

# **CHILDREN'S SERVICES COMMITTEE**

## **MINUTES AND DECISION RECORD**

17 JANUARY 2017

The meeting commenced at 4.00 pm in the Civic Centre, Hartlepool.

**Present:**

Councillor: Alan Clark (In the Chair)

Councillors: Paul Beck, Lesley Hamilton, Brenda Harrison, Marjorie James (Vice-Chair), John Lauderdale and Shane Moore.

Co-opted members:

Mark Tilling, Secondary Head Representative (Chair of the Schools Forum)

David Turner, Primary Head Representative

Also present: Evelyn Leck and Ruby Marshall, Hartlepool Healthwatch  
E Espley, St Hild's School, A Degnan, Adastra Academy Trust and  
A Hall, West Park Primary School.

Officers: Sally Robinson, Director of Child and Adult Services  
Danielle Swainston, Assistant Director, Children's Services  
Mark Patton, Assistant Director, Education, Learning and Skills 0-19  
Rachel Smith, Strategic Commissioner  
Emma Rutherford, Headteacher of the Virtual School  
Sandra Shears, Head of Finance, Corporate  
David Cosgrove, Democratic Services Team

### **57. Apologies for Absence**

Councillor Stephen Thomas, Chair of Adult Services Committee.  
The young people's representatives.

### **58. Declarations of Interest**

Councillors Beck and Lauderdale and Mr Tilling and Mr Turner declared personal interests as School Governors.

### **59. Minutes of the meeting held on 6 December, 2016**

Confirmed.

## **60. School Place Planning – Secondary Provision**

*(Director of Child and Adult Services)*

### **Type of decision**

Key Decision (tests (i) and (ii) apply). Forward Plan Reference Number: CAS 60/16.

### **Purpose of report**

To approve the spend of Basic Need allocation to fund the increase of school places in the secondary sector, 2017-2023.

### **Issue(s) for consideration**

The Strategic Commissioner reported that current pupil projections and forecasts suggested that there would be a significant increase in secondary school pupil numbers over the next seven years. The projections indicated that Year 7 intakes in future years would exceed the number of places available or will allow few surplus places within the system at times with the surplus level being below 1% of capacity. Historically, a surplus capacity of 7% in each school had been considered a reasonable figure to allow for parental choice and to meet demand. Over the next seven years, the current secondary provision would not be sufficient for the local authority to carry out its statutory duty in providing secondary school places to every Hartlepool child/young person.

There were five mainstream secondary schools within the town and an analysis had been undertaken of the requirements for additional places by planning area (Central and East, North West and South West) and a desk top exercise to determine which schools could be developed/expanded to meet demand. Whilst parental choice may be an issue, for planning purposes the local authority had to focus on the strategy that a child would be provided a school place within 3 miles of their home.

In the Central and East planning area, there were three secondary schools – Dyke House Sports and Technology Academy, St Hild's Church of England School and The English Martyrs Roman Catholic School and Sixth Form College. In light of the housing developments proposed within the area, the expected numbers of pupils they would yield and the current capacity at the three schools, it was proposed that, as part of the Priority School Building Programme (PSBP Phase 2), English Martyrs was increased to accommodate 270 pupils in each year group (up from the current PAN of 240). Due to the small number of housing developments planned for the future in this area and limited financial resources, it was not considered a viable and cost effective option to increase capacity at Dyke House and St Hild's schools.

High Tunstall College of Science was based in the North West planning area and the local authority had successfully secured government funding to either re-build or carry out major refurbishment at High Tunstall College of Science. Initial engagement is currently underway with the Education Funding Agency (EFA) in relation to the scope of works. The EFA would fund building the new school to accommodate the PAN as at the bid submission date of July 2014. The PAN in 2013/14 was 240. It is anticipated that the works will be completed by 2019/20.

The overall capacity of the secondary school in North West planning area is based on 220 per year group (High Tunstall PAN 220). There were a number of housing developments, approved and pending, identified in the Local Plan in the North West planning area. A primary school site (1 form entry) had been reserved as part of the potential Tunstall Farm development.

Currently High Tunstall has a PAN of 220. In order to accommodate the number of Year 7 pupils in September 2017, the school would require additional places with an increase of their PAN to 240. Works would be needed to reorganise and recondition existing space to meet this number and the costs for these works would be reported once further detail was known through the engagement with EFA on the PSBP Phase 2.

