

Children and Young People's Committee

Monday, 20 May 2019 at 10:30

County Hall, West Bridgford, Nottingham, NG2 7QP

AGENDA

- | | | |
|----|--|---------|
| 1 | Minutes of the Last Meeting held on 29 April 2019 | 3 - 6 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Schools Capital Programme Progress Report | 7 - 12 |
| 5 | Change of Age Range of Schools - Relocation of Christ Church Infant Voluntary Aided School Newark and Extension of All Saints Church of England School Ashfield | 13 - 22 |
| 6 | Reorganisation of Staffing within the Commissioning and Placements Group | 23 - 34 |
| 7 | Development of the Fostering Service | 35 - 40 |
| 8 | Update on Education Penalty Notices for Unauthorised Absences from School | 41 - 46 |
| 9 | Terms of Reference for the Children's Homes Governance Board | 47 - 54 |
| 10 | Work Programme | 55 - 58 |

Notes

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Martin Gately (Tel. 0115 977 2826) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting CHILDREN & YOUNG PEOPLE'S COMMITTEE

Date 29 April 2019 (commencing at 10.30am)

Membership

Persons absent are marked with an 'A'

COUNCILLORS

Philip Owen (Chairman)
Boyd Elliott (Vice-Chairman)
Tracey Taylor (Vice-Chairman)

A	Samantha Deakin	Roger Jackson
	John Handley	John Peck JP
	Errol Henry JP	Liz Plant
	Paul Henshaw	Sue Saddington

CO-OPTED MEMBERS (NON-VOTING)

4 Vacancies

OFFICERS IN ATTENDANCE

Pav Ayoub	Youth Service, Senior Practitioner
Pom Bhogal	Youth Service Manager
Marion Clay	Service Director, Children and Families Services
Steve Edwards	Service Director Young Families & Social Work
Joe Foley	Group Manager, Safeguarding Assurance and Improvement
Laurence Jones	Service Director, Children and Families Services
Irene Kakoullis	Group Manager, Children and Families Services
Colin Pettigrew	Corporate Director, Children and Families Services
Pip Milbourne	Business Support, Children and Families Services
Martin Gately	Democratic Services Officer, Chief Executives

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 18 March 2019 having been circulated to all Members, were taken as read and were signed by the Chairman.

2. APOLOGIES FOR ABSENCE

None.

3. DECLARATIONS OF INTEREST

None.

4. NOTTINGHAMSHIRE EARLY YEARS IMPROVEMENT PLAN

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED 2019/036

That:

- 1) the proposal to develop a Best Start Board and Best Start Strategy for 2020-2025 be approved.
- 2) the proposed Best Start Strategy for 2020-2025 be brought to the Committee for consideration and recommendation to Policy Committee for approval, with approval also being sought from the Health and Wellbeing Board.
- 3) The new Early Years Workforce Development Advisor (Grade 5) post in Early Childhood Services is extended from 0.4 fte 0.6 fte be approved.

5. YOUNG PEOPLE'S SERVICE – ALTERNATIVE SERVICE DELIVERY MODEL OPTIONS APPRAISAL AND REMODELLING OF THE YOUNG PEOPLE'S SERVICE

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED 2019/037

That:

- 1) the remodelling of the Young People's Service to enhance the Council's offer of open access youth provision in Nottinghamshire as detailed in paragraphs 6 to 11 be approved.

6. PROVISION, ACHIEVEMENTS AND PROGRESS OF THE CHILDREN IN CARE COUNCIL AND PARTICIPATION OF CHILDREN AND YOUNG PEOPLE LOOKED AFTER 2018/19

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED 2019/038

That:

- 1) A further update report on the work of the Youth People Looked After Youth Work team in 12 months and that this be included in the work programme.

7. ADOPTION SERVICE UPDATE: JUNE 2018 TO MARCH 2019

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED 2019/039

That:

- 1) any further action required arising from the update on activity in the Adoption Service from June 2018 to March 2019 be considered.

8. CHILD SEXUAL EXPLOITATION (CSE): MID-YEAR UPDATE 2018/19

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED 2019/040

That:

- 1) any actions required in relation to the issues contained in the report be identified
- 2) an annual report for 2018-19 be received in June 2019 on the work to address the threat of child sexual exploitation in Nottinghamshire

9. REVISED PROCEDURE FOR LOCAL AUTHORITY GOVERNOR NOMINATIONS AND RE-NOMINATIONS TO SCHOOL GOVERNING BODIES

The Chairman introduced the report and responded to questions and comments from Members.

RESOLVED 2019/041

That:

- 1) a revised procedure for the nomination and re-nomination of Local Authority governors to maintained school governing bodies and academy school local governing bodies and that the committee delegates the authority to make nomination and re-nomination decisions to the Service Director, Education, Learning and Skills, as well as the Corporate Director, Children and Families Services.

- 2) a quarterly update report in relation to the appointment of Local Authority governors to school governing bodies be received and that these be included in the work programme.

10. SCHOOLS FORUM AND EDUCATION TRUST BOARD OFFICER GROUP

The Chairman introduced the report and responded to comments and questions from Members.

RESOLVED: 2019/042

That:

- 1) a further report be brought to Committee to outline any significant implications arising from the high needs review on the proposed review of the Support to Schools Service staffing structure.
- 2) a further update report on the work of the Schools Forum and Education Trust Board be received in 12 months and that this be included in the work programme.

11. WORK PROGRAMME

The Chairman introduced the report and responded to comments and questions from Members.

RESOLVED: 2019/043

That:

- 1) the work programme be agreed.

The meeting closed at 11:03 am.

CHAIRMAN

20 May 2019**Agenda Item: 4****REPORT OF THE SERVICE DIRECTOR, PLACE AND COMMUNITIES****SCHOOLS CAPITAL PROGRAMME PROGRESS REPORT****Purpose of the Report**

1. The purpose of this report is to provide a progress report to Committee on delivering the various programmes of investment that comprise the Schools Capital Programme.

Information

2. The Schools Capital Programme consists of a number of discrete programmes of investment, predominantly:
 - School Places Programme
 - Priority Schools Building Programme (PSBP)
 - Schools Building Improvement Programme (SBIP)
 - Schools Access Initiative (SAI).
3. The School Places Programme contributes to discharging the statutory duty of the Local Authority to provide sufficient school places. It is an on-going annual programme that delivers new schools and/or expansions to existing schools to coincide with the arrival of new cohorts of pupils from September. The programme is funded via government grant (Basic Need Grant) which allocates funding to local authorities on an annual basis as a result of data provided to it about school capacities, the Published Admission Numbers (PAN) and the projected future demand for places. The programme is supplemented by additional funding from s106 contributions in respect of those places arising from new housing developments.
4. The PSBP is a government funded and managed programme. The current programme (PSBP2) provides contributions towards whole-school rebuilds.
5. The County Council has received an annual Schools Building Improvement Programme (SBIP) allocation from the Department for Education (DfE) for 2019/20 of £5m.
6. The Council's Schools Access Initiative (SAI) provides for adaptations to schools so that the schools and the Council can meet their legal duties under the Equality Act. The funding for the SAI is top sliced from the SBIP allocation.

School Places Programme

7. The majority of the funding is being provided by central government, with the Council's funding specifically targeted at the provision of additional places in line with its statutory responsibility for ensuring sufficiency of places across all the schools, irrespective of governance.
8. Following on from the previous report in November 2018, all of the Basic Need 2017 projects have now been completed.
9. The Basic Need 2018 programme is underway with feasibilities and target costs having been completed. This programme comprises the following projects:
 - a. Lambley Primary School, Lambley – due to an increase in demand for pupil places in this area, an additional modular classroom has been planned. The proposals are currently experiencing planning obstacles. As such delivery is likely to be delayed.
 - b. Lowes Wong Anglican Methodist Junior School, Southwell – this project is to replace a temporary 2 classroom mobile with a permanent 2 classroom modular building. Planning permission has been granted
 - c. East Markham Primary School, East Markham – this project is to provide an extra classroom, hall and kitchen facilities to this over-subscribed school. Planning application has been submitted
 - d. Sutton Bonington Primary School, Sutton Bonington - this project is to replace a temporary 2 classroom mobile with a permanent 2 classroom modular building. A planning application has been submitted.
10. The Basic Need 2019 programme is underway, feasibility projects have been initiated for the following programmes:
 - a. Lady Bay Primary - project to investigate replacing the mobile classroom with a permanent solution
 - b. King Edwin Primary, Edwinstowe - project to investigate replacing the mobile classroom with a permanent solution
 - c. All Saints Infant, Huthwaite - project to investigate extended school provision with the possibility of the Woodland View School early years provision also being included.

Schools Building Improvement Programme

Year	DfE allocation
2016/17	£5.6m
2017/18	£5.5m
2018/19	£5.2m
2019/20	£5.0m

11. A series of feasibility projects have been commissioned to Arc Partnership which have provided estimated costs and determined the programme's priorities.

12. The additions to the programme for 2019/20 were approved by the Children and Young People's Committee on 11th February 2019 subject to approval of the programme's Latest Estimated Cost report by Finance and Major Contracts Management Committee.
13. The Council's Schools Building Improvement Programme presently has five ongoing workstreams:
 - **Kitchen Ventilation improvements:** current Building Regulations require increased levels of ventilation. This programme will provide new mechanical ventilation installations.
 - **Boiler and Heating Pipework Replacement:** predominantly affecting Victorian and turn of the 20th century sites where the ageing heating pipework would not withstand the pressure of modern boiler installations.
 - **Heating cabinets replacements:** predominantly in Clasp buildings: many of the heating cabinets are original dating back to the early 1960s, and though it is believed that most have had the asbestos removed some are still being found with asbestos which is unacceptable; the majority still have the original electrics within the cabinets which could be a major fire risk to the property.
 - **Drainage Works:** to address issues causing flooding or blockage to the foul drains: if these works are not carried out this could cause major problems with hygiene and possible shutting of the school.
 - **Roof Replacement:** where a roof is beyond economic repair or the state of repair can become a risk through the possibility of falling slates; the failure to carry out the works could result in major infrastructure damage to the property

And one completed workstream:

- **Biomass Boiler Remedial works:** this relatively recent sustainable technology has developed rapidly from the time of the Council's first installations. Following independent site surveys of all the 53 sites this programme brings all the installations up to current standards or replaces with either gas or oil fired systems.
14. Since the Schools Building Improvement Programme commenced in 2016 there have been 95 construction projects all preceded by feasibility projects determining the best solution and engineering Value for Money.
 15. There are currently 11 projects on site with a further 13 projects in the design process. Further projects will be raised to Arc Partnership for the 2019/20 allocation.

