



**North Yorkshire
County Council**

Agenda

**Meeting: Young People's Overview & Scrutiny
Committee**

**Venue: The Oak Room, County Hall,
Northallerton DL7 8AD
(see location plan overleaf)**

Date: Friday, 7 December 2018 at 10am

PLEASE NOTE START TIME OF MEETING

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Business

- 1. Minutes of the meeting held on 21 September 2018.** (Pages 5 to 11)
- 2. Declarations of Interest**
- 3. Public Questions or Statements.**

Members of the public may ask questions or make statements at this meeting if they have given notice Ray Busby of Policy & Partnerships (*contact details below*) no later than midday on Tuesday 4 December 2018, three working days before the day of the meeting. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:-

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);

Enquiries relating to this agenda please contact Ray Busby **Tel: 01609 532655**
email ray.busby@northyorks.gov.uk
Website: www.northyorks.gov.uk

- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

Suggested timings

- | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| 4. | Chairman's Remarks - Any correspondence, communication or other business brought forward by the direction of the Chairman of the Committee. (FOR INFORMATION ONLY) | 10-10.10am |
| 5. | School Preparedness – Presentations by the Corporate Director for Childrens Services
(printed separately) | 10.10-10.50am |
| 6. | Elective Home Education - Presentation by Barbara Merrygold: Interim Head of Early Help and Paul Carswell: Children and Families – Prevention Service Divisional Manager (West)
(Pages 12 to 22) | 10.50-11.20am |
| 7. | CYPS Financial Pressures – Joint report by Corporate Director, Children and Young People's Service and the Corporate Director, Strategic Resources
(Pages 23 to 28) | 11.20-12noon |
| 8. | Work Programme – Report of the Scrutiny Team Leader.
(Pages 28 to 32) | 12noon-12.15pm |
| 9. | Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstances. | |

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)

County Hall
Northallerton

28 November 2018

NOTES:

