



**Notice of a public meeting of
Children, Education and Communities Policy and Scrutiny
Committee**

To: Councillors Baker, Daubeney (Chair), Fitzpatrick,
Heaton, Hollyer, Orrell and Webb (Vice-Chair)

Date: Tuesday, 1 November 2022

Time: 5.30 pm

Venue: The George Hudson Board Room - 1st Floor West
Offices (F045)

This is the reconvened meeting postponed from 12 October 2022.

A G E N D A

1. Declarations of Interest

At this point in the meeting, Members are asked to declare any disclosable pecuniary interest or other registerable interest they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

2. Minutes

(Pages 1 - 6)

To approve and sign the minutes of the meeting held on 21 July 2022.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Friday, 28 October 2022.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.”

- 4. The Safety Valve Agreement (Quarter 1 and Quarter 2 monitoring reports)** (Pages 7 - 20)
This report provides the Committee with an update on the progress being made to deliver the Safety Valve recovery plan.
- 5. 2022/23 Finance First Quarter Monitoring Report - Children, Education & Communities** (Pages 21 - 28)
This report analyses the latest performance for 2022/23 and forecasts the financial outturn position by reference to the services plans and budgets falling under this committee’s responsibilities
- 6. Ofsted Action Plan** (Pages 29 - 32)
The Committee will receive an update on the progress against the Ofsted Action Plan.
- 7. City of York Safeguarding Children Partnership** (Pages 33 - 40)
A presentation on the City of York Safeguarding Children Partnership will be given by the Corporate Director, Children and Education.
- 8. Work Plan** (Pages 41 - 44)
Members are asked to consider the Committee’s work plan for the 2022/23 municipal year.
- 9. Urgent Business**
Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer

Jane Meller

Contact details:

- Telephone – (01904) 555209
- Email – jane.meller@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

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City of York Council

Committee Minutes

Meeting	Children, Education and Communities Policy and Scrutiny Committee
Date	21 July 2022
Present	Councillors Daubeney (Chair), Fitzpatrick, Hollyer, Hunter (Substitute for Cllr Baker), Looker (Substitute for Cllr Webb) and Orrell
Apologies	Councillor Heaton
In Attendance	Councillor Waller, Executive Member - Children, Young People and Education
Officers Present	Pauline Stuchfield - Director of Customer and Communities Jamaila Hussain - Interim Director of Children's Services, Director of Prevention & Commissioning Maxine Squire – Assistant Director, Education Angie Padfield – Head of York Learning Andy Laslett – Strategic Services Manager Customer & Communities

1. DECLARATIONS OF INTEREST (6.09 PM)

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda.

None were declared.

2. MINUTES (6.10 PM)

Resolved: That the minutes of the meeting of the committee held on 28 June 2022 be approved as a correct record and then signed by the chair.

3. PUBLIC PARTICIPATION (6.10 PM)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

4. PERMANENT EMPLOYEE ABSENCE IN CHILDREN'S SERVICES (6.10 PM)

The Interim Director, Children's Services presented the report on permanent employee absence in Children's Services. She noted that the reported figure of 28 absences, as at 08 July 2022, was mainly due to Covid. Those off with stress related illness had identified personal stress, rather than work related stress as the issue.

The Workforce Development Board have strategic oversight of employee absence and areas for improvement had been identified as follows:

- Methods for recording absence
- Clear absence policy
- Emphasis on well-being
- Retention

The officer responded to questions from Members on the number of staff within the service, retention, the process for managing staff return to work and the stability of the Children In Care team. She specifically noted the following:

- There were approximately 380 staff within the service area.
- There was a policy to keep in touch with workers prior to their return to work date on their fit note.
- The Children In Care team was one of the more stable teams in terms of staff turnover.

The Chair thanked officers for the work they had done within a tight timeframe and it was

Resolved:

That the report be noted.

Reason: To keep the Committee updated in relation to staff absence matters within children's services.

5. YORK SKILLS AND EMPLOYMENT BOARD UPDATE (6.46 PM)

The Assistant Director, Education and Skills, gave apologies for the Skills Team Manager, and presented the York Skills and Employment Board Update to the Committee. She explained that the Board had existed since September 2020 and was chaired by the Principal and Chief Executive of York College, Lee Probert. During Covid, the Board identified short term actions to support the work force for Covid recovery. It has since devised a 10 year skills strategy for the partnership to develop skills as part of the city's skills and economic strategy. CYC has provided support to the partnership through the skills team and is represented on the Board by herself and Cllr Waller, Executive Member for Children, Young People and Education.

The Board was onto the implementation and delivery phase of the strategy and a representative of the Secondary Heads Group was to be invited to sit on the Board. York Learning and the council's Economic Development team also worked with the Board.

Cllr Waller added that the Board had been initiated as an emergency response to ensure access for young people to training and work experience as well as to retrain people who had lost their job. Through the Board, existing schemes had been signposted to potential user groups. The 10 year strategy is specific to York and looks ahead to the increased use of IT in industries as well as the STEM agenda, including women in STEM. He noted that it was necessary to ensure that the central government scheme to replace EU funding post Brexit, delivers on the courses needed. He also highlighted the increase in the number of apprenticeships within the council. He confirmed his own role on the Board was to promote inclusion to ensure all parts of the city were considered in decision making.

In response to comments from Members, the Executive Member noted that the heritage skills were what distinguished the strategy. He confirmed the development of green skills and the strength of digital arts within York.

It was also confirmed that plans, in the form of enterprise workshops, were in place to provide access for youth voice.

Resolved:

- i. To note the report.
- ii. That the Committee receive future updates on delivery of the commitments under the 10-year Skills Strategy on an annual basis.

