

# **CHILDREN'S SERVICES COMMITTEE**

## **MINUTES AND DECISION RECORD**

19 November 2019

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

**Present:**

Councillor: Leisa Smith (In the Chair)

Councillors: Lesley Hamilton, Brenda Harrison, John Lauderdale, Sue Little and Shane Moore

Also Present: Councillors Marjorie James and Ann Marshall

**Co-opted Members:**

Joanne Wilson, RC Diocesan Representative  
Mark Tilling, Secondary Head Representative  
David Turner, Primary Schools Head Representative

Healthwatch Representative: Evelyn Leck

Officers: Sally Robinson, Director of Children's and Joint Commissioning Services  
Jane Young, Assistant Director, Children's and Families  
Chris Little, Director of Finance and Policy  
Sandra Shears, Head of Finance (Corporate and Schools)  
Amanda Whitehead, Assistant Director, Education  
Oliver Harness, Senior School Improvement Adviser  
Neil Wilson, Assistant Chief Solicitor  
Denise Wimpenny, Principal Democratic Services Officer  
Regan Cannell, Child Care Solicitor (Observer)

### **46. Co-optee Voting Rights Advice**

Prior to commencement of business, the Assistant Chief Solicitor advised that he had been requested to undertake a review in relation to voting rights of Co-optees, the background to which was provided. Whilst Co-optees did not ordinarily have a vote, the Council's Constitution did allow for Diocesan representatives and Parent Governor representatives to vote. However, School Head representatives were not entitled to vote. In relation to declarations of interest, it was reported that Co-opted Members must abide by the same code as Elected Members.

A Member referred to a previous discussions at Scrutiny Co-ordinating Committee and a decision of Cabinet where it was agreed that the young people representatives' decision making powers would be retained under the Committee system. The Assistant Chief Solicitor advised that the young people representatives were not entitled to vote.

#### **47. Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor Barbara Ward, Jo Heaton, C of E Diocesan Representative and Zoe Westley, Special Schools Representative.

#### **48. Declarations of Interest**

The Co-opted Members stated their usual declarations of interest:-  
Mark Tilling – Head Teacher, High Tunstall College of Science, Governor at Lynfield and Golden Flatts.  
David Turner – Head Teacher at Rift House and Governor at St Helens.  
Jo Wilson - Head Teacher at St Cuthbert's Primary.

#### **49. Minutes of the meeting held on 1 October 2019**

Received.

#### **50. Savings Programme** (*Director of Children's and Joint Commissioning Services*)

##### **Type of decision**

Budget and Policy Framework

##### **Purpose of report**

The purpose of this report was to enable Members to consider proposals to achieve savings in 2020/21 and to provide feedback on these proposals to the Finance and Policy Committee. It outlined a proposal for an invest to save project to be delivered within children's services.

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

The Director of Children's and Joint Commissioning Services presented the report which provided background information to the Council's budget strategy and the report that had been considered by Finance and Policy Committee on 30 September 2019 setting out the initial budget forecast for 2021 and 2021/22 reflecting information available at that time. Government had issued a one year Spending Review for 2020/21 on 4 September 2019 which, at a national level, provided additional resources for Councils, including children and adult social care. Additionally, the Government had

confirmed the Adult Social Care precept would continue for 2020/21 at 2%. This was the first increase in net funding for nine years. In summary, the 2020/21 budget was being prepared on the back of nine years of austerity, a period which saw a reduction in Government funding from £46.4m in 2013/14 to £25.5m in 2019/20, a reduction of £20.9m for Hartlepool. In addition, since 2015 the Council had faced increased pressure in relation to Looked after Children, the impact of which was set out in the report.

No savings proposals for the Children's Services Committee had been referred from Finance and Policy Committee as the main area of the Committee's budget related to demand led costs for children looked after. The Children's and Joint Commissioning Services was forecasting a net overspend of £0.850m at the end of the year. This consisted of an underlying budget pressure arising from the costs related to the high number of children looked after. The report included a summary of headline areas of spend in Children's and Joint Commissioning Services and the allocated budget. Over the past four years, demand for Children's Services in Hartlepool had increased substantially year on year leading to a 77% rise in the number of children in care, details of which were provided.