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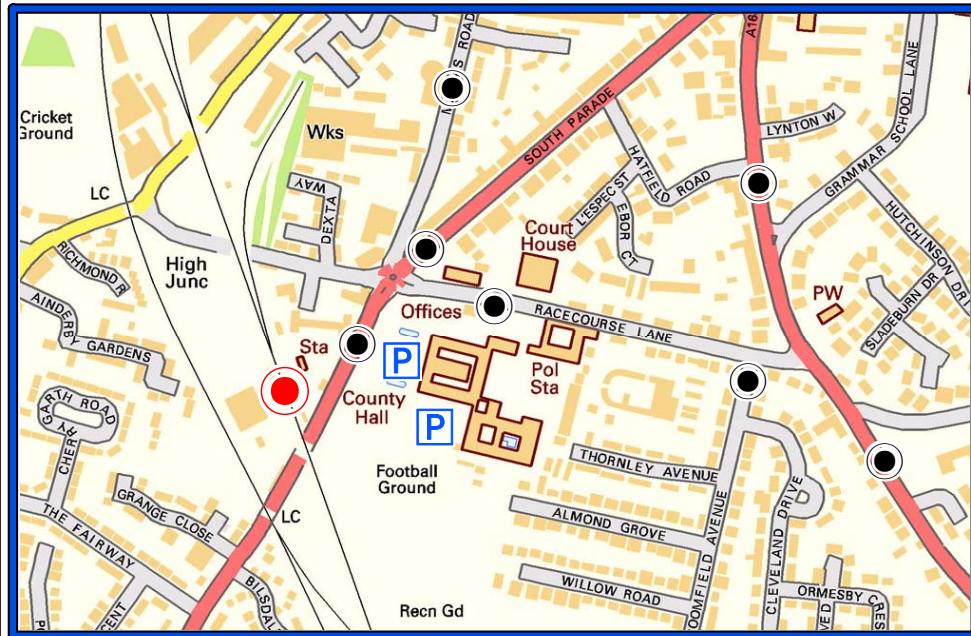
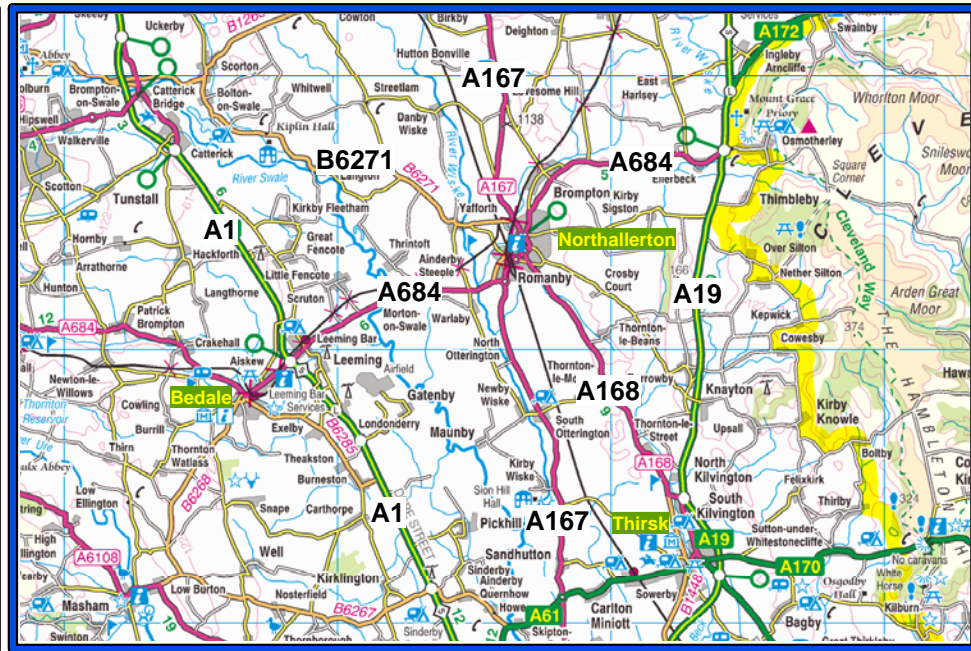
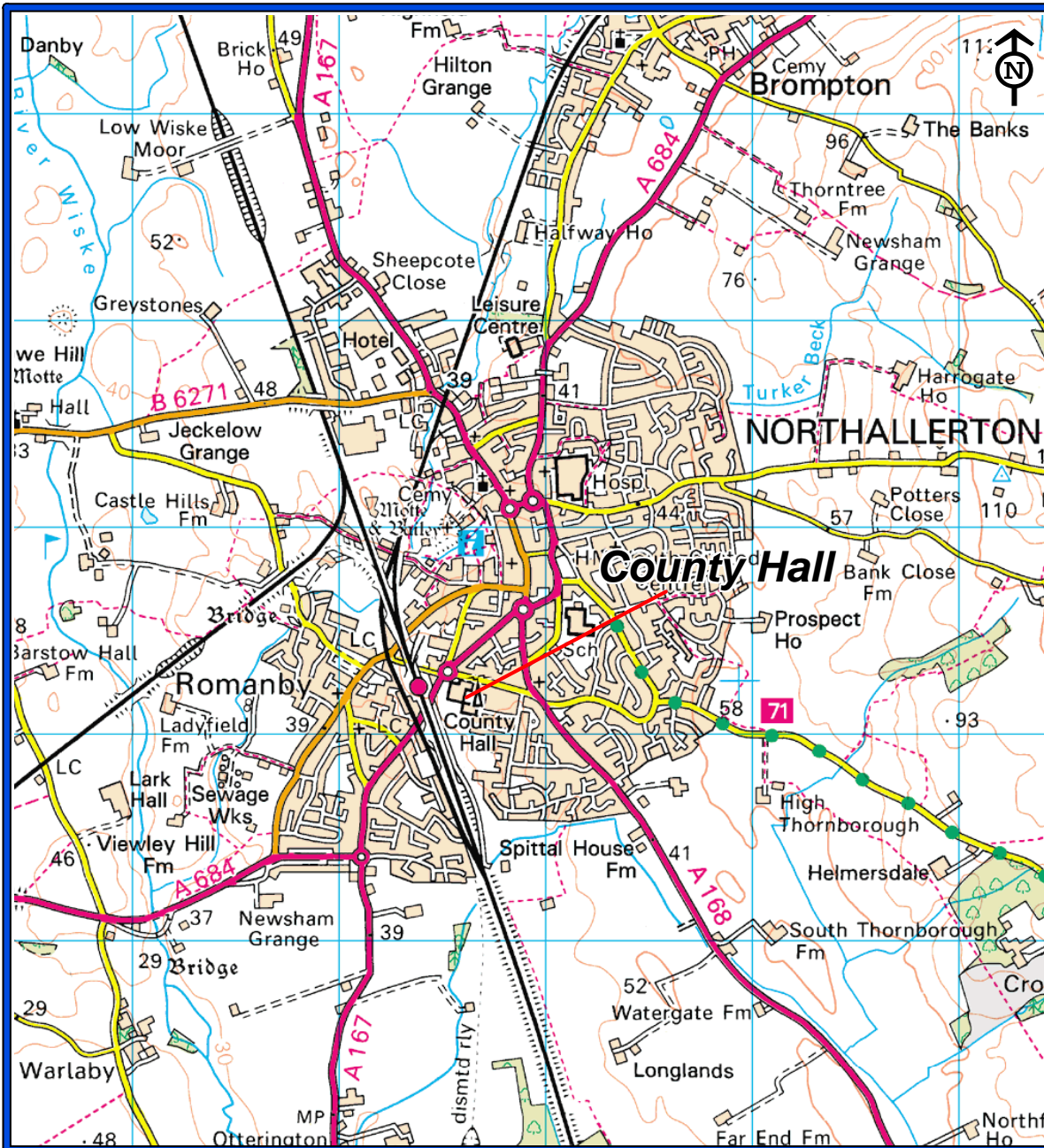
Young People Overview and Scrutiny Committee