Reason: To keep the committee updated and to inform the scrutiny work plan.

6. YORK LEARNING - STRATEGIC PLAN PROGRESS REPORT 2021/22 (6.26 PM)

The Head of York Learning, introduced the performance report for York Learning 2021/22. She highlighted the work that had been done to build partnerships with community groups to develop adult skills through bespoke courses. She mentioned that the learners on the Travellers Trust course had been provided with laptops through the IT Reuse project. Although progress to digital inclusion had gone well, digital skills had been hit during the pandemic. Post Covid, there was a lack of progression routes due to fewer entry level courses. This was expected to improve over the next year.

In preparation for devolution, there was a shared, Joint Head of Adult Learning services. Paul Cliff, Joint Head of York and North Yorkshire Adult Learning Services was introduced to Members and he reported that the challenge in York would be to change the traditional offer to support more aspects of community learning following future changes in devolved funding. The aim was to take a collaborative approach with partners and providers over the next three years to demonstrate a successful partnership. They also needed to alter their provision to connect with a different demographic, 19-25 year olds, to stimulate the economy and with the aim to become the gateway to the skills agenda.

In response to Members' questions it was noted that:

- It was hoped that centrally based premises could be found that had it's own identity as an adult learning environment for individuals and families.
- It was not possible to achieve 100% completion rates in Adult Education.
- European Social Fund (ESF) funding is due to finish in 2023, there may be a gap in funding.
- The European Computer Driving Licence (ECDL) had been withdrawn as it no longer received funding. It was hoped that it could be reinstated as an employability qualification.

Resolved:

To note the content of the report.

Reason:

To monitor the service, guide managers and ensure robust and accountable governance arrangements.

7. ANNUAL UPDATE REPORT: LIBRARIES AND LEISURE FACILITIES (5.32 PM)

The Strategic Services Manager, Customer and Communities introduced the annual update report for Libraries and Leisure Facilities. He explained that both organisations had increased efforts during the pandemic and noted working in partnership as an important achievement.

The Explore Chief Operating Officer underlined the role of Explore during the pandemic as a mechanism for getting trusted information into communities. She highlighted the role of the Home Library Delivery Service as well as the digital skills support for job seekers. Explore were recruiting from within the community and had reviewed their volunteer opportunities.

During the discussion relating to hubs and digital access, it was noted Explore had a strong partnership with the Local Area Coordinators (LACs) in terms of digital inclusion support.

The York Partnership Manager for Greenwich Leisure Limited (GLL) explained that GLL is a London based not for profit social

enterprise. He highlighted the Healthwise programme at Burnholme Sports Centre which houses NHS outpatients physiotherapy departments and CYC Health Trainers. He also outlined the developments relating to the LNER Community Stadium which opened in May 2021.

During the discussion, he confirmed that the stadium management team had worked with First Bus and Vangarde to manage visitors to the stadium. It was also noted that investments at Yearsley Pool had been made to reduce running costs through LED lighting and pool covers. Supplies of chlorine had been carefully managed and the pool had remained open. The increasing cost of utilities was highlighted as an area of concern which would be monitored and reported on in the future.

Resolved:

That members note the activities of the Explore and GLL update reports.

Reason:

To support the Council's role in performance management of the library and leisure service contract.

8. WORK PLAN (7.08 PM)

The Chair reported that he was to meet with the Vice-Chair and officers to finalise the work plan the following week.

Resolved:

That the updated Work Plan be brought to the next committee meeting.

Reason:

To ensure that the Scrutiny Committee is kept up to date with the Work Plan.

Cllr S Daubeney, Chair

[The meeting started at 5.30 pm and finished at 7.10 pm].



**Children, Education and Communities Policy
and Scrutiny Committee****01 November 2022
(postponed from
12 October 2022)**

Report of the Assistant Director, Education and Skills
(Portfolio of the Executive Member for Children, Young People and
Education)

**The Safety Valve Agreement (Quarter 1 and Quarter 2 monitoring
reports)****Summary**

1. This report provides the members of the policy and scrutiny committee with an update on the progress being made to deliver the Safety Valve recovery plan. The council has entered into a formal agreement with the Department for Education (DfE) to eradicate the deficit on the High Needs Block of the dedicated schools grant by 2024/25. As part of this agreement the council is required to provide the DfE with quarterly progress reports throughout the lifetime of the agreement. The quarter 1 and quarter 2 monitoring reports were shared with the DfE in June and September 2022. The council is currently on track to meet the deficit reduction targets set out in the Safety Valve agreement.

Recommendations

2. The members of scrutiny are asked to:
 - 1) Note the progress that has been made to date on the delivery of the Safety Valve recovery agreement between the Department for Education and the council.

Reason: the process of the quarterly monitoring forms the basis of the grant agreement that the council has signed up to.

Background

3. In 2020-21 the Department for Education (DfE) introduced the safety valve programme for local authorities that were facing

significant deficits on the high needs element of their dedicated schools grant (DSG). The high needs funding supports the costs associated with provision for children and young people with special educational needs and/or disabilities (SEND).