Schools Access Initiative

16. The Council's Schools Access Initiative provides for adaptations to maintained schools so that the schools and the Council can meet their legal duties under the Equality Act to provide access to the school and curriculum to meet the needs of specific young people with disabilities, who are either at the school or seeking a place at that school.

17. The initiative has been in operation for some time and thus an increasing number of schools already have had adaptations but there is nationally a rise in numbers of children identified with significant disabilities and sensory disabilities, so the demand is constant.
18. Equally in many cases the scope of the adaption works are of a scale that does not constitute a formal capital project. Nevertheless, experience shows that there are usually 5-6 more substantial capital projects required per annum.
19. Proposals are currently being developed to support academies to deliver their obligations in respect of the Equality Act, and a report establishing suitable protocols will be presented to Committee in due course.

Priority Schools Building Programme Phase 2

20. The current Council project supported by PSBP2 is the replacement of Orchard Special School contributing £1.1m towards the cost of the school project.
21. Planning consent for the replacement school was determined on 15th February 2019. Start on site for build of the new school will commence in May 2019.

Other Options Considered

22. The County Council has an obligation to provide adequate spaces for pupils requiring education within the County. There are therefore no other options available to the County Council at this time.

Reasons for Recommendation/s

23. The Council is committed to providing good schools with sufficient places for all Nottinghamshire children. The Schools Capital Programme is a key element of delivering this commitment

Statutory and Policy Implications

24. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

25. Financial provision for the elements that comprise the Schools Capital Programme are reconciled annually as part of the Council's overall budget setting process. The reconciliation takes account of the most recent government grant and other forms of income that contribute to the overall funding of the Programme, against the anticipated actual spend across the range of projects. Realistic assumptions about future sources of external income/grants have been built into the overall financial planning for the

Programme, and robust arrangements are in place to monitor these over the course of the Programme.

Human Resources Implications

26. Where schools are expanding, appropriate levels of teaching staff will be appointed and funded from increases in the delegated school budget triggered by the increased number of pupils.

Human Rights Implications

27. The provision of additional school places in refurbished schools will facilitate parental preference via the schools admissions process.

Public Sector Equality Duty implications

28. Children within the Local Authority area will be able to access school places locally; all new build schemes will meet requirements for disabled access and special needs.

Safeguarding of Children and Adults at Risk Implications

29. All new build schemes will take account of safeguarding needs and requirements.

Implications for Service Users

30. The Schools Capital Programme seeks to ensure that there will be sufficient school places in school buildings which do not suffer from the need of essential maintenance to their fabric.

Implications for Sustainability and the Environment

31. Increasing the number of school places is demonstrated by sustainable demand. All capital projects are subject to the requisite planning and Building Regulations which reflect environmental and sustainability targets. By providing local school places the need for travelling by car can be reduced.

RECOMMENDATION/S

- 1) That Committee considers the progress being made in delivering the Schools Capital Programme and identifies any further issues that they wish to be considered.

Derek Higton
Service Director, Place & Communities

For any enquiries about this report please contact:

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Constitutional Comments (KK 23/04/19)

32. The proposal in this report is within the remit of the Children and Young People's Committee.

Financial Comments (GB 24/04/19)

33. The financial implications are set out within the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Schools Capital Programme progress report – report to Children and Young People's Committee on 19th November 2018

Schools Building Improvement Programme – report to Children and Young People's Committee on 11th February 2019.

Electoral Division(s) and Member(s) Affected

All.

C1240

20 May 2019**Agenda Item: 5****REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND
SKILLS****CHANGE OF AGE RANGE OF SCHOOLS: RELOCATION OF CHRIST
CHURCH INFANT VOLUNTARY AIDED (VA) SCHOOL, NEWARK, AND
EXTENSION OF ALL SAINTS CHURCH OF ENGLAND INFANT (VA) SCHOOL,
ASHFIELD: PUBLICATION OF STATUTORY NOTICES AND CONSULTATION****Purpose of the Report**

1. This report provides Members of the Children and Young People's Committee with the outcome of the publication of Statutory Notices and Statutory Consultation concerning:
 - a) a proposal to alter the age range of Christ Church Infant (VA) School to become a primary school and to enlarge the premises of the existing school by relocation to a site within the Newark growth point.
 - b) a proposal to alter the age range of All Saints CE Infant (VA) School in order for it to become a one form entry primary school and to change the admission arrangements which formally link All Saints CE Infant (VA) School with Woodland View Primary School.

Information

2. It is current County Council policy that consultations take place to actively consider the advantages of developments that will ensure the sustainability of small schools, including conversion of infant schools to through primary schools. It is also Nottinghamshire County Council's duty to ensure a sufficient supply of high quality school places, in response to demographic changes in the area. Where these consultations result in County Council approval, the statutory process is then invoked to progress such proposals to formal implementation.

Christ Church Infant School

3. Members' attention is drawn to a previous report, 'Change of Age Range of Schools: Relocation of Christ Church Infant Voluntary Aided (VA) School, Newark, and Extension of

All Saints Church of England Infant (VA) School, Ashfield', approved by the Committee on 19th November 2018.

4. This report, in relation to the Newark Town planning area which includes 'land south of Newark', and currently owned by developers Urban and Civic, incorporates a long term housing growth plan of up to 3,150 dwellings by 2034. The existing Section 106 agreement dated November 2011 (relating to application 10/01586/OUTM) provided for two primary schools: one creating a 1 form entry primary school (210 pupils) on a 1.1 hectare site and a second school providing 1.5 form entry (315 pupils), with the potential to grow to a 2 form entry (420 pupils) on a 2 hectare site. This suggests that the housing development as a whole will require provision for at least 630 primary aged pupils if all the housing is built.
5. Given the unpredictability of housing developments in general and the need to secure primary schools that are financially viable over the short, medium and long term, it has been agreed with Urban and Civic to vary the current Section 106 agreement (through a Deed of Variation) to replace the existing plan for two relatively small primary schools with one 2½ forms entry (525 places) primary school, built with the capacity to expand to 3 forms entry (630 places) should the need arise.
6. A planning application is now in preparation by Urban and Civic with a view to being considered by Newark and Sherwood District Council in June 2019. This application is for a 1 form entry primary school on a 3 hectare site which has the capacity to expand as the need arises. Phase 1 of the school will be built by Urban and Civic to be opened by September 2021 with Reception to Year 4 pupils. The school will then grow year by year to meet the needs of the development which means it will be 2023 before the school admits pupils to all year groups.
7. Following agreement between the Diocese of Southwell and Nottingham, the governing body of Christ Church Infant and Nursery School and Nottinghamshire County Council, the proposal to consult to alter the age range and increase capacity was approved by the Children and Young People's Committee on 19th November 2018.
8. Projections indicate that there is a sufficiency of primary school places in the Newark Town planning area until September 2023, by which time it is expected that a single site school will be delivered by Middlebeck housing developers. To meet the need for school places during the early part of this housing development, Members have agreed to extend the age range of the current Christ Church Infant School to a primary school. Early arrivals in Middlebeck could be educated at the proposed Christ Church Primary, and existing Newark primary schools, pending the relocation of Christ Church Primary onto its site new on the land south of Newark.
9. This proposal, supported by the Southwell CE Diocese, allows Christ Church to maintain its historical link to Newark Town and grow to become a primary school within the new development, which will sustain a small church Aided infant school converting to a larger Aided primary school. The proposal also secures sufficient school places in the short and medium term as the housing development grows from Summer 2019 until Autumn 2026 and beyond.

Christ Church Consultation

10. Prior to initiating a formal statutory process, informal discussions were held between staff and governor representatives of Christ Church Infant and Nursery School, the Southwell CE Diocese and the County Council about the possibility of altering the age range to make a through primary school and enlarging the premises by moving to a nearby site and new building in order to increase the school's net capacity.
11. Consultation was undertaken in accordance with Department for Education 'Making significant changes ('prescribed alterations') to maintained schools: Statutory guidance for proposers and decision makers', October 2018, which states that:
 - a) Governing Bodies of '.. voluntary schools can propose .. an age range change of 3 years or more..... by following the statutory process'. In this case, the Local Authority is the decision-maker
 - b) The Local Authority can propose, for VA schools, an 'Enlargement of premises' by following the statutory process. In this case, the Local Authority is the decision-maker.
12. Therefore, joint consultation took place on 'Related Proposals for Alteration of Age Range and Enlargement of Premises of an Existing School', in which:
 - a) the Governing Body of Christ Church Infant School formally consulted on a statutory proposal for alteration of age range
 - b) the County Council formally consulted on a statutory proposal for enlargement of premises of an existing school.
13. The formal consultation process took place between 25th February and 24th March 2019. During this period, the joint proposals were publicised on the websites of Christ Church Infant School (which informed its school community) and Nottinghamshire County Council, while notification was sent to neighbouring schools, the district council, the local MP and other interested parties. Statutory notices were published on the school site and in the local press.
14. Consultation meetings were held by governors and the County Council with school staff, parents/carers, and interested parties on 28th February 2019. These provided participants with opportunities to discuss with governors and officers of the Southwell CE Diocese and the County Council the implications of conversion to a primary school and relocation to a new building on the Middlebeck development.
15. There were 21 responses to consultation received by the **Governing Body** regarding its proposal that the age range of Christ Church Infant School be altered, converting it to a primary school:
 - a) 5% agreed with the proposal to alter the age range
 - b) 95% disagreed with the above proposal.
16. Of the 21 respondents 86% (18) identified themselves as staff of neighbouring schools, all of whom disagreed with the proposal.

