

**CHILDREN, YOUNG PEOPLE AND EDUCATION SCRUTINY
COMMITTEE**

(Committee Rooms 1/2, Port Talbot)

Members Present:

7 April 2016

Chairperson: Councillor A.R.Lockyer

Vice Chairperson: Councillor H.N.James

Councillors: A.Carter, Mrs.A.Chaves, Mrs.J.Dudley, M.Ellis,
R.G.Jones, Mrs.S.Paddison, D.Whitelock,
Mrs.L.G.Williams, D.Lewis and L.M.Purcell

**Co-opted Voting
Members:** Mrs.M.Caddick and Ms.D.Vaughan

**Co-opted Non Voting
Members:** A.Hughes

**Officers In
Attendance** A.Evans, A.Jarrett, A.Thomas, I.Guy,
D.Harding, Ms.H.Lervy, Ms.H.Lewis,
Ms.C.Gadd and Mrs.J.Woodman-Ralph

Cabinet Invitees: Councillors P.A.Rees and P.D.Richards

1. **DECLARATIONS OF INTEREST FROM MEMBERS**

The following Members made declarations of interest at the commencement of the meeting.

Councillor P.A.Rees	Report of the Head of Transformation re: Schools Admissions Policy 17/18 Results of Consultation, as he is chair of the Schools Admission Forum and took part in the decision to commend the report to Children, Young People and Education Scrutiny Committee and Cabinet Board.
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Councillor Mrs.J.Dudley Report of the Head of Transformation re:
Schools Admissions Policy 17/18
Results of Consultation, as she is a
member of the Schools Admission
Forum.

2. **MINUTES OF THE CHILDREN, YOUNG PEOPLE AND
EDUCATION SCRUTINY COMMITTEE HELD ON 9 MARCH 2016**

The Committee considered the Minutes of the previous meeting and made the following amendments.

For the report on Elective Home Education Briefing Paper it stated “Members asked if officers had looked into the circumstances surrounding the tragic death of a home educated child in Pembrokeshire to try and prevent a similar case in Neath Port Talbot”. Members requested that this was amended to “Members asked if officers had looked into the circumstances surrounding the tragic death of a home educated child in Pembrokeshire and could assurances be given that a similar case would not happen in Neath Port Talbot.”

In relation to the Children and Young People Services 3rd Quarter (2015-16) Performance Report it stated that “Members highlighted that there were discrepancies between the graphs for this indicator as one referred to monthly data and the other to quarterly data”. Members requested that it was amended to “Members highlighted that there were four errors between the graphs for this indicator that highlighted a number of discrepancies that required clarity”.

With the above amendments the Committee noted the Minutes.

3. **SCRUTINY FORWARD WORK PROGRAMME 2015/16**

The Committee received the Forward Work Programme. It was highlighted that if Members wished for items to be considered for the new cycle of meetings, following the Annual Meeting of Council, to contact the Democratic Services Officer.

4. **PROGRESS AGAINST THE RECOMMENDATIONS FROM THE SCRUTINY INQUIRY TO ASSESS PROGRESS IN PROTECTING CHILDREN FROM SEXUAL EXPLOITATION IN NEATH PORT TALBOT**

The Committee received the report on progress against the recommendations from the Scrutiny Inquiry that assessed progress in protecting children from sexual exploitation in Neath Port Talbot, as detailed within the circulated report.

The Chairperson highlighted that Members of the Children, Young People and Education Scrutiny Committee that had been involved in the Inquiry had considered information provided by different Council Services and relevant partners in relation to this matter. Members made several recommendations to the relevant organisations and Council Departments, which were formally endorsed by the Committee on 2 September 2015 and it was agreed that progress against the recommendations would be reported back to the Committee in six months. The report included an update against all the recommendations and it was noted that progress had been made against all the recommendations and some had been completed.

It was commented that Members had found the Inquiry very informative and it had been a useful exercise. Members were satisfied that significant progress had been made against the recommendations. As the recommendations had been to a range of Council departments and organisations it was not practicable for representatives to attend the meeting and any questions would be sent to the relevant officers for a full reply.