4. York was invited to join the safety valve programme in November 2021 and was required to produce a recovery plan to show how it proposed to address the in-year pressures in the dedicated schools grant (DSG). In March 2022 the local authority was successful in gaining support to address its historic cumulative deficit through entering into a Safety Valve agreement with the DfE (see appendix 1).
5. The Safety Valve agreement will ensure that the projected cumulative deficit of £17.1 million by 2025 would be written off by the DfE on delivery of the actions in the recovery plan. The local authority were also invited to submit a request for additional capital funding to support the delivery of actions in the recovery plan and was successful. This has added an additional £3 million to the SEND capital budget and has created a total budget of £8.5 million. Whilst the recovery plan focusses on managing a financial deficit, the council sees the Safety Valve programme tying in very closely with the capital funding plan and “Written Statement of Action”. This approach will see the introduction of a number of process improvement and change management initiatives that will create a sustainable model for long-term success, post safety valve completion.
6. The actions identified in the Safety Valve agreement strongly align with the proposals in the recently published SEND Review Green Paper. These actions focus around four key areas of activity and the agreement conditions tie in to one or more of these key areas:
 - Demand management
 - Sufficiency
 - Inclusion in mainstream
 - Preparation for adulthood

The focus of the recovery plan is to ensure that improvements are made in the lived, provision and better integrated working across education, health and care.

7. At the end of quarter 2 the council is on track to meet the overall financial targets set out in the Management Plan for 2022/23 with

all savings identified either already achieved or expected to be achieved by the end of the financial year. The table below summarises the projected progress of the DSG deficit over the 4 years of the safety valve agreement

	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
Brought forward	5,843	5,090	3,811	1,853
In year position	1,747	1,221	542	-96
Safety Valve Funding	-2,500	-2,500	-2,500	-2,000
Carry forward	5,090	3,811	1,853	-243

8. The table below summarises the operational activity that has taken place against each of the priorities in the Safety Valve agreement:

Safety Valve Priority	Progress in Quarter 1 and Quarter 2 (March to September 2022)
Manage demand appropriately by supporting more children and young people in mainstream settings and appropriate and timely ceasing of Education, Health and Care plans.	We are confident that the total number of EHCPs will be below the total at the start of the safety valve agreement in March 2022. We will continue to work with partners to ensure that children and young people's needs are met appropriately, while also looking to improve process and manage the number of EHCPs maintained by the local authority. This includes improvements in decision making and assessment, annual review and improve support to deliver preparation for adulthood outcomes
Reduce the costs of SEND	Procurement of new taxi contracts

<p>transport and support independence by improving strategic and individual commissioning and contract management. This will include reductions in the costs of out of city placements, a review of banding and SEND transport.</p>	<p>has been completed. The Home to School Transport policy is being applied more consistently. Processes to assess eligibility for transport have been improved to ensure greater clarity.</p> <p>Two school transport officers have been recruited in order to improve oversight of the day to day operation of the contracts to allow improved contract management.</p> <p>The York Independent Travel Training service (YILTS) aims to support SEN children and young adults in the transition from specialist high cost transport to using mainstream transport methods. Suspended due to the COVID pandemic we are now reintroducing the service and expect to see more children travelling independently in the current financial year.</p>
<p>Support the inclusion of children and young people with SEND in mainstream settings to improve outcomes and reduce requests for specialist provision, including the development of pre-and post-diagnosis support pathways.</p>	<p>The Pathfinder teaching school hub is providing CPD programmes, for mainstream staff, during the academic year 2022-23 and the council is partnering with the Autism Education Trust to develop support work on building capacity in mainstream.</p> <p>Work on the Autism pathway is underway with the parent carer forum and the Autism Hub providing holiday and afterschool provision opened in August 2022.</p> <p>The learning support hub has been</p>

	<p>developed as a single point of access for specialist teaching and outreach services. This model has been implemented from 5th September 2022 and has been designed to deliver time limited pieces of work to support capacity building in mainstream.</p>
<p>Create more enhanced resource provision in mainstream schools to support the transition of children with a primary need of autism and associated social, emotional and mental health needs to reduce out of city placements.</p>	<p>Plans to ensure sufficiency in mainstream and specialist settings are underway, including additional enhanced resource provision (ERP) places.</p> <p>Allocation additional banding to schools to enhance support in mainstream.</p>
<p>Increase the number of young people with SEND in employment in the 19-25 age range by preparing post 16 and post 19 for adulthood, with a focus on routes to employment post 19.</p>	<p>Work has started with post 16 providers to review the post 16 local offer and a commissioning framework is being developed which will focus on skills for employment.</p>
<p>Build on successful pathways out of education and into employment and training that have been implemented.</p>	<p>Continuing to build the network of inclusive employers in York.</p> <p>Established and deployed and new team of Specialist Learning and Employment Advisers; fully embedded and functional within the new wider Skills Team, as part of the 'People Directorate'.</p> <p>Successfully supported the progression and transition of learners with EHCP's or in care of the LA in the city, maintaining the well-established high standards,</p>

	both in 'offers of learning' (approximately 98% of total cohort in receipt) and in the numbers of learners who are not known (less than 1%).
Access relevant capital bid opportunities to enhance support in schools	A bid for additional £3 million SEN capital was submitted and has been approved.

Consultation

9. In developing and delivering the safety valve agreement consultation has taken place with School Forum, parents and carers and children and young people. Quarter 3 will focus on the implementation of a communication plan to follow the lifetime of the Safety Valve agreement.

Options

10. Option 1: Do nothing

Option 2: Develop and implement the Safety Valve recovery plan

Analysis

11. Option 1 would result in an accelerating and unsustainable deficit on the high needs block of the DSG. If no corrective action was taken this would result in a cumulative deficit of over £34 million by 2025. This would add an unsustainable pressure on the council's general fund. Therefore, doing nothing would not be a reasonable action.

Option 2 has provided a framework for the council to address the in-year deficits in the high needs DSG through receiving additional financial support from the DfE. Successful implementation of the Safety Valve agreement will result in the cumulative deficit being written off in 2025. The actions identified in the Safety Valve agreement support the delivery of process and practice improvements which are designed to support improvements in the lived experience of children and young people with SEND in York through ensuring the right provision at right place and at the right time.