1. Membership

County Councillors (13)					
	<i>Councillors Name</i>	<i>Chairman/Vice Chairman</i>	<i>Political Group</i>	<i>Electoral Division</i>	
1	ARNOLD, Val		Conservative	Kirkbymoorside	
2	BURR, Lindsey MBE		NY Independents	Malton	
3	DUCKETT, Stephanie		Labour	Selby Barlby	
4	DUNCAN, Keane		Conservative	Norton	
5	HOBSON, Mel		Conservative	Sherburn in Elmet	
6	JEFFERSON, Janet	Chairman	NY Independents	Castle	
7	LUNN, Cliff		Conservative	Selby Brayton	
8	MANN, John		Conservative	Harrogate Central	
9	MARTIN, Stuart MBE		Conservative	Ripon South	
10	METCALFE, Zoe		Conservative	Knaresborough	
11	PLANT, Joe		Conservative	Whitby Streonshalh	
12	QUINN, Gill	Vice-Chairman	Conservative	Mid-Craven	
13	WILKINSON, Annabel		Conservative	Swale	
Members other than County Councillors – () Voting					
	<i>Name of Member</i>	<i>Representation</i>			
1	VACANCY	Church of England			
2	VACANCY	Non-Conformist Church			
3	VACANCY	Roman Catholic Church			
4	CAVELL-TAYLOR, Dr Tom	Parent Governor			
5	VACANCY	Parent Governor			
6					
Non Voting					
1	BIRCUMSHAW, Paul	Secondary Teacher Representative			
2	ALDER, Louise	Primary Teacher Representative			
3	WATSON, David	Voluntary Sector			
4	SHARP, David	Voluntary Sector			
Total Membership – ()			Quorum – (4)		
Con	Lib Dem	NY Ind	Labour	Ind	Total
10	0	2	1	0	13

2. Substitute Members

Conservative		Liberal Democrat	
	<i>Councillors Names</i>		<i>Councillors Names</i>
1	MUSGRAVE, Richard	1	
2	METCALFE, Zoe	2	
3	PEARSON, Chris	3	
4	JEFFELS, David	4	
5	PARASKOS, Andy	5	
NY Independents		Labour	
	<i>Councillors Names</i>		<i>Councillors Names</i>
1		1	RANDERSON, Tony
2		2	
3		3	
4		4	
5		5	



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Northallerton
North Yorkshire
DL7 8AD



North Yorkshire County Council

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North Yorkshire County Council

Young People Overview and Scrutiny Committee

Minutes of the meeting held on Friday 21 September 2018 at 10am at County Hall, Northallerton.

Present: County Councillor Janet Jefferson in the Chair.

County Councillors, Stephanie Duckett, Keane Duncan, Cliff Lunn, John Mann, Zoe Metcalfe, Gill Quinn and Annabel Wilkinson.

Co-opted Members: Paul Bircumshaw, Dr Tom Cavell-Taylor and David Sharp (North Yorkshire Youth)

In attendance. County Councillors Patrick Mulligan and Janet Sanderson (Executive Members)

Officers: Ray Busby (Scrutiny Officer (Central Services)), Stuart Carlton (Corporate Director Children and Young Peoples Services),

Apologies for absence were received from: Councillors Val Arnold, Lindsay Burr MBE, Joe Plant and Stuart Martin MBE;

Copies of all documents considered are in the Minute Book

149. Minutes

Resolved –

That the Minutes of the meeting held on 28 June 2018 having been printed and circulated be taken as read and be confirmed and signed by the Chairman as a correct record.

