



Leicester
City Council

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

Held: TUESDAY, 29 OCTOBER 2024 at 5:30 pm

P R E S E N T:

Councillor Batool – Chair
Councillor Gregg – Vice Chair

Councillor Clarke
Councillor Mahesh
Councillor Dr Moore

Councillor Gregg
Councillor March

Joycelin Eze-Okubuiro – Parent Governor Representative (Primary)

In Attendance:

Councillor Pantling - Assistant City Mayor for Education
Jennifer Day – Teaching Unions Representative
Mario Duda – Youth Representative
Swetha Subaskar – Youth Representative

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97. WELCOME AND APOLOGIES FOR ABSENCE

The Chair welcomed those present to the meeting.

Apologies for absence were received from; Councillor Russell, Councillor Karavadra and Janet Mckenna (Unison Representative).

98. DECLARATIONS OF INTEREST

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

Councillor March declared that she is mother of two children at a Leicester City School and is a Governor at Ellesmere College.

Councillor Dr Moore declared that she is the Chair of the Advisory Board at

Millgate School, part of Discovery Trust.

Councillor Gregg declared that his business relates to the care of children within Leicester.

99. MINUTES OF THE PREVIOUS MEETING

Inaccuracies were noted in previous minutes:

- 19th September 2023 - Councillor Joshi had given apologies, but this was not recorded in the minutes.
- 19th December 2023 - Councillor Cole was present, but this was not noted on the minutes.

This was noted by the Commission.

AGREED:

- 1) That the minutes of the meeting of the Children, Young People and Education Scrutiny Commission held on 20 August 2024 be confirmed as a correct record.
- 2) That the minutes of the meetings on 19 September 2023 and 19 December 2023 approved by the Chair be amended in the above respect to correct an inaccuracy subsequently discovered.

100. CHAIR'S ANNOUNCEMENTS

None.

101. QUESTIONS, REPRESENTATIONS, AND STATEMENTS OF CASE

The Monitoring Officer reported that none had been received.

102. PETITIONS

The Monitoring Officer reported that none had been received.

103. HIGH NEEDS (HNB) MANAGEMENT RECOVERY PLAN AND TRANSFORMATION PROJECT

The Director of Education and SEND submitted a report providing detail on the HNB Management Recovery Plan that forms part of the transformation plan.

The Chair acknowledged that this item had been awaited for some time. Also, the Commission were made aware that the report had gone to the Executive on

the 10th October 2024.

The Assistant Mayor for Education and SEND introduced the segment and highlighted recommendations from the recent National Audit Office report on Support from Children and Young People with Special Educational Needs. It had stated that England's SEND System was in urgent need of reform. The final recommendation had been to develop a vision and long-term plan for inclusivity for SEN children, across mainstream education, where the setting could best support those with SEN requirements. It was suggested that committee members read the report as it linked in with the HNB report.

The Director of SEND and Education reminded the Committee that SEND Education is funded through the High Needs Block, the money is ringfenced and there is currently a statutory override in place meaning that funds cannot be transferred from the general fund and vice-versa. The demand for SEND had been rising nationally and government funding had been struggling to keep up with demand. Leicester City Council is one of the Local Authorities experiencing funding deficit. The Government had put two programmes into place to attempt to mitigate the situation for those authorities with larger deficits than Leicester. However, the Education and Skills Funding Agency had requested that Leicester City Council submits a formal deficit recovery plan. As part of this, a management and transformation plan had been developed. Without this, it has been predicted that by 2030, there would be a cumulative deficit of over a hundred million pounds.

The transformation plan now had six aims:

- Implementing DFE reform - this was in response to the SEND consultation.
- To develop the ordinary offer in educational settings – inclusive practise to include children in Mainstream schools. The Local Authority is already several years into this plan.
- To examine and review internal processes and systems.
- To increase parental confidence – working with families & stakeholders.
- Reviewing placements.
- Examining how the Local Authority works with stakeholders.