Members queried whether the Awareness Raising Sessions could be made mandatory for one school governor per school. They were informed that it was not a mandatory requirement from Welsh Government and would not be enforceable. Education officers had provided a more detailed answer to this question outlining information on safeguarding training for governors, which would be circulated to the Committee. Members asked if there was a checklist of which school governing boards have had a governor trained and it was confirmed that there was. It was asked if governing bodies would be targeted if they had not undertaken training. It was agreed that officers would include this information in the circulated response.

Following scrutiny, it was agreed that the report be noted.

5. **CHILDREN AND YOUNG PEOPLE SERVICES - KEY PRIORITY INDICATORS**

The Committee received the report on the key priority indicator information within Children's Services, as detailed within the circulated report, for indicators:

- Priority Indicator 1 – Average number of cases held by qualified workers across the Service.
- Priority Indicator 2 – Staff supervision rates.
- Priority Indicator 3 – The number of social worker vacancies across the service (including number of starters/leavers/agency staff/sickness).
- Priority Indicator 4 – Number of approved foster carers within the Council.

In relation to Priority Indicator 3 it was noted that there had been four and a half vacancies in February 2016 and it was confirmed that those positions were now being filled, which would be reflected in the figures in future reports. Members highlighted that there seemed to be more staff leaving during the winter period and it was queried if there was a pattern or reason for this. Officers explained that there did not seem to be any trends or patterns. Members noted that there had been a significant reduction in agency staff and asked how many there were remaining in the Service. It was clarified that there were currently three agency staff within the Service.

It was highlighted that Priority Indicator 4 was indicating that the number of in house foster carer placements were increasing and fewer independent carers were being used by the Service. Members asked if the cost differential between in house and independent foster carers was similar across Wales. Officers confirmed that this was the case and the costs were negotiated across four local authorities. It was explained that the costs for independent foster carers included the costs to the agencies not just what the foster carers were paid.

Following scrutiny, it was agreed that the report be noted.

6. **PRE-SCRUTINY**

The Committee scrutinised the following matters:

Cabinet Board Proposals

6.1 When I am Ready Policy and Practice Guidance

The Committee received the report on information on the implementation of the When I am Ready Scheme that comes into being on 4 April 2016, as detailed within the circulated report.

Members were informed that the When I am Ready Scheme was being introduced by Welsh Government and sets out the Local Authority's legal responsibilities in respect of post 18 living arrangements for young people in foster care. The Council was required to set up a scheme in line with the requirements of the code. It was explained that there was a requirement for payments to be made in line with the national minimum payments for foster carers and therefore there were financial implications to introducing the Scheme. It was noted that the When I am Ready Scheme replaces the existing Extension to Placement Policy.

Members recognised the positive aspects of the Scheme. It was commented that unlike the 'Staying Put' arrangements in England, it was disappointing that there was no funding from Welsh Government for the When I am Ready Scheme. It was clarified that the 50k maximum additional funding required for the Scheme was overall for the first year. Members asked if the young people could contribute money to the household, if they were working or on benefits, and it was confirmed that this was the case. Members also queried if the weekly amount contributed by young people would change if their circumstances changed. Officers explained that Children and Young People Services would pay a young person a basic weekly maintenance allowance if they were unable to claim benefits and the financial arrangements were outlined in the report. Members asked that in a case of a young person who had been in care and was in full time education this would affect their financial circumstances. It was confirmed that young people in this situation would also receive the maintenance allowance.

Following scrutiny, it was agreed that the report be noted.

6.2 CSSIW Fostering Inspection Report – March 2016

The Committee highlighted that overall this was a good report. It was noted that there had been a number of recommendations and Members requested that officers reported back progress against them. Officers explained that an action plan had been developed to address the recommendations and confirmed progress would be reported to a future meeting.

The report was noted by the Committee.

6.3 Inclusion Business Plan 16/17

The Committee received the report and presentation on the Inclusion Service Business Plan 2016-17, as detailed within the circulated report.