17. On 28th March 2019, the Chair of Governors of Christ Church Infant School informed the County Council that 'Our decision as governors is to continue with the proposal to alter the age range of Christ Church C of E Infant and Nursery School in order to make it a through primary school', requesting that the process should progress to County Council approval.
18. There were 21 responses to consultation received by the **County Council** regarding its proposal that the premises of Christ Church Infant School be enlarged:
 - a) 5% agreed with the proposal to enlarge the premises
 - b) 95% disagreed with the above proposal.
19. Of the 21 respondents 86% (18) identified themselves as staff of neighbouring schools, all of whom disagreed with the proposal.

All Saints CE Infant School

20. Following agreement between the Diocese of Southwell and Nottingham, the governing body of All Saints CE Infant School and Nottinghamshire County Council, the proposal to consult to alter the age range and increase capacity was approved by the Children and Young People's Committee on 19th November 2018.
21. Projections indicate that from September 2020 there is a growing shortage of places which becomes acute from September 2021. All Saints CE Infant School is popular and over-subscribed. Huthwaite has been identified in a previous report to Committee (December 2017), on Basic Need 2018, as a priority area for school places, therefore funding for this proposal has already been agreed.
22. Exploratory discussions have taken place with all the key stakeholders related to All Saints Infant School, the All Saints Centre and Woodland View Primary School. In-principle agreement by all parties has been generated.
23. A feasibility study has since been commissioned to establish the viability of options that will deliver additional primary places in Huthwaite. Among options considered by this study is one to develop a Key Stage 2 (junior age children) facility with a suitably sized playing field, hall, off-street parking and pre-school on the All Saints Infant School side of Common Road. The study will also include consideration of possible reconfiguration, as necessary, of the existing accommodation at Woodland View Primary School such that it will be able to operate with a through PAN (Published Admissions Number) of 50. This may require investment in a Foundation Stage 'pod'.
24. The proposal under consultation is to reconfigure the existing All Saints CE Infant School into a one form entry primary school (210 places), with a PAN of 30 from 1st September 2021. Admissions to the new primary school would be carefully managed so that the PAN of 30 would gradually be extended sequentially from Year 3 to Year 6, thus 'growing' Key Stage 2 classes gradually until the full range of year groups was in place by September 2024.
25. The realignment of admission arrangements removing the link between All Saints and Woodland View would be phased over four years. This would allow for the growth at All

Saints to embed, and families with an existing sibling link between the two schools to be sustained over a reasonable period.

All Saints Consultation

26. Prior to initiating a formal statutory process, informal discussions were held between staff and governor representatives of All Saints Infant and Nursery School, the Southwell CE Diocese and the County Council about the possibility of altering the age range to make a through primary school and enlarging the premises by moving to a nearby site and building in order to increase the school's net capacity.
27. Consultation was undertaken in accordance with Department for Education 'Making significant changes ('prescribed alterations') to maintained schools: Statutory guidance for proposers and decision makers', October 2018, which states that:
 - a) Governing Bodies of '... voluntary schools can propose ... an age range change of 3 years or more..... by following the statutory process'. In this case, the Local Authority is the decision-maker
 - b) The Local Authority can propose, for VA schools, an 'Enlargement of premises' by following the statutory process. In this case, the Local Authority is the decision-maker.
28. Therefore, joint consultation took place on 'Related Proposals for Alteration of Age Range and Enlargement of Premises of an Existing School', in which:
 - a) the Governing Body of All Saints CE Infant School formally consulted on a statutory proposal for alteration of age range
 - b) the County Council formally consulted on a statutory proposal for enlargement of premises of an existing school.
29. The formal consultation process took place between 25th February and 24th March 2019. During this period, the joint proposals were publicised on the websites of All Saints CE Infant School (which informed its school community) and Nottinghamshire County Council, while notification was sent to neighbouring schools, the district council, the local MP and other interested parties. Statutory notices were published on the school site and in the local press.
30. Consultation meetings were held by governors and the County Council with school staff, parents/carers, and interested parties on 14th March 2019. These provided opportunities for participants to discuss with governors and officers of the Southwell CE Diocese and the County Council the implications of conversion to a primary school and expansion into the All Saints Centre site.
31. There were 15 responses to consultation received by the **Governing Body** regarding its proposal that the age range of All Saints CE Infant School be altered, converting it to a primary school:
 - a) 73% agreed with the proposal to alter the age range
 - b) 27% disagreed with the above proposal.
32. On 28th March 2019, the Chair of Governors of All Saints CE Infant School informed the County Council that, 'Our decision as Governors is to continue with the proposal to alter

the age range of All Saints Church of England Voluntary Aided Infant and Pre-School, in order to make it a through Primary School’.

33. There were 177 responses to consultation received by the **County Council** regarding its proposal that the premises of All Saints CE Infant school be enlarged:
- a) 39% agreed with the proposal to enlarge the premises
 - b) 61% disagreed with the above proposal.
34. In terms of opposition to the proposal:
- 34% objected on the grounds of traffic concerns
 - 23% objected on the grounds of the loss of facilities at The All Saints Centre
 - 19% objected on the grounds that the proposal would have a negative impact on Woodland View Primary School
 - 9% objected on the grounds of safeguarding concerns.
 - 6% objected on the grounds of noise.
 - 4% objected on the grounds of the consultative process
 - 4% objected on the grounds that there would be a loss of dining facilities
 - 1% had non-specific objections.

Other Options Considered

35. No other options have been considered.

Reason/s for Recommendation/s

Christ Church Infant School:

36. The County Council retains statutory responsibility to secure a sufficiency of school places for all school aged children within Nottinghamshire. House building on the Middlebeck site has commenced. Therefore, it is necessary to provide for the growth in demand for places in the primary education phase in Newark by changing the age range of Christ Church Infant School for it to become a primary school and enlarging its premises through relocation to a larger site on the Middlebeck development.

All Saints CE Infant School:

37. The County Council retains statutory responsibility to secure a sufficiency of school and childcare places for all children within Nottinghamshire. Projections indicate that there is a shortage of primary school places in Huthwaite which will become acute from September 2021.
38. It is recommended, therefore, that Committee supports the proposal to change the age range of All Saints CE Infant School and enlarge the premises at this school, subject to the outcome of a feasibility study; also to modify the admissions arrangements with respect to All Saints CE Infant and Woodland View Primary schools.

Statutory and Policy Implications

39. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

Christ Church Infant School:

40. A school's annual funding is determined by the number of pupils recorded on the October census in the preceding year which is referred to as a 'lagged' basis and met from the Dedicated Schools Grant.
41. The change in age range would need to be dealt with in accordance with the School & Early Years Finance (England) Regulations 2018 to ensure that the school is appropriately funded for the additional pupils who would not have appeared on the October census.

All Saints CE Infant School:

42. A provisional sum of £2.5m has been identified in the Basic Need 2019 budget to meet the cost of this proposal.
43. A school's annual funding is determined by the number of pupils recorded on the October census in the preceding year which is referred to as a 'lagged' basis and met from the Dedicated Schools Grant.
44. The change in age range would need to be dealt with in accordance with the School & Early Years Finance (England) Regulations 2018 to ensure that the school is appropriately funded for the additional pupils who would not have appeared on the October census.
45. Both schools are the subject of growth and therefore eligible for non staffing related establishment costs from the Pupil Growth Fund, the value of which are yet to be determined.

RECOMMENDATION/S

That Committee:

- 1) approves the proposal to change the age range of Christ Church Infant School for it to become a primary school.
- 2) approves the proposal to relocate Christ Church Primary School and to rebuild it on a site in the Middlebeck development

- 3) approves the proposal to change the age range of All Saints CE Infant School in order for it to become a one form entry primary school.
- 4) approves the proposal to alter the admission arrangements which formally link All Saints CE Infant School with Woodland View Primary School.

Marion Clay
Service Director, Education, Learning and Skills

For any enquiries about this report please contact:

Mike Sharpe
Team Manager, Pupil Place Planning
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Constitutional Comments (EP 25/04/19)

46. The recommendations fall within the remit of the Children and Young People's Committee by virtue of its terms of reference.

Financial Comments (SAS/GB 10/05/19)

47. The core revenue funding for schools is met from the Schools Block of the Dedicated Schools Grant (DSG) and is based on the preceding October pupil numbers. Where there is a change in age range The School & Early Years Finance (England) Regulations 2018 allow for a variation to the school's pupil numbers to ensure that the school is appropriately funded for the additional pupils who would not have appeared on the October census. The increased funding allocation associated with the variation of pupil numbers and any eligible non staffing set up costs, from the enlargement of premises, will be met from the Growth Funding element of the DSG and reported to the Schools Forum. The Schools Block funding allocation for 2019-20 is £482.064m, the allocation for 2020-21 is not yet known.
48. The proposal to replace Christ Church Infants with a 2.5 form entry primary school with the capacity to expand to three form entry is expected to be fully funded from Section 106 funding with no requirement for forward funding. The £2.5m proposal to reconfigure the existing All Saints CE Infant School into a one form entry primary school is proposed to be funded from School Places Programme. The total 2019/20 School Places Programme capital budget is £19.0m and is a part of the approved Children and Young People's Committee capital programme. For both of these projects there will be a requirement for variations to the capital programme through the usual capital approval processes.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Change of age range and relocation of Christ Church Infant (VA) School, Newark – report to Children and Young People's Committee on 19th November 2018

Change of age range and extension of All Saints CE (VA) Infant School, Ashfield - report to Children and Young People's Committee on 19th November 2018

Electoral Division(s) and Member(s) Affected

All.

C1237

20 May 2019**Agenda Item: 6****REPORT OF THE SERVICE DIRECTOR FOR COMMISSIONING AND
RESOURCES****REORGANISATION OF STAFFING WITHIN THE COMMISSIONING AND
PLACEMENTS GROUP****Purpose of the Report**

1. The purpose of this report is to seek approval for the reorganisation of staffing resources within the Commissioning and Placements Group.