It was proposed that, as part of the Priority School Building Programme (Phase 2), High Tunstall should be increased to accommodate 270 pupils in each year group. This would require additional funding to be provided to the EFA from the local authority's Basic Need allocation and any Section 106 education contributions from proposed developments. Due to the redevelopment of the school buildings, the expansion of High Tunstall would be a cost effective option and allow whole school reorganisation and efficiencies to be achieved. Members were, therefore, asked to approve funding for works (as detailed in Appendix 1 to the report - Appendix 1 contained exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (Para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)) to increase the admission number in the short term to 240 and further increase the overall capacity at High Tunstall to 270 to coincide with the proposed new build completion date. These costs were subject to agreement with the EFA.

In the South West planning area, Manor Community Academy had benefitted from PSBP (Phase 1) funding and the new school building was opened in April 2016. The school was rebuilt to a capacity of 1250, plus provision for 26 additionally resourced places. The new building was designed to enable it to be expanded over time. The school currently has a Published Admission Number (PAN) of 250 per year

group.

There was a significant housing development proposed for the South West of the town which would see in excess of 1200 new homes built over the next 10 years. Secondary pupil yields from the development were expected to be in the region of 164 (this included a Roman Catholic element). The Section 106 agreement was currently in its final stages of completion. Education contributions had been agreed with the developer. The secondary element of funding was £2,001,620 which would be released at specific trigger points which were set out in the report.

It was proposed that Manor Academy be increased to accommodate 280 pupils in each year group. Section 106 education contributions would be used, supplemented by Basic Need to fund any expansion in line with the reported trigger points. Members were, therefore, asked to approve funding for works (as detailed in Appendix 1 to the report) to increase the admission number and overall capacity at Manor to 280 by 2022.

The Strategic Commissioner reported that consultation meetings had been held with all secondary headteachers and representatives of the RC and CE Diocese to discuss the proposals within this report. All schools and colleges had been sent a briefing summary explaining the proposals and had been invited to respond as part of the consultation exercise. The proposals had been welcomed by schools and the only specific comment received had been from St Hild's where it was indicated that they would be increasing their PAN from 180 to 190 pupils from September 2018. This did not, however, change any of the recommendations to Members.

The Chair welcomed the report and the proposals, particularly as they had the support of the schools in the town. The Vice-Chair commented that with the Central and East and North West planning areas, the pupil figures could be reasonably predicted as many of those children were already in the primary sector. However, with the South West planning area because of the size of the proposed housing development much of the proposals were based on the receipt of phased S106 monies. If development slowed, or even stopped part way through the construction phase, were there sufficient plans in place to finance the development of the additional school places. The Strategic Commissioner stated that the building programme was matched to the funding that would be made available at the reported trigger points and a phased approach would be implemented.

The following recommendation was approved unanimously by the Committee.

### **Decision**

That approval be given to the spend of Basic Need and expected Section 106 funding on the schemes to increase capacity at English Martyrs School and Sixth Form College, High Tunstall College of Science and Manor Community Academy as detailed in Appendix 1 to the report. Appendix 1 contained exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (Para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information).

## **61. Deprivation Factor in the School Funding Formula 2017/18** *(Director of Child and Adult Services)*

### **Type of decision**

Non-key decision.

### **Purpose of report**

The purpose of the report was to enable Children's Services Committee to make a final decision regarding the deprivation factor to be used for the local schools formula 2017/18.

### **Issue(s) for consideration**

The Chair commented that this issue had originally been addressed by the Committee at its November meeting when Members had suggested a deprivation factor of 15%. There had been representations since that meeting and there was also further information for the Committee to consider. The Assistant Director, Education, Learning and Skills 0-19 reported that since the November meeting the Department for Education (DfE) had confirmed that a National Funding Formula would be introduced for Schools and High Needs in 2018/19. This was an issue that had been considered for a number of years; however, the Government had previously deferred implementation of this change. The proposed National Funding Formula proposed a weighting for deprivation per pupil at 9.3% although this was yet to be confirmed.

The National Funding Formula would be introduced in two stages and the Government had indicated that there would be transition following the introduction of the National Funding Formula, including how quickly gains were distributed, to provide stability and financial security by limiting reductions. A detailed report on the National Schools Funding Formula would be presented to a future meeting once the Government had finalised the detailed proposals and officers had assessed the impact on Hartlepool schools.

