

## **Children and Young People's Services Scrutiny Committee**

28 February 2024 – At a meeting of the Children and Young People's Services Scrutiny Committee held at 10.00 am at County Hall, Chichester, PO19 1RQ.

Present: Cllr Linehan (Chairman)

Cllr Baldwin	Cllr Dabell	Mr Cristin, Left 11.35
Cllr Burgess, Arrived 10.27am	Cllr Evans	Mrs Oldroyd
Cllr Cherry	Cllr Mercer	Mr Lloyd
Cllr Cornell	Cllr Smith	Mrs Coles

Apologies were received from Cllr Hall, Cllr McGregor and Cllr Sparkes

Also in attendance: Cllr Russell, Cllr Hunt and Cllr Joy

### **42. Declarations of Interests**

42.1 In accordance with the County Council's code of conduct the following declarations were made:

42.2 Cllr Cherry declared a personal interest as the Leader of Burgess Hill Town Council, in relation to any discussions on the Bedelands Academy School, under agenda item no 7.

42.3 Cllr Cornell declared a personal interest as governor at Manor Green College in Crawley, under agenda item no 7, on special needs issues.

42.4 Cllr Dabell declared a personal interest as his daughter is the headteacher of Baldwins Hill Primary School in East Grinstead, under agenda item no 7, in relation to school placements.

42.5 Cllr Smith declared a personal interest as the parent of a child with an EHCP, under agenda item no 7.

### **43. Urgent Matters**

43.1 No urgent matters were raised.

### **44. Minutes of the last meeting of the Committee**

44.1 Resolved – That the minutes of the meeting held on 17 January 2024 be approved as a correct record and that they be signed by the Chairman.

### **45. Responses to Recommendations**

45.1 Resolved – That the Committee notes the responses to the recommendations provided from recent meetings.

45.2 Additionally the Chairman read out the following statement:

"In November, we discussed the SEND Recovery Plan, during which we focused heavily on the processes around EHC Needs Assessments, Plans and delivery of provision.

The discussion rightly focused on the challenges currently facing those children and young people who are impacted, and also on the pressures facing the Service.

For County Council staff listening in to the discussion, I recognise that this may have been extremely demotivating for you, as you work very hard for our children and families in West Sussex. The challenges you face in your roles are often down to pressures outside of your control, but for which the teams are held 'responsible' by those who have their own anxieties awaiting support for their children and young people.

Scrutiny plays an important role as a critical friend to the Cabinet Member, and the service, in order to achieve the best outcomes. Keeping pace with an evolving and growing number of children and young people being identified with needs necessitating Needs Assessments, is a huge challenge. Something the SEND Recovery Plan aims to address.

We need to work together, without blame, to come up with solutions, policies and procedures so that we can provide the very best services to our residents.

The committee recognise and THANK all our staff for your hard work, and we will continue to support you in the roles that you do in supporting our residents each and every day."

#### **46. Chichester School Proposals**

46.1 The Cabinet Member for Children and Young People, Learning and Skills, Cllr Russell, introduced the report highlighting the proposals to relocate Jessie Young Husband School (JYHS) to a new school site allowing the County Council to increase and maintain special provision at St Anthony's Special School (SASS) to give children with special educational needs and disabilities more choice and an opportunity to attend a school in their locality which could meet their needs, whilst reducing the need to travel long distances to schools in other parts of the county, or out of county.

46.2 The proposal also linked closely to the need to consider all children by protecting the viability of all maintained primary schools across the county where numbers on roll continued to fall due to the decrease in birth rates. The development of the new primary school in Chichester, which was already under way, would be subject to the academy presumption process in the absence of any relocation of any existing school, which if followed though could threaten the viability of all existing schools in the Chichester area including JYHS.

46.3 Discussions on the potential relocation of JYHS had been underway for quite some time and had involved all parties, including the Chairs of

Governors at JYHS and SASS, both headteachers, County Council education officers, the Secretary of State for Education, who is also the local MP, previous Cabinet Members and Cllr Russell, who is the current Cabinet Member in post. Following a meeting in October 2023 it was agreed to proceed to informal consultation on the potential to relocate JYHS and consider views on a revised catchment area. This consultation was extended at the request of the JYHS governing body and ran from mid-December 2023 until the end of January 2024. The output of the informal consultation is before the Committee and the Cabinet Member welcomed any views and recommendations to assist the team in making decisions on the next steps.