Information

2. The Commissioning and Placements Group was established in November 2017 as part of a department-wide restructure at that time. It brought together under a single point of leadership a number of discrete teams previously dispersed across the department in order to create a departmental commissioning hub. The group's work revolves around commissioning and contract management across a range of specialist care / education provision for vulnerable children and young people, including:
 - foster care and residential home placements for Looked After Children (LAC)
 - semi-independent / supported accommodation for older LAC and care leavers, homeless 16/17 year olds, and vulnerable 18-21 year olds
 - alternative / specialist education placements in the independent and non-maintained sector for children and young people with an Education Health & Care Plan (EHCP), as appropriate
 - Short Break services for children and young people with a disability – to promote independence and to provide parents/carers with a break from caring.
3. At the point at which the teams were brought together, a number of permanently established posts were filled on a temporary basis. Additionally, the development of the revised Short Breaks offer during 2018 necessitated some modification to the staffing establishment in order to support the new commissioning arrangements arising from it. These staffing changes were approved by this Committee in reports relating to the implementation of the new Short Breaks offer in July 2018 and in March 2019.
4. This group-wide reorganisation seeks to deploy the group's staffing resources more efficiently and effectively and to provide for a more consistent approach, especially in relation to contract management. Since it was established the group has developed and

implemented a new Commissioning and Contract Management Framework which enables a consistent approach for commissioning activity undertaken within the group and across the wider department. Following on from this, the proposal is to establish a discrete team within the group with responsibility for strategic commissioning and contract management across the group and wider department. In addition there will continue to be a team that is focused on securing placements for LAC, and the team that is focused on providing alternative education and short breaks for children in people with an EHCP.

5. The proposed structure is outlined in **Appendix 1**. The existing discrete team structures are provided at **Appendix 2** for information.
6. For the most part the changes arising from these proposals involve reorganising existing posts, e.g. changing line management or making permanent the existing temporary arrangements for some existing post holders etc. However the following changes are also proposed:
 - to disestablish the currently unfilled 1 fte post of Commissioning and Contracts Manager (Band D) and to establish in its place the post of 1 fte Team Manager, Alternative Education and Short Breaks Placements (Band D)
 - to disestablish 4 fte Commissioning Assistant posts (Grade 3) and to establish 4 fte Service Organiser posts (Grade 4), giving a total of 5 such posts across the Group to be deployed as shown in **Appendix 1**
 - to disestablish the 1 fte (Band B) post of Commissioning Officer, Short Breaks and Budget Management.

Other Options Considered

7. A number of other structural options were considered as part of the staff consultation process, which ran from November 2018 to February 2019.

Reason/s for Recommendation/s

8. This option will align staffing resources in line with the department's ambition to remodel commissioning arrangements for vulnerable children and young people's education and care provision

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

10. The net result of these proposals will be to reduce the current staffing costs across the group by approximately £45,000 pa which is in line with the reductions attaching to the

original proposal to establish the group in November 2017. Individual team staffing budgets will be adjusted in-year to accurately reflect the newly reorganised teams as set out in this report.

Human Resources Implications

11. These proposals have emerged following consultation with affected staff and have been shared with the relevant Trade Unions. There are no redundancies arising from the proposals and recruitment to the proposed posts will be subject to the Council's usual enabling and recruitment processes.

RECOMMENDATION/S

That Committee:

- 1) approves the revised staffing structure of the Commissioning & Placements Group, as shown in **Appendix 1**
- 2) approves the establishment / disestablishment of specific posts as detailed in paragraph 6.

Laurence Jones
Service Director, Commissioning and Resources

For any enquiries about this report please contact:

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Constitutional Comments (EP 07/05/19)

12. The recommendations fall within the remit of the Children and Young People's Committee by virtue of its terms of reference.

Financial Comments (SAS 07/05/19)

13. The cost of the revised staffing structure for the Commissioning & Placements group is £1,131,750 compared to a staffing budget of £1,084,761 which includes £49,800 temporary funding. Although the overall cost of staffing has reduced by £45,000 there is still a shortfall of £46,989 compared to the annual budget. In order to achieve a balanced budget in year savings will need to be made in this or other areas of the service's budget. The service will need a longer term plan to address the shortfall on a permanent basis.

HR Comments (BC 24/04/19)

14. The staffing implications are contained within the body of the report. Recruitment to the proposed posts will be subject to the Council's usual enabling and recruitment processes.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Temporary changes to the staffing establishment in the Integrated Children's Disability Service Assessment Team – report to Children and Young People's Committee on 16th July 2018

Changes to the staffing establishment within the Integrated Children's Disability Service and the Commissioning and Placements Team – report to Children and Young People's Committee on 18th March 2019

Electoral Division(s) and Member(s) Affected

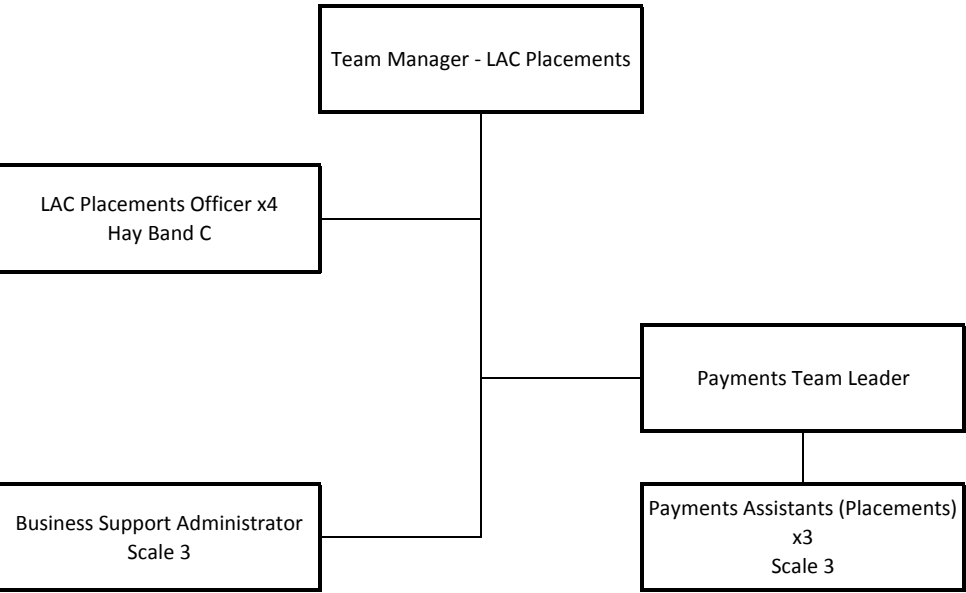
All

C1241

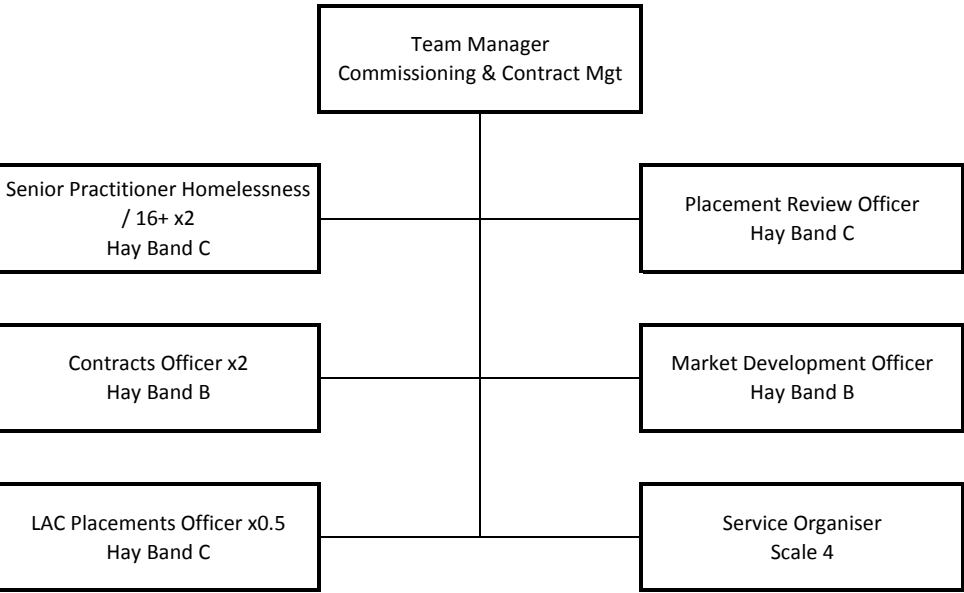
COMMISSIONING PLACEMENTS GROUP

Proposed Group Structure from May 2019

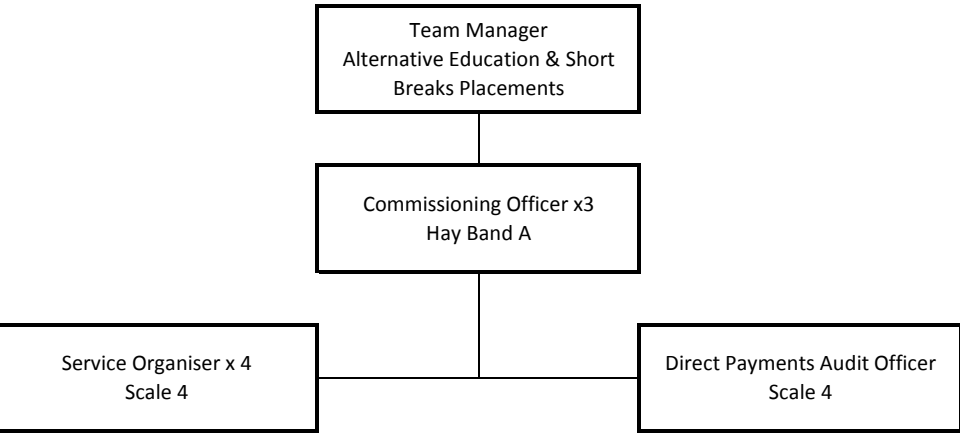
Brokering / securing / oversight of foster care and residential placements for LAC, together with payments for external providers, foster carers and adopters, special guardians etc.



