junior School but relied on a dispensation that had been granted by the Monitoring Officer, allowing her to participate in the item.

Carl Guerin-Hassett (Headteacher) declared a DPI in item 5 (Annual Report on School Performance 2019 to 2020) due to his employment at The Hundred of Hoo Academy but relied on a dispensation that had been granted by the Councillor Conduct Committee, allowing him to participate in the item.

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### Other significant interests (OSIs)

Councillor Barrett declared an OSI in item 9 (Member item: Management of Youth Centres) as he was a Council appointee to one of the Youth Management Committees. He therefore withdrew from the meeting during the discussion and decision on this item.

Councillor Hackwell declared an OSI in item 9 (Member item: Management of Youth Centres) as he was a Council appointee to one of the Youth Management Committees. He therefore withdrew from the meeting during the discussion and decision on this item.

Councillor Purdy declared an OSI in item 9 (Member item: Management of Youth Centres) as she was a Council appointee to one of the Youth Management Committees. She therefore withdrew from the meeting during the discussion and decision on this item.

### Other interests

There were none.

## 779 Annual Report on School Performance 2019 to 2020

### **Discussion:**

Officers introduced the report which summarised activity in Medway's schools in raising achievement through the 2019 to 2020 academic year. Due to the pandemic, many assessments had been cancelled or withheld nationally therefore analysis was not readily available. Officers drew attention to the number of pupils attending a good or outstanding school in Medway, which was 92% pupils (84% nationally) and the number of fixed term exclusions in primary and secondary had reduced to the national rate and below the national rate respectively, which was a significant improvement. Key Stage 2 continued to be a real focus.

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

- **Key Stage 2 improvements** – officers confirmed that education leaders were committed and focussed on this area of improvement, which had progressed but needed to improve further. Reading, particularly for those children from disadvantaged backgrounds was a focus. Improvement in Key Stage 2 needed to continue which was supported by officers who confirmed this remained a key priority, as identified by the Medway Education Partnership.
- **SEND and Pupil Premium** – comment was made that pupils who had a special educational need (SEN) or were pupil premium children, had generally been more difficult to engage with remote learning during lockdown periods over the past year, which lead to a concern that this

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would widen the gap for these young people. In response officers confirmed they shared this concern and had worked on a geographical basis to identify vulnerable children who needed focus and support.

- **Children who are not in education, employment or training (NEET)** – in response to a question about levels of NEETs, officers confirmed that the number of children who had been unknown had been far too high in Medway and so efforts had been focussed on bringing down that number. This had driven up the NEET number. It was also explained that attempts were being made to increase provision in Medway to help reduce the level of NEETs. It was also acknowledged that there were a higher number of people at risk of being NEET from September due to the impact of the pandemic and officers were working on preparing for this. Lastly, it was confirmed that white British young people were the biggest cohort within NEETs.
- **Collaborative relationship** – The Regional Schools Commissioner (RSC) commented on how the pandemic had enable this relationship to be strengthened and built on. Agreed priorities included promoting collaboration including school to school support; promoting inclusive practice; and supporting schools through the pandemic.
- **Interventions for the LA and RSC** – the RSC confirmed her intervention powers generally linked to Ofsted effectiveness. If Ofsted provided an inadequate judgement to a maintained school then the RSC could issue an academy conversion order. If it related to an academy, the RSC could issue additional conditions or move the school under a different trust. The point was made that Ofsted had not been conducting inspections during the pandemic which had caused there to be little change in the system but informal dialogue had continued, particularly with trusts which were responsible for any schools causing concern. Officers added that the local authority (LA) also had enforcement powers in relation to maintained schools but was required to initially issue warning notices, including informal notices, which was used where necessary.
- **Supporting children with special educational needs (SEN)** – officers confirmed that inclusion in Medway, particularly at secondary, was poor and therefore, supported by the RSC, secondary schools had been challenged to increase resourced places. Schools had responded positively and plans were in place to create 225 additional places in resourced provision over the next five years (in addition to 330 additional special school places).
- **Categorisation of schools** – Officers explained that school effectiveness was a duty of the LA to challenge and support all schools to be good or better. Majority of schools in Medway were good or better and the Council's categorisation of schools was largely based on Ofsted outcomes, but not completely. It was added that school improvement was the responsibility of schools and so the LA would discuss with

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Headteachers to ensure there was clarity around improvement required, with an expectation that every school was then held to account by its Governing Body to identify robust actions for individual improvements.