Members were presented with an overview of the Inclusion Service. The Service wanted to ensure there was efficient and effective provision to support children and young people with additional learning needs. It was highlighted that there was pressure on the Service as there had been a significant increase in the number of pupils with Additional Learning Needs. The Service was developing an Autism Strategy for children and young people in partnership with other internal and external services. Another priority was to establish a Continuum of Support for children and young people with social, emotional and behavioural difficulties. It had to be ensured that there was consistency of provision and the Service delivered the outcomes required.

It was highlighted that the pressures on the Service were continuing to increase and there was more challenging behaviour from pupils. It was important that the Service developed the expertise of the workforce and early identification of children with additional learning needs was key. Some pupils were not being diagnosed until Year 6 and this resulted in reduced time for transition work from primary to secondary school. It was noted that getting the correct balance of skills in the Service was being addressed in the business plan.

It was highlighted that Neath Port Talbot had above the national average of pupils with statements of Special Educational Need

(SEN). It was noted that if there was not enough evidence in the statements of SEN parents would have the right of appeal. A person centred approach was being developed and the Service was working in partnership with parents and other agencies to deliver the best outcomes for pupils. It was explained that there were planned places available within the Council's two special schools and in addition 16 primary and secondary schools had Learning Support Centres (LSC). In 2015, 364 pupils attended these centres, 14 more than 2013. Almost all LSCs are already at full capacity for 2016-17. It was noted that the Service was looking at establishing a Second Education Nurture Centre.

Members noted that there were no learning support centres for Welsh speaking pupils. Officers explained that they had previously audited the support units and there had not been a need for this provision and that they would look at this again if required. It was highlighted that there was a shortage of Welsh speaking speech and language therapists. Members asked if the Service worked with other local authority areas to provide specialist services. It was confirmed that there was joint working across the Education through Regional Working (ERW) region and there was sharing of good practice.

Officers explained that most pupils with a diagnosis of Autistic Spectrum Disorder (ASD) would be taught in a mainstream school with additional support. However, there was challenge from parents seeking alternative, independent and costly therapies. It was highlighted that legal representatives were offering free advice to parents on behalf of organisations offering independent therapy. This resulted in some parents challenging what services their children were being offered. Members expressed concerns about this practice and that vulnerable parents could be targeted. There was also concerns that some of the therapies being offered were implying that they could cure children of their conditions, which was not the case. It was noted that such activities were putting additional pressures on the department and there were more challenges to statements. The Service had to evidence that they were meeting the needs of the child if taken to tribunal stage. It was clarified that if it was ruled that the therapy should be available then the Council would have to pay for it.

Members highlighted that they had received feedback from teachers that the forms were difficult to complete as the

evidence had to be precise and could the Service assist teachers with this. Officers explained that they were taking forward a cluster plan to address this issue and schools were requesting a more flexible approach. Members requested that the SEN governors for schools were also included in this work and officers took this request on board.

Members were informed that out of county provisions were very expensive and it catered for pupils with very complex needs, which could not be met in County. It was highlighted that the number of children receiving this provision had reduced.

It was explained that reforming the Additional Learning Needs Services had been deferred as there was currently a consultation taking place on the Welsh Government proposals, which had taken precedent and would have an impact on Neath Port Talbot's Services.

Members noted that there was a lot pressures on the Inclusion Service and there were budget implications that would have to be considered. It was noted that where possible partnership working and sharing resources was considered.

Members recommended that a glossary being circulated to school governors detailing the terms used in the categories for children with special educational needs.

Following scrutiny, the Committee was supportive of the proposal to be considered by the Cabinet Board. In addition it was agreed that Cabinet Board be asked to consider the following recommendation that a glossary being circulated to school governors detailing the terms used in the categories for children with special educational needs.

6.4 Schools Admissions Policy 17/18 Results of Consultation
(Councillor P.A.Rees reaffirmed his interest and left the meeting for this item only).

Members were informed that the Neath Port Talbot Council was the admission authority for community schools in its area and was required to determine by 15 April 2016 its admission arrangements in relation to the 2017/2018 academic year. Consultation had taken place on the Admission Policy between

December 2015 and February 2016; consultees included head teachers and governing bodies of community and voluntary aided schools within the County Borough, the Admission Forum and neighbouring local authorities. It was explained that the Admission Forum had considered the draft policy and changes resulting from the consultation on 23 February 2016. However, the consultation period had not ended by the date of the meeting and some further amendments were made following this date, which were before Members at this meeting for consideration.

