

Overview & Scrutiny

Children and Young People Scrutiny Commission **DRAFT** Minutes of 11th July 2022

Official Attendees present for the record

Cllr Sophie Conway (Chair)
Cllr Lee Laudat-Scott
Cllr Anya Sizer
Cllr Lynne Troughton
Cllr Claudia Turbet Delof
Andy English (Coopted Member)
Monique Pink (Co-opted member)
Jo Macleod (Co-opted member)

Connected Virtually

Cllr Margaret Gordon (Vice Chair)
Cllr Caroline Selman
Steven Olalere (Co-opted member)

In attendance (present or virtually)

- Cllr Anntionette Bramble, Cabinet Member for Children, Education and Children's Social Care
- Cllr Caroline Woodley, Cabinet Member for Families, Early Years, Parks & Play
- Jacquie Burke, Group Director, Children and Education.
- Annie Gammon, Head of Hackney Learning Trust and Director of Education
- David Court, Head of School Organisation and Commissioning
- Tim Wooldridge, Early Years Strategy Manager
- Donna Thomas, Head of Early Years and Early Help

A recording of the meeting is available here:

<https://www.youtube.com/watch?v=6MgS2yx5DnU>

Scrutiny Officer in the Chair

1. Election of Chair and Vice Chair

- 1.1 As this was the first meeting of the Commission in the new municipal year, it was necessary to elect a Chair and Vice Chair.
- 1.2 Cllr Sophie Conway was nominated for the position of Chair by Cllr Lynne Troughton and this was seconded by Cllr Sheila Suso-Runge. There being no other nominations Cllr Sophie Conway was elected as Chair.

Cllr Sophie Conway in the Chair

- 1.3 Cllr Margaret Gordon was nominated for the position of Vice Chair by Cllr Sophie Conway and was seconded by Cllr Lynne Troughton. There being no other nominations, Cllr Margaret Gordon was elected as the Vice Chair.

2. Apologies for absence

- 2.1 Apologies for absence were received from the following members of the Commission:
- Richard Brown

DRAFT

- Salmah Kansara
- Cllr Midnight Ross

3. Declarations of interest

- 3.1 The following declarations were received by members of the Commission:
- Jo McLeod was a Governor at a primary school in Hackney and a parent of a child with SEND;
 - Cllr Lee Luadat-Scott was a governor of a local school and member of Hackney Schools Forum
 - Cllr Anya Sizer was a parent of a child with SEND;
 - Monique Pink was a governor at a school in Hackney;
 - Steven Olalere was a governor at a school in Hackney.

4. Urgent Items / Order of Business

- 4.1 There were no urgent items and the agenda was as had been published.

5. Terms of Reference

- 5.1 This being the first meeting of the Children & Young People Scrutiny Commission, members were required to note the terms of reference for scrutiny and this Commission which is set out in the Constitution. Excerpts from the Constitution for arrangements and procedures rules for scrutiny and this Commission were enclosed in the report pack.

- 5.2 Members noted the terms of reference.

6. Childcare Sufficiency Report

- 6.1 Each Local Authority has a childcare sufficiency duty to ensure that there are sufficient childcare places to meet the needs of local parents and carers. Local Authorities are required to undertake a childcare sufficiency audit not only in relation to the number of childcare places available, but also on the quality and cost of local provision. Full audits are undertaken every two years and presented to local Councillors and this year's audit was enclosed in the agenda pack. This is a standing item on the Commission's agenda.
- 6.2 To support this item, the Chair noted that ahead of the meeting the Commission had held a focus group with local childcare providers to better understand the issues and challenges providers faced across the sector. Issues arising from the consultation were used to inform member questioning. The Chair also wished to publicly thank all those childcare providers who participated in this consultation.
- 6.3 The Cabinet Member for Families, Early Years Parks introduced the report. Although the report provided a snapshot of local services, at this time the sufficiency report demonstrated that there was enough childcare provision across the borough for all age groups. The Cabinet member was also encouraged that high levels of quality childcare provision were being maintained across Hackney. The new administration had a number of commitments in relation to childcare services:
- To continue to support local Children's Centres and ensure that they continue to provide a wide range of services and that these linked to new Family Hubs;
 - Accessibility of childcare would be assessed through the establishment of a local affordable childcare commission.

