

## **DURHAM COUNTY COUNCIL**

### **CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE**

At a Meeting of **Children and Young People's Overview and Scrutiny Committee** held in Committee Room 2, County Hall, Durham on **Monday 27 February 2017 at 9.30 am**

#### **Present:**

**Councillor C Potts (Chairman)**

#### **Members of the Committee:**

Councillors D Bell, K Corrigan, O Gunn, D Hall, C Hampson, J Hart, D Hicks, P Lawton, M Nicholls, H Smith and P Stradling

#### **Faith Community Representative:**

Mrs A Swift

#### **Co-opted Members:**

Miss K Ashcroft and Mr D Kinch

The Chairman thanked Mr D Kinch, Co-opted Member for his commitment over the last three years and the valuable contribution he had made to the Children and Young People's Overview and Scrutiny Committee. Mr Kinch would be joining the Environment and Sustainable Communities Overview and Scrutiny Committee and Mr Josh Conlon would be asked to fill the vacancy on Children's and Young People's Overview and Scrutiny Committee. The Chairman and Members of the Committee wished Mr Kinch all the best for the future.

#### **1 Apologies for Absence**

Apologies for absence were received from Councillors J Armstrong, K Hopper, S Morrison, M Simmons and M Stanton.

#### **2 Minutes**

The minutes of the meeting held on 16 January 2017 were agreed as a correct record and signed by the Chairman, subject to the inclusion of Councillor H Smith in the list of Apologies.

#### **3 Declarations of Interest**

There were no declarations of interest.

#### **4 Any items from Co-opted Members or Interested Parties**

There were no items from Co-opted Members or Interested Parties.

## **5 Media Relations - Update on Press Coverage**

The Overview and Scrutiny Officer referred Members to recent press articles relating to the remit of Children and Young People's Overview and Scrutiny Committee. The articles were:-

- Schools across the region set to lose out on almost £150m in funding
- Primary school pupils get to grips with internet safety
- Durham schools team up to fight intolerance through sport
- North East Children at risk from boozing and drug taking parents, worrying figures reveal

**Resolved:** That the presentation be noted.

## **6 School Funding Update**

The Committee considered the joint report of the Corporate Director Resources and the Interim Corporate Director of Children and Young Peoples Services that provided the Committee with an overview of the Government's proposals for a National Formula for School Funding, which was published on 14 December 2016 and is subject to consultation (for copy of report, see file of minutes).

Members received a presentation from the Head of Financial and Human Resources Services that focused on the following:-

- The Context of School Funding Reforms
- Early Years Block
- High Needs Block
- Schools Block
- Next Steps

The Government had consulted on the Early Years Block and all nursery schools were now funded at the same universal rate and would be protected until 2019/2020 with any proposals for change occurring in the next parliament.

The universal changes implemented had not been too bad for County Durham nursery provision which had received £3.1 million for the Early Years Block.

The Head of Financial and Human Resources Services continued to advise members on the High Needs Block funding which is currently out for consultation. Funding for high needs is largely based on historic allocations dating back to 2012/13 and the government intends to replace this with a national funding formula from April 2018, which will take account of relative need, measured by factors including deprivation and disability.

Stage 1 of the consultation made proposals on factors for use in the National Funding Formula, these had now been agreed and the second stage of the consultation was proposing the relative weighting to be applied to each of the factors that would determine funding allocations from 2018/19.

The majority of funding would continue to be distributed to local authorities and the formula would be based on population aged 2-18; low attainment; health and disability; deprivation and basic per pupil entitlement. Durham County Council has got all these factors in place currently.

Calculations using the new proposed formula would lead to Durham County Council receiving £1.3 million more funding. This would suggest that historically County Durham had been underfunded in High Needs. There was transitional protection, however the actual impact in 2018/19 was still uncertain at this stage.

The Government was proposing that mainstream funding for both primary and secondary schools were done through the proposed National Funding Formula (NFF) from 2019/2020. However, 2018/2019 would be a transitional year, there would be a NFF in place, but it would be used to determine overall School Block allocations to each local authority. Therefore the Council would still need to determine a local formula in 2018/19.

Stage one of the consultation considered the 13 factors to be included in the NFF and these had been confirmed as:

- Basic per pupil funding;
- Additional Needs Funding
- School Led Funding; and
- Area Cost Adjustment

These factors are nationally driven and the Local Authority has no control.

Stage 2 of the consultation focused on the relative weightings applied to factors and directing more funding on pupil led factors. The Government was proposing a basic per pupil funding of 72.5% this would increase funding in County Durham which was currently 70%. Additional needs funding includes deprivation – 9.3% (this is currently 12% in County Durham); low prior attainment - 7.5% (this is currently 2% in County Durham) therefore the weightings equal out overall.