- **Key Stage 4 strength** – in response to how this judgement in the report had been made, officers confirmed that this was via data analysis to compare the performance supplied by secondary schools with national data.
- **Performance of maintained schools compared to academies** – officers confirmed that as an LA that was pro-academy, it did not disaggregate the data between maintained schools and academies.
- **Inclusion** – officers confirmed that they had worked with primary and secondary schools to develop a number of protocols, which included Fair Access Protocols for when a child required some intervention, to collectively consider the child's needs and address the concern; Reintegration Principles, to consider how to move excluded children back into mainstream education successfully; and Inclusion Principles, for all schools to sign up to and hold each other to account on.
- **Progress 8 score** – In response to a question about Medway secondary Progress 8 performance, it was confirmed that KS4 results were generally good in Medway and above average so given that KS2 needed to improve it would indicate that progress was good. Officers confirmed that some of the schools referred to by the member would have included private schools which were not part of the duty for local authorities and would include many children who were not from Medway.
- **Absence and the impact of covid** – Officers explained that in September 2020, attendance bounced back extremely well but did deteriorate in term 2, which was later understood to be the impact of the Kent variant of Covid-19, which particularly affected Medway and Swale. Officers were hopeful that the return to school on Monday would see good attendance return.
- **Budget for staffing** – in response to a question about why the salaries for teachers in Medway were below average officers confirmed that the budget formula for Medway was low than other local authorities in the South East including Kent, which meant schools had less budget available for staffing costs.
- **High Needs Deficit** – officers confirmed that the plan to address this deficit was in place and was being regularly scrutinised by senior Members and officers. The main reasons for the overspend was a lack of sufficient specialist places in Medway, 17% more Education Health and Care Plans in Medway than the national average, and lastly that officers believed Medway was under funded by the Government and would be meeting with the Education and Skills Funding Agency to challenge funding allocations.

### Decision:

The Committee noted the report and requested to have a report on the plan to address the High Needs Budget deficit.

In accordance with Council rule 12.6, Councillors Howcroft-Scott, Johnson and Osborne requested that their votes in favour be recorded.

### 780 Attendance of the Portfolio Holder for Education and Schools

#### Discussion:

Members received a report providing an overview of progress on the areas within the terms of reference of this Committee and covered by the Portfolio Holder for Education and Schools. The Portfolio Holder responded to Member's questions and comments, which included:

- **Term 2 and Covid infection rates** – the Portfolio Holder congratulated the leadership provided by officers and by schools and the resilience of schools and pupils. He felt Government guidance was sometimes difficult to respond to due to the swift changes made, largely due to the pandemic itself. He referred to the Education Recovery Cell and the collaborative working with schools and trade unions to support schools with the reopening on 8 March 2021.
- **Medway Test** – following reference made to a family who had been unable to register their child for the 2019 Medway Test the Portfolio Holder undertook to ensure there was no issue within the system regarding registering for the test.
- **Oversubscription criteria** – reference was made that all grammar schools in Medway were now prioritising by distance rather than by score. Clarification was given that this did not override other aspects of the oversubscription criteria, such as sibling links.
- **Prevent training** – in response to a question about the impact on effectiveness of the Prevent training, the Portfolio Holder undertook to provide a briefing note with more detail on this.
- **Education MASH lead** – in response to how this role had worked during the pandemic, the Portfolio Holder explained there had been very close working with schools and children social services to identify children that may have been vulnerable or at risk.
- **School transport** – transport costs for over 16s was raised and whether Medway would consider implementing a similar scheme as run by Kent County Council. The Portfolio Holder confirmed that the Medway Youth Pass was in place. Reference was also made in relation to possible

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rebates from bus companies for unused travel passes and it was confirmed this was being explored.

- **Reduction in funding for BTECs** – the Portfolio Holder confirmed that one provider had raised concerns with the Council about some BTECs being withdrawn and that there were concerns within the education sector nationally. He believed a wide curriculum should be maintained and therefore without something else being put in place he would have concerns there would not be the right provision available for some pupils.
- **Newly Qualified Teachers (NQTs)** – it was requested that in next year's report, information be provided on the details of those that do not pass their training or have their induction extended and how those people accessed the profession and their training.
- **Anxiety of returning to school** – comment was made that many children and families were anxious about the return to school. The Portfolio Holder referred to the good return in September 2020 and added that support was being provided by Public Health in relation to mental health support and awareness. In relation to mental health and wellbeing of school staff, it was explained that a Government initiative was put in place to provide support and the local authority had helped raise awareness of that.

### Decision:

The Committee thanked the Portfolio Holder for his attendance.

In accordance with Council rule 12.6, Councillors Howcroft-Scott, Johnson and Osborne requested that their votes in favour be recorded.