Officers provided a verbal update that an amendment had been made to the draft policy on page 84 that 'or in the case of admission to a primary school, the nursery class at the school for which an application is made' had been removed. This had resulted from comments from Welsh Government that the admissions code did not allow nursery placements to be used as a preferential consideration.

Officers highlighted that the Admissions Policy was intended for community schools and the Council was not the admission authority for voluntary aided (i.e. Faith) schools, as they were their own admission authorities. The Council did undertake some of the administration elements on behalf of voluntary aided schools, as parents applied through the Council's portal.

Members were provided with overview of the consultations that had been received and the officer responses to them. It was recognised that as a result of the consultation amendments had been made to the Policy.

Officers highlighted that the catchment area for the purpose of admission to community schools had been defined as the geographical area served by a school, as determined by the Council. It was also explained that the term partner and feeder school had been interchanged over the years and the consistent term that would now be used was partner school. Feeder school was felt to be outdated and hierarchical and some primary schools had highlighted this as an issue. The definition of the term 'partner' school for the purpose of the admission policy was defined as 'a school that has a catchment area in common with another school of the same category'. In addition, it had been noted that the Home to School Transport Policy and the Admissions Policy were separate policies but

there was an inter-relationship and this had been noted in the Admission Policy. Officers highlighted that the Parent Handbook also stated that parents should contact the Council for further information.

Members noted that the Policy recognised the inter-relationship between admission and Home to School Transport Policy and it advises parents to refer to the Home to School Transport Policy when applying for a place. It was asked if the draft policy detailed which was the nearest suitable school for all schools in Neath Port Talbot, including faith schools and how would parents work out which was the nearest suitable if faith schools did not have catchment areas listed. Officers outlined that the Admission Policy did not include faith schools and it was only for community schools, however, the Parents Handbook would include relevant information on how to apply to faith schools. It was further explained that if pupils attended a partner primary school it did not guarantee them a place at a partner secondary school neither did not attending a partner primary school prevent pupils applying for a place in a secondary school.

Members queried that if St Joseph's Secondary School was its own admissions authority then why had the Council previously included faith schools in the admission policy and now excluded them. In addition, there had been a list of feeder schools included on the Council website, which had been removed. Officers explained that faith schools had not previously been included in the admission policy but there was information included in the Parent Handbook.

Members noted one consultation response mentioned that the Policy stated that 'transport to sixth forms is discretionary and non-statutory. It is currently available to all pupils who live over 3 miles from the school', and asked if students had to pay £100 per annum for a travel pass to attend St Joseph's sixth form. Officers explained that this was in regards to the Home to School Transport Policy and was not in the Admission Policy. Members referred to an Ombudsman letter that had apparently identified an issue around clarity on information surrounding the Home to School Transport Policy and the most suitable school. It was felt that there were similar issues in regard to catchment areas and partner schools for faith and Welsh medium education. Officers explained that the term "most suitable" did not apply to the Admission Policy and that catchment areas had

not changed for schools, with the exception of those affected by the Strategic Schools Improvement Programme.

Members also queried that as there were no Church in Wales secondary schools in the County Borough this could result in some children not having an established progression route to a secondary school. Officers took this on board and confirmed that the pupils would be able to apply for places in secondary schools through the Admission Policy.

Members noted that in some areas there were pupils that attended Welsh medium primary schools and there had always been the presumption that they could then attend either the local English medium or the Welsh medium secondary schools. It was felt that the Welsh medium primaries not being listed as partner schools to the English medium secondary schools changed this. Officers outlined that the catchment areas remained exactly the same and parents could apply to the school of their choice. It was highlighted that Welsh medium primary schools could not be partnered with English medium secondary schools as this did not fit with the definition of partner school. Officers explained that they could not be listed as partner schools as they were not in the same category. Members noted that Cwmtawe had been the only English medium secondary school in Neath Port Talbot that had Welsh medium primary schools listed as feeder schools, which was part of the reason for the change to ensure that it was fair across secondary schools. Officers agreed that the note at the bottom of Appendix 5 in the Policy, in regards to Partner Community Schools, be highlighted in bold, to make it clearer that parents could apply to the school of their choice. It was noted that once officers were aware that a pupil wished to transfer to an English medium comprehensive from a Welsh medium primary they would be included in the transition arrangements.