School led funding included a lump sum of 7.1%; sparsity – 0.08%; Premises 1.8% and growth 0.5%. There were significant reductions in the lump sums schools will receive. County Durham has many small rural schools and the sparsity element does not compensate for the reduction in the lump sum. Area cost adjustment does not apply outside of South East England.

There would be transitional protection arrangements that provide per pupil increases up to 3% in 2018/19 and 2.5% 2019/20. A local formula would be used in 2018/19 this is a soft formula and a national formula in 2019/20 known as a hard formula. However, the Government had asked local authorities to move to a soft formula after 2019/20 to help them to introduce the changes. The Council's Cabinet and School Forum would be asked for a decision in relation to this question.

The same formula would be applied to academies and maintained schools, there were currently working groups from the Schools Forum forming the response to the consultation.

The consultation responses to High Needs and Schools National Formula consultation are due by 22 March 2017.

Councillor Gunn referred to the impact the new formula would have on nurseries which could result in potential closures as they would no longer be financially viable.

The Head of Financial and Human Resources Services responded that if the government removed the protection it could cause severe financial difficulties and they would need to look at other models.

Councillor Hall indicated that some organisations had started charging differently for meals and asked were maintained schools funded differently to Private, Voluntary and Independent schools. The Head of Financial and Human Resources Services responded that under the new formula all schools were funded the same.

Councillor Stradling asked if Committee Members could be provided with a copy of the proposals which would be sent to schools. Members were advised that this would be sent electronically to all Members of the Committee.

Councillor Gunn sought clarification if there would be an advantage for the authority if they moved to a soft funding formula and how labour costs would affect schools in the North East as free schools and academies could set their own pay rates. There were a number of Members who were on governing bodies who could encourage schools to respond to the consultation, if information was provided to all county councillors.

The Head of Financial and Human Resources Services responded that the government had indicated that the national formula was about being fair and transparent and they encouraged authorities to move to the soft formula. The local formula had been built up over a number of years and moving to the soft formula from a hard formula would bring forward the turbulence. The needs of schools can change year on year therefore we have to look at the least worst option causing the least amount of turbulence. There were opposing views as some schools would get more funding under the national formula but there was over half that would have a reduction under the national formula.

Schools would have their own views as any adjustments could benefit a school but disadvantage another.

Members discussed the viability of new small schools and the implications for current small schools and how the new funding would have a major impact on them.

The Head of Financial and Human Resources Services advised Members that the rurality/sparsity factor would feature in Durham County Council's response to the consultation.

The Chairman sought clarification if the state of school buildings was factored into the new formula. The Head of Financial and Human Resources Services responded that this funding was separate.

Councillor Nicholls asked about attracting teachers to work in rural schools and if the area cost adjuster was not considered in these instances and was advised that the cost adjuster could not be used and was only applicable to schools in the South East of England.

Councillor Gunn referred to the report and that faith schools would lose some funding and was the Diocese aware of this. The Head of Financial and Human Resources Services responded that the Diocese was aware of this and under the new formula they would lose money due to the size of the school and pupil needs.

Mrs Swift who is a Head Teacher of a school referred to the impact of the reductions and a £8,000 reduction could result in the loss of a Teaching Assistant and there was little that could do done without it having an impact on the school.

The Head of Financial and Human Resources Services advised that schools would not welcome the soft funding if they would lose; it was only schools that benefitted from the national formula who would welcome this.

The Chairman thanked The Head of Financial and Human Resources Services for a very informative presentation and asked if he could come back to a future meeting following the consultation results.

**Resolved:** That the report be noted.

## **7 Management of School Exclusions**

The Committee considered the report of the Interim Corporate Director Children and Young People's Services that advised Members on the management of exclusions in County Durham (for copy of report, see file of minutes).

The Strategic Lead Education Durham presented the report and advised Members that the figures for 2016/17 showed that more children had been excluded in year 11 than the previous year. He also advised Members that the local authority were keeping a close watch on any patterns of exclusions as a result of the Progress 8 outcome measure and would continue to work with the behaviour panels to counteract.

However, this was a national problem and that there will be a national review of PRUs as many are failing according to recent Ofsted Inspections. If managed the pupil could be moved to another school before the need for expulsion. Expulsion damages a child's life chances and behaviour panels considered alternative solutions.

Mr Kinch asked if the Committee could be provided with the figures every 6 months rather than yearly, if numbers were increasing.

Councillor Gunn indicated that some Head Teachers had brought to her attention the lack of some schools taking on excluded pupils. Behaviour panels were a good innovation and teachers in schools are adept at dealing with challenging behaviour but some schools did not want to take challenging pupils and you can't force a school to take on an excluded pupil.