150. Any Declarations of Interest

There were no declarations of interest to note.

151. Public Questions

Ms Kerry Fox attended the meeting to submit the following statement and question

“A Child in Need (CIN) is defined in Section 17, Children Act 1989 where: The child is unlikely to achieve or maintain a reasonable standard of health or development without the provision of services by the Local Authority, or Their health or development is likely to be significantly impaired, or further impaired, without the provision of such services, or They are disabled”

The Disability Law Service has written to North Yorkshire county council after they conducted research nationally identifying local authorities practice in relation to discriminatory policies

They state "The Disability Law Service is campaigning to bring about a change in the way Local Authorities assess and care manage the needs of autistic children so that they have the same opportunity to receive support on an equal basis to all other disabled young people. We believe that this must involve (among other things) that right to be assessed by social workers with Children with Disabilities' expertise"

Parent Carers in North Yorkshire are reporting

They are being referred into Safeguarding Social Care with their cases going before "Friends and Family Panel" there are no instances of these cases being under child protection.

The referrals to Safeguarding are putting families off following through with assessments for support as, rather than understandable and very commonplace needs being assessed, a judgement of their parenting capacity seems to be the first approach.

We are finding that families who are referred to safeguarding are being awarded much less help than the assessments note and believe this is due to financial constraints which does not allow for the needs of the child to be addressed

We would like to request that scrutiny look into how many families (in particular children and young people with Autism) have been denied access to DCS requests? How many referrals and enquiries on behalf of families via others in children's services were also declined. (including repeated requests)

We have instances and reports of young people with Autism and/or learning difficulties being refused help and support and as such the escalation has resulted in police being involved and deteriorating mental health.

Where overnight respite has been in place through disabled children social care once that young person has reached 18 this stops and there isn't a continuation within adult services or the transition service -this is resulting in some families becoming so isolated as they cannot venture out with their young person and as such the whole family becomes socially isolated in so far as the basic task of popping to the shop becomes an almighty barrier. This is despite the requirement in the Children and Families Act, and the Care Act for a clear transition, and for this to take priority in the ECHP from Age 14 with Preparation for Adulthood being the key theme.

Carers and Families

Carer Assessments appear to be equally problematic, with no or little signposting for carers of disabled children, including assessment of carers needs. Some localities award grants to carers of disabled children for their needs/respite and this would appear to be a postcode lottery with some localities offering nothing despite need. (Carers grants for those living in Craven through Carers Resource but not replicated in the other North Yorks localities)

We would ask that scrutiny consider the implications of the engaging of Safeguarding Social Workers in the needs of disabled children in need and their carers, given the need for these to be assessed by appropriate and proficient social workers working within the area of their expertise and to also look at postcode lotteries within county in relation to carers needs/support.

Those in receipt of services from disabled children's social care and direct payments report that there are significant difficulties in recruiting carers and that the amount allocated to pay carers by the hour is, in a lot of cases, not enough. Those requesting an enhanced rate are reporting delays in receiving notification from panel.

There is concern regarding no summer schemes or activities for children and young people to access with some schemes only been available to those in receipt of overnight resource centre respite.

The local offer in North Yorkshire is so poor that if any activities exist families have no way of knowing.

We would welcome scrutiny of the local offer in relation to out of school and holiday schemes that are accessible to children and young people with disabilities.

When activities are available many are postcode dependent with some being accessible if you live in a certain area these local offers are not countywide therefore many children and young people will not be able to access anything if they live outside these boundaries (yet within county)

Some schemes are so oversubscribed that waiting lists exist as the capacity to meet needs is so overstretched. We would welcome an audit on disabled children's childcare and holiday play schemes.

We would like to come before Scrutiny in December with a full report detailing the experiences of families trying to access social care and support (including those aged 18-25 under transitions/HAS if they are still in education and training)

We are currently conducting research into the scale of issues and concerns raised.

Kind Regards
Save SEND Services North Yorkshire”

Ray Busby advised he had received the following response from the Corporate Director for Childrens Services

“NY has received a letter from Disability law Service. Our legal team have written to DLS with our response and the full eligibility criteria along with our view that our eligibility criteria are compliant because Children and Families carry out assessments where the young person does not meet DCSEC. In complex cases DCS and C&F will work together to complete the assessment.

