



Leicester  
City Council

Minutes of the Meeting of the  
CHILDREN, YOUNG PEOPLE AND EDUCATION SCRUTINY COMMISSION

Held: TUESDAY, 11 JULY 2023 at 5:30 pm

P R E S E N T :

Councillor Batool (Chair)  
Councillor Cole (Vice Chair)

Councillor Dr Moore  
Councillor Pickering

Councillor Pantling

Standing Invitees (Non-Voting)

Jennifer Day  
Janet Mckenna

Teaching Unions  
Union Representative

Also Present  
Councillor Dempster – Assistant City Mayor

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**1. APOLOGIES FOR ABSENCE**

The Chair welcomed those present and led introductions.

There were no apologies for absence

**2. DECLARATIONS OF INTEREST**

Members were asked to declare any interests they may have had in the business to be discussed.

There were no declarations of interest.

**3. MINUTES OF THE PREVIOUS MEETING**

AGREED:

1. That the minutes of the meeting of the Children, Young People and Education Scrutiny Commission held on 21 March 2023 be confirmed as a correct record.

#### **4. MEMBERSHIP OF THE COMMISSION 2023/24**

The Membership of the Commission for 2023/24 was noted.

#### **5. DATES OF MEETINGS FOR THE COMMISSION 2023/24**

The dates of meetings of the Commission for 2023/24 were noted.

#### **6. CHAIR'S ANNOUNCEMENTS**

There were no announcements.

#### **7. PETITIONS**

The Monitoring Officer reported that a petition has been received from Mr T Barker, on behalf of the Campaign to ask the Council to reconsider withdrawing the funding for its residential setting. The petition was in relation to item 8 of the agenda, Ash Field Academy Residential Provision - Consultation Findings.

The Chair informed those present that the response to the Hands off Ash Field Academy petition submitted at the meeting would be received as part of the substantive item Ash Field Academy Residential Provision - Consultation Findings..

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#### **8. QUESTIONS, REPRESENTATIONS, AND STATEMENTS OF CASE**

The Monitoring Officer reported that no questions, representations, or statements of case had been received.

#### **9. ASH FIELD ACADEMY RESIDENTIAL PROVISION - CONSULTATION FINDINGS**

The Chair introduced the item. She asked officers to provide the Commission with as much detail as possible on the consultation findings on withdrawing the £400k funding per annum to Ash Field Academy, from 1 September 2024.

The Chair invited Mr Barker to address the Commission.

Mr Barker had requested to present the petition to the meeting. The petition had 1261 signatures and was in the following form:-

“We, the undersigned, request Following a city-wide review of funding for special educational needs and disabilities (SEND), Leicester City Council is consulting on a proposal to withdraw the funding provided to Ash Field Academy to support its residential education services. The withdrawal of this

funding is very likely to force Ash Field to close its residential setting. Ash Field does not receive sufficient funding from other sources to maintain the service without it. There are no comparable services offered by any other state funded education setting in the city. This will have a devastating impact on the highly vulnerable pupils who attend, all of whom have complex special educational needs. It will also cause enormous upset and stress for their families and communities, and represent an immeasurable loss to the education landscape in Leicester. We believe that the withdrawal of this funding is a grave error. We call upon Leicester City Council to reconsider their proposal, and work with Ash Field and its stakeholders to preserve this badly needed service.” The Monitoring Officer advises that this petition has received 1261 verified signatures. Under the Council’s Petition’s Scheme, the petition has met the requirement for a senior officer to provide evidence at the meeting in relation to this petition. The Lead Petitioner has been asked to introduce their petition, to which a senior officer will respond.”

The Chair allowed Mr Barker 5 minutes to address the Commission.

Members were advised that Scrutiny Procedure Rule 9 (a) (ii) (e) stated that if a petition was presented at the same Committee meeting at which there was a report on the agenda on the same subject, a Councillor may propose that the petition be considered with the report. Otherwise, the petition would be accepted with debate and referred to the Monitoring Officer for consideration and action as appropriate.

RESOLVED:

That the petition be received and referred to the Monitoring Officer for consideration and action as appropriate. Leicester City Council have offered to work alongside Ash Field Academy, the offer had been declined at present.

The Strategic Director of Social Care and Education submitted a report providing an overview of the findings of strategic review of residential provision at Ashfield Academy and the associated consultation proposal to cease funding with effect from September 2024

The Director of SEND and Early Help introduced the report. The Consultation had run from 26 September 2022 to 9 January 2023, it was extended by 2 weeks, as requested by the school to give people time to send in their responses. 378 responses had been received through the Councils Portal and further information and testimonies had been received from families with children attending the school. Two visits had been made by Council Officers and Councillor Cutkelvin to talk to parents, pupils and staff members.