The Chair welcomed the committee to ask questions – none were raised by Officers. Councillors raised a number of questions and it was noted by two members that the report had brought a welcome level of honesty. Other key points included:

- In response to a question on potential increasing strain placed upon mainstream schools to support SEND, The Director of SEND and Education replied that the emphasis is on creative spending and that extra support from the government could allow for innovation. The SEND Inclusion Transformation Manager advised that when considering placing SEND children within mainstream settings, a range of programmes, initiatives and resources are employed to support staff members. The Partnership for Inclusion of Neurodiversity (PINS) and

Early Language Support for Every Child (ELSEC) initiatives are embedded within this strategy.

- The Director of SEND and Education replied to a question on SEND timescales, advising that the statutory duty from parental request for an EHCP is six weeks to decide if the statutory assessment is necessary. If Statutory assessment was agreed the process in which a EHCP should be finalised is 20 weeks. Leicester City Council has an approximately 60% success rate of meeting this target. The national figure was 40%
- In terms of children awaiting a specialist school place, The Director of SEND and Education advised that there were children waiting for a significant time, these were mainly being supported in mainstream education whilst awaiting the SEND provision. The Head of Service for SEND commented that whilst these children wait, some of the schools were advising at Annual Review that the children were thriving and might not actually require a SEN school. The Director of SEND and Education felt that a better working solution would be to have a graduated response to supporting children in school before an EHCP is requested. Children who do need a Special School would be accommodated but if needs are met adequately within a mainstream school, then they should receive relevant support there.
- The Chair asked for clarification on the SEND crises for the Local Authority. The Director of SEND and Education advised that there were around 300 children awaiting a specialist placement post EHCP. Complexities arose due to lack of sufficient capital funding and revenue funding. The Local Authority were looking to expand special schools and applied to have a DFE Free-School, but this wasn't successful, despite two submissions. The vast majority of the 300 children were currently receiving extra support in Mainstream schools and around six children were receiving home tuition pending consultation. Other influencing factors such as City move-ins requiring placement were impacting on the situation.
- A national crisis of specialist independent special schools was discussed, and it was explained how spaces were becoming limited and placements could result in significant journey times. If places were not available in the city, independent places were considered.
- Responding to a query on the previous SEND strategy, The Director of SEND and Education advised that a piece of work had been completed on Mainstream top up funding. Special school banding and residential provision had been examined amongst other workstreams, but the SEND picture was ever changing.
- Regarding forward planning, despite the drop of in birth rates, factors such as migration resulted in problematic forecasting.
- The Strategic Director Social Care and Education discussed the collective SEND deficit, advising it was forecast to reach £8 billion nationally. He advised that the 2014 legislation did not match local finance so the Local Authority is constantly trying to redress the balance.
- A suggestion was made for a Task and Finish group to look into HNB spending and the SEND Inclusion Transformation Manager referenced the National Standards Programme pilot work where head teachers share best practice along these lines.

- The number of yearly tribunals was queried, and it was explained that there are around 80 annually - The Strategic Director Social Care and Education advised that the spending figures could be forwarded for reference.
- An action plan would sit beneath each key area covered by the report. A board, chaired by The Director SEND and Education was set up, each workstream target would be examined. This could be brought to scrutiny.
- Replying to a question on Early Years support, The Strategic Director of Social Care and Education emphasised early identification and advised that statutory checks by health visitors can pick up on issues initially. There is a wide support network available such as the Children's centre provision.
- Answering a question on HNB underfunding and the recent change of Government, The Assistant Mayor for Education and SEND advised that the Local Authority would be lobbying the government.
- Responding to a question on continued funding for Post 16 SEND school transport, The Strategic Director Social Care and Education advised that as it was not a statutory offer it would be unlikely and there had not been any indication that this would be the case.
- The Director of SEND and Education advised on the six strands added to the recovery plan, saying that they wouldn't need to consult with the DFE, they were meeting with them again in February but this shouldn't impact on the plan.
- Regarding financial challenges faced by other Local Authorities, The Director of SEND and Education advised that there were two levels of DFE Programmes, these being 'The Safety Valve Project' and the 'Delivering Better Value toolkit'. Leicester City Council examine these documents and can see the value, many of the suggestions were already in place.
- Replying to discussion of residential provision at Millgate School, the Director of SEND recommended a range of provision tailored to the child's changing needs.
- A request was agreed for a HNB Management Recovery Plan and Transformation Project Case Study be brought to the Commission.