### 781 Attendance of the Portfolio Holder for Children's Services (Lead Member)

#### Discussion:

Members received a report providing an overview of progress on the areas within the terms of reference of this Committee and covered by the Portfolio Holder for Children Services (Lead Member). The Portfolio Holder responded to Member's questions and comments, which included:

- **Special Educational Needs and Disabilities (SEND)** – concern was raised about the system for parents which could be complex, lengthy and frustrating for many families. The Portfolio Holder referred to the SEND inspection revisit, which identified improvements. It was added that the Council was working with schools to develop an 'ordinarily available' document, which would clarify what support should be ordinarily available within schools without the need for additional resource and would be available to every child, no matter which school they attended.

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- **Signs of Safety practice** – reference was made to the implementation of signs of safety practice and it was asked whether this would be impacted by the reopening of schools and potential increases in referrals. The Portfolio Holder confirmed that the practice was being embedded well, schools were being reassured of all the routes of support available to them and families and that the service was anticipating and preparing for a rise in referrals upon schools reopening.
- **Parent and child placements** – reference was made to parent and child placement breakdowns. It was explained that these placements sometimes related to a court directive to give a parent the best opportunity to develop those parenting skills and undertook to give more information on these.
- **Children not in education, employment or training (NEETs)** – in response to a question whether the team supporting NEETs needed to be better resourced, it was explained that the team was very effective, and the deficit was in provision itself. European funding, which had previously been accessed for NEET provision, was no longer available due to Brexit, it was hoped that some Council funding which had been allocated in the 2021/22 budget would be used to develop provision.
- **Medway Virtual School** – reference was made to the support the Virtual School had given to looked after children. The Portfolio Holder confirmed that many had attended school as vulnerable children and where they had undertaken remote learning they have been provided with devices so they could undertake their learning from home. She also undertook to report back on what plans the service had in place to continue monitoring when schools reopened.
- **Retention of social workers** – concern was raised about changes in social workers and the need for consistency, particularly with Signs of Safety practice. The Portfolio Holder confirmed that conditions for social workers had improve as had resultant retentions in the workforce which now included much more permanent members of staff compared to agency staff.
- **Best practice within special schools** – it was suggested that Medway share the best practice of its special schools.

### Decision:

The Committee thanked the Portfolio Holder for her attendance.

In accordance with Council rule 12.6, Councillors Howcroft-Scott, Johnson and Osborne requested that their votes in favour be recorded.



782 **Alternative Provision: Progress since the review in 2018**

**Discussion:**

The Assistant Director, Education and SEND introduced the report which set out the key issues relating to alternative provision (AP) since the review, which took place in 2017/18 and was published in June 2018. Three key changes were highlighted; the accelerated turnover in secondary alternative provision; the provision of outreach support and the significant reduction in exclusions. He added that the focus for the Council was to address the lack of primary alternative provision.

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

- **Outreach work** – in response to a question about the outreach work by Will Adams into mainstream schools, the Assistant Director explained that there had been a small amount of this to date at Key Stage 4 but focus had mainly been in preparing staff for this approach. He added that the review had found there were insufficient AP places, however, neither Will Adams or The Rowans had been running at full capacity and there had been no turnover in AP to reintegrate young people back into mainstream. Therefore work had been done to change the approach across Medway, to challenge schools to support young people and their families to avoid exclusions and to reintegrate young people from AP back to mainstream.
- **Communication** – officers confirmed that relationships with AP providers was good and they were on board with the developing picture for AP in Medway.
- **GFC school** – the Assistant Director, Education and SEN confirmed that the provision was referred to in the report but had been anonymised. The Council would be continuing to commission places with the provision and it was the main independent provider of AP for Medway.
- **Potential increased demand** – concern was raised that due to the pandemic and children being out of school for long periods there may be greater disruptive behaviour which could lead to more exclusions and a greater demand for AP provision. In response, the Assistant Director, Education and Schools confirmed that the process for permanent exclusions was tough and the Council would continue to challenge schools. If there was a rise in exclusion, one implication would be that there would need to be maintained turnover of reintegration. Equally, he added that if necessary the local authority had powers, either directly or through the Regional Schools Commissioner, to direct schools to take a previously excluded pupil, which would be used if necessary.
- **Reintegration** – in response to a question about the time frame for reintegration to occur, it was confirmed that this varied depending on the

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needs of the individual child but on average it would be around two terms.

- **Primary provision** – it was confirmed that the new primary AP provision, The Beeches, would not be open until 2023. A working group was currently running with Primary Headteachers and it was hoped an offsite temporary provision, with outreach support would be piloted in the summer and ready for September 2021.

### **Decision:**

The Committee noted the report

In accordance with Council rule 12.6, Councillors Howcroft-Scott, Johnson and Osborne requested that their votes in favour be recorded.