The Schools Forum was reminded at its meeting on the 9th December

2016 that over a number of years the Forum had supported a phased reduction in the deprivation factor but had not agreed the scale and timing of the reduction. Schools Forum members recognised that they needed to give a clearer recommendation for Committee consideration. After discussion it was proposed that Forum Members consulted the schools they represent on a deprivation factor of 12% for 2017/18 (13.5% in current year). At the meeting there were 13 voting Schools Forum members: 12 agreed to consult on the 12% proposal and one Forum member abstained.

The Schools Forum had again met and agreed by a significant majority vote that the 12% deprivation factor be recommended to this Committee.

The Chair referred to the written representation submitted by the Adastra Academy Trust that had been circulated to Members. The Vice-Chair commented that it would have been helpful if the Schools Forum had made a clear recommendation much earlier rather than leaving the situation to the point that a decision was being made today so close to the deadline for submission of the Funding Formula to the Department for Education (DfE) at the end of the week. It would also have been helpful for Members to make a decision in light of the full financial information from schools, particularly the balances they held. Such information was held for the local authority controlled schools but no such detailed information had been made available by Academy Schools. The Vice-Chair supported the proposed deprivation factor of 12% and moved the proposal. This was seconded.

Other Members commented on the previous decision to recommend 15% and expressed disappointment at the lack of full information at the November meeting and a clear guide from the Schools Forum. The previous decision of 15% had been based on Members' desire to support the children of the most deprived communities within the town but Members now understood the impact that such a figure would have on schools when the national funding formula was introduced. The Chair of the Schools Forum acknowledged Members' comments and indicated that the Schools Forum had considered the comments made at the November meeting and, with the assistance of officers and after lengthy deliberations, had proposed the 12% deprivation factor. The Committee's criticisms were acknowledged and in the future the Forum would ensure that clear recommendations would be made.

The Chair supported the proposed reduction of the deprivation factor to 12% as part of the process to moving towards the national funding formula which would have a much lower deprivation factor. Had a 15% figure been retained some schools could have been faced with funding cuts in excess of 6% which could have led to job losses and increased class sizes for children.

The following recommendations were agreed unanimously.

### **Decision**

1. That the general trend over time to decrease the deprivation factor in anticipation of the National Funding Formula be noted;
2. That the outcome of Schools Forum deliberations to recommend a deprivation factor of 12% be noted;
3. That a deprivation factor of 12% be approved for inclusion in the School Funding Formula 2017/18.

## **62. The School Funding Formula 2017/18** (*Director of Child and Adult Services*)

### **Type of decision**

Non-key decision.

### **Purpose of report**

The purpose of the report was to enable the Children's Services Committee to agree the local schools formula 2017/18.

### **Issue(s) for consideration**

The Head of Finance, Corporate reported that the local authority (LA) received funding for education via the Dedicated Schools Grant (DSG). This was split into three areas: the Schools Block, the Early Years Block and the High Needs Block. The report referred to the Schools Block funding only.

The level of funding allocated to the LA is based upon pupil numbers recorded in the October census. During December the Department for Education (DfE) published the second stage of the consultation of the national funding formula (NFF). The consultation will close on 22nd March 2017. The DfE were proposing a transition year in 2018/19 which would potentially allow local authorities to set a local formula. This would be in preparation for 2019/20 when the NFF would set the vast majority of each school's individual funding. The outcome of the national consultation would be presented to Committee at a later date.

At the meeting of Schools Forum on 14 October 2016, eight options for the 2017/18 formula were considered. Four of the options included a reduction of the lump sum from £175,000 per school to £129,000 (based upon the statistical neighbour) and changes to the deprivation factor. The Schools Forum agreed to retain the lump sum at the maximum allowable value of £175,000. The four remaining options relating to the deprivation factor were reported in the previous minute.

At the meeting the Head of Finance reported that at the meeting of the Schools Forum held yesterday, the Forum had agreed not to passport

the ESG (Education Services Grant – general) element of the Schools Block back to the local authority in light of the settlement figure from the DfE. Schools were concerned at the level of funding cut through the DSG and were requesting that the Secretary of State review the settlement. The Head of Finance indicated that the Schools Forum had not taken this decision against the local authority but against the DfE settlement. The Head of Finance did, however, seek Committee's approval to the recommendations in the report supporting the maximum allowable lump sum retention of £175,000 on the basis that the DfE agreed the view that the settlement figure was incorrect based on previous assumptions and that any change to the funding formula be delegated to the Director of Child and Adult Services in consultation with the Chair of the Committee.