Council Plan

12. The delivery of the Safety Valve agreement supports the following priorities in the Council Plan, 2019-23:

A better start for children and young people through ensuring sufficiency of provision both in mainstream and specialist settings for children and young people with SEND.

Getting around sustainably through encouraging independent travel training (where appropriate for children and young people with SEND) and reducing the number of single occupancy taxi journeys. Well paid jobs and an inclusive economy through developing pathways to employment for young people with SEND.

Implications

13.

- **Financial** – Financial information on progress is contained in the main body of the report. At this point the local authority remains on track to meet the financial objectives set out in the agreement. The delivery of the objectives and outcomes of the Safety Valve agreement are essential to ensure the continued financial stability of the Local Authority.
- **Equalities** – all elements of the delivery of the Safety Valve Agreement are subject to Equalities Impact Assessment.

Risk Management

14. There is a risk related to the significant inflationary pressures in the overall economy which were not apparent when the original plan was agreed which could have impact in later years of the plan. Increased inflationary estimates have been factored in for 2022/23. This has proved possible without a detrimental effect on the year-end position but could be a risk in future years.

Contact Details

Author:

Maxine Squire
Assistant Director,
Education and Skills
People Directorate
01904 553007

Chief Officer Responsible for the report:

Martin Kelly
Corporate Director, Children and
Education

**Report
Approved**



Date 03/10/22

Specialist Implications Officer(s)

Financial
Mike Barugh
Principal Accountant
01904 554573

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Annex 1 York Safety Valve Agreement

Abbreviations:

DfE	Department for Education
DSG	Dedicated schools grant
SEND	Special educational needs and/or disabilities
EHCPs	Education, Health and Care plans
YILTS	York Independent Travel Training service
CPD	Continuing Professional Development
ERP	Enhanced resource provision
LA	Local Authority



Department
for Education

Dedicated Schools Grant 'Safety Valve' Agreement: York

1. This agreement is between the Department for Education and City of York Council, and covers the financial years from 2021-22 to 2025-26.
2. The authority undertakes to reach a positive in-year balance on its Dedicated Schools Grant (DSG) account by the end of 2025-26 and in each subsequent year. The authority undertakes to control and reduce the cumulative deficit as follows, not including any contribution made by the department through this agreement:

Year	Forecast DSG Deficit Profile at year end £m
2021-22	£13.6m
2022-23	£15.4m
2023-24	£16.6m
2024-25	£17.2m
2025-26	£17.1m

3. The authority agrees to implement the DSG management plan that it has set out. This includes action to:
 - 3.1. Manage demand appropriately by supporting more children and young people in mainstream settings and appropriate and timely ceasing of Education, Health and Care plans;
 - 3.2. Reduce the costs of SEND transport and support independence by improving strategic and individual commissioning and contract management. This will include reductions in the costs of out of city placements, a review of banding and SEND transport;

- 3.3. Support the inclusion of children and young people with SEND in mainstream settings to improve outcomes and reduce requests for specialist provision, including the development of pre-and post-diagnosis support pathways;
 - 3.4. Create more enhanced resource provision in mainstream schools to support the transition of children with a primary need of autism and associated social, emotional and mental health needs to reduce out of city placements;
 - 3.5. Increase the number of young people with SEND in employment in the 19-25 age range by preparing post 16 and post 19 for adulthood, with a focus on routes to employment post 19;
 - 3.6. Build on successful pathways out of education and into employment and training that have been implemented. A network of inclusive employers has been established in York and is working well;
 - 3.7. Access relevant capital bid opportunities to enhance support in schools;
 - 3.8. Implement additional training and support for mainstream settings and schools.
4. The authority also agrees to ongoing monitoring of its performance in fulfilling this agreement. The authority will:
- 4.1. Report quarterly (as a minimum) in writing to the Department (Funding Policy Unit) on its progress towards implementing the plan as per the conditions set out in paragraphs 2 and 3;
 - 4.2. The monitoring reports should include progress against the conditions of grant and a financial dashboard detailing various metrics relating to demand and cost. DfE will provide a template for this;
 - 4.3. Inform the Department (Funding Policy Unit) of any unforeseen difficulties or impacts of carrying out the agreement, or any significant risks to reaching the agreed financial position as soon as they arise;
 - 4.4. Meet with the Department at any time when the Department deems it necessary to discuss progress towards the agreement.
5. The Department agrees to pay to the authority an additional **£7.6 million** of DSG before the end of the financial year 2021-22. In subsequent financial years, subject to compliance with the conditions set out in paragraph 3, the Department will pay DSG sums

as follows. This funding will be provided in instalments and subject to continued satisfactory progress. Subject to full compliance, York should therefore eliminate their cumulative deficit no later than 2025-26.

