



Leicester
City Council

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

Held: TUESDAY, 18 JANUARY 2022 at 5:30 pm

P R E S E N T :

Councillor Gee (Chair)
Councillor Cole (Vice Chair)

Councillor Batool
Councillor Crewe

Councillor Riyait
Councillor Willmott

Councillor Pandya
Councillor Pickering

In Attendance:

Councillor Cutkelvin – Assistant City Mayor for Education and Housing
Councillor Russell – Deputy City Mayor for Social Care and Anti-Poverty

Standing Invitees (Non-Voting)

Janet McKenna
Joseph Wyglendacz

Unison
Teaching Unions

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1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

It was noted that Councillor Moore was present at the invitation of the Chair to contribute to the Millgate School item.

2. DECLARATIONS OF INTEREST

Members were asked to disclose any pecuniary or other interest they may have in the business on the agenda.

Councillor Moore declared that she was on the advisory board for Millgate School, but as she was present at the invitation of the Chair this was not a conflict of interest.

3. MINUTES OF THE PREVIOUS MEETING

AGREED:

That the minutes of the meeting of the Children, Young People, and Education Scrutiny Commission held 7 December 2021 be confirmed as a correct record.

4. PETITIONS

The Monitoring Officer reported that none had been received.

5. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

The Monitoring Officer reported that none had been received.

6. DRAFT REVENUE BUDGET 2022/23 AND DRAFT CAPITAL PROGRAMME 2022/23

The Deputy Director of Finance submitted a report setting out the City Mayor's proposed budget for 2022/23. The Commission was recommended to consider and comment on the Children, Young People and Education element of the report. The Commission's comments would be forwarded to the Overview Select Committee as part of its consideration of the report before presentation to the meeting of Council on 23rd February 2022.

Martin Judson, Head of Finance, presented the item. The background to the budget was outlined initially, it was noted that:

- The main issues affecting the budget were the decade of austerity, the Covid pandemic, and the rising costs of Adult Social Care. Of these Adult Social Care was most significant.
- The Government Finance Settlement was better than expected but was still only for one year.
- Reserves from previous years would be used to balance the budget, however it was projected that these reserves would run out by 2023/24 and that other savings would have to be found in that case.
- There was currently no indication that the Government would provide a systematic method of funding the increasing costs of Adult Social Care for Local Authorities.

The impacts of the budget on Children, Young People, and Education Services were next outlined. It was noted that:

- The two main areas of increasing costs were CLA and SEND Services.
- Due to uncertainty around placement costs, there was no permanent budget growth for CLA Services. However, any overspend in this area would be covered by social care reserves.
- Expansion of in-house CLA placements was being looked into.

Additional support for foster carers would also be provided.

- The number of requests for Education, Health, and Care Plans (EHCPs) had risen significantly, in line with national trends. Therefore, a budget increase had been put into the SEND Service to ease the staffing strain. It was uncertain if this increase in requests would be sustained.
- Another reason for the budget growth in the SEND Service was the failed renegotiation of contracts for taxis for EHCP pupils in December 2020.

In response to Member's questions, it was noted that:

- The Department for Education was running a review of EHCP policy to understand the rise in requests for EHCPs. The Council itself was working with other nearby Local Authorities to try and understand why requests were increasing.
- Providing the assessment process for EHCPs was a statutory duty of the Council. Therefore, if requests for EHCPs continued to grow at the current rate then additional funding would need to be sought.
- Funding for support for those with EHCPs was provided by the ringfenced High Needs Block only, the general fund was not allowed to be spent in this area.
- The trends for the increase in requests for EHCPs such as by age and specific conditions had yet to be examined but would need to be.
- Most other Local Authorities were seeing a significant overspend in their Children's Social Care Budget, with Leicester being an exception to this trend.
- Permanence targets for different age groups and trends in CLA numbers were used as the main predictive measure of numbers in the future. Current considerations were older children with complex needs entering the system, unaccompanied asylum-seeking children who were placed in Leicester, and those in semi-supported accommodation.
- Court proceedings for adoption orders and other permanence options were being slowed down by the backlog of court cases from the pandemic. Once this cleared up it was thought that numbers of CLA would stabilise and decrease.