### **783 Member's Item: Management of Youth Centres**

#### **Discussion:**

The Committee received a report setting out a response to an issue raised by Councillor Johnson concerning the management of youth centres. He explained that he felt the proposed changes should have gone through Council governance and that the Committee should be aware of the proposals. He also wanted to understand how the proposed change would provide better outcomes for young people.

The Youth Service Operations Manager explained that the proposed model which would create a Medway wide Charitably Incorporated Organisation (CIO) would provide opportunities to bid for larger funding grants if it worked as a Medway wide area and would be more efficient in approach which would also be easier to attract members. In addition, he had concerns with three of the four current management committees which he felt were lacking in oversight.

In response to a question about whether the CIO could be extended to other independent youth centres, officers explained this could be something that could be considered in the future.

#### **Decision:**

The Committee noted the report.

In accordance with Council rule 12.6, Councillors Howcroft-Scott, Johnson and Osborne requested that their votes in favour be recorded.

**784 Council Plan Performance Monitoring and Risk Register Review Quarter 3 2020 to 2021**

**Discussion:**

The Committee considered the report which summarised how the Council had performed in quarter 3 of 2020/21 on the delivery of priorities relevant to the Committee.

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

- **ILACS7 (audit measure)** – in response to a question about why data had not been provided for this measure, officers explained it was an important issue but there had not been an adequate baseline to provide a target for 2020/21 but there would be one provided for the 2021/22 measure, which would provide a meaningful data measure for scrutiny.
- **Persistent absence** – in response to queries regarding persistent absence, which had been a red target for some time, officers confirmed attendance generally was good in Medway but this measure related to persistent absence, which usually related to vulnerable children and their families and was a focus for the Council going forward. Attendance data was shared by schools with the local authority, who could challenge attendance issues if concerns were raised. Additionally, a query was raised about the accuracy of the figures provided for this measure. In response officers confirmed these were unaudited figures but would investigate the data outside of the meeting and report back, in order for Members to consider adding a report on this issue to the work programme for a future meeting.
- **Monitoring recovery from the pandemic** – comment was made about the need to monitor the recovery efforts relating to the covid-19 pandemic. Officers suggested the Committee receive a specific report on pandemic recovery at a future meeting.
- **Section 47 visits** – in response to a concern raised about the number of initial child and family Section 47 assessments, where the child was visited within 1 working day, which was below target, the Assistant Director, Children's Social Care confirmed this related to staffing absence issues caused by Covid (i.e. isolations, ill health or bereavement).
- **Adoption** – reference was made to the target relating to adoption and the number of days a child spends in care before moving in with an adoptive family. Comment was made that delays from other agencies sometimes caused issues, such as medical report delays or court timescales. Officers were confident this would improve in the near future

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and emphasised that the absolute priority was making the right decision for the child.

- **Lack of national benchmarking** – comment was made that the report was lacking in national benchmarking and detail. Officers undertook to take that back to the Corporate Performance Team. They also encouraged Members to ensure they used these reports alongside the dashboard data they received on a monthly basis.
- **Key Stage 2** – in response to a question about why this indicator was green when it was still an area requiring improvement, officers confirmed it was green due to the improvement Medway had made when compared nationally. However, significant improvement was still required as Medway remained in the bottom third quartile and therefore Key Stage 2 progress and attainment would continue to be a focus for improvement.

### **Decision:**

The Committee noted the report.

In accordance with Council rule 12.6, Councillors Howcroft-Scott, Johnson and Osborne requested that their votes in favour be recorded.

## **785 Petition**

### **Discussion:**

The Committee considered a report which provided information about a petition that had been received regarding free school meals. Following the petition the scheme had been extended by the Department for Education. The Director of People – Children and Adults confirmed that from Monday access to free school meals would continue in the usual way, by attendance at school.

### **Decision:**

The Committee note the report.

In accordance with Council rule 12.6, Councillors Howcroft-Scott, Johnson and Osborne requested that their votes in favour be recorded.

## **786 Work programme**

### **Discussion:**

The Committee considered the report which presented the Committee's current work programme.

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### **Decision:**

The Committee agreed the work programme as set out at Appendix 1 to the report, subject to accepting the propose changes, outlined in italic text on Appendix 1.

In accordance with Council rule 12.6, Councillors Howcroft-Scott, Johnson and Osborne requested that their votes in favour be recorded.

### **787 Thanks to the Director of People - Children and Adult Services**

As it was the Director of People – Children and Adults Services, Ian Sutherland’s last meeting before he commenced his retirement, the Chairman, with support from the Committee, congratulated the Director on his retirement and gave thanks to him for his commitment and strategic leadership during his six years at Medway Council across all Children and Adult Services.

**Chairman**

**Date:**

**Teri Reynolds, Democratic Services Officer**

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