In order to reduce demand in Children's Services it was necessary to tackle external drivers. It was proposed to pilot a whole system approach to safeguarding children and supporting families by creating a multidisciplinary team based in a defined geographical area of the town where there was the greatest level of need and the Victoria Ward had been identified, the background to which was set out in the report. Details of the proposed aims of the pilot project, as well as how the scheme would operate were provided, as outlined in the report.

In the discussion that followed, officers responded to queries raised arising from the report. Clarification was provided in relation to the cross departmental support arrangements to address concerns around housing and landlord related issues, the benefits and anticipated outcomes of the project, referral arrangements, potential take-up figures as well as proposed timescales for providing an update report to Members. Members were keen to receive an update report at the earliest opportunity and there was discussion around whether this would be a six monthly or quarterly report as requested by the Chair. Following discussions in relation to the logistics and the type of information that would be available in the short term, it was suggested that an interim report be provided in three months followed by a more detailed update report in 6 months time.

Members commented on the impact of the high level of private landlords in the Victoria Ward and other wards of this type and the importance of stability for children living in these wards accessing children's social care.

A query was raised in relation to the plans/timescales for rolling out this project to the rest of the town. The Committee was advised that the project would need to operate for at least 12 to 18 months to demonstrate impact and it was noted that funding had been allocated for 18 months. An

evidence based report would be brought back to Committee for evaluation and consideration prior to roll out across the town.

### **Decision**

- (i) That the contents of the report and comments of Members be noted and be utilised to formulate a response to be presented to the Finance and Policy Committee.
- (ii) That an interim update report in relation to the pilot project be provided in 3 months followed by a more detailed update in 6 months time.

## **51. Emergency Duty Team (EDT) *(Director of Children's and Joint Commissioning Services)***

### **Type of decision**

Key Decision CJCS94/19

### **Purpose of report**

To approve a change in the governance arrangements for the Emergency Duty Service which was currently commissioned from Stockton on Tees Council.

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

The Director of Children's and Joint Commissioning Services presented the report which included background information in relation to the establishment of a project group with representatives from the five local authorities to explore the proposed arrangements to develop a shared service. It was agreed that the current service worked well therefore there would be no significant changes to the current day to day service. The change was focussed on the move to a shared service instead of commissioning arrangements.

In response to a query raised, the Committee was advised that the proposals would provide Hartlepool with more control in terms of how services were delivered and the Council would also have an option to withdraw from the shared service arrangement should that be in the best interests of the town.

### **Decision**

- (i) The Committee approved the proposal for the Council to make arrangements for the discharge of its statutory duty relating to the provision of an Emergency Duty Service by entering into an agreement to participate in a shared service across Tees Valley.

- (ii) That officers be authorised to negotiate and enter into an agreement to formalise the service specification.

## **52. Youth Justice Strategic Plan** *(Director of Children's and Joint Commissioning Services)*

### **Type of decision**

Key Decision (General Exception Notice applies)

### **Purpose of report**

To outline the process for the development of the draft Youth Justice Strategic Plan 2019-2021 (**Appendix 1**) and approve the draft Plan for consultation.

Full Council will be asked to adopt the final plan on 20 February 2020. Recommendations made by the Children's Services Committee, Safer Hartlepool Partnership and Audit and Governance Committee will be incorporated into the final plan which will be reported back to Children's Services Committee prior to final adoption of the plan by full Council

The final Strategy Plan will also be sent to the National Youth Justice Board.

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

It was proposed that the Youth Justice Service and broader Youth Justice Partnership focus on the following key strategic objectives during 2019-2020.

- Re-offending
- Early Intervention and Prevention
- Remand and Custody
- Voice of the Young Person
- Effective Governance
- Risk and Safety and Wellbeing (Asset Plus)
- Child First

### **Decision**

That the draft Youth Justice Strategic Plan be approved for consultation and any recommendations be incorporated into the final plan which will be reported back to Children's Services Committee prior to final adoption of the plan by full Council.

**53. Dedicated Schools Grant (Former Education Services Grant Rate Per Pupil) – Disapplication Request** *(Director of Children's and Joint Commissioning Services and Director of Finance and Policy)*

**Type of decision**

Key tests (i) and (ii) apply – Forward Plan Reference CJCS087/19

**Purpose of report**

To inform Members of the outcome of Schools' Forum held on the 11 October 2019 and their decision in relation to the 2020/21 Education Services General Duties Rates.

To agree that the local authority should present a disapplication request to the Secretary of State in order to ensure that the local authority can discharge its statutory responsibilities.