There was a discussion on the budget increase for taxi provision for EHCP pupils. Frustration and disappointment were expressed over the increase, and it was suggested that an overhaul of the provision such as bringing it in-house would improve the Service and save money. More detail was requested on the increase. Officers and Members of the Executive noted the following:

- Had the previous procurement process been successful it would have made savings for the Service. Despite having been closely involved in the design of the new approach, the taxi companies withdrew from the process immediately before the contracts would have been signed.
- The provision of transport was mentioned in the EHCP and therefore was a statutory duty for the Council.
- A consultation process had recently concluded looking at a new

transport policy for EHCP pupils. It was anticipated that this would lead to less of a reliance on taxi contracts, with other transport modes being given higher priority.

- It had previously been determined that an in-house provision would be more expensive than the current arrangements. However, due to several industry issues, the fares for private taxis had recently significantly increased. Meaning that the potential of bringing provision in-house may need to be looked at again.
- One of the options being considered in the consultation process was the Personal Transport Budget. As part of this school attendance was monitored and the budget could be withdrawn if it was being abused.
- Another option was the expansion of the Yellow Bus Service, however this was not the appropriate option for many pupils. This was an example of the importance of working with each family to determine the best transport option.
- A renegotiation of taxi contracts was ongoing, and it was hoped that this could lead to a longer term saving. Contracts were based on individual pupils.
- A number of those who use Council funded travel to school had disabilities that would make it difficult for them to travel with other pupils.
- The most suitable transport mode for a pupil might change over time, the new policy would aim to give families independence to make those choices.
- An EHCP assessed if the child needed additional support for travel to school. Meaning that not every child with an EHCP would need Council funded travel.
- It was not possible to require that any taxis providing the travel service were licensed in Leicester.

AGREED:

1. That the Commission noted that Draft Revenue Budget and Draft Capital Programme for 2022/23.
2. That the Commission noted that the Department for Education had not properly funded SEND Services and would need to provide more funding in the future.
3. That the Commission requests more details on the budget increase for taxi provision for EHCP pupils.

7. COVID-19 UPDATE AND VACCINATIONS IN LEICESTER SCHOOLS

The Strategic Director for Social Care and Education, and the Principal Education Officer, provided a verbal update on the current situation concerning the impact of Covid 19 and the Covid and Flu vaccination programmes.

- Leicester had one of the lowest rates of vaccination for 12–15-year-olds, at 35%.

- One of the largest issues around the vaccination programme was the difficulty of filling in the parental consent forms, which were online only. Mobile users in particular struggled with the forms. The Council had expressed concern to the NHS around this.
- The NHS had agreed that clinicians would go to schools and have conversations with parents encouraging the vaccine.
- Schools had returned from the Christmas holidays with no additional measures.
- There had been a significant rise in case numbers, but these were more mild and shorter illness.
- Schools were seeing some staff shortages, but so far in the year no mainstream schools had had to send pupils home due to shortages.
- Several Special Schools had had to send pupils home due to staff shortages, in those cases remote education was ongoing.
- The reduced staffing levels had made having conversations around the vaccine with parents more difficult.

In response to Member's questions, it was noted that:

- It had not been found that wearing face coverings for an extended period reduced O2 levels.
- Schools had supplies of masks to provide to students in the case of discomfort.
- Work was ongoing with schools to send out communications on the vaccine via more usual channels.
- Individual schools used agencies to procure supply teachers. Supply staff were running short, so the Government had asked retired teachers to briefly return to work. Special Schools were struggling with supply staff due to the specifications of the work.
- There was variation in vaccinations levels for schools, largely based on their geographical areas.
- Consent form data for each school was now available, so this was currently being cross referenced with school sizes to determine percentages for each school.
- Consent forms allowed parents to refuse consent, however the number of refusals were very small.
- It was hoped that schools could put systems in place to help overcome the digital divide when it came to consent forms.
- Walk-in clinics were simpler for parents as consent could be given there and then. Schools had been asked to share information with parents when pop-up centres opened nearby.

AGREED:

1. That the Commission noted the update.

8. OFSTED INSPECTION REPORT

The Strategic Director of Social Care and Education submitted a report

following the recent Ofsted Inspection of Children, Young People and Education Services alongside letters from the Department of Education and Ofsted.

It was noted that the Commission had previously received a verbal report on the outcome of the Ofsted inspection. The full report was included in the agenda pack for Members to read, as were two letters from Ofsted and the Department for Education. Members were informed that receiving such letters was rare and therefore reflected the positive outcome of the inspection.

Members of the Commission welcomed the positive outcome and thanked officers for their work to continue delivering high quality services for children and young people.

AGREED:

That the contents of the report be noted.

9. MILLGATE SCHOOL RESIDENTIAL REVIEW REPORT

The Strategic Director of Social Care and Education submitted a report providing an overview of the findings from a strategic commissioning review of Millgate School's overnight respite and residential provision.