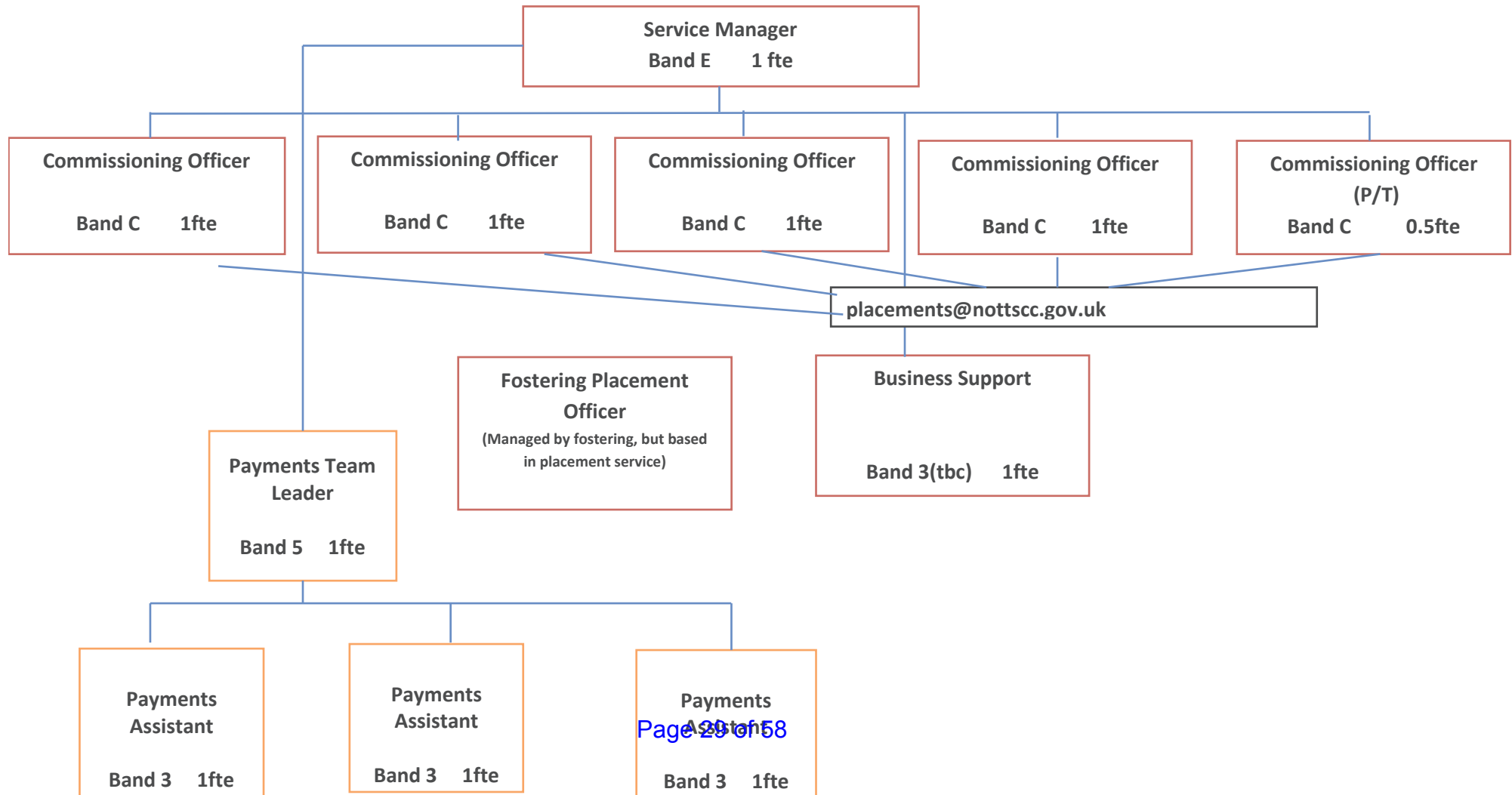
Strategic commissioning and contract management for the Group's activities, plus support for other externally commissioned activity across the Department



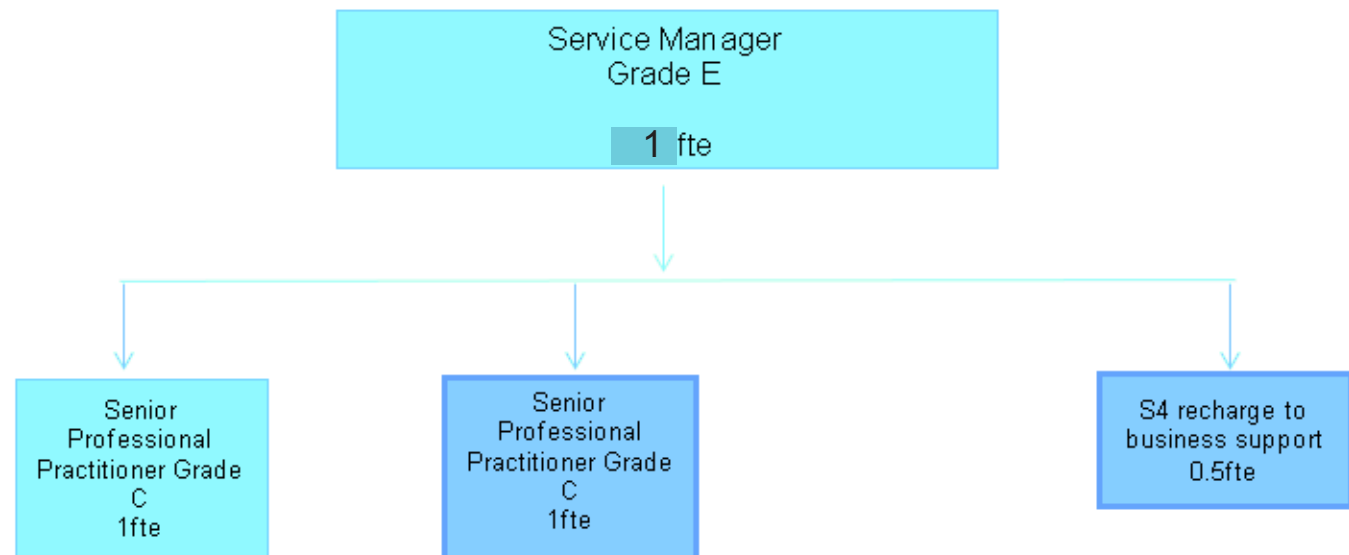
Brokering / oversight of externally procured specialist education placements and short breaks for CYP with an EHCP



Appendix 2a - LAC Placements Team structure

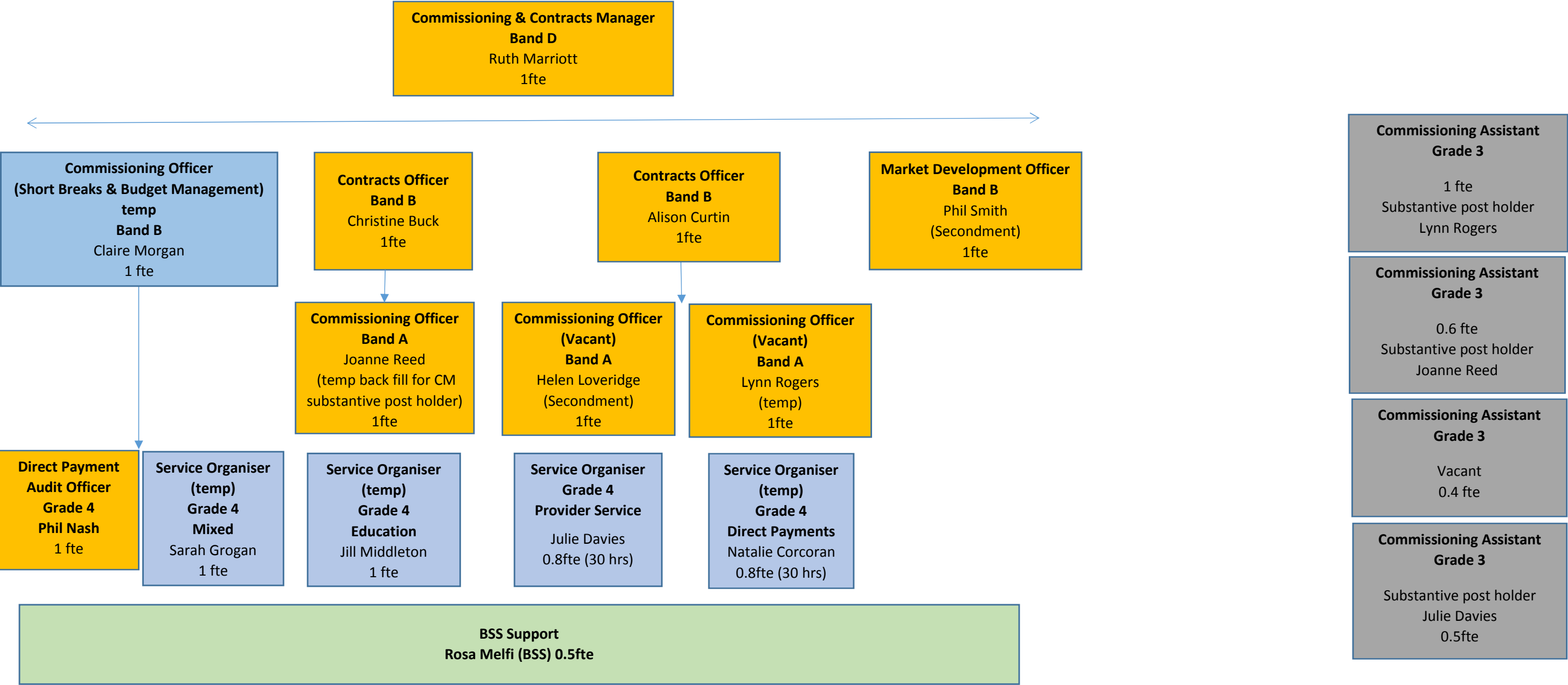


Appendix 2b- Supported Accommodation Team Structure



Commissioning & Placements Group

Alternative Education and Short Breaks Team Structure (incorporating additional staffing to support implementation of new Short Breaks offer)



20 May 2019**Agenda Item: 7****REPORT OF THE SERVICE DIRECTOR, YOUTH, FAMILIES AND SOCIAL
WORK****DEVELOPMENT OF THE FOSTERING SERVICE****Purpose of the Report**

1. This report seeks approval to:
 - a. establish 1 FTE permanent Team Manager (Band D) post within the Fostering Service to lead the development and implementation of a revised approach to recruitment and assessment of Foster Carers
 - b. establish 0.5 FTE permanent Training Social Worker (Band B) post
 - c. disestablish 1 FTE permanent Supervising Social Worker post (Band B) post.