**Issue(s) for consideration**

The Schools' Forum considered the local authority's proposal of a rate of £60 per pupil for statutory duties from the Dedicated Schools Grant in line with the Government's national funding arrangements. The Schools' Forum, did not agree to transfer the funding to the local authority as they considered that funding statutory duties from schools' budgets was a budget cut and that this should be funded by the Government. This has been a consistent view of Schools' Forum for the past three financial years. In each of these years, the local authority had applied to the Secretary of State for disapplication of the Regulations which had resulted in the local authority being able to remove the required element of funding to ensure that statutory responsibilities were discharged.

Members were disappointed that schools and the local authority were placed in this position yet again and no solution was forthcoming from Government Ministers. The financial implications of schools transferring to academy status were questioned. The Secondary Head representative commented that local authorities may not have sufficient resources to support statutory services and there would be a requirement upon schools to look at alternative options. The RC Diocesan representative indicated that academies continued to buy-in services from local authorities and were happy with current service provision.

**Decision**

- (i) That the 2020/21 funding rate at £60 per pupil/place be agreed.

- (ii) That the disapplication request to the Secretary of State to set the Education Services General Duties rate at £60 per pupil/place for 2020/21 be submitted.
- (iii) It was noted that this would be the fourth year the local authority had applied for disapplication and that the previous three applications have been successful.

## **54. Dedicated School Grant (Block Transfer from Schools block to High Needs Block – Disapplication Request** *(Director of Children's and Joint Commissioning Services)*

### **Type of decision**

Key tests (i) and (ii) apply – Forward Plan Ref CJCS085/19

### **Purpose of report**

To inform Members of the outcome of Schools' Forum held on 15 November 2019 and their decision in relation to the request to transfer £0.55m from the Schools Block to the High Needs Block (HNB) to fund the forecast financial pressures in 2020/21.

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

The Director of Children's and Joint Commissioning Services reported that the School' Forum had held a series of meetings to consider the request to transfer £0.550m from the Schools Block. The Schools' Forum, at its meeting on 15 November, had requested that a formal minute be taken which recorded "whatever the outcome of the vote today this was not schools against the local authority." The outcome of the vote was outlined, as set out in the report. The Schools' Forum agreed to support the block transfer and requested that the following actions be considered by the Local Authority:-

- That a joint letter from the Council and Schools' Forum be sent to the Government explaining the demographics of Hartlepool and highlighting that there was still not enough funding for children with SEN.
- Consult with other local authorities regarding their financial position for High Needs Block Funding and endeavour to collaborate on a regional approach to lobby Government.

In the lengthy discussion that followed presentation of the report concerns were raised regarding the implications of insufficient funding being available in school budgets for children not covered by SEN. The Director of Children's and Joint Commissioning Services advised on the background to the ongoing and future financial challenges facing schools and local authorities as a result of the continuous reduction in funding for education

and continuing pressures and needs. The Secondary Head representative reported that schools would continue to work as hard as possible to meet the needs of young people in Hartlepool and would continue to campaign for additional funding.

The School Head representatives provided an update of recent discussions at the Schools' Forum in relation to the benefits of writing a joint letter from the Council and Schools' Forum to the Government to explain the demographics of Hartlepool and that despite the increase in allocation there continued to be insufficient funding to meet the demands of children in Hartlepool with SEN. It was noted that this Committee, following a similar report last year, submitted a motion to Council seeking support for a further approach to Government.

### **Decision**

- (i) The Committee agreed to the block transfer supported by the Schools' Forum by submitting a disapplication request to the Secretary of State to transfer £0.550m from the School's Block to the High Needs Block for the 2020/21 budget.
- (ii) That a joint letter from the Council and Schools' Forum be sent to the Government explaining the demographics of Hartlepool and highlighting that there was still not enough funding for children with SEN.
- (iii) That consultation with other local authorities be undertaken regarding their financial position for High Needs Block Funding and endeavour to collaborate on a regional approach to lobby Government.

## **55. To Nominate Local Authority Representatives to Serve on the Governing Bodies of Clavering Community Primary School and Ward Jackson CE Voluntary Aided (VA) Primary School** *(Director of Children's and Joint Commissioning Services)*

### **Type of decision**

Non-key

### **Purpose of report**

To consider nominations for the role of Local Authority Governors at Clavering Community Primary and Ward Jackson CE (VA) Primary Schools.