Councillor Cutkelvin, Assistant City Mayor for Education, and the Director of Adult Social Care and Commissioning, presented the item. It was noted that:

- Due to budget pressures, the spending on the High Needs Block was under review.
- This review had made it clear that the level of spending per student at Millgate School was much higher than other Special Schools, in part due to the residential facilities provided by the school being funded by the Block.
- Therefore, a review had been conducted into the provision. Staff, pupils, and parents were all included in the review.
- A number of possible recommendations were proposed following the review. It was decided to recommend Option 3 that funding from the High Needs Block towards the residential provision be tapered off as it was found to be outside the remit of the Block.
- The Council would work with the school to try to find additional funding to repurpose the respite facility and make it available for pupils of other schools.

In response to Members' questions, it was noted that:

- Millgate School had chosen to go to an academy model, but this had made no impact on the decision.
- The residential provision was currently only available to Millgate pupils.
- The money saved would continue to be spent in other areas relevant to the High Needs Block as the funding was ringfenced for this purpose.

- Respite provision was a Care provision rather than Educational, and none of the children using the service had this requirement included in their EHCP. Provision of respite from the Children's Social Care budget was under review.
- The pupils of Millgate would not have met the threshold to receive respite funding from the Children's Social Care budget.
- A wider funding of respite provision would be preferable but was not possible due to budget pressures.

Several Members of the Commission stated that it was regrettable that the provision could no longer be supported, and expressed disappointment that the High Needs Block funding was not more and that with the current funding the extra spending on the provision couldn't be justified.

Councillor Moore was invited by the Chair to give her views as a member of the advisory board for Millgate. Whilst recognising the efforts of Officers and the Executive in this issue, she disagreed with the recommendation to taper funding for the residential provision. It was suggested that the provision did fall under the remit of the High Needs Block, as a link could be drawn between educational success and having good accommodation. It was also suggested that some who would lose the provision, may not be able to remain at the school if their behaviours escalated, which could mean them having to be placed in out of area, and at greater cost to the Council.

Other Commission Members agreed with Councillor Moore, and felt that Option 1, to review the operating model to rationalise the funding, would be preferable. It was felt that sufficient evidence had not been provided that there was no educational advantage to the respite provision.

Councillor Willmott moved that the Commission recommend that Option 1, to review the operating model to rationalise the funding, be supported. This was seconded by Councillor Crewe, and upon being put to the vote, the motion was REJECTED.

Members of the Commission agreed that there should be a comprehensive review of respite provision in Leicester, involving a full range of statutory partners.

The Chair moved that the Commission recommend that option 3, "*Funding to be reduced from £400k to £300k from September – August 2021/22 A further reduction to £200k in 2022/23 and a reduction to £100k in 2023/24, no further funding from 2024/25.*" put forward by the Executive. This was seconded by Councillor Riyait, and upon being put to the vote, the motion was APPROVED.

AGREED:

1. That the Commission supported the recommendation "*Funding to be reduced from £400k to £300k from September – August 2021/22 A further reduction to £200k in 2022/23 and a reduction to £100k in 2023/24, no further funding from 2024/25.*"

2. That the Commission requested that a comprehensive review be held into respite provision in Leicester.

10. SPECIAL SCHOOL BANDING MODERATION PROCESS

The Director for Adult Social Care and Commissioning provided a verbal update on the Special Schools banding moderation process.

It was noted that a review into banding for Special Schools had shown that there was a need for moderation in the banding process. It was hoped that school leaders could have control in this moderation process. School leaders had wanted more observation and assessment in the moderation process, therefore the finalisation of the process would be delayed to make those changes. Once the work was complete a report would be brought to the Commission.

AGREED:

1. That the Commission noted the report.
2. That the Commission requested that once the moderation process was finalised, a full report be brought to the Commission.

11. HIGH NEEDS BLOCK ELEMENT 3 DECISIONS

The Director of Adult Social Care and Commissioning provided a verbal update on the consultation process for the High Needs Block Element 3 allocation.

It was noted that a full round of consultation, including meetings with school leaders, governors, and other key stakeholders had concluded. Work was currently ongoing to analyse the data from the consultation, and a full report would be brought to the Commission when ready.

AGREED:

1. That the Commission noted the report.
2. That the Commission requested that a full report be brought to the Commission when ready.

12. 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.

AGREED:

1. That the contents of the work programme be noted.

13. ANY OTHER BUSINESS

There being no other business, the meeting closed at 8.02pm.