Information

2. On 11th February 2019, the Children & Young People's Committee approved proposals to invest in the Fostering Service in order to increase the number of foster carers engaged by the Council. These proposals included the development of specialist Recruitment and Assessment team.
3. As part of this approval, the following posts were established to populate the Recruitment and Assessment team and to provide ongoing support for foster carers:
 - a. establishment of 3 FTE Supervising Social Worker (SSW) (Band B) posts to manage the recruitment, assessment and supervision of the new carers
 - b. establishment of 3 FTE Fostering Family Worker (FFW) (Grade 4) posts to provide support to foster placements and reduce placement disruption.
4. These posts were to be recruited on a phased basis over a three year period, and recruitment is now underway for some of these posts. However, due to the increase in Looked After Children, and the budget pressures that this creates, it is essential that the foster carer recruitment strategy is realised as soon as possible. It is therefore proposed that the following posts are included in the structure:

- a. a Team Manager to develop, implement and manage the new team and the achievement of the recruitment strategy. Of the three SSW posts which were established at the February 2019 meeting of the Committee, only two will be recruited to. It is proposed that the Team Manager is recruited in place of the remaining SSW post. The third SSW will be transferred to the Recruitment and Assessment team from the existing fostering establishment. This requires the establishment of 1 FTE Team Manager (band D) post, and the disestablishment of 1 FTE SSW (band B) post.
 - b. a Training Social Worker to enable newly-recruited foster carers to be ready for a placement as early as possible. The service already has 0.5 FTE Training Social Worker, but it is believed that the increase in foster carers will require more resource to train them, and so this report seeks approval to establish 0.5 FTE Social Worker (Band B) post.
5. It is therefore proposed that the Recruitment and Assessment team structure is amended to comprise:
- a. 1 FTE Team Manager (1 FTE new post)
 - b. 3 FTE Supervising Social Workers (2 FTE new posts; 1 FTE post will be transferred from existing establishment)
 - c. 1 FTE Training Social Worker (0.5 FTE new post; 0.5 FTE post will be transferred from existing establishment)
 - d. 2 FTE Recruitment Officers (2 FTE posts will be transferred from the existing establishment)
 - e. 3 FTE Fostering Family Workers (3 FTE new posts).
6. In order to deliver this team structure within the funding envelope which was approved at Committee in February 2019, the costs and cost-avoidance has been re-profiled as shown below. The reprofiled recruitment strategy has a net nil effect. It is believed that this approach is more likely to deliver the strategy effectively, and therefore the savings.

Proposal approved by CYP Committee in February 2019:

	2019/20	2020/21	2021/22	Total
	£000	£000	£000	£000
Gross saving – IFA cost avoidance	253	969	814	2,036
Less: Reprovision costs:				
Cost of recruitment	94	94	44	232
Cost of payments for new carers	128	492	413	1,033
Cost of improved pay offer for existing carers	200	100	0	300
Net saving	-169	283	357	471

Revised proposal:

	2019/20	2020/21	2021/22	Total
	£000	£000	£000	£000
Gross saving IFA Cost Avoidance	387	1005	696	2,088
Less: Reprovision costs:				
Cost of recruitment	160	85	0	245
Cost of payments for new carers	196	537	339	1,072
Cost of improved pay offer for existing carers	200	100	0	300
Net saving	-169	283	357	471

Other Options Considered

7. The original proposal was based on the new team being managed by the existing Fostering Service management team. On reflection it is thought this would dilute the focus of the team, and would also place too much pressure on the existing management team.

Reason/s for Recommendation/s

8. In order to deliver improved outcomes for looked after children through increased foster placement capacity, great effort and focus is essential. It is believed that this can best be delivered by a team with a strong identity, focussed delivery, and robust, consistent management.

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

10. A summary Data Protection Impact Assessment (DPIA) has been completed for the project and a full DPIA is not required.

Financial Implications

11. The cost of the new posts is £76,000 and this will be partly funded by bringing forward additional net cost avoidance of £13,000 through reduced usage of Independent Fostering Agencies (IFA) due to the earlier recruitment and assessment of new foster carers. The balance of £63,000 will be met by the disestablishment of the 1 FTE Supervising Social Worker post (£44,000) together with an additional £19,000 released from the original

estimate of £100,000 for support provision. The revised profile, therefore, has a net nil effect.

Human Resources Implications

12. A recruitment process will be undertaken to recruit to the Team Manager post and Training Social Worker post, subject to establishment.

RECOMMENDATION/S

That Committee approves:

- 1) the establishment of 1 full-time equivalent (FTE) permanent Team Manager (Band D) post within the Fostering Service to lead the development and implementation of a revised approach to recruitment and assessment of Foster Carers
- 2) the establishment of 0.5 FTE permanent Training Social Worker (Band B) post.
- 3) the disestablishment of 1 FTE permanent Supervising Social Worker (Band B) post.

Steve Edwards

Service Director, Youth, Families and Social Work

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Constitutional Comments (EP 26/04/19)

13. The recommendations fall within the remit of the Children and Young People's Committee by virtue of its terms of reference.

Financial Comments (SAS 08/05/19)

14. The 2019-20 Internal Fostering staffing budget is £2.232m and includes the budget for the development of the specialist Recruitment and Assessment team.
15. The cost of the new posts is £76,000 and this will be funded partly by bringing forward additional net cost avoidance of £13,000 through reduced usage of Independent Fostering Agencies (IFA) due to the earlier recruitment and assessment of new foster carers. The balance of £63,000 will be met by the disestablishment of the 1 FTE Supervising Social Worker post (£44,000) together with £19,000 released from the original estimate of £100,000 for support provision. The revised profile, therefore, has a net nil effect.

HR Comments (BC 25/04/19)

16. The staffing implications are contained within the body of the report. Posts will be recruited to in line with the agreed vacancy control and recruitment procedures.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Development of the Fostering Service – report to Children and Young People’s Committee on 11th February 2019

Electoral Division(s) and Member(s) Affected

All.

C1244

20 May 2019**Agenda Item: 8****REPORT OF THE SERVICE DIRECTOR, YOUTH, FAMILIES AND SOCIAL
WORK****UPDATE ON EDUCATION PENALTY NOTICES FOR UNAUTHORISED
ABSENCES FROM SCHOOL****Purpose of the Report**

1. The purpose of this report is to provide an update on the current use of Education Penalty Notices in Nottinghamshire to address unauthorised absence from school.

Information

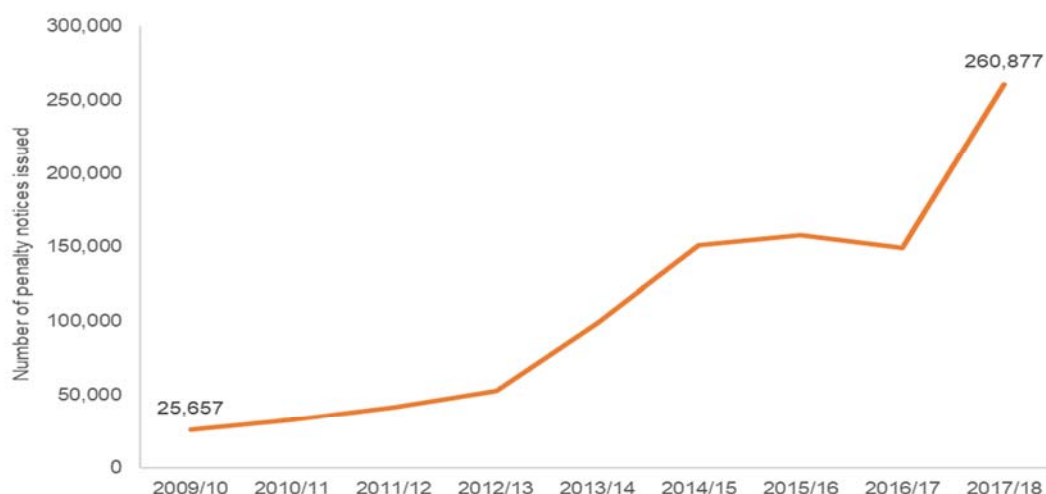
2. Where a child of Compulsory School age who is a registered pupil at a school fails to attend regularly then the parents can be guilty of an offence under Section 444(1) of the Education Act 1996. A Supreme Court judgement in April 2017 (Isle of Wight v Jon Platt) clarified that for a child's attendance at school to be considered regular they must be in attendance at school every day that the headteacher requires them to be.
3. Section 23 of the Anti-Social Behaviour Act 2003 empowers designated Local Authority (LA) officers, head teachers (and deputy and assistant headteachers authorised by them) and the Police to issue Penalty Notices in cases of unauthorised absence from school. They provide parents with an opportunity to discharge their liability under the legislation as an alternative to prosecution through the magistrates court.
4. Since September 2013 head teachers are only able to agree a leave of absence during term time in exceptional circumstances. The Department for Education (DfE) removed the discretion for head teachers to agree up to 10 days leave during term time for a family holiday. This change was introduced following the 'Improving attendance at school' report (Taylor, C: 2012) which emphasised the impact of school absence on attainment and outcomes for children. In particular, Taylor underlined the need to tackle the issue of parents taking children out of school for a term-time holiday or for an occasional day off. As a result of his recommendations, the Education (Pupil Registration) Regulations (2006) were amended so that head teachers can only agree a leave of absence in exceptional circumstances.