DRAFT

- 6.4 Officers made a short presentation to the Commission highlighting key issues from the report. A summary of key issues is provided below:
- There are two types of free entitlement: 30 hours of free childcare for 3 and 4 year olds (if both parents are working) and 15 hours free childcare for 2 year olds (for low earning families).
 - Free childcare provision in Hackney is provided through: 163 childminders, 108 private/voluntary nurseries (inc children's centres and playgroups), 21 independent schools and 54 nurseries in maintained primary schools and 2 maintained nurseries.
 - To support the sufficiency report, audit data was provided by child care providers - 50% of childminders responded and 90% of PVI sector and 100% of schools responded - which suggests that data in the report is an accurate reflection of local provision.
 - Whilst there was sufficient provision, it was noted that the cost of provision had increased over the past two years. The average cost was not £323 for a child under 2 years of age.

Questions from the Commission

- 6.5 From the consultation with providers, it was clear that there is a recruitment crisis in which childcare providers are struggling to find appropriately qualified staff. Providers noted problems with the training of potential staff recruits where there was a possible 'mismatch' in the training and curriculums of local colleges and what was appropriate for the local childcare sector. This has resulted in fewer recruits having Early years Foundation Stage qualification or them having practical experience in childcare settings. In its role as an education and training provider/ commissioner what can Council do to increase the number of suitably qualified staff for childcare providers in Hackney?
- It was acknowledged that some local settings were experiencing challenges around recruitment at present, but different types of settings were experiencing different problems. Thus whilst childminders and the independent and maintained sectors may not be experiencing the same recruitment problems as private and voluntary sector providers, they were experiencing other problems (such as not having enough children). Recruitment and retention was an issue across the sector because childcare professionals were finding better paid employment with less responsibility elsewhere. Childcare was also a difficult and demanding job and Covid had added to these pressures, therefore workers were leaving for better paid jobs with less pressures.
 - Hackney Education was supporting a volunteering strategy with local childcare settings to help parents and other adults gain appropriate training and qualifications as a means into work and further employment. In addition, HE is seeking to work with Hackney College to develop a placement strategy as it had been identified that people were leaving college without the necessary practical childcare experience.
 - Whilst funding to support Level 4 funding for early years has now ceased, the Department for Education (DfE) was looking to develop a new qualification offer. It was suggested that whilst private sector providers were training and developing new staff, many had moved to schools and the maintained sector upon qualification as the pay and hours were better.

DRAFT

- It was acknowledged that there was a perfect storm of recruitment problems emerging for providers and in response, HE was looking to develop a strategy to support providers.

6.6 Were all early years providers routinely included in all dedicated early years training available and other universal training offers (e.g. unconscious bias etc)?

- HE offers a universal training programme available to all child care providers. This is available on-line and is routinely sent to all settings, this covers health and safety, paediatric first aid, food hygiene, safeguarding as well as early years learning and childhood development.
- Bespoke training is also available to all settings on a wide range of issues which might be needed.
- HE has a core belief that all settings should understand childhood attachment and trauma and how these issues impact on children's behaviour, learning and development. This training is also free of charge to all settings.
- Dedicated training was also provided for the Charedi community run from Interlink offices.

6.7 What engagement has there been around the SEND Green Paper and the implications for local services supporting children with additional needs?

- The Cabinet member for Families, Early Years, Parks & Play noted that two professional engagement sessions had been held for local settings to discuss the implications of the Green Paper. A SEND Inclusion Conference would also be held, and part of this day would be dedicated to the Green Paper. The Cabinet member indicated that the Council would be happy to stage further events for other sectors if needed.

6.8 From the Commission's consultation with childcare providers it was evident that there were significant problems in getting early help to children with SEND in an effective and timely manner.

- Providers reported a 10 month waiting list for Portage (home support children with SEND to enable them to access childcare);
- Providers reported significant delays in getting assessment appointments at Speech and Language Therapist (SLT) or other paediatric assessments to support EHCP application process;
- EHCP assessment processes were reported to be complex, lengthy and time consuming process which can take up to 12 months to get support and for which providers are not compensated;
- Final packages of support did not fully recognising the staffing costs and resources required in supporting children with SEND in childcare settings;
- Childcare settings supporting local vulnerable children with high needs (e.g on a Child Protection Plan or Children in Need) were doing so with limited access to additional resources.
- It was noted that there was an annual early years conference and next years focus would be on anti-racist practice.