Members highlighted that consultation had not been undertaken on the term "partner school". It was felt by some that the definition could be discriminatory and could be perceived as going against the advice received from the Welsh Government and Ombudsman letter on most suitable school. Officers noted that one consultee had requested a definition of partner school and following this it had been included in the Policy. It was explained that advice had been sought from counsel on the

Policy. Members asked if the Ombudsman letter, which had been referred to by some Members, was relevant to the School Admission Policy and officers explained that it was not as it had been in regards to the Home to School Transport Policy.

Officers outlined that partner schools would only be relevant in regards to oversubscription criteria and it was low down on the list. Other criteria would be considered first, such as, whether they were a looked after child, catchment area, any siblings in the school and finally whether the primary school was a partner school. Statements of educational need were also taken into consideration. It was highlighted that in most schools there was not over subscription.

Some Members felt that the discussion was being drawn into Home to School Transport Policy issues and the Admission Policy had not been in question in previous years and the draft policy in the report was clear. The recommendation in the report was moved and seconded by Members of the Committee and the majority of the Committee voted in favour of the recommendation.

Following scrutiny, the majority of the Committee was supportive of the proposal, subject to the proposed amendment of the removal of “or in the case of admission to a primary school, the nursery class at the school for which an application is made” at point d page 84, to be considered by the Cabinet Board

6.5 Scope for Long Term Sickness Projects in Schools

The Committee received the report that detailed the Long Term Sickness in Schools Project and the implementation of an early intervention and effective communication methodology pilot within four schools, before gradually rolling out to all Comprehensive and Special schools, as contained within the circulated report.

Members were informed that an assessment of school sickness was undertaken over a year, which indicated that the majority of days lost were due to long term sickness absence. It was highlighted that the cost of sickness was not just days lost but also the disruption to pupils' education and the cost of providing

supply teacher cover. The Project was being undertaken in order to support school leaders to manage sickness levels, support staff to return to work and minimise the associated cost. It was highlighted that a taskforce had already undertaken a central staffing pilot and their findings identified that where long term sickness absence was addressed at an early stage, the outcome for both employees and the Council were more positive. Elected Members had been instrumental in the success of that pilot. The intention was to build upon this work initially with 12 to 15 schools in four tranches and to facilitate this work a Human Resources Officer would be appointed for 18 months on a temporary basis to work with senior management and bursars in schools. The Service would be working with Trade Unions to utilise their experience in assisting with this project.

It was confirmed that there would be regular updates to the Committee. Members agreed that in October 2016 the Committee would consider undertaking some additional scrutiny work, such as a one day inquiry, to assist this work.

Members requested a list of primary schools in group four once they had been confirmed. Members also highlighted that not all schools had bursars and this should be considered in when rolling out the project.

The Committee noted that a significant number of days were lost due to stress related sickness absence. Assurances were requested that the reasons for these absences would be investigated and the members of staff who were off work due to this reason would be given support. Officers confirmed that this was the intended approach and the Project would be focussing on what support was required. It was also noted that a distinction had to be made between work stress and home stress and this had been effectively addressed in the Central Pilot.

It was asked if all teaching trade union representatives had been present at the meeting of the Local Social Partnership Group on 8 February 2016. Officers explained that three trade unions had been represented and one was not from a teaching union. It was noted that during the Central Pilot there had been good partnership working with Unison and there had been

positive feedback. It was emphasised that the main aim of the Project was to manage sickness absence effectively.

Members queried if the causes of sickness absence were monitored and it was confirmed that it was. Members noted that there were some cases where staff should stay off work until they were completely better rather than causing further disruption and triggering other procedures by returning to work too soon and then having to go off again. Officers agreed that this aspect would be considered as part of the Project.

Following scrutiny, it was agreed that the report be noted.

CHAIRPERSON