Year	The Department agrees to pay to the authority an additional £m of DSG by year end
2021-22	£7.6m
2022-23	£2.5m
2023-24	£2.5m
2024-25	£2.5m
2025-26	£2.0m

6. The Department has also sent a commission relating to the authority’s capital plans for the creation of new places for children and young people with special educational needs and disabilities (SEND) or those requiring alternative provision (AP). It is critical that the authority considers its revenue and capital plans holistically – in developing capital proposals, the Department expects local authorities to have a keen eye on the efficiencies that need to be made and how they can invest wisely to secure financially sustainable high needs systems.
7. As such, capital proposals will need to demonstrate how investment is aligned to, or further develops, the reform plans and savings outlined in this agreement. Proposals will need to focus on projects that can be delivered quickly to improve the local provision offer and meet identified gaps in local provision. The Department will assess and review proposals against set criteria which have been outlined in the commission. Subject to that assessment, the Department will consider making a capital contribution to these plans in 2022-23 as a top-up to the local authority’s High Needs Provision Allocation (HNPCA), which will be announced in Spring. Progress against delivery of those capital plans should then be integrated into the quarterly reporting to the department as part of the monitoring of this agreement.
8. This agreement is subject to review at any time, for example as a result of the following events:
 - 8.1. Higher or lower DSG formula funding levels for the authority in future financial

years than those the authority has assumed;

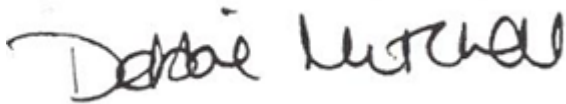
- 8.2. Significant changes to national SEND policy, for example as a result of the government SEND Review, which impact on elements of the plan;
- 8.3. Insufficient progress being made towards the authority reaching and sustaining an in-year balance on its DSG account as set out in the plan;
- 8.4. Whether York is awarded additional capital funding support following the capital application process.

The review process will include an assessment of the impact of the change in circumstances.

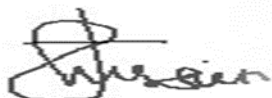
On behalf of City of York Council, Signed by:



Ian Floyd - LA Chief Executive



Debbie Mitchell - Chief Finance Officer (Section 151 Officer)



Jamaila Hussain - Director of Prevention Commissioning and Education

On behalf of the Department for Education, Signed by:

A handwritten signature in black ink, appearing to be 'Tom Goldman', written in a cursive style.

Tom Goldman – Deputy Director, Funding Policy Unit

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**Children, Education & Communities Policy
& Scrutiny Committee**

**01 November 2022
(postponed from
12 October 2022)**

Report of the Corporate Director of Children & Education and the Director of Customer & Communities

2022/23 Finance First Quarter Monitoring Report – Children, Education & Communities

Summary

- 1 This report analyses the latest performance for 2022/23 and forecasts the financial outturn position by reference to the services plans and budgets falling under this committee's responsibilities.

FINANCIAL ANALYSIS

- 2 A summary of the service plan variations is shown at table 1 below.

**Table 1: Children, Education & Communities Financial Projections
Summary 2022/23 – Quarter 1**

2022/23 Outturn Variation £000		2022/23 Latest Approved Budget			2022/23 Projected Outturn Variation	
		Gross Spend £000	Income £000	Net Spend £000	£000	%
+7,447	Children's Safeguarding	23,403	3,000	20,403	+6,528	+32.0%
-1,451	Education & Skills	20,885	5,034	15,851	+681	+4.3%
+1,465	School Funding & Assets	158,641	170,667	-12,026	0	0.0%
+219	Director of C&E & Central Budgets	4,143	5,996	-1,853	+71	+3.8%
-595	Covid 19 Funding					
-592	Directorate Mitigations					
0	Communities & Equalities	11,244	5,262	5,982	0	0.0%

6,493	Total	218,316	189,959	28,357	7,280	+25.7%
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+ indicates increased expenditure or reduced income / - indicates reduced expenditure or increased income

- 3 A net overspend of £7.3m is forecast which is primarily due to pressures within children's social care.

Children's Specialist Services

- 4 A net overspend of £7.6m is forecast, primarily due to children's social care. The number of Children Looked After (CLA) in York was consistently at a higher level than the budget was built to accommodate. The number at the beginning of the financial year was 281 and as at the end of June it was 282.
- 5 The placement budgets overspent by a total of £4,604k in 2022/23. This figure is made up of variances of £720k on local Fostering placements, £497k on IFAs, £322k on adoption/SGO/CAO allowances, £2,972k on the General Fund element of Out of City Placements and £93k on Leaving Care placements. The pressure on this budget is partly due to the limited market for children's placements and the statutory requirements placed on local authorities to meet children's needs, coupled with inflationary pressures which will continue to worsen the position.
- 6 However, despite the overall increase in placement numbers and costs, the service has made notable progress in containing and reducing the costs of some care packages. This includes a reduction in the cost of a placement at Wenlock Terrace from £40k per week down to £21k per week, with a further reduction expected down to £19.5k per week. Another Out of City placement has fallen from £7k to £5k per week, and a crisis support package has been implemented to allow one child to remain at home rather than move to a much more expensive external placement. These actions alone are estimated to have avoided further additional costs in excess of £1.2m per year. As requested at the previous meeting, Annex 1 provides some more detail on the numbers and average costs of external placements.
- 7 In addition there is a projected overspend in the Corporate Parenting staffing teams of £297k due to additional Working With York and agency staff and a net overspend on Inter-Agency Adoption Fees of £58k.
- 8 Safeguarding Interventions is projected to overspend by £261k. This area now has 5 budgeted teams to provide additional capacity to assist in the improvement journey being undertaken. This is to deal with the continued higher number of cases and still requires some WWY and agency staff to cover vacancies. In addition, Legal fees overspent by £395k.
- 9 Staffing budgets within Children's Social Work Services are predicted to overspend by £151k. This is mainly due to temporary staffing across the

service, which the directorate is working to eliminate with permanent appointments.

- 10 There is a projected overspend of £373k in the Referral, MASH and Assessment teams. This is due to the current temporary staff in this area until permanent appointments are made.
- 11 A projected overspend in Disabled Children's Services of £347k is mainly overspends on short breaks and direct payments £309k, again due to the CLA numbers being above the budgeted level.
- 12 Innovation and Children's Champion is a new area following the restructure and this is predicted to overspend by £50k in 22/23 due to agency staffing.