5. From September 2015 the definition of persistent absence from school changed from unauthorised absence from school in excess of 15% to any unauthorised absence over 10%.
6. In response to these changes the Children and Young People's Committee agreed in July 2015 to amend the Nottinghamshire Code of Conduct to bring the threshold for issuing Education Penalty Notices more in line with the national expectations in relation to school attendance as set out in the legislation and statutory guidance to schools and local authorities. Under the Education (Penalty Notices) (England) Regulations 2007 every local authority is required to have a Code of Conduct in place setting out the local arrangements and criteria for the use of Education Penalty Notices. The decision at Committee resulted in a change in the threshold for Education Penalty Notices in Nottinghamshire from unauthorised absence in excess of 15 sessions over a 6 week period to:
 - 1) unauthorised absence in excess of 3 days over a 6 week period where the absence related to a holiday in term time and
 - 2) unauthorised absence in excess of 5 days (10 sessions) over a 6 week period for other general unauthorised absence from school.
7. In October 2016 the Children and Young People's Committee made the decision to align the two thresholds above within the Nottinghamshire Code of Conduct into a single threshold for issuing an Education Penalty Notice which now stands at any unauthorised absence in excess of 3 days (6 sessions) over a 6 week period regardless of the reason or purpose for the absence. This decision helped to simplify the criteria for schools.
8. The penalty is set at £120 and must be paid in full within 28 days of the date on which the notice starts. If the penalty is paid within 21 days of the date on which the notice starts the sum is reduced to £60. Payments are made to the Local Authority. Fines can be issued to both parents/carers for each child who was absent from school.
9. Where a penalty is unpaid, the Local Authority is required to take legal action under Section 444(1) of the Education Act 1996 for the original offence. In this case it is necessary for the person who requested the issue of a penalty notice to provide evidence for the court case by way of a Section 9 Statement (a witness statement admissible in court under the Criminal Justice Act 2003 and the Magistrates' Courts Act (1980) and Magistrates' Courts (Amendment) Rules 2004). The standard of evidence required is the same as that required for court cases brought under section 444(1) of the Education Act 1996.
10. Nottinghamshire has experienced one of the highest increases in the use of Penalty Notices by schools and academies over recent years compared to other local authority areas as a means to address unauthorised absence from school. In particular since 2015 an increasing number of schools are utilising Education Penalty Notices to address the issue of unauthorised absence in term time for the purpose of a family holiday. The table below provides a breakdown since the 2012-13 academic year:

Academic Year	Number of Nottinghamshire schools using Education Penalty Notices	Number of Education Penalty Notices issued in Nottinghamshire	Average Number of Penalty Notices issued by school
2012-13	7	84	12
2013-14	26	184	7
2014-15	40	369	9
2015-16	88	2,240	25
2016-17	105	3,756	36
2017-18	147	5,276	36

11. The increase in Nottinghamshire mirrors the national trend over recent years as evidenced in the chart below taken from the 2017-18 DfE Parental Responsibility Measure which shows a year on year increase in the volume of Penalty Notices being issued by local authorities. The increase in Nottinghamshire has put the County Council more in line with other local authorities nationally in the use of Penalty Notices to address unauthorised absence from school.

Figure 1
Number of penalty notices (PN) issued
2009/10 to 2017/18
England

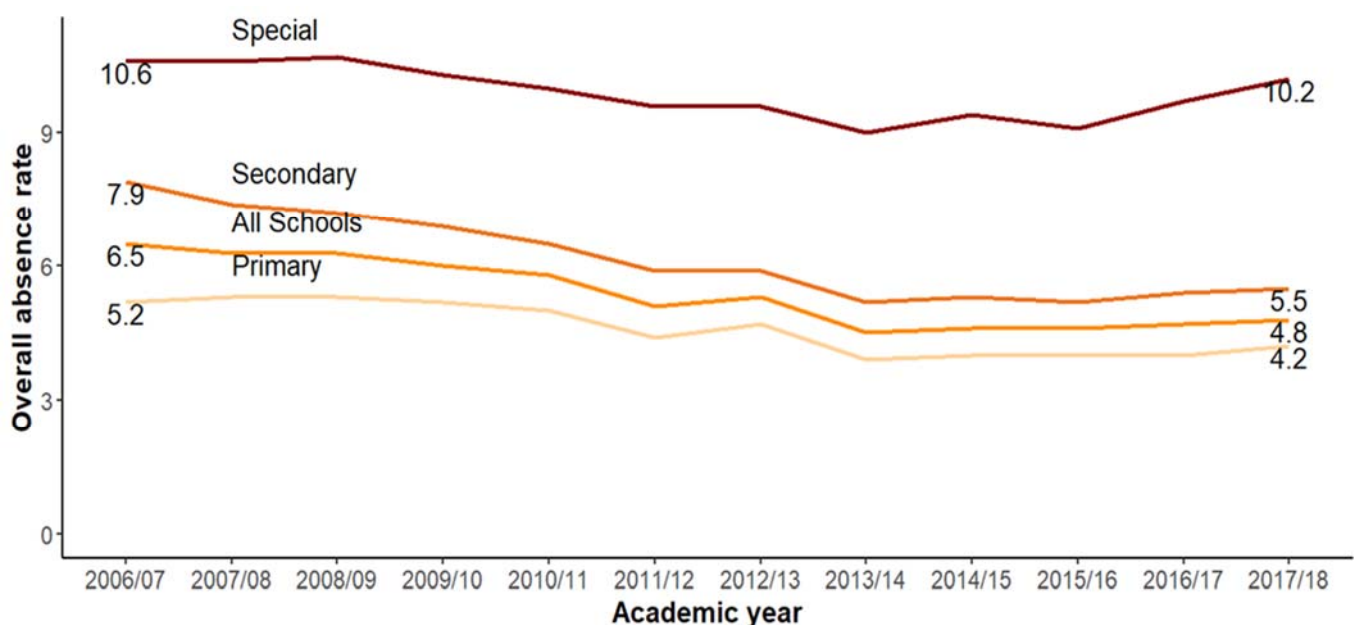


PN issued:								
2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
25,657	32,641	41,224	52,370	98,259	151,125	157,879	149,321	260,877

Source: Parental responsibility measures attendance census

12. Based on discussions with schools it is believed that the increase in the use of Education Penalty Notices in Nottinghamshire has largely been as a result of schools reviewing their behaviour and attendance policies particularly following a HMI visit or Ofsted inspection. Academies and schools joining academy trusts where the use of Penalty Notices is already commonplace has also driven up the use of Penalty Notices in Nottinghamshire. Whilst just under 50% of schools in Nottinghamshire currently utilise Education Penalty Notices, based on recent trends it is anticipated that the number will be increasing further over the next 18 months.

13. During the 2017-18 academic year 87.2% of the 5,276 education Penalty Notices issued in Nottinghamshire were as a result of an unauthorised absence during term time for the purpose of a family holiday. This is slightly higher than the England average of 85.4% and lower than the East Midlands regional average of 91.7% (DfE 2018).
14. The majority of Education Penalty notice fines are paid within the 28 days statutory timescale (71%). This matches the England average when comparing figures for the last three academic years (2015/16, 2016/17 and 2017/18). In Nottinghamshire over the same time period after further consideration of the evidence it was agreed to withdraw around 6% of the Penalty Notices issued. This is significantly lower than the England average of 13% and demonstrates more robust evidence gathering in Nottinghamshire before a Notice is issued.
15. Approximately 10% of adults in Nottinghamshire make a payment after the statutory timescale has elapsed once they have received a Notice of Intention to Prosecute. The average cost of prosecuting a case at the Magistrates court is around £270 and therefore it is in the best interest of both the Local Authority and the individual adult concerned to deal with the matter outside the court process wherever this is possible.
16. Since the 2015/16 academic year Nottinghamshire County Council has prosecuted around 1,000 adults who had failed to pay a Penalty Notice issued to them for their child's unauthorised absence from school. The prosecution is for the original offence under Section 444(1) of the Education Act 1996. This equates to around 8.5% of the cohort of adults who were issued with a fine over the last three academic years. The Nottinghamshire figure for the proportion of cases proceeding to prosecution is exactly in line with the England average for the same period. Since January 2016 these cases have been dealt with through the Single Justice process which allows for summary-only non-imprisonable offences to be dealt with by a single magistrate sitting with a legal adviser on the papers provided without the attendance of either a prosecutor or the defendant.
17. As the graph below indicates the overall absence rates have been gradually falling nationally in recent years.



18. Figures for the 2017/18 academic year published by the DfE confirm that the overall absence rate in Nottinghamshire (4.5%) was below both the England (4.8%) and East Midlands region (4.7%) averages. The data also confirmed that the persistent absence rate (the percentage of pupil enrolments whose attendance is considered to meet the persistent absence threshold) for Nottinghamshire (9.5%) is lower than the England (11.2%) and East Midlands region (10.8%) averages.
19. Since the 2014/15 academic year the overall absence rates in Nottinghamshire has remained stable at about 4.5%. Over the last 2-3 years there have been slight decreases in the percentage of pupil enrolments whose attendance is considered to meet the persistent absence threshold from 9.9% in 2015/16 to 9.5% in 2017-18. Based on 2017-18 enrolments, this equates to around 500 less pupils meeting the persistent absence threshold.
20. This year it is hoped to pilot and introduce an online Education Penalty Notice application process for schools and an online payment process for members of the public. These will improve the system and hopefully provide some efficiencies as the Council endeavours to meet the increasing demand to issue fixed Penalty Notice fines for unauthorised absence from school. There will be some development costs yet to be defined. However, once introduced these should provide efficiencies in the system.
21. The current threshold for issuing Education Penalty Notices (as detailed in **paragraph 7**), as set out in the Nottinghamshire Code of Conduct and agreed by the Children and Young People's Committee in October 2016, is set at a level which provides a proportionate remedy for head teachers to use when dealing with unauthorised absences from school in term time. The ever increasing number of schools using Education Penalty Notices in recent years suggests that the current threshold and criteria meets the needs of head teachers and schools across Nottinghamshire. The threshold is now well established and supports schools to meet the national expectations placed on them around attendance at school.

Other Options Considered

22. No other options have been considered.

Reason/s for Recommendation/s

23. The decision to set the threshold was agreed at Children and Young People's Committee in July 2015 and revised in October 2016 and it was agreed that the Committee would be updated on the use of Penalty Notices in Nottinghamshire.

Statutory and Policy Implications

24. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

25. There are no financial implications arising from this report.

RECOMMENDATION/S

That:

- 1) Members consider whether there are any actions they require in relation to the information contained within the report.
- 2) Members agree to receive a further update report in the next 12 months and that this be included in the work programme.