AGREED:

- 1) That the report be noted.
- 2) That comments made by members of this commission to be taken into account by the lead officers.
- 3) That a task group on the HNB be undertaken.
- 4) That a report on sufficiency in mainstream and special schools be brought to the Commission.
- 5) That a Case Study Report be brought to the Commission.
- 6) That a report to be brought on sufficiency in Mainstream and Special Schools.
- 7) That further comments and questions could be sent to officers for consideration.

104. WORKLOAD AND RESOURCES

The Strategic Director of Social Care and Education submitted a report to provide the Children, Young People and Education Scrutiny Commission with an overview of current workload and resources available to the two children's divisions in the Social Care and Education Division.

The Strategic Director of Social Care and Education acknowledged complexities faced by the Local Authority and provided an overview of how workload and resources have been affected.

There was a diverse source of revenue for the Local Authority to manage. Growth in external division markets, trading services, grants and commissions contributed to this large network. When applied to Local Authority staffing, there were 623 members of staff.

Around 89,000 children now resided within the city and the rate of growth increases vastly each year. This was impacted by migration from within the UK and from overseas. The Local Authority is under pressure to best manage resources within challenging circumstances.

A discussion took place and a member of the public wished to raise a question. The Chair explained protocol and advised on the question submitting procedure.

Clarification was provided on a section of the report which hadn't formatted correctly. The content had explained that statistics quantifying numbers of EHCPs included not only children residing within the city permanently, but also looked after children from other Local Authorities who had been placed in the area.

- Responding to a question on increasing demand for EHCP's and how staff could be more efficiently allocated, The Director of SEND and Education advised that the team continually reviewed thresholds and workloads. The Equality and Improvement team constantly examines best practice. Whilst feedback from schools was positive, progression was greatly impacted by growth of caseloads placing a stress on SEND.
- Regarding a query on quantities of agency staff, it was clarified that these made up 21% of the staff. Benchmarking with other Local Authorities showed this to be lower than average. These figures would be shared with the commission.
- The Director of SEND and Education provided EHCP tribunal statistics. For 2023 there were 900 requests for EHCPs. 20% were refused. For the year to date, 560 EHCPs were requested, with 30% refused. This year there were 31 mediation meetings and 53 tribunals.

AGREED:

- 1) The benchmarking figures on agency staff be shared.
- 2) That the report be noted.
- 3) That comments made by members of this commission to be taken into account by the lead officers.

105. ADVENTURE PLAYGROUNDS UPDATE

The Strategic Director of Social Care and Education gave a verbal update on the current position regarding adventure playgrounds.

Key points included:

- The final payment to play associations had been agreed and was to be issued next financial year. Each play association would receive 50% of their usual historic grant. The associations could use their final payment as they wished in order to help them to function as they awaited decisions on other forms of funding.
- Each play association had met with Estates and Building Services to look at the value that allows them to have a licence. Licences would be issued for five years from next year. For this period the local authority would pick up maintenance costs which would then go through into a lease.
- Parkland in St Matthews had needed a small public consultation. This had passed without comment.
- There had been issues with the conditions of the roof at Braunstone. Estates and Building Services were looking into this to find a solution.
- Conversations around asset transfer were ongoing, and risk was being looked into for the various organisations.
- Positive feedback had been received from play associations, and sustainability plans were in place.