The Safeguarding teams are responsible for working with children specified within the Care Act and this includes children with disabilities. They are qualified social workers and are highly effective in carrying out assessments, working alongside DCS as required.

We are currently in discussion with DCS and C&F with regards to reviewing the continuum of support for families with disabled children. We intend to establish a working group and will invite NYPACT for representation to ensure that the offer of support is appropriate for families and that services across CYPS work collaboratively to support assessed needs.

It is difficult to comment on individual cases and would suggest that families who are in this position contact us directly rather than through Save SEND Services. We will then be able to discuss their individual circumstances and ensure they are receiving the support they require.

The transition arrangements between CYPS and HAS are currently under review. We have agreed a new model and work is currently being undertaken to finalise the pathway, protocols. It will involve HAS social workers co working a case from the age of 16 years to strengthen the arrangements at the point of transition from 18 years.

We will be engaging with families in the near future with the intention the new model commences in April 19.

The review of the continuum will encompass many of these areas although we dispute the comment regarding the proficiency of our workforce. We are in discussion with NYPACT to undertake an audit of provision across the LA and nearby LA's so that we can identify gaps and take steps to stimulate the market. This includes discussions with Stronger Communities.

Whether recruiting PAs through a DP, Resource Centre Workers or domiciliary care companies finding suitable carers is really hard. It is not well paid and is not a career people tend to stick with. DCS pay the approved DP rate for NYCC.

In summary

The LA is already undertaking a review of the continuum of support for families with disabled children across social care and we would be happy to present findings to O&S when the work is completed.

It would be helpful if the report from SEND Services was fed into this group to help shape actions. NYPACT will be the parent carer forum with whom the directorate will work.

NYPACT have agreed to undertake an audit of provision. This was agreed over the summer and we are in the process of finalising the commission.

It would be helpful if individual families mentioned above would contact the directorate directly so that we can review their current situation."

Members thanked Kerry Fox for attending to put the question. Members asked that the findings and conclusions of the review of the continuum of support for families with disabled children come to committee. It was recognised that this might entail some re-jigging of both the work programme and scheduled meeting dates. An undertaking was given to inform Ms Fox of these arrangements once known.

152. Looked After Children Strategy 2018-2021: Core Offer to Care Leavers

Considered –

Report and presentation by Vicky Metherringham, Head Looked After Children, permanence and leaving care (CYPS) and Maggie Allen, Team Manager - Leaving Care, Children and Families (CYPS) providing an overview of the Looked after Children's Strategy 2018-2021 entitled "*We care because you matter*".

The Looked after Children's Strategy and the "promise" to young people were included with the report.

Vicky explained that whilst the core offer is a standalone document, the offer is very much a part of the looked after children strategy and will be embedded within its content.

These documents set out the Local Authorities Strategy as to how it will support and care for looked after children and care leavers and how we will know how well we are doing. The ethos at the centre of this strategy is that as corporate parents we are aspirational for our looked after children and care leavers.

Members watched a video made by Looked after Children. Vicky explained that this was an example of how Young people have been heavily involved in the redesign of the new strategy and for the first time we have been able to secure images of our

own young people within the strategy. Their voice has been a critical part of the development of the strategy and the Young People's Council

The Scrutiny Committee was being asked to review the contents of Looked after Children's Strategy 2018-2021 before it is considered at the Executive meeting on Tuesday 25 September 2018. Full council will be asked to agree to the strategy on the 14th November 2018.

Members were pleased to see the determination to work with districts. In response to questions, Vicky explained that ongoing discussion with all of the districts is planned with an opportunity to discuss what can be offered within their role of corporate parenting responsibilities. The involvement of members in this, as the agenda is moved forward with districts, could be crucial.

During discussion members reached the following views: They –

- Liked that the strategy and the local offer are ambitious for our Looked After children and Young People;
- believed we should strive to ensure the values that underpin that strategic ambition are embedded in the way our staff work with looked after young people;
- acknowledged that such ambition brings challenges in terms of funding pressures;
- strongly supported the drive to encourage partners - especially district councils in relation to leisure use, for example - to do what they can to assist looked after children and care leavers;
- welcomed the consultation undertaken already in respect of both proposals and the plans in place for future engagement - notably the local launches;
- commented favourably on the way the Local Offer is being made accessible for young people;
- supported the notion that a number of members be asked to come forward and, in conjunction with the Portfolio Holder and Young Peoples Champion, take an active part in