Members noted that:

- Concerns raised in the report were that Leicester City Council had been clear in stating that the provision is not educational in terms of academic learning. The Council do understand as stated by Mr Barker that it provides social independent skills.
- Use of the provision would need to be included in the children’s

Education, Health and Care Plan, out of the 160 pupils at the school, none of them have it recorded in their plan, the information is detailed in the report in terms of where it fits in to the Code of Practice, in the Children's and Families Act.

- There were currently 1000 children across the city in special schools. The central government did not provide enough funding for the care required and additional funding was not available to support the provision.
- The Council has a Disabled Children's Service which is used by 283 children that receive support. If a child or young person is eligible for assistance the parents can apply for a direct payment to activities and clubs such as Memphis, which is specifically for disabled children.
- Barnes Heath is a Council owned provision that can offer required support for families with disabled children.
- There are 2 children who attend Ash Field, who live at Barnes Heath on a permanent basis. The manager of Barnes Heath confirmed the position of those children and there isn't a need for them to use the residential provision, but because they want to.
- The Council could not respond in terms of redundancies as the proposal is to withdraw funding and not to close the facility. It would be down to the academy to make that decision. The Council will work with them to look at alternatives before it gets to that point. The funding is not due to be withdrawn until September 2024, so it would enable time to consider potential opportunities.
- The Council recognise the value of the provision, but there are also increasing numbers of children and young people with special needs and disabilities and therefore priority needs to be given to providing education to this group.

After a discussion and in response to members questions, it was noted that:

- Lead Elected Members had come together with both the East Midlands and Childrens Board through the LGA to reinforce what the ADCS (Association of Directors of Childrens Services) are saying regarding the way the funding was being put together, the increase in need local authorities were seeing and trying to spread out resources that were not sufficient.
- Executive Members were trying as many ways as possible, including working with the LG Childrens Board, letters had been written to Ministers and inviting them to meetings to be challenged directly. MPs had been lobbied at regional and national conferences.
- The ADCS had recently had their annual conference and the national SEND System was a major topic of event. A very clear agreement across the sector from all Directors in the room was that the changes introduced in 2014 were seriously flawed and there was an urgent requirement for the government to review the whole process in which EHCP's were developed, as they pushed people into an adversarial medical diagnosis approach to special educational needs, which doesn't put the child at the centre of their support.
- Conversations that had been held with Education Skills Funding Agency,

who ultimately review and controls the high needs block and they were clear that they don't regard the residential provision as education. If they were to believe we were using funding for something which they don't believe is educational funding or educational provision they could take action against the authority and say in effect that the authority were misusing funding and any costs should come from the general fund, which is in a very difficult position.

- If the Council were to argue that provision remained funded from the High Needs Block, it is already several million pounds overspent. There are national schemes to reduce spending and bring those over spends back into balance. There isn't any extra money available and the pressure is to reduce expenditure.
- School transportation is not education and is not covered by the funding. It is the single biggest cost pressure in the whole Council and the team are actively working to ensure we are able to meet the statutory obligations in terms of enabling children with EHCP's to access education.
- The Council have been working on a recovery plan for the last few months and are under pressure to get it returned to the Department for Education (DFE) it isn't just about the position today, it is about projecting forward based on the fact more and more EHCP requests had been received. Part of the plan will describe changes already in place and the spend across the board, which includes the following:
- A review of the banding that is given to schools with children with disabilities was completed 2 years ago, to make it a more open and transparent process and to ensure that the funding was being directed in the right areas.
- In terms of element 3, this is a top up that we give for children that are in mainstream schools. An amount is given for a 12 month period to support a child that has additional needs for the school to be able to support that child. We had looked at the costings and the way the funding is provided to make it more equitable and there was also an increase in the amount of money available for those children.
- Millgate School had a residential provision and the funding had also been withdrawn from there.
- Disperse Special School placements had been looked into, there is a high demand for our special school placements, due to more children being approved for an EHCP. Work was being undertaken with mainstream schools to look at how they can have onsite support units that will enable children to remain at that school with support.
- There are 180 children who are in a 16 plus provision, and work is in progress to look at opportunities to support young people in a further education college rather than a special school, which would help release places for younger pupils.
- Other authorities have seen success in working with families to build bonds and peer experiences with each other outside of school, to continue leisure activities and life skill learning, with support from personal budgets or direct payments. This will help to support young adults in their lives outside of education to focus on a greater independence.