The Strategic Lead Education Durham responded that they could put some pressure on maintained schools but this was not the case with academies. Some schools were taking excluded pupils but at a cost. Other schools had refused to take on excluded pupils, which is a problem but the service would continue to lobby schools. The service were having conversations with the Department for Education (DfE) in relation to the contradictory demand on schools in relation to progress 8 and attainment 8. The most challenging children make progress but to expect them to do this over eight subject areas is difficult.

Councillor Hall suggested that it was a difficult subject area and suggested that schools such as Elemore Hall were life savers for some mainstream schools. Councillor Potts added that Windlestone School was in her area and parents specifically value the school and endorse how the school has helped their children.

Councillor Stradling indicated that this could be a future topic for scrutiny. The Chairman advised that it could be included in the work programme.

Councillor Hart referred to some pupils disappearing from school in the run up to GCSE's due to the impact on GCSE results. The Strategic Lead Education Durham responded that schools would indicate that this was not the reason for exclusion. This was a fundamental issue and was damaging to pupils who had been at the school for four years and then faced the prospect of a different school. Academies have a school commissioner and it was up to the local authority to invoke his sense of responsibility.

Councillor Gunn confirmed that it was an academy that had raised the issues and one who was taking on excluded pupils. She did not want to see children excluded but some children had challenging behaviour and could put teachers into difficult situations, which meant that they could not teach the child.

In response to questions from Members, the Strategic Lead Education Durham advised that he would provide the most recent statistics to Members prior to the next meeting and clarified that there were no permanent exclusions in primary schools.

Councillor Hart indicated that the Committee needed to consider the wider relationship of academies and maintained schools and suggested this was added to the work programme.

**Resolved:** That the contents of the report be noted and that the Strategic Lead for Education provide the committee with an update to a future meeting.

## **8 Children's Services Update**

The Committee considered the report of the Interim Corporate Director of Children and Young People's Services that provided an update on the local regional and national developments in relation to Children's Services. The report also provided an update on progress following the outcome of the Ofsted Inspection of Children's Services in February 2016; the pressures facing the Service; workforce initiatives and strategic programmes aimed at reducing these pressures. Members were also provided with an update on the Stronger Families Programme; Child Sexual Exploitation and the work of the Local Safeguarding Children Board (for copy of report, see file of minutes).

A copy of the national policy context had been circulated with the agenda.

The Head of Children Services was in attendance to present the report.

The Head of Children's Services advised that the number of cases per social worker had reduced with the majority now being under 20 which was a great improvement on last year although some pressures remained in some teams. Durham's Social Worker Academy had been successful in growing our own social workers as there was a national shortage which added to the difficulties in attracting social workers. Workforce development and apprenticeship programmes may enabled family workers to become social workers in the future.

Councillor Hart referred to the idea of apprenticeships for non-qualified staff a child worker not been present on the play bus at a location in his ward for some time but the driver had fulfilled this role in the absence of a child worker, which had been welcomed by the parents which had been more receptive to his advice.

The Head of Children's Service explained to members the progress of the Ofsted Improvement Plan including the Political Oversight work with Corporate Parenting Panel. Members requested that they receive a summary of the lessons learned from Serious Case Reviews.

Councillor Gunn congratulated the Head of Children's Services on the strategies and training to raise awareness of Child Sexual Exploitation (CSE).

In response to a question from the Chair in as to whether CSE training would be given to new members following the elections the Head of Children's Services agreed that this was the case.

Members discussed the typical stereotype CSE perpetrator which many offenders did not meet and that it was sometimes a young person of similar age and this message needed to be conveyed to young people.

Members also wished to convey their congratulations to West Rainton Children's Home and the Supporting Young People with Cancer Caring Role Project on their LGA Children and Young People's NOW 2016 awards.

Mrs Swift referred to the report that indicated that the child sexual exploitation common age of victims was 12. She indicated that she worked at a primary school and they do a lot of work on child sexual exploitation but there was still a lot of work to be done.

The Head of Children Services indicated that they were developing a single portal where young people and parents could go for information and advice.

Councillor Nicholls referred to the Ofsted inspection and if Ofsted had been made aware of the progress that had been made. The Head of Children Services responded that Ofsted had approved the plan and would monitor in the usual way via an annual meeting.

The Chairman thanked the Head of Children Services for her attendance and very informative report.

**Resolved:** (i) That the report be noted.

(ii) That the Children and Young People's Overview and Scrutiny Committee receive further updates in relation to Children and Young People's Services on a six monthly basis.

## **9 Children and Families Partnership Summary of Minutes**

The Committee considered the minutes of the Children and Families Partnership on 16 January 2017 (for copies see file of minutes).

**Resolved:** That the minutes be noted.