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

A schedule was submitted with the report setting out details of vacancies that existed at Clavering Community Primary and Ward Jackson CE (VA)



Primary Schools together with applications received. The individual applications were set out in confidential appendices to the report which contained exempt information under Schedule 12A of the Local Government Act 1972 (as amended by the Local Government), (Access to Information), (Variations Order 2006) namely, information relating to any individual (Para 1).

### **Decision**

The Committee approved the local authority nominations of the applicants as set out in confidential appendices in respect of Clavering Community and Ward Jackson CE (VA) Primary Schools.

## **56. Amendment to the Instrument of Government for Grange Primary School** *(Director of Children's and Joint Commissioning Services)*

### **Type of decision**

Non-key

### **Purpose of report**

To seek approval of the Children's Services Committee to amendments to the Instrument of Government for Grange Primary School in accordance with the School Governance (Constitution) (England) Regulations 2012 as amended by the School Governance (Constitution and Federation) (England) (Amendment) Regulations 2014.

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

The report included background information in relation to Governing Body's decision in 2015 to change the term of office for Parent Governor's to two years and a recent review that had been undertaken to review the constitution of the Governing Body. As a result of the review, the Governing Body proposed to increase the term of office for Parent Governors from two years to four years in line with other categories of governors to enable them to make a greater contribution to the work of the Governing Body. The revised Instrument of Government for Grange Primary School was attached at Appendix 1.

### **Decision**

That the amendment to the Instrument of Government for Grange Primary School from 2 years to 4 years be approved.

**57. Strategic Financial Management Report – as at 30 September 2019** *(Director of Children's and Joint Commissioning Services and Director of Finance and Policy)*

**Type of decision**

For information

**Purpose of report**

To inform Members of the 2019/20 forecast General Fund Outturn, the 2019/20 Capital Programme Monitoring and to provide details for the specific budget areas that the Committee was responsible for.

**Issue(s) for consideration**

The Head of Finance, Corporate and Schools presented the report which provided the background and financial reporting arrangements for 2019/20 as well as a summary of the overall Council financial position and General Fund outturn information in relation to Children's Services.

Details of the overall budget position for Children's Services by department was summarised in a table included in the report together with the reasons for the forecast outturn. Further details of specific budget areas this Committee was responsible for were outlined at Appendix A and the report also included a breakdown of capital expenditure.

**Decision**

That the contents of the report be noted.

**58. Information Update Regarding Hartlepool Governor Support Services** *(Director of Children's and Joint Commissioning Services)*

**Type of decision**

For information

**Purpose of report**

To update Members on two changes to Hartlepool School Governor's Support Service:

a) Hartlepool Governor Support Services now share a joint governor training offer with Middlesbrough, Stockton, and Redcar and Cleveland;

b) Hartlepool Governor Support Services will share the same service level agreement (SLA) from April 2020. This SLA includes shared costs and protocols.

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

The report provided background information to the work of the Hartlepool School Governor Support Service (SGSS). Hartlepool SGSS was provided on a buy-back arrangement through service level agreements (SLAs) with the individual schools/establishments. There had been a recent agreement between the authorities to share a programme of training allowing governors from schools across the Tees Valley who buy into the local authorities' services to attend training events provided by each authority. The benefits of a collaborative approach would reduce competition between the Tees Valley authorities.

Hartlepool's SGSS was currently projecting a shortfall of approximately £15,000 for the current financial year due to reduced buy-back from schools. It was intended that the shared SLA, creating equity across Tees Valley, would bring schools back to Hartlepool SGSS.

Clarification was provided in relation to the proposed staffing arrangements and it was noted that the proposals would not result in any staffing changes in Hartlepool. A Head Teacher representative commended the work of Hartlepool SGSS and highlighted that academies could continue to buy-back the service in the same way.

### **Decision**

That the report be noted.

## **59. Tributes to Alan Chapman**

The Director of Children's and Joint Commissioning Services referred to the death of Alan Chapman, Headteacher, who had died recently in service. Tributes were paid to Mr Chapman's dedication to children and young people with particular reference to special educational needs and to his national reputation.

## **60. Date and Time of Next Meeting**

It was reported that the next meeting would be held on Tuesday 17 December 2019 at 4.00 pm in the Civic Centre.

The meeting concluded at 5.15 pm.

**H MARTIN**

**CHIEF SOLICITOR**

**PUBLICATION DATE: 26 NOVEMBER 2019**