From the above the Commission had a number of questions:

DRAFT

- (i) The Inclusion Fund is used to support children with SEND in childcare settings. Given the scale of SEND needs in early years settings can officers set out. What is the current total budget for the Inclusion Fund and has this been increased to reflect demand?
- Officers noted that this was a fund to support children to access their early years educational entitlements where there is an emerging special educational need (but not a diagnosis). The setting is required to gather evidence to support the application and submit this to a SEND Panel. If successful additional funding is provided to help resource additional staffing or training to support the child to access early years education. Applications are collated termly and financial allocations to settings are also termly. The setting can progress the application to an EHCP if required.
 - It was noted whilst there is support available through the Area SENCO, it was acknowledged that this was a very small team. It was reiterated that it was the responsibility of settings (alongside parents) to make applications.
 - Funding has increased year on year as more applications for the Inclusion Fund are received.
 - It was noted that the level of resource provided to settings through the Inclusion Fund was above that provided by other neighbouring authorities and greater than grant funding through the EHCP itself. A review of funding levels was in progress to ensure greater consistency.
 - The budget for the Inclusion Fund was just under £1m which is up from £900k from 2 years ago. Officers noted that all applications, providing they are sufficiently evidenced, are funded.
- (ii) What can the Council do to develop and improve access to local childcare specialists (e.g. SLT, education psychologists) to help speed up assessment processes for EHCPs and other SEND assessments? Does the service have any data on the delays and the length of time that parents are needing to wait and what actions have been taken to minimise such waiting times?
- It was acknowledged that post pandemic, considerable delays were being experienced by families needing to access services including CAMHS, SLT, OT and other therapeutic support. Whilst waiting lists were minimal before Covid, there were now waiting lists of between 18-24 months for some of these services. This issue is being discussed across the strategic partnership. It was also noted that Covid continued to impact staffing and broader service provision. Services recognised that delays in accessing services was having an impact on children and families and were developing strategies to reduce the backlog, including 'no-meeting days' where practitioners focused solely on meeting, assessing and supporting children and families.
- (iii) The Area SENCO role plays a key role in supporting the SEND needs of children in local childcare settings. How many area SENCO support local childcare settings? What can be done to increase capacity and support provided to childcare settings?
- Officers noted that questions (ii) and (iii) should also be picked up with Inclusion and SEND service directly.

DRAFT

ACTION: The Commission to write to the Hackney Education team for a more detailed response to (ii) and (iii) above and strategic plan to reduce waiting lists.

- (iv) It was noted that in other local authorities, childcare providers are compensated for the time it takes to complete SEND assessments and monitoring? Could such a similar scheme be developed in Hackney?
- HE was not aware of any part of the budget which could be used to offset the costs of providers in making applications for the Inclusion Fund or an EHCP. Officers would look into this however, to see what additional support might be provided to help settings make applications on behalf of children and families.

Action: Hackney Education to investigate whether any financial compensation could be provided to offset settings costs in the preparation and evidencing of SEND support applications.

- (v) Childcare providers, many in the voluntary sector and operating from very limited budgets are supporting numerous vulnerable and disadvantaged children. What additional funding can be made available to support vulnerable children in these settings (above the childcare funding rate)?
- There was an Early Years Children in Need Panel chaired by a local provider. It was hoped that every child with a social worker in Hackney was supported to access early years provision. The early help service will work with settings to support the needs of these children in local settings, but it was acknowledged that in many cases the needs of these children exceeded what could be supported by those settings. In this context, parents were encouraged to place children with local children's centres which had additional resources to support them.
- (vi) The Commission noted that the Let's Get Hackney Talking initiative to improve access to SLT was moved to an appointment only basis from a drop-in service during the pandemic. Are there plans to restore the drop-in, and if not, why not?
- This service did move on-line during Covid, but is now moving back to face to face drop-in sessions again. These sessions were not all back as yet, but the intention was that these would all eventually be restored to drop-in services. It was pointed out that the recruitment crisis faced by early years and childcare providers was also being experienced across the entire system of children's services.

- 6.9 The consultation with providers highlighted the severe financial constraints on childcare providers which were impacting on the sustainability and viability of many of their businesses. Providers noted that free childcare funding did not cover their costs, and that paid for childcare was used to subsidise 'free' provision. Providers also noted delays in notification of funding levels from the Council. What more can the Council do to support struggling childcare providers?
- Officers apologised for the late notice in which providers were notified of their funding rate for free childcare this year. Prior to Covid, the funding rate for providers was calculated annually for providers, but during the pandemic the DfE moved to termly calculations. This had impacted on the accounting

DRAFT

workloads of local authorities as more time was needed to close-off and restart new accounts to adjust to new funding levels.