46.4 Cllr Joy, local member for Chichester West, and Cllr Hunt, local member for Chichester North, gave statements on the reactions to the proposals in their constituencies.

46.5 Cllr Joy told the Committee that his constituency covered the Minerva Heights development and not the JYHS area but that he had received many letters in opposition to the relocation. The concerns raised included the adequacy of the consultation, the adverse impact on the community, the reduction in school places, an increase in school commute time, exacerbation of traffic issues and the need for infrastructure investment.

46.6 Cllr Joy felt there needed to be wider and more meaningful input from parents and residents, safe access to the school, an understanding of broader community impacts of infrastructure, reassurance on the sustainability of long-term provision, parental reassurance and understanding of the importance of each child's pathway so that both schools could benefit.

46.7 Cllr Hunt told the Committee that the proposals seemed to make sense on paper, to allow two exceptional schools to expand, however he felt it did not consider the impact on parents, both current and future. Cllr Hunt had initially said he would support the proposals if the headteacher and governing body of JYHS were behind the plans. Originally the JYHS governing body had been behind the scheme but had written to parents to say they were no longer supportive of the plan and this was not reflected in the main report.

46.8 Cllr Hunt had requested that a plan be prepared for a safer route to school and a safer crossing point on the busy main road, the B2178, at the St Paul's Road/Sherborne Road junction, as had been requested by residents for many years. Cllr Hunt reported that around 86% of children currently walked to JYHS school, but most would be likely to have to go by car if the school was relocated, which did not appear to support the County Council's walking and cycling initiatives.

46.9 Cllr Hunt expressed concern that if the numbers of children in the Minerva Heights development needing a school place reached those projected in the report, they would fill the allocated spaces in the new school and asked where the children in the current JYHS catchment area would go? Cllr Hunt also highlighted the on-line petition referred to under

paragraph 2.7, which showed extensive support from the community for JYHS to remain on their present site.

46.10 Members of the Committee asked both councillors whether they felt sufficiently effective consultation had been made with parents and both felt it could have been better. Cllr Hunt mentioned that parents had requested a public meeting which had been turned down and Cllr Joy felt parents should have been involved at an earlier stage and that their concerns should be taken on board.

46.11 Cllr Russell responded to the comments reminding all that the decision was not determined and that the informal consultation with parents, carers and residents had been the first step in the consultation process, to gauge views from the local community on catchment areas and the relocation in principle to a new site. Comments made during the discussion today and recommendations made by the Committee would be taken away by officers to consider the next steps. If it was decided to continue with the proposal, statutory documents would be issued, and a formal consultation period of 4-6 weeks would take place. If at that point it would be prudent to include meetings with parents/carers of pupils at the school, they could be held. Cllr Russell highlighted that Department for Education guidance stated that a move of any school of under two miles did not need statutory proposals. This showed the County Council was going above and beyond to consult with the local community when it legally did not have to. Members asked that if the proposal moved to the statutory stage the Scrutiny Committee could be kept updated on the formal consultation and the next steps.

46.12 The on-line petition had been received two hours before the consultation closed and was on an external petition site which the County Council could not access. Work with the petition organiser now meant that they had all the information to follow up in the correct manner to enable the County Council to verify names and addresses.

46.13 Members of the Committee asked questions and a summary of those questions and answers follows.

46.14 A member asked if there would be sufficient funding to enable the expansion of SASS. Cllr Russell assured the Committee that £20m had been allocated for spending on SEND and some of that would be available for this project.

46.15 Members raised concern about the safety of children and their parents walking to the new school, and how more parents might therefore choose to drive. Cllr Russell reported that the schools' streets team were working with Active Travel England to bid for crossing improvements for all members of the community and encouraged the local members to pursue a Community Highways Scheme for the works independently of any changes arising from the Chichester Schools proposal. Officers confirmed the route had been walked on 2 January 2024 (wet day), 16 January (dry day) and 21 February (wet day) and it was believed the proposals would allow families to walk to a site in the Minerva Heights development from the area around the current JYHS site. It was also reported that a feasibility study was being undertaken by an external

company to consider further options. Members asked to be updated on progress at a suitable time.