The Chair requested that final feedback on parachute payments and licences be brought to the Commission.

AGREED:

- 1) That the report be noted.
- 2) That final feedback on parachute payments and licences be brought to the Commission.

106. LEICESTER SAFEGUARDING CHILDREN PARTNERSHIP BOARD - YEARLY REPORT 2023/24

The Strategic Director for Social Care and Education submitted the Leicester Safeguarding Children Partnership Board Yearly Report for 2023/24.

The Commission were invited to comment on how effectively Leicester safeguarding partners (police, health, and local authority) have jointly reported on the activity they have undertaken in a 12-month period, with a focus on multi-agency priorities, learning, impact, evidence, and improvement.

The Independent Chair of the Partnership presented the report.

Key points included:

- The report provided an account of multi-agency work undertaken in the 2023-24 period in terms of statutory requirement and priorities identified for Leicester.
- Priorities were identified based on evidence and data presented, as well as on reviews done nationally.
- The report also detailed areas and groups undertaking work on behalf of partnerships.
- The partnership was aware of the importance of children being heard and responded to. This was a key feature of the report and the voice of children had been presented in a cohesive way.
- Very detailed scrutiny had been undertaken to look at what had been working well and mapping against requirement, as well as looking at best practice in other areas of the country and provision in terms of the way the partnership worked.
- The scrutineer had been worked with on how to engage children and produce policies in an appropriate and child-friendly way, looking at priorities from children's perspective.
- There had been a requirement for change in chairing arrangements between the partners.
- Whilst education had not been made a statutory partner, it was being considered as to how to strengthen the voice of education.
- The voluntary sector would be strengthened to include the sports sector as national safeguarding concerns had come to light.

The Assistant Mayor for Education and SEND thanked the Independent Chair of the partnership for the report. She reported that she had attended the meeting and found it interesting and was pleased that education would now be a part.

The Commission were invited to ask questions and make comments. Key points included:

- In response to a query on further areas for improvement, the Independent Chair noted that she had worked with other partnerships in terms of scrutineering and reviews, and commented favourably on the fact that the partnership in Leicester there was a strong, multi-agency partnership and that the partnership was equal in terms of chairing and the reports produced. This was not the same across the country.
- It was clarified that the process was dynamic, including when considering priorities. If an issue came to light, it was updated as the year went on. The report was just a taste of the work done by the different partners and areas.
- In response to a query about disproportionality between ethnic groups and child protection figures, it was noted that this was not unusual nationally, however, disproportionality was looked at carefully and was picked up as an ongoing priority by the partnership, which looked at whether some children were less typically coming to the attention of the partnership.
- The terms of reference of the task group to develop learning and training around the role of immigration status, culture, faith, and parenting in safeguarding children would be circulated.
- In response to a query on rising demand for emergency support leaving less to spend on preventative services, the Director for Childrens Social Work and Early Help explained that Child Protection Plans had been dropping over the past weeks and were currently at around 405 and might not tally to when the report was concluded. One of the strengths of the service at Leicester City Council was that it had an extensive preventative offer which included an early help response team embedded with Duty and Advice Service. This meant that early help works began working with families straight away then the authority was contacted, which meant that an impact could be seen earlier, as opposed to waiting for a process to be concluded. Moving towards a family help model where early help and family services were integrated made escalations more seamless where concerns were escalated. The number of investigations did not necessarily mean that the number of plans increased. Where there was more confident and developed practice, the level of intervention tended to be less intrusive.

AGREED:

- 1) That the update be noted.
- 2) That comments made by members of this commission to be taken into account by the lead officers.

107. 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.

As agreed during the meeting, the following items would be added to the workplan:

- High Needs Block Tribunals
- High Needs Block Case Study
- High Needs Block Sufficiency in Mainstream and Special Schools

The work programme was noted.

108. ANY OTHER BUSINESS

There being no further items of urgent business, the meeting finished at 19:50.