- It should be noted that the base rate for providers in Hackney was £4.99 per/hour per child, but this could rise up to £7.49 with the application of qualifying allowances (area of deprivation where child lives, staff qualifications, children in receipt of free school meals (FSM)). Officers indicated that other adjacent local authorities had a 'protected funding' rate which resulted in higher childcare funding. This issue was being challenged with the DfE.
- Sustainability of childcare settings is being challenged by the financial crisis. The problem of financial sustainability was made worse by the fact that some settings would not take children wishing to take up their free entitlement, which meant that in other settings up to 80% of children were those accessing their free entitlement and this was financially challenging.

6.10 Understanding that this is a very challenging working environment (work demands and levels of remuneration) what mental health advice, help and support is available for early years staff? The Commission noted that there was a significant staff turnover in some early care settings, what impact does this have on children in their care?

- The Early Years Service recognised the mental health issues and other challenges that settings were facing, and there were a range of meetings and other support mechanisms across each locality cluster to support staff. These meetings provided an opportunity for local childcare managers to meet, discuss and share issues of concern and help to identify solutions. It was important to ensure that managers felt adequately supported across all these settings so that they can in turn support their own staff.
- The government was intending to lower the staffing ratio from 1:4 to 1:5 as a way of easing cost pressures in childcare settings. It was noted that this proposal was not welcomed across the sector as this would impact on the quality of childcare services which could be provided.
- High staff turnover does impact on children, particularly where agency staff were being used. The turnover does not provide a stable care and support which is important for child development.

6.11 Hackney has recorded a decline in the uptake of this free funded 2-year-old childcare (15hrs) - which is directed at children who are most in need. Accepting that this is part of a wider regional and national trend, what more can Hackney Education and the wider council do to effectively target and support this cohort of families to increase uptake? Is there any analysis of the barriers to local uptake? It was concerning to note that the number of childcare settings which offer the funded free childcare for 2 year olds has reduced from 134 to 120 - does Hackney Education understand what the reasons might be for this? Is there any possibility of extending free childcare to 2 year-olds?

- There has been a decline in the number of eligible children for free childcare for 2 year olds as notified by the Department of Work and Pensions. Eligibility is set by the DfE and funding allocations of approximately £6.60 p/h is passported directly to providers. 2022 census data had just been released which demonstrated that there were 1,766 2 year olds eligible for free childcare which was substantially less than 2018, where there were 2,300

DRAFT

eligible children. This has an impact on settings with fewer children accessing services which leads to a reduced income from this cohort. This was part of a national trend. The take up of free childcare by those eligible had increased to 66%, which was amongst the highest in inner London. It was acknowledged however that 34% of 2 year olds were not accessing their free entitlement and the service was developing more innovative ways to reach these children and families. From 2021, DWP provided telephone numbers of children eligible for free entitlement which enabled the families of every child not taking up their free entitlement to be contacted and for officers to assess what support might be needed to help them access childcare.

- 6.12 The Commission thanked officers for attending and responding to questions from the Commission. It was agreed that the Commission would write to the Cabinet Member and Service with some of the suggestions and recommendations which came out of its consultation with childcare providers.

ACTION: The Commission to write to Cabinet Members for Families, Early Years, Parks and Play setting out the outcomes and recommendations from its consultation with child care providers.

7. Admissions and School Places

- 7.1 Each year the Commission reviews local admission processes for both reception and secondary school level entry and the wider school place planning role of the Council. This helps the Commission maintain oversight of school places across and ensure that there is sufficient local capacity. Hackney Education provided a report on school admissions outcomes and school place planning
- 7.2 The Cabinet member introduced this item noting that for the overwhelming majority of parents, a Hackney school was their first preference for their child. A majority of parents also secured a place for their child at either their first or second preference school which was in line with regional averages. The report highlighted the ongoing issue with falling school numbers in primary settings which would eventually feed into secondary school numbers. This was a regional issue being felt across schools in London.
- 7.3 The Director of Education noted that the School Estates Strategy was agreed earlier this year by Cabinet which would respond to the issues raised by falling school rolls and the need to increase in-borough SEND Provision. The Head of School Organisation and Commissioning noted the following from the report:
- There was a 1.8% decrease in the number of children applying for reception places in Hackney in 2022 compared to 2021. This was part of a longer trend which has seen a decrease of 18% of applications for reception places since 2017. Whilst London figures demonstrated a similar pattern of admission, this was more pronounced in Hackney (there being only a 9.4% fall across London since 2017);
 - Local Schools remain popular with over 9/10 parents choosing a Hackney school at their first preference.
 - In terms of the 36 families who were not given any preferred primary schools, they were offered a place in the nearest school with vacancies. Given the