46.16 Members asked, considering an additional 300 SEND places were predicted to be needed in the county over the coming years, whether 50 places was a piecemeal solution and what proposals there were for the additional SEND places needed. Officers acknowledged the wider need for places, but this proposal was to try and help children with SEND needs in the local community. Currently 52 local children travel out of the Chichester area to other special schools because placement allocation is done by need not catchment, and this could have significant costly transport implications. Other projects were ongoing to increase SEND provision, including adding Special Support Units in mainstream schools, a Department for Education bid for a full special school, and locality-based SEND provision to ensure children do not have to travel too far.

46.17 A member asked about the responses that had raised concerns about the loss of school community. Officers reported that in previous school relocations similar concerns had been expressed but relocation to another site had not changed this as the ethos of the school is created by the headteacher, the governing body and school staff and many were thriving in newer buildings with lower running costs and less maintenance.

46.18 A member asked why the JYHS governing body had changed its stance on supporting the relocation of the school. Officers reported that JYHS was a popular school, with applications exceeding the number of places available from children all over Chichester. The governing body were keen to relocate until it was realised that although the school would be built for 2FE it would open as 1FE at the start in case the second phase of the housing development did not happen. The existing JYHS school could move across to the new school as all pupils could be accommodated. It had been explained how opening as a 2FE could destabilise many other schools across the Chichester area if parents wished to move their children out of their current schools to the new one. Normally a school would introduce a second Form Entry at reception year and then it would progress through the school in following years. However, remaining at the current JYHS site would never allow the school to be able to expand.

46.19 Members asked whether the option of moving SASS to the new school site had been considered. Officers confirmed that it had been discussed with the headteacher of SASS but the specification of the new school being built would be different to what was needed by those pupils. Transitioning special school pupils would be significantly more challenging due to the nature of some special needs, which in some cases could take a very long time. Members requested the opportunity to see an impact assessment of the proposals for the children at JYHS and SASS should the proposals proceed.

46.20 Resolved – That the Committee:

1. Recognises the need to increase SEND places in West Sussex and that the expansion of SASS would provide some of the much needed special school places in the local area.

2. Acknowledges that the consultation process is still underway and the next step will be to go out to statutory proposals where further views can be considered prior to any decision being made. The Committee asks to be kept updated on this.
3. Hears and thanks residents for their comments and feedback provided through the consultation so far, and the views from the local members and notes the concerns raised, including the additional distance to travel to the new site, the need for a suitable walking/cycling route to school, traffic implications, and the concern on sufficiency of local primary school places.
4. Recognises the importance of a safer route to school for the proposed new location and heard of the work ongoing with the Safer Routes For Schools team. The Committee asks that this is progressed as a priority to ensure that there is a sufficient and robust walking and cycling route in place should proposals go ahead.
5. Agrees that upgrades to crossing facilities on St Pauls Road/ Sherborne Road junction should be progressed regardless of whether these proposals go forward.
6. Sought assurance and highlighted the importance of ensuring that capital funding will be available to ensure the additional SEND places can be delivered if the proposals proceed.
7. Would like to see the impact assessment on transitions for children as part of the decision-making process.
8. Sought clarity on whether the outcomes of the proposal would balance against the impact the proposals could have on local parents and families.

#### **47. Early Years and Childcare Strategy 2024-2027**

47.1 The Cabinet Member for Children and Young People, Learning and Skills, Cllr Russell, introduced the report highlighting that the first few years of child's life lays the foundation for a child's physical, emotional, social, educational and economic future and investment at this stage of their lives will result in long-term positive change. The strategy links to the Council Plan and the Children and Young People's Plan.

47.2 Members of the Committee asked questions and a summary of those questions and answers follows.

47.3 It was acknowledged that the high-level draft did not clearly lay out the importance of support in the home environment on the development of children. However, this was embedded in the priorities and the wording would be amended to better reflect this.