Education and Skills

- 13 The Home to School Transport budget was already in an historic overspend position due to increase in numbers for post 16/19. This is because of the city now being able to provide more specialist education provision for this group of students more locally, which means that we have had to provide more transport to establishment such as York College, Askham Bryan, Choose 2 and Blueberry Academy.
- 14 The changes in legislation to allow EHCPs to ages 19-25, resulting in significantly more students accessing this option, has significantly increased our transport spend accordingly. Inflationary increases will only add to this when the contract is renegotiated in September 2022.
- 15 The projected position is an overspend of £617k due mainly to the continuing overspend on SEN taxis (£436k), and additional buses required to transport an increase in pupils to Fulford School and Huntington Schools (£181k) for which no budget growth was allocated.

School Funding and Assets (including DSG)

- 16 The Dedicated Schools Grant (DSG) is currently projected to be on track to meet the targets set out in the Safety Valve recovery plan agreed with the DfE.
- 17 The main pressure is within the High Needs Block and is due to the continuing increase in High Needs numbers, and increasing complexity, requiring expensive provision, especially in Post 16 and Post 19 provision and the education element of Out of Authority placements.
- 18 The brought forward balance on the DSG at 1 April 2021 was a deficit of £9.940m. As a result of the 2021/22 in-year overspend the cumulative deficit to carry forward to 2022/23 would have been £13.443m. However, following discussions with officials from the DfE and ESFA, the Safety Valve Agreement

was secured, resulting in an additional payment of £7.6m of DSG on the 31 March 2022. This reduces the cumulative deficit carried forward into 2022/23 to £5.843m.

- 19 This additional funding represents the first payment under the Safety Valve agreement, which commits the local authority to bring the DSG into an in-year balanced position by 2025/26. Further payments are conditional on the local authority meeting the targets set out in the Management Plan, and reporting quarterly to the DfE on progress, with the eventual aim of eliminating the in-year deficit by the target date, with additional payments by the DfE eliminating the historic deficit at that point.

Office of the Director of Children & Education & Central Budgets

- 20 The Office of the Director and Central budgets are predicted to overspend by £71k in total for 2022/23, mainly due Directorate Management Team costs incurred from interim appointments to cover for the vacant DCS post, and advertising costs for the Director and AD posts.

Communities & Equalities

- 21 These services are expected to outturn within budget. There are a number of minor variations being managed and work has continued to try and identify additional savings to help the overall position.

Council Plan

- 22 This report is directly linked to the key priority A Better Start for Children and Young People in the Council Plan.

Implications

- 23 The financial implications are covered within the main body of the report. There are no other direct implications arising from this report.

Recommendations

- 24 As this report is for information only there are no specific recommendations.

Reason: To update the committee on the latest financial position for 2022/23.

Contact Details

Author:

Richard Hartle
Head of Finance
Children, Education & Schools

Phone: 01904 554225
richard.hartle@york.gov.uk

Chief Officers Responsible for the report:

Martin Kelly
Corporate Director of Children & Education

Pauline Stuchfield
Director of Customer & Communities

Debbie Mitchell
Chief Finance Officer

Report Approved **Date** 04 October 2022

Specialist Implications Officer(s) None

Wards Affected: All

For further information please contact the authors of the report

Background Papers

2022/23 Finance and Performance Monitor 3 Report, Executive 18 August 2022

Annex 1 - Analysis of CYPIC External Placements 2022/23

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Analysis of CYPIC External Placements 2022/23**Residential Provision 0 - 15 year olds**

Average weekly placement cost	£	4,419
Number of placements		11
Total cost for 2022/23	£	2,399,053
General fund cost	£	1,799,290
DSG cost	£	599,763

Residential Provision 16+ year olds

Average weekly placement cost	£	5,730
Number of placements		6
Total cost for 2022/23	£	1,651,423
General fund cost	£	1,238,567
DSG cost	£	412,856

Additional Health/Disability Needs in Residential Provision

Average weekly placement cost	£	5,410
Number of placements		3
Total cost for 2022/23	£	845,039
General fund cost	£	633,779
DSG cost	£	211,260

Preparation for Independence Units

Average weekly placement cost	£	2,200
Number of placements		2
Total cost for 2022/23	£	226,960
General fund cost	£	170,220
DSG cost	£	56,740

Total for all placements - Current		
Average weekly placement cost	£	4,440
Number of placements		22
Total cost for 2022/23	£	5,122,475
General fund cost	£	3,841,856
DSG cost	£	1,280,619

Ended placements within the year		
Average weekly placement cost	£	2,038
Number of placements		4
Total cost for 2022/23	-£	134,127
General fund cost	-£	100,595
DSG cost	-£	33,532



Children, Education and Communities Policy and
Scrutiny Committee

01 November 2022
(postponed from
12 October 2022)

Report of the Director of Safeguarding, Children's Services

Ofsted Action Plan

Summary

1. The purpose of this paper is to update the Children, Education and Communities Policy and Scrutiny Committee on the progress against the Ofsted Action Plan.

Recommendations

2. The Committee is asked to note the progress of the action plan.

Reason: To keep the Committee updated on the progress of the action plan.

Background

3. Children's Social Care was inspected by Ofsted under the Inspection of Local Authority Children Services (ILACS) framework, which was conducted between 7 and 18 March 2022. The overall inspection judgement was that York 'Required improvement to be good'. The Council was required to submit an action plan to Ofsted within 70 days of the publication of their report outlining how the council intends to address each of the areas for improvement and the monitoring arrangements.