DRAFT

number of vacancies across the sector, most were offered places reasonably close to where they lived.

- Secondary admissions showed a similar pattern to that recorded for reception, with a 3.4% reduction in applications from 2021 to 2022 and a reduction of 8.7% since 2017. It was noted that the decline in the number of applications to Hackney schools since 2017 runs counter to London wide data where there has been a 4.2% increase since 2017. It was not clear as to why this was the case, though there had been a recent trend for families to move from inner to outer London boroughs and further beyond.
- 86.5% expressed a first preference for a Hackney secondary school and 89% were allocated a school from one of their three preferred choices which corresponded to London wide data.
- 151 families (6.6%) were not offered a place at any of their preferred schools which was just above the London average.

Questions from the Commission

7.4 In respect of school place planning, a significant fall in the demand for reception places is anticipated for 2023 and beyond? Are any further reductions in the PAN envisaged for 2023/24? Are there any patterns or trends among those schools noticing the most fall in demand for places? How are schools required to reduce their numbers identified? Is this linked to areas of social disadvantage?

- The PAN listed are permanent and need to be consulted upon with the local community at least 20 months in advance. Some schools do ask for a temporary PAN to help them through short-term dips in pupil numbers and applications. In many cases the schools themselves request PANs to assist them in budget planning. Hackney Education did however initiate a number of discussions with schools where falling numbers were recorded. It was noted that this was a joint discussion and agreement between the school and Hackney Education.
- It was emphasised that parents have a legal right to choose the school which they would prefer to send their child, and in this context, it can be difficult to reduce numbers at schools which are popular or oversubscribed. The overall distribution of schools and number of vacancies across the borough was skewed, with greater capacity noted in the south-west of the borough. The Estates Strategy would help manage this issue.

7.5 For those children without a secondary place, can the Council explain its policy and approach to place allocations? It was noted that in some areas of the borough, children may have to pass up to 4 other schools to attend a secondary school place which has been allocated which does have vacancies? This issue was exemplified in the report at Table 3 which demonstrated that 52 children from E5 were not offered a place on admissions day, yet Mossbourne Academy which was in E5 admitted 24 children from outside the borough. Similar situations were noted for children located in E9 postcode wards (on the Kingsmead Estate).

- The Cabinet member noted that they were aware of this issue and were working with officers and local schools to develop a response.
- Officers noted that the Council does have the power to change the admissions criteria for community secondary schools (Stoke Newington and Haggston) but admissions criteria for the other remaining 10+ secondary schools are set by voluntary aided bodies (as in faith schools) individual

DRAFT

governing bodies or Multi-Academy Trusts (for academies). Thus the Council's position for the majority of these schools was that of *seeking to influence* admissions criteria.

- Central government sets out statutory criteria (such as LAC) and other issues which can be considered by the school in determining admissions criteria e.g. presence of siblings and distance lived from the school. This was the position for children living on the Kingsmead Estate who wanted to attend City Academy. This Academy has a standard admissions procedure, but given the demand for the service, there is little scope for local admissions from 'black spots' once places have been allocated to LAC and children with siblings. A longer term approach would be needed for Hackney Education to engage and consult with local secondary schools to highlight those areas where access is difficult, and to encourage them to change admissions policies. It should be noted that the Council cannot impose any changes.

7.6 In other boroughs, schools have been closed or required to merge. What is the position in Hackney, is the Council committed to keeping all schools open? How will falling school rolls impact on the local School Estates Strategy and the need to create additional resources to meet growing demand for SEND services (specialist provision and in-house provision in maintained schools)?

- The Council is committed to ensuring that children receive the best quality of education and that every child has access to a good local school. The School Estates Strategy is fundamental to the delivery of these objectives. The impact of falling rolls does require the Council to look at options however, including Additional Resource Provisions in schools. There were currently two empty educational sites (one at Nightingale site at Harrington Hill) and the Council was exploring whether additional specialist education provision on these sites. Longer term trends do however predict rising populations in Hackney and the Council would be reluctant to take any action which closes future options to respond to this.
- Schools have merged in the past, but there were no plans for this course of action in Hackney at present. All options must be considered, however, to ensure that schools remain sustainable.
- The Cabinet Member for Families, Early Years, Parks & Play noted that there had been an increase of £13m of additional funding had been agreed by DfE over the next two years which will support ½ of the new SEND places planned in the School Estates Strategy. It would however, be too simplistic to assume that schools with declining school rolls can be used to increase SEND provision as there were many assessments needed to make this decision (e.g. building suitability, location etc.). Phase 1A was agreed in January and a Cabinet paper for next proposals would be brought forward later in 2022/ early 2023.

7.7 What financial support is being put in place by Hackney Education and the wider Council to ensure the sustainability of local schools?

- It was very difficult to provide additional financial support to school as funding was determined by the numbers of children, and declining school rolls was creating financial challenges. Schools Forum has agreed additional support for those schools which do have to reduce their staffing numbers.

DRAFT

- 7.8 What evidence is there that popular local schools in more affluent areas are accepting students above their allocated PAN? If this is happening, this can exacerbate the problem of falling school rolls elsewhere.
- In relation to schools offering above PAN, whilst this was not common practice in other areas, it was noted that a number of local secondary schools do over-offer between 1st March and school census day in October (which counts to their funding). Schools indicated over-offering (by between 6-12 places) was warranted because of the school appeals process and evidence which suggested that numbers fell back before the start of term. It was acknowledged that this did have an impact on other local secondary schools, and that this year that impact was greater because of the declining size of this cohort overall. Over-offering can be beneficial however, as it can help the local authority to place children it is statutorily required to do so. If the cohort continues to decline, the Council would need to reconsider this situation.
- 7.9 The Commission is aware that Hackney is hosting a number of Ukrainian refugee children as part of a number of national schemes. Have all re-settling Ukrainian children been given timely access to local education services?
- There have been sufficient places to allow all new arrivals and refugees to take up places in local primary and secondary schools. The government has been very clear how admissions must operate, therefore Ukrainian children cannot be prioritised over other children who may be waiting for school places and schools must stick to the school admissions code. The service was not aware of Ukrainian children experiencing long delays, but it was not always able to offer places nearest to their host's home.
- 7.10 At page 66 of the report pack, the admissions arrangements for children with an EHCP for reception entry notes that 32 children were under assessment as of 15/2/22. Will all EHCP assessments be completed for children in readiness for September 2022 entry? Is there a substantial backlog in the service given the number of children waiting to be assessed?
- Officers noted that children's additional needs are only beginning to be identified at around 3 and 4 years of age and it is not uncommon for children to have their EHCP completed after they have started reception.
- 7.11 Planning for school places for children in the Orthodox Jewish Community remains a significant concern which has been set out in the Stamford Hill Area Action Plan. Can officers update the Commission on work taking place to work with the Orthodox Jewish Community to help develop in-borough provision (recognising that many will prefer to attend schools in the independent sector).
- Around 70-75% of Orthodox Jewish Children aged 5-16 are educated in Independent Schools which are inspected by Ofsted. Hackney Education is working closely with the Independent Sector to help improve the quality of teaching and Ofsted inspection outcomes. Additional support provided would have to be on a traded basis. The two maintained schools (Lubovich and Yesoda Hatora) have made progress but it would be difficult to secure a 'good' rating for these schools whilst the curriculum is so narrow.
 - Children who attend Yeshiva are likely to experience significant change in the coming years as the White Paper makes provisions for such settings to be registered and therefore included within the inspection framework of Ofsted.

DRAFT

It should be noted that the Orthodox Jewish community remains opposed to these new provisions.

7.12 The Chair thanked officers for attending and responding to questions from members of the Commission. The session has highlighted the importance of the following issues which the Commission would wish to maintain oversight of:

- Importance of School Estate Strategy
- To ensure that further work with schools to remove 'admissions black spots';
- To continue to assess what support is provided to schools to ensure that all are sustainable.