47.4 Children with SEND will be identified and providers will be encouraged to be ambitious for all children, recognising needs and

supporting all children to ensure they have the best start to their education journey. Training will also be provided to recognise that disadvantaged children will need extra support but may not have a particular SEND need.

47.5 There are challenges nationally on the recruitment of staff, but the process is under way to recruit to unfilled posts and will continue to be regularly monitored. The service is in a good position to implement the strategy from April 2024.

47.6 It was recognised that Good Level of Development (GLD) for last year for all children in West Sussex was in line with national figures, however the performance by disadvantaged pupils, 42.3%, was lower than nationally, 51.6%. The delivery plans will specifically target work to improve outcomes at the Reception year through priorities 1, 3 and 6.

47.7 It was acknowledged that getting disadvantaged children into an early years setting that helps them would be beneficial. The Strategy and increased funding will give opportunities to more children. Early Years care advisers can support families to get children into appropriate provision.

47.8 Members asked if there would be an analysis by geographic area, showing areas of the strength or weakness of provision, to aid levelling up. Officers reported that this would be possible and could be reported on as part of the roll out of the Strategy. A lead officer for wrap-around childcare would be undertaking exploration and analysis as the offer rolls out to children who are 2-years-old to check provision is in the right place and support providers who need to be better. It was recognised that not all child minders take up the funded entitlement and the service does not have to support those providers. However the service is looking to recruit more advisers so that more work can be put into building links with non-funded child minders in order to help them improve the quality of the service they offer. This will be covered by workstream 6.

47.9 Members were assured that Key Performance Indicators (KPIs) would be developed that linked to the 8 priorities of the Strategy.

47.10 The governance arrangements for the Strategy would be that a working group would be developed which would then feed into the Children's First Partnership Board.

47.11 The Cabinet Member for Children and Young People, Learning and Skills, Cllr Russell, thanked the Scrutiny Committee for their comments which would be fed into the Strategy and looked forward to bringing the next progress update back to the Committee at the end of the academic year.

47.12 Resolved – That the Committee:

1. Welcomes and supports the proposed Strategy and the work undertaken to bring Early Years Provision into one place, recognising that these are high level priorities and asks to see

the delivery plan and key performance indicators once developed.

2. Recognises the need for strong partnership working for the delivery of the Strategy.
3. Highlights that support in the home environment can help to deliver better outcomes for children and asks that this is more explicit in the Strategy.
4. Highlights that early identification of SEND and gifted and talented children as well as support in transitions into school are important parts of the Strategy.
5. Would like to see there is explicit reporting around the progress of Good Level of Development for West Sussex Children within the Strategy Delivery Plan.
6. Suggests that there is exploration on any patterns or trends on impact of Good Levels of Development for disadvantaged and SEND children by type of educational setting, and geographical location.
7. Highlights the quality of childminding by those who do not provide funded places and welcomes that this will be addressed through the Strategy.

#### **48. Performance and Resources Report - Quarter 3 2023/24**

48.1 The Cabinet Member for Children and Young People, Learning and Skills, Cllr Russell, introduced the report highlighting that the quarter three projected overspend of £24 million was due to an increase in demand and complexity of placements, alongside a growth in the number of pupils needing home to school transport. The Dedicated School Grant deficit is predicted to increase to just under £74m by the end of the financial year.

48.2 Cllr Russell highlighted that the Department for Education had undertaken a review of improvement activity in October 2023, focussing on family safeguarding, care leavers and effective partnership arrangements, and had concluded that the authority continued to improve practice in all three areas and acknowledged that the service is committed to the ongoing pace of improvement.

48.3 Members of the Committee asked questions and a summary of those questions and answers follows.

48.4 A member asked that the KPI results include further information such as numbers of cases, rather than just percentages, to give greater context and view of ongoing performance.

48.5 Members asked that under **KPI 25 and 26** where only West Sussex maintained schools were covered, it be changed to all schools so that



residents could see the figures for all schools and students. Officers agreed to investigate this.

48.6 **KPI 30** – Members asked why there had been an increase in **NEETS** from 6% to 9.5% and officers reported that a lot of work had taken place and the number of unknowns was now down to around 1,000.