**AGREED:**

1. Lead Officers to revisit this issue and with the view to explore further options and solutions with Ash Field Academy.
2. The Council takes a city-wide review of provision related to the High Needs Block funding.
3. The comments from Members of this Commission to be taken into account by Lead Officers.

**10. INTRODUCTION TO CHILDREN'S, YOUNG PEOPLE AND EDUCATION SERVICES (CYPE) - VERBAL PRESENTATION**

The Strategic Director for Social Care and Education gave a verbal presentation on the portfolio of the Children's, Young People and Education Services Scrutiny Commission.

The various service Directors presented the following:

**Childrens Social Care**

- Caroline Tote had now retired from her role as Divisional Director in Childrens Social Care. The Council had a new recruit Damian Elcock, who essentially does the same role at Luton Council and will be starting on 21<sup>st</sup> August.
- 65M a year is spent from the general fund on Childrens Social Care. the vast majority, around 85% goes on our 641 children who are looked after either at placements or the support team works around them.
- The number of unaccompanied asylum seeker children that we have, has grown very rapidly over the last year since the Government moved from it being a voluntary process where councils would offer to take children who had arrived.
- The Government initially said that it would be a series of cycles, where are share as a local authority would be 3 children per cycle of 500 children, with 4 cycles per year, where we are currently going through cycles every 3 weeks.
- The number of unaccompanied asylum seeker children we look after in Leicester has doubled in less than one year. These children rapidly become adults as they tend to be 16 or 17 years old.
- Leicester is now in a position that 1 in 6 of our care leavers are a former unaccompanied asylum seeker children.

**Tracie Rees, Send and Early Help**

- Across the city there are 12 Children and Young Families centres which provide support to families across the city.
- The Council has been awarded a government grant to enhance the support for families via by creating a network of Family Hubs across the city.

- Commissioning and project management across the whole of children's social care.
- Statutory returns have to be completed on a very regular basis for Ofsted, the Department of Education and other organisations.
- Responsible for staff and administration across Childrens Services.

Pauline Killoran, Head of Service, SEND Integrated Service 0-25

- The team writes Education, Health and Care Plans using information provided by a range of professional
- Responsible for the Educational Psychology Service, who contribute to plans and support children and young people with special educational needs and disabilities.
- Delivery of the the Disabled Childrens Service, that provides short breaks and respite for disabled children and their families
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- Responsible for the Connexions service that supports young disabled people to secure employment, training and further education.
- Responsible for increasing sufficiency, to ensure that there are enough special school placements across the city for children and young people with special educational needs and disabilities.

Jessica Nicholls, Head of Service for Send Support Service

- Responsible for the delivering a range of services to support children and young people with disabilities, this includes:
  - Early Year Service – providing specialist nursery provision.
  - Hearing Support
  - Visual Support
  - Social Emotional & Mental Health – for those with neurodiversity needs.
  - Learning, Communication & Interaction
  - Quality Inclusion Team
- All of these teams work closely with mainstream schools, special schools, academies and local authority schools to support children and young people with special educational needs and disabilities to achieve the best educational outcomes as possible

Sue Welford, Principal Education officer handing over to Sophie Maltby from August.

- Work to strengthen out structure and the importance of building connections is around those vulnerable children. Those children will mainly have SEND needs and a support plan and some will have needs that arise later on.
- Key education tasks revolves around early education, the sufficiency and quality the provision provides from childminders and the private, voluntary and independent sector.
- With the government's announcement for children to receive 15 free

hours from nine months from September 2024 and 30 free hours of childcare from nine months from September 2025. Work will be completed to ensure those children with special education needs are identified early.

- Early years support teams are working to support children in early years education with challenges around speech, language and communication.
- Admissions service, who particularly looking at in terms of in year admissions to all out schools, state maintained schools across the city including academies, local authority and foundation schools. They work very closely across all our education provisions, particularly mainstream to identify where DSPs are needed and working closely with SEND provision as well.
- They also ensure school building are suitable for children to attend. There had been big challenges around some of our school building conditions.
- Welfare Services is a key area and their work focuses on children enrolling on time and receiving a suitable education at the school they are attending. That children are attending school and identifying children that are missing school.

The commission wished Sue Welford well in her retirement and thanked her for her hard work.

AGREED:

1. A presentation on work completed to create family hubs and what they will be doing to support families to be taken to a future commission meeting.
2. The key issues discussed be added to the work program.

## **11. WORK PROGRAMME**

Members of the Commission were invited to consider content of the work programme and were invited to make suggestions for additions as appropriate to be brought to future meetings.

## **12. ANY OTHER BUSINESS**

There being no other business, the meeting closed at 8.10pm.