A draft of the Ofsted Action Plan was shared and considered by the Children, Education and Communities Policy and Scrutiny Committee in June 2022. The final Ofsted Action plan was endorsed by Council Executive on the 28 July 2022.

Progress

4. The inspection report sets out seven areas that require improvement. Below sets out the areas and the progress against each one:

- a. The consistency of written records so that they provide an accurate account of decision-making for all children.

Practice standards have been updated and young people have developed top tips for practitioners. Action learning sets have taken place to drive practice along with a library of good practice examples for practitioners.

- b. The quality of assessments to ensure that they consistently inform care planning.

Work has been undertaken with managers across the service to agree what constitutes as a good analytical assessment which includes expectations of management oversight. Systemic practice has also been rolled out across the service. The care plan has been strengthened and will be rolled out once this has been considered further by young people.

- c. The effectiveness of social work supervision in progressing plans for children and addressing practice shortfalls.

Practice standards for supervision have been updated and the supervision template has been revised with social workers and managers. Heads of service are regularly sampling the quality of supervision.

- d. The analysis of return home interviews.

The missing from home and care protocol has been revised with the Police and multi-agency reviews of repeat missing episodes are in place. An end-to-end review of the missing from home and care process is underway.

- e. Responses to children aged 16 and 17 who present as homeless.

Advocacy has now been extended to all young people aged 16 and 17 who present as homeless. The homeless protocol has been updated to provide a clear pathway for young people to access support and advice. Work has also been undertaken jointly with young people to review the information made available to young people who present homeless.

f. The pace of planning for children in unregistered children's homes.

Weekly oversight of young people in unregistered children's homes is in place. For the 1 young person in this situation plans are in place. A review is now underway of young people who have been in unregistered provision in the last two years to identify learning that would help us prevent the use of unregistered placements.

The placement finding capacity within the team has now been increased.

g. Children's influence and attendance at the corporate parenting board.

The Council Constitution for Corporate Parenting has been updated and agreed.

The Speak Up service and Corporate Parenting Advisors have developed briefings for all elected members and Corporate Parenting Advisors are now full members of the Corporate Parenting Board.

Consultation

5. As stated in the previous report the Ofsted Action Plan was considered and agreed by numerous Boards. The progress of the Action plan will continue to be overseen and scrutinised by the Assurance and Ambition Board.

Council Plan

6. The delivery of high-quality children's services will support the aims of the Council Plan which are to improve the quality of life for residents by supporting good health and well-being and by providing a better start for Children and Young People in York.

Implications

7.
 - **Financial** Over recent years there has been investment into children's services. The 2022/23 council budget included a total of £4.7m in growth across children and education. There continues to

be significant pressure of delivering children's services within budget. The successful delivery of improvement activity will contribute to easing this pressure.

- **Human Resources (HR)** None at this stage.
- **Equalities** The delivery of the Ofsted Action Plan will support the council in its overall duty to promote equality and address the needs of vulnerable or marginalised children, young people and families therefore contributing to the reduction of inequalities across the city faced by children and young people.
- **Legal** None at this stage.
- **Crime and Disorder** Delivery of the Ofsted Action Plan will ultimately safeguard children and young people, reduced the number of children exposed to risk and the impact of that exposure.
- **Information Technology (IT)** None.
- **Property** None.
- **Other** None.

Contact Details

Author:

Danielle Johnson
 Director of Safeguarding, Children's Service
danielle.johnson@york.gov.uk

Chief Officer Responsible for the report:

Martin Kelly, Corporate Director of Children and Education (DCS)

Report Approved



Date 03/10/22

Specialist Implications Officer(s) None

Wards Affected:

All

Abbreviations:

ILACS Inspection of Local Authority Children Services



Martin Kelly
Corporate Director Children
City of York Council

What does the CYSCP Partnership do?

- ▶ The Children Act 2004, as amended by the Children and Social Work Act 2017, and the associated statutory guidance Working Together to Safeguard Children (2018) replaced Local Safeguarding Children Boards (LSCBs) with new local multi-agency safeguarding partnership arrangements (MASA).
- ▶ This placed new duties on the three Statutory Safeguarding Partners (namely: the Local Authority, the Police and the Clinical Commissioning Group now ICS) in local areas, to make arrangements to work together, and with other relevant agencies locally, to safeguard and promote the welfare of all children in their area.
- ▶ The City of York Safeguarding Children Partnership was established in April 2019 to oversee the new Multi-Agency Safeguarding Children arrangements (MASA).

Who are our three statutory safeguarding partners in the City of York?



Martin Kelly,
Corporate Director
Children
City of York Council



Michael Walker
Interim Assistant Chief
Constable (ACC)
North Yorkshire Police



Michelle Carrington,
Director of Nursing
Humber and North
Yorkshire Health and
Care Partnership

Independent Scrutiny

- ▶ Independent Scrutineer acts as a constructive critical friend and promotes reflection to drive continuous improvement and provides assurance in judging the effectiveness of multi-agency arrangements to safeguard and promote the welfare of all children in a local area (WTSC18)
- ▶ Dr Maggie Atkinson has served as scrutineer in the City of York since September 2020. However, has formally given notice and steps down in December 2022
- ▶ Recruitment for a new scrutineer is underway

Key areas of activity of CYSCP

- ▶ Inspections:
 - Ofsted Inspection of Children’s Social Care (March 2022)
 - HMICFRS National Child Protection Inspection (November 2021 with the final report published in March 2022)
 - Youth Justice Inspection (September 2022)
- ▶ New appointments across all statutory services including into Senior Leadership posts
- ▶ Despite challenges the CYSCP have continued to operate as per the requirements set out in Working Together
- ▶ Partner agencies representatives at the CYSCP Executive and subgroups throughout 2021-2022 are accountable and committed to ensure that work in all areas continues
- ▶ Voice of children and young people paramount in all areas work carried out by CYSCP - ‘Right’s Respecting City’