The Chair commented that the issue of the schools funding block had been an issue raised with him by several headteachers during his visits to schools over recent weeks. Based on the figures made available, this was nationally a £600m cut in school funding; £325,000 in Hartlepool, which could drastically affect services centrally provided to schools. The central delegated funding supported services available to all schools and the support from the department to those schools requiring improvement. Members supported the Chair's comments and suggested that the issue be referred to the next Council meeting so that full Council could be made aware of the issue and support the submission of representations to the Secretary of State. This was supported by the Committee.

The Chair of the Schools Forum indicated that this had not been an easy decision for the Forum and reiterated the previous comment that it should not be seen in any way as against the local authority. There was a ground swell of opinion nationally against the proposed settlement and the Chair of the Schools Forum had been authorised to make representations to the Secretary of State for Education by the Forum.

The Chair indicated that he would look to the local authority issuing a similar letter to the Secretary of State and considered the referral of the matter to full Council for cross-party support was an appropriate course of action.

## **Decision**

1. That the Schools Formula for 2017/18, as detailed in section 4 of the report and taking into account the approved deprivation factor agreed at Minute No.61 Above, be approved for submission to the Education Funding Agency (EFA) subject to the outcome of representations made to the Department for Education and that the Director of Child and Adult Services be authorised, in consultation with the Chair of the Committee, to consider any necessary amendments to the formula that may be required following the DfE's response.



2. That the report be noted and that further updates be provided in respect of the National Funding Formula as appropriate.
3. That the report, including an update on the proposed Schools Block funding and the Schools Forum's considerations, be referred to full Council to elicit cross-party support for the submission of representations direct to the Secretary of State for Education.

### **63. Educational Outcomes for Children Looked After** (*Director of Child and Adult Services*)

#### **Type of decision**

Non-key decision.

#### **Purpose of report**

To provide information in relation to the educational outcomes for Children Looked After (CLA) for the school year 2015/16.

#### **Issue(s) for consideration**

The Headteacher of the Virtual School provided a report updating Members of the educational outcomes of looked after children monitored through the virtual school for 2015/16. There were in total 228 looked after children with 146 who attended school in Hartlepool; 19 attended school outside of Hartlepool. The Virtual School also monitored the education of 34 other children that were educated in Hartlepool but were from other local authority areas. It was highlighted that in some of the year groups, the cohort was quite small so some of the percentage figures could be skewed quite considerably by only one or two children.

Members welcomed the report and in particular the direction of travel in the improvement of attainment. There was some concern noted at the effects the new testing regimes had on attainment, though this was noted as an affect across all schools nationally, particularly at Key Stage 2.

The Assistant Director, Children's Services indicated that officers were review the length of time some children had been in the care system and how this affected their educational attainment. It was widely believed that when children were settled into long-term placements their educational attainment improved in line with other children but officers were to review if this was actually reflected in the attainment statistics. The headteacher representatives added that within school settings there was significant work undertaken with looked after children not only on educational attainment but also in helping them with their personal development. Members acknowledged the comments which reflected their personal experience.

A Member questioned if the numbers of looked after children from the ethnic minorities, refugees and unaccompanied asylum seekers were being reflected in the numbers of looked after children in the town. The Headteacher of the Virtual School indicated that there were an increase in the numbers of children without English as a first language and unaccompanied asylum seekers though there were only currently six of school age.

The following recommendations were agreed unanimously.

### **Decision**

1. That the Virtual School continue to monitor pupil progress and target resources to support pupils to make above expected progress.
2. That the Virtual School continues to provide a range of opportunities via the additional Pupil Premium funding to support the academic achievement of Children Looked After.

## **64. OFSTED Inspection Outcomes: September 2016 – November 2016** *(Director of Child and Adult Services)*

### **Type of decision**

For information.

### **Purpose of report**

To provide a summary of the outcomes of Ofsted inspections of Hartlepool schools in the autumn term of the 2016-17 academic year.

### **Issue(s) for consideration**

The Assistant Director, Education, Learning and Skills 0-19 reported on the outcomes of the Ofsted inspections for Ward Jackson CE Primary School, Kingsley Primary School, St Aidan's CE Primary School and St Helen's Primary School. As a consequence of this round of inspections, the number of schools rated as either good or outstanding had slipped a little but the ambition to have 100% of schools with a good or outstanding rating remained. There were no significant long term concerns raised from these inspection reports.