Steve Edwards

Service Director, Youth, Families and Social Work

For any enquiries about this report please contact:

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Constitutional Comments (AK 24/04/19)

26. The recommendation falls within the remit of the Children and Young People's Committee under its terms of reference.

Financial Comments (SAS 08/05/19)

27. There are no financial implications arising directly from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Nottinghamshire Code of Conduct for issuing fines for pupil absences – amendment to threshold: report to Children and Young People's Committee on 15th June 2015

Nottinghamshire Code of Conduct for issuing fines for pupil absences – impact of amendment to threshold: report to Children and Young People's Committee on 17th October 2016

Electoral Division(s) and Member(s) Affected

All.

C1238

20 May 2019**Agenda Item: 9****REPORT OF THE SERVICE DIRECTOR, COMMISSIONING AND RESOURCES****TERMS OF REFERENCE FOR THE CHILDREN'S HOMES GOVERNANCE
BOARD****Purpose of the Report**

1. The purpose of this report is to seek approval for the Terms of Reference for the Children's Homes Governance Board, attached as **Appendix 1** and for the Terms of Reference to be reviewed and any recommendation for changes presented to Committee within the next 12 months.

Information

2. The Local Authority operates six residential children's homes, three of which can provide specialist care for children with disabilities, and Clayfields Secure Children's Home which provides both welfare, secure and criminal justice placements.
3. The Children and Young People's Committee received a report on 18th March 2019 regarding Rota Visits by Elected Members to children's homes and approved the following:
 - the withdrawal of current guidance on Rota Visits by Elected Members and that visits in their current format cease
 - the establishment of a new Governance Board to oversee the Council's children's homes, including Clayfields House Secure Unit, led by Elected Members and with cross-party representation alongside senior professionals from multi-disciplinary backgrounds
 - the proposed Terms of Reference for the Governance Board to be produced and brought to the Committee for approval
 - that reports from the Governance Board be brought to the Committee every six months
 - that a review of the revised governance arrangements be presented to Committee in 12 months' time.
4. The proposed Terms of Reference are attached as **Appendix A**. These have been written mindful of the Council's Constitution and delegated powers. The Board does not constitute a sub-committee and does not have the decision-making powers of a committee.

Other Options Considered

5. This course of action has been agreed by Committee and as such other options have not been considered.

Reason for Recommendations

6. The recommendations are made to ensure the strong and effective oversight of children's homes provision by Elected Members.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

8. There are no financial implications arising directly from this report.

RECOMMENDATION/S

That:

- 1) the Committee approves the Terms of Reference for the Children's Homes Governance Board, attached as **Appendix 1**.
- 2) the Terms of Reference are reviewed and any recommendation for changes presented to Committee within the next 12 months.

Laurence Jones
Service Director, Commissioning and Resources

For any enquiries about this report please contact:

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Constitutional Comments (SLB 25/04/19)

9. Children and Young People's Committee is the appropriate body to consider the content of this report.

Financial Comments (SAS 23/04/19)

10. There are no financial implications arising directly from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Rota visits by Elected Members – report to Children and Young People’s Committee on 18th March 2019

Electoral Division(s) and Member(s) Affected

All.

C1242



Children's Homes Governance Board

1 Background

On 18 March 2019 the Children and Young People's Committee voted to end the practice of "Rota Visits" and to replace this with a new Governance Board to oversee children's homes, including Clayfields House Secure Unit, led by Elected Members and with cross-party representation alongside senior professionals from multi-disciplinary backgrounds. The Board is not a sub-committee and does not have any of the delegated decision-making powers.

2 Purpose and Objectives

The purpose of the Children's Home Governance Board will be to:

1. Ensure that Children's Homes operated by the Local Authority have a clear sense of purpose and a vision for the future and to make recommendations to the Children and Young People's Committee to support this
2. To ensure that Children's Homes are safe places for children to live
3. To oversee the standards of care in Children's Homes and the continuous improvement of that care with a goal of all homes being rated "Outstanding" by Ofsted
4. To make recommendations to the relevant County Council Committees in respect of the size and shape of Children's Homes provision and any commercialisation of services
5. To ensure that the views of children and young people receiving care and, where relevant, their parents or carers, are taken into account in the development of services
6. To ensure that Children's Homes provide good value for money.

3 Accountability and Challenge

The Chair of the Children's Home Governance Board will be responsible for:

- Ensuring the Board meets its objectives
- Ensuring the Board remains focused, has clear authority, and that work is actively managed
- Ensuring that decisions requiring formal agreement are referred to the relevant Committee in line with the Council's constitution.

4 Core Membership

Core members will include:

- Vice-Chairman of the Children and Young People's Committee (Chair)
- an opposition Elected Member who sits on the Children and Young People's Committee
- Service Director, Youth, Families and Social Work
- Service Director, Commissioning and Resources
- Group Manager, Regulated Services
- Group Manager, Safeguarding, Assurance and Improvement
- Head of the Virtual School

Other attendees may be asked to attend as and when required for one-off meetings, or for a specific period of time. The Service Managers for Residential Services and Clayfields House will provide professional and technical advice to the Board.

Membership of the Board may change as it becomes more established and the role of specific representatives are defined more clearly.

5 Scope & Responsibilities

- ❖ Considering all Regulation 44 reports, Ofsted reports and subsequent action plans and holding the service area accountable for delivery of those plans.
- ❖ Taking an active involvement in the development and model for residential children's home provision in Nottinghamshire including setting the purpose and vision
- ❖ Receiving concise reports on the physical environment, health and safety, effective use of resources (including finance and workforce) and the use of de-escalation, restraint and serious incidents
- ❖ Taking an active interest in the services delivered by health, justice and school/education partners for children in residential settings
- ❖ Identifying areas of practice and provision for particular scrutiny based on reports and intelligence
- ❖ Receiving exception reports on Regulation 44 and Ofsted reports from private children's homes where Nottinghamshire children are placed.

6 Frequency and Format of Meetings

The Children's Home Governance Board will be held on a bi-monthly basis.

The final agenda will be set in consultation with the Chair and will be circulated, with accompanying papers, to members a minimum of five clear working days before the meeting. Any late papers will normally be tabled.

Agreed action points will be provided to members within a week of each meeting.

Standing agenda items are to include:

1. Ofsted reports and action plans
2. Regulation 44 visits and action plans
3. Additional update reports from each home, produced using an appreciative enquiry approach
4. Financial report
5. Exception reports from external children's homes
6. Relevant feedback from the Children in Care Council/ children and young people in care.

The 'Access to Information and Meetings' provisions set out in the County Council's Constitution are not applicable to the Board. This does not affect other specific rights relating to access to information which are contained in law; for example, the Freedom of Information Act and the Data Protection Act.

7 Ways of Working

Members should endeavour to read agenda papers in advance of meetings to allow for informed discussion.

Members will identify a suitable deputy to attend in their absence as an exception.

Members will be expected to undertake regular visits to Children's Homes settings, accompanied by the Home Manager, to observe and gain insight to inform their discussions and decisions at the Board. Wherever possible they should meet with children and young people during these visits.

Members should be prepared to periodically attend the Children in Care Council meeting to gain views directly from children and young people upon the Chair's invitation.

20 May 2019**Agenda Item: 10****REPORT OF THE SERVICE DIRECTOR, CUSTOMERS, GOVERNANCE AND
EMPLOYEES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2019-20.

Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, committees are expected to review day to day operational decisions made by officers using their delegated powers. It is anticipated that the committee will wish to commission periodic reports on such decisions. The committee is therefore requested to identify activities on which it would like to receive reports for inclusion in the work programme. It may be that the presentations about activities in the committee's remit will help to inform this.

Other Options Considered

4. None.

Reason for Recommendation

5. To assist the committee in preparing its work programme.

Statutory and Policy Implications

6. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

- 1) That the Committee considers whether any amendments are required to the Work Programme.

Marjorie Toward
Service Director, Customers, Governance & Employees

For any enquiries about this report please contact:

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Constitutional Comments (HD)

7. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (NS)

8. There are no direct financial implications arising from the contents of this report. Any future reports to Committee on operational activities and officer working groups, will contain relevant financial information and comments.

Background Papers

None

Electoral Division(s) and Member(s) Affected

All.

CHILDREN & YOUNG PEOPLE'S COMMITTEE - WORK PROGRAMME 2018-19

REPORT TITLE	BRIEF SUMMARY OF AGENDA ITEM	LEAD OFFICER	REPORT AUTHOR
17 June 2019			
Children and young people core data set - performance for Quarter 4 2018/19	Quarterly performance report	Celia Morris	Dave Gilbert
Outcome of Ofsted inspections of schools – termly update	Spring term report	Marion Clay	Linda Foster/ Diane Ward
Elective Home Education update	Six-monthly update	Marion Clay	Linda Foster/ Karen Hughman
Principal Child and Family Social Worker - annual report 2018/19		Steve Edwards	Diana Bentley
Attendance of Post 16 SEND Learners		Laurence Jones	Louise Benson
Child Sexual Exploitation update	Annual update	Laurence Jones	Joe Foley/ Hannah Johnson
Virtual School annual report		Marion Clay	Sue Denholm
Outdoor Education Centre National Park Ambassador Status		Steve Edwards	Pom Bhogal
Local Transformation Plan for children and young people's emotional and mental health	Six-monthly report		Rachel Clark/ Katharine Browne
Local Authority governor appointments to school governing bodies	For information	Marion Clay	Jane Mansell
Corporate Parenting items:			
Leaving Care Service update		Steve Edwards	Claire Sampson/ Holly Smitheman
Independent Reviewing Officer Service annual report		Steve Edwards	Izzy Martin
National Minimum Fostering Allowances and Fees to Foster Carers	Annual determination	Steve Edwards	Ty Yousaf
Fostering Service annual report		Steve Edwards	Ty Yousaf
CAMHS Looked After and Adoption team annual report		Steve Edwards	Lucy Peel
Foster carers items			

REPORT TITLE	BRIEF SUMMARY OF AGENDA ITEM	LEAD OFFICER	REPORT AUTHOR
15 July 2019			
Schools causing concern guidance		Marion Clay	Linda Foster
Children Missing Education dashboard	Six-monthly update	Marion Clay	Karen Hughman
Troubled Families Programme in Nottinghamshire update	Six-monthly update	Steve Edwards	Rachel Miller
Children's Workforce Health Check Survey 2018-19		Laurence Jones	Liz Maslen
Work of the Children's Trust – annual report		Laurence Jones	Steve Baumber