48.7 **KPI 56 – Percentage of EHCPs completed in 20 weeks** – Officers confirmed that the September figure was skewed because of the school holiday period but acknowledged that performance was not acceptable and that a recovery plan was in place to get performance to 100% over the next 12-18 months. This would not happen until the backlog of applications had been cleared. The data was also reported to the SEND and Alternative Provision Improvement Board who had close oversight of this work. Funding had been made available to recruit further staff and the budget for 2024-25 had been reset to double the size of the team. Data broken down by month and backlog versus new applications would be included in the EHCP Recovery Plan. Members asked that the data included case numbers as well as percentages.

48.8 **KPI 57 – Children and young people with EHCPs accessing mainstream education** – Members queried why this was rated as green. Officers highlighted that work was being progressed to revise the target for the next financial year.

48.9 **Timeliness of Contacts in 3 days** – A member asked why the timeliness had decreased by 10% and was informed by officers that the number of contacts at the end 2023 had been affected by staff sickness but that the January 2024 figure was increasing again. The rolling annual figure is in the mid-90%. Members welcomed the work being undertaken but expressed their concern at the drop in performance.

### **Finance Summary**

48.10 A member raised the continued pressure of **placement costs** and asked what initiatives were being introduced to drive down the use of expensive providers. Officers reported that much activity was taking place on what was a demanding national picture. There had been engagement in regional and national discussions on effective agitation of the placements market. Initiatives locally included the service leadership team looking at how to engage more effectively with small providers and not-for-profit providers who wished to expand their services. **Action:** A briefing on these initiatives to be shared with Scrutiny Committee members.

### **Cost Drivers Information**

48.11 **Number of Final Statements** – The table showed a doubling of numbers since 2015, and a member asked if it was possible to compare staffing levels in the SENAT and Educational Psychology Team to the number of statements to see if the teams have been managing. Officers reported that staff numbers were being increased, although recruitment of Educational Psychologists was a national challenge. The service were also looking at other creative ways of working.

48.12 **Total Number of Pupils Transported** – A member felt that numbers of parents taking up the Parent Mileage Grant was low compared to other many local authorities and asked if work was being done to encourage parents to take up this option? Officers reported that a scoping exercise was taking place around the whole high needs block pressures which included exploring home to school transport. A workstream would be established to look at pupil transport including parental transport. The member offered to discuss the matter with officers.

### **Capital Programme**

48.13 **28 - Slinfold School** – A member asked how the school would cope if the cost of a permanent two-class extension was not in budget. **Action:** The Cabinet Member committed to respond back to the member on this question outside of the meeting.

48.14 **36 – Woodlands Meed** – A member thanked the Cabinet Member for their determination not to agree a handover until the new school building was in a fit state but wondered how substantial problems had not been identified sooner. The Cabinet Member expressed disappointment at the delays, mostly caused by the contractor having a bare minimum of workforce onsite to get the project completed. The County Council, the school and the governing body were all aligned on the stance that they would only accept a building that is good enough for pupils to use.

48.15 Resolved – That the Committee:

1. Asks that Performance Measure 25 and 26 on the Ofsted ratings of schools are expanded to include all West Sussex schools.
2. Raises that the performance of the number of EHCPs being delivered within the 20 weeks is not where it needs to be. The Committee asks for the actual number of EHCPs being delivered within 20 weeks to be provided.
3. Welcomes that the target for Key Performance Measure 57 will be revised to be more ambitious.
4. Seeks clarity on the current performance of number of contacts being completed within 3 days and welcomed the work being undertaken.
5. Suggests that promoting parental transport for home to school transport should be progressed.
6. Requests a short briefing around resources to address the rise in number of statements.
7. Welcomes further detail on work underway to address the pressure on high-cost placements when available.

## **49. Work Programme Planning and Possible Items for Future Scrutiny**

49.1 The Committee agreed the revised Work programme.

**50. Requests for Call-In**

50.1 There have been no requests for call-in to the Scrutiny Committee within its constitutional remit since the date of the last meeting.

**51. Date of Next Meeting**

51.1 The next meeting would be held on 12 June 2024 at 10.30am.

The meeting ended at 12.53 pm

Chairman