Challenges and Improvement

- ▶ Inspection
- ▶ Recovery following Covid-19 pandemic
 - Professionals: Staff wellbeing and recruitment
 - Children & Young People and their families
- ▶ Service Provision - specialist services for the most complex children and young people including CAMHS provision

Beyond

- ▶ Legislative/Policy changes
- ▶ Continuous Improvement following Inspection
- ▶ Recruitment to a new Scrutineer
- ▶ Development of the Children and Young People's Plan
- ▶ Commitment from Senior Leaders within the Partnership
- ▶ Post Pandemic
- ▶ Continued commitment by the Partnership to ensure that the voice of children and young people are listen to and acted on

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**Children, Education and Communities Policy & Scrutiny Committee
Work Plan 2022/23**

23/06/2022 - Forum	<ol style="list-style-type: none"> 1) Annual outline of aims and objectives for the coming Municipal year by Leader and/or relevant Portfolio Holders, including any significant issues likely to be in the Forward Plan 2) Public health school survey, the findings, and what the PH team are doing to respond – confirmed. 3) Ofsted Report – commissioned slot.
28/06/2022 – Comm. Slot	<p>Children’s Services Ofsted Report Cllr Waller and Jamaila Hussain</p>
21/07/2022 - Committee	<ol style="list-style-type: none"> 1) York Learning annual update report - to include digital inclusion and post Covid recovery 2) Cultural offer – REACH update and York Explore annual report 3) Skills and Employment Board update 4) Staff absence/sickness rates within the Peoples directorate
12/10/2022 - Committee	<ol style="list-style-type: none"> 1) Q1 & Q2 Safety Valve agreement update (Maxine Squire) 2) Financial Monitor Q1 (Richard Hartle) 3) Martin Kelly, Corporate Director of Children and Education & Danielle Johnson, Director Children’s Services Safeguarding - Introduction and Ofsted update 4) Safeguarding Update (Martin Kelly)
09/11/2022 – Comm. Slot (reconvened from 27/09/22)	<p>Joint Scrutiny with HASC. Autism Strategy (Jamaila Hussain) & Healthy Child Service (Sharon Stoltz)</p>
20/12/2022 - Committee	<ol style="list-style-type: none"> 1) YMT new Chief Executive, Vision, progress and performance (Pauline Stuchfield) 2) Financial Monitor Q2 (Richard Hartle) 3) Behaviour and attendance, invite Chair of Schools Academies Trust (Maxine Squire) 4) Update on Community & Family Hubs & Holiday Food / HAF programme (Pauline Stuchfield)

Children, Education and Communities Policy & Scrutiny Committee Work Plan 2022/23

07/03/2023 - Committee	1) Financial Monitor Q3 2) School Standards – attainment gap (Maxine Squire) 3) Ofsted update – to include Children in Care and Workforce update 4) York Citizens’ Theatre Trust, annual review
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Agenda items for consideration

New:

- A report on CDOP (Child Death Overview Panel)
- Request an update from health on the developments of the ICS (Particularly in relation to safeguarding and Place)

High Priority

- Ofsted Report – response from Officers/progress against Action Plan
- Education Service Performance – school achievement, changes to the attainment gap.
- Achievement of DfE investment targets
- Autism Strategy – Joint Commissioned Slot with HASC, 9 November 2022

Medium Priority

- Budget monitoring 2023/24
- School attendance & safeguarding
- Public Health school survey, 23 June 2022
- Skills and Employment Board update, 21 July 2022
- York Museums’ Trust - vision, progress and performance from incoming Chief Executive (recruitment process ongoing)
- Cultural Offer - REACH update and York Explore annual report, 21 July 2022

**Children, Education and Communities Policy & Scrutiny Committee
Work Plan 2022/23**

Low Priority

- York Citizens’ Theatre Trust, annual review
- York Learning annual update, 21 July 2022
- People’s Directorate staff absence/sickness rates, 21 July 2022

Council Plan priorities relating to Children, Education and Communities
A Better Start for Children and Young People
<ul style="list-style-type: none"> • Strengthen the work of communities, local organisations and agencies so that families become more resilient.
<ul style="list-style-type: none"> • Continue the improvement of children’s social care to provide excellent services for vulnerable young people.
<ul style="list-style-type: none"> • Prioritise improved outcomes for our most disadvantaged children and young people in the city.
<ul style="list-style-type: none"> • Work across sectors to improve apprenticeships and in-work progression.
<ul style="list-style-type: none"> • Work with our partners to identify and tackle issues relating to the rise in mental health problems in the city.
<ul style="list-style-type: none"> • Focus on the importance of the early years and the impact that this stage of life has on a child’s development.
<ul style="list-style-type: none"> • Give every child and young person access a full and rounded arts and cultural offer.
<ul style="list-style-type: none"> • Increase the number of foster carers and adopters
<ul style="list-style-type: none"> • Improve play and sports provision for young people
<ul style="list-style-type: none"> • Develop a York citizenship offer in conjunction with schools in the city
Safe Communities and Culture for All
<ul style="list-style-type: none"> • Develop a cultural and sporting offer
<ul style="list-style-type: none"> • Deliver an inclusive cultural strategy
Good health and Wellbeing
<ul style="list-style-type: none"> • Make open spaces available to all for sports and physical activity

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