8. Outcome from School Exclusions - Cabinet response

8.1 The Commission completed its in-depth review of school exclusions in December 2021. The Executive responses to the Commission's recommendations were considered and agreed by Cabinet at its meeting on March 14th 2022. The Cabinet response, including the detailed response to the recommendations reviewed by the Commission noting that Hackney Education agreed in-full to 17 of the 18 recommendations made.

8.2 The Cabinet Member for Children, Education and Children's Social Care reiterated that tackling school exclusions and the associated disproportionalities was a priority for the Council and welcomed the recommendations of the Commission. It was hoped that exclusions should be reduced to below national averages.

8.3 In relation to recommendation 10 (which was partially agreed) the Chair acknowledged the challenges of supporting what were independent (or free) schools. It was hoped that an expanded site and new role for the Pupil Referral Unit would reduce the need for children to be placed in other alternative provision (AP). The Chair noted that within the site visits to AP, it was noted that the standard of facilities at some of these settings fell well below what other secondary schools were offering pupils. The Commission wanted a commitment that whichever setting children were being placed, be it in maintained or alternative provision sites, that there were clear standards of provision. The Commission felt that greater assurance was needed in that existing facilities meet the needs of AP attendees.

- The Director of Education noted that a dedicated officer was working on developing much closer contact with the AP sector in relation to performance monitoring, quality assurance and support to ensure improvements are delivered. In response to children's rights and behaviour policies, the Director noted that a Diversity and Inclusion Systems Lead has been appointed to take forward the Diversity & Inclusion Charter.
- The Cabinet Member for Families, Early Years, Parks & Play noted that the SEND Green Paper would provide additional status for AP which would assist developments in this area and that work of the Commission in this area had been welcomed.

8.4 Given the length and detail within the report it was agreed that it would be helpful to develop a summary of the report which could be circulated to more widely.

Agreed: That the Commission develop a short summary of the report which can be disseminated more widely across the Council.

DRAFT

8.5 A member of the Commission suggested that Recommendation 1 (relating to exclusion data monitoring and oversight) might also include some reference to SEND status of children. It was also noted that UNICEF were operating an education programme in primary schools to ensure that children were more aware of their rights and to encourage schools to develop more inclusive and positive behaviours policies. The Chair responded by saying it was hoped that the Commission would be able to pick up some of this additional work in this year's work programme. The Commission would write to the Inclusion Team to ascertain if SEND status can be included within the monitoring report due in October 2022.

Action: To write to the Head of Wellbeing & Education Safeguarding to request that SEND status be included in the Exclusions monitoring report which is due October 31st 2022.

8.6 The recommendations are normally reviewed 6-9 months after agreement by Cabinet which would require the follow up report to come around the end of the year or the beginning of 2022.

Action: To write to Hackney Education to confirm that an update on the recommendations would be taken around December 2022 or January 2023 (depending on work programme commitments).

9. Work Programme 2021/22

9.1 The Commission develops a new work programme each year to ensure that it remains current and relevant to the needs and priorities of the community and other stakeholders. It builds a new work programme through three methods:

- **Standing Items** - those items which are of critical importance and which the Commission has a role to monitor and oversee. These are detailed in Appendix A
- **Public and stakeholder Consultation** - a wide ranging consultation to generate suggestions for consideration within the work programme. These are detailed in Appendix B
- **Horizon scanning** - emerging issues of national and local importance which may further inform work programming. These are detailed in Appendix C

9.2 The purpose of the work programme was threefold:

1. Publish all suggestions to ensure transparency and openness
2. To allow members to review and discuss suggested items/ topics
3. To allow members to beggging to agree on and prioritise those items or issues which should be included in the work programme

9.3 Given the commitment to standing items and existing work of the Commission there was limited capacity for the number of new items which might be agreed for 2023. There were however a number of options to develop and extend the range of items included:

- Commission can factor in Cabinet Member Questions - when members may select up to three different topic areas.
- Review - the Commission is still completing Adolescents Entering Care but would be a further opportunity for more detailed review work once this was

DRAFT

- completed (after November 2022) (possibly scrutiny in a day);
- The Commission can hold informal sessions with officers or undertake site visits to assist in its work.

9.4 The most important part of the session was to prioritise those issues to be included in the work programme. How and when items are taken forward in the scrutiny work programme can be decided and agreed upon later by the Commission. Important considerations for prioritising issues for inclusion within the work programme:

- 1) Does the issue or concern resonate with the local community?
- 2) Is it an area where scrutiny can potentially have a real impact?
- 3) Does this issue align with or contribute to meeting local priorities?

9.5 Depending on the nature of the topic selected, the level and nature of scrutiny required the item might take a number of different forms:

- A short report which can be taken at a Commission meeting
- More detailed analysis with other contributors - where a whole meeting dedicated to this issue
- More in depth analysis with other contributors and evidence gathering - through a scrutiny in a day exercise or longer review.

9.6 Members of the Commission discussed the suggestions put forward and highlighted policy or service areas that should be prioritised. It was noted that some issues may be joint pieces of work which require cooperation with other scrutiny Commissions:

- Cllr Binne Lubbock - could the issues be mapped out via topic area - this would assist members' decisions. It would also be useful to have an indication from Hackney Youth Parliament (HYP) of their priorities for consideration.
- The Chair highlighted two possible areas for consideration for in an in-depth review for the Commission
 - (i) From the outcomes of the Child Q scrutiny and the suggestions of HYP, there appeared to be some consensus around the need to look at school behaviour policies and their impact on children and education - here it was noted that HYP suggested that children often struggled to adapt outside strict behaviour codes in their school;
 - (ii) To undertake an exploratory analysis of children's social care to understand more about the demographics of those children assessed to be Children in Need, on a Child Protection Plan and who become looked after and to assess if there are disproportionalities within this data which need to be addressed.
- The Vice Chair supported the need for the Commission to investigate school behaviour policies as there was much public interest in this matter. The incident surrounding Child Q had highlighted the need to assess the impact of school behaviour policies and if these were disproportionality impacting on certain groups of students. It was suggested that it would be helpful if the Commission could include local schools and young people as well as reviewing current research and consult other boroughs.
- Cllr Suso-Runge suggested that the Commission incorporate the need to develop a Leaving Care Plan and Care Charter as part of its work on adolescents entering care. In relation to any work on fostering, it would also be helpful to investigate kinship caring and what happens when this breaks

DRAFT

down.

- Cllr Sizer also supported an assessment of school behaviour policies and the need for schools to have a trauma informed approach to supporting children in their care. It was also suggested that when the Commission looks at Fostering, if it could also include some analysis of adoption and the process to support parents. Many of these issues might be considered in the context of mental health services and heightened needs of children and young people post pandemic.
- Jo Macleod also supported the need to investigate school behaviour policies, perhaps with an emotional wellbeing and mental health approach.
 - Mental health was also a significant issue for young people coming out of the pandemic with increasing waiting lists for CAMHS in response to rising incidence of eating disorders and self-harm. Many of these mental health issues were just emerging.
 - It was also suggested that the Commission should look into school avoidance and absence post pandemic and to assess what work is being undertaken to engage, involve and support affected children;
 - Given the increasing numbers of young people requiring an EHCPs, SEND provision is another priority for the Commission in terms of policy and practices to respond to these needs within schools and specialist settings. The Commission will need to monitor and review the implications of the SEND Green paper and track the progress of the School Estates Strategy.
- Cllr Turbet-Delof also supported the suggestion to review local school behaviour policies, exploring the different cultural impacts that these may have as well as the mental health impact of excessive policies. It was noted that some children experienced acute anxiety in relation to complying with school behaviour codes and were often fearful, lacking confidence and self-agency when they left settings where these were in operation.

9.7 The Chair summarised the following:

- Suggestions for the work programme straddled four key areas:
 - SEND;
 - Mental health
 - Behaviour Policies
 - Children's Social Care - demography, fostering and adoption

9.8 The Chair indicated that the Commission would work up and scope out suggestions into possible agenda items for inclusion within the work programme for 2022/23. The Commission would share this ahead of the next meeting for members input and further discussion. The Commission would also meet with officers to help scope prospective items. Items for September would need to be agreed early in the summer to ensure officers had sufficient time to prepare. It was noted that the recruitment and retention of foster carers was likely to be included on the 8th September agenda.

Action: The Commission agreed to map out suggestions by topic area, and develop more detailed agenda item proposals for inclusion within the work programme which would be circulated to members.

DRAFT

10. Minutes

- 10.1 The minutes of January 19th 2022, February 28th 2022 and March 14th 2022 were noted and agreed by the Commission.

Agreed: the Commission agreed the minutes of previous meetings.

11. Any other business

- 11.1 The date of the next meeting was 8th September 2022. There were no other items of business.

Meeting closed at 9.40pm