The Chair commented that he did not recognise these inspection outcomes from his understanding and experience of the schools inspected. The changes in the national curriculum and changes in the Ofsted inspection regime had affected the more recent inspection outcomes. The Chair stated that he believed there was a political agenda to move more and more local authority controlled schools to 'failing' so they could be converted to academies. The Chair did not

believe that the inspection reports accurately reflected the performance in the schools and indicated his support for all the schools in Hartlepool. The Vice-Chair echoed the Chair's comments and considered that the inspection regime had been set up to declare more schools as failing and then move them into an academy chain with better performing schools. Those that maintained an outstanding rating for two inspections could be considered to be 'coasting' as they had not shown continued improvement and thereby also forced to become an academy under the government's agenda.

The Vice-Chair was also concerned that ultimately through a process of forcing schools to be academies, there would be no central 'local' funding to provide the support services schools, as now, and should an academy fail in the future, there would be no local Council resource or expertise to pick that school up and turn it around.

Members supported the comments and indicated that schools should not be assessed totally upon their Ofsted inspection due to it being in many ways little more than a 'tick-box' assessment. Members questioned what assessment there was of the longer term performance of schools that had been assessed as failing and were then made academies. The Assistant Director stated that nationally the picture was mixed with some academy chains performing well but a number not performing well with some that had been issued warning notices as to their educational performance and financial management. Ofsted had openly criticised some academy trusts for a lack of support to their family of schools.

The Assistant Director thanked Members for their comments in support of all schools in Hartlepool. It was a worrying trend in terms of the changing 'bar' for school inspections. The money available at the centre to assist all schools was key to the support many children and schools needed to move forward.

One of the headteacher representatives commented that his school had recently been through an Ofsted inspection. Funding of central services was an important issue. His school had one cohort with six looked after children that required additional educational support and their attainment could potentially affect the whole cohort's measured standards. Overall attainment would be the only concern of an Ofsted inspection, not the support that was provided by the school to help children and young people with additional, often complex, issues reach their best educational attainment. It was hoped by many that the recent change in Ofsted Chief Inspector may change the ethos of the organisation.

The headteacher representatives recorded their thanks to the Children's Services department for the support they had given schools in adapting to the recent changes in the assessment framework and in the preparation for Ofsted inspections which was invaluable.

The Chair restated his support for all Hartlepool's schools and the commitment to continued school improvement.

**Decision**

That the report be noted.

**65. Quarter 2 – Council Overview of Performance and Risk 2016/17** *(Director of Child and Adult Services)*

**Type of decision**

For information.

**Purpose of report**

To inform Children's Services Committee of the progress made against the relevant areas of the 2016/17 Council Plan at the end of quarter 2.

**Issue(s) for consideration**

The Director of Child and Adult Services outlined the progress on the performance and risks measured and monitored by the Committee. Two of the risks monitored (RND R088 Failure to achieve sufficient uptake of school meals and CAD R064 Widening of the gap in achievement of disadvantaged children) had been upgraded. In terms of performance, all targets were making acceptable progress.

The Vice-Chair referred to recent reports on the educational attainment and life chances of looked after children that suggested that fostering placements may not be the best option and that the number of children's homes places should be increased. The Director commented that there had been reference to those children who had experienced trauma and required therapeutic services where very specific inputs were needed and how those needs were best met. It appeared that the pendulum was starting to swing back towards children's homes, when it had previously been considered best practice to have looked after children in a 'as normal as possible family situation' rather than an institutional setting. The Director believed it was appropriate to have a mix of provision available so that the right service could be given to meet any looked after child's particular needs.

The Director also informed the Committee that it was intended that the three-yearly review of the Looked After Children Strategy would be reported to the Committee this year which would include an assessment of defined needs and where capacity needed to be increased.

**Decision**

That the progress made on the specific areas of the report relevant to the Committee at the end of Quarter 2, and as detailed in Appendix 1 of the report, be noted.

**66. Any Other Items which the Chairman Considers are Urgent**

There were no items the Chair considered urgent.

The Committee noted that the next meeting would be held on Tuesday 21 February, 2017 at 4.00 pm in the Civic Centre, Hartlepool.

The meeting concluded at 5.05 pm.

**P J DEVLIN**

**CHIEF SOLICITOR**

**PUBLICATION DATE: 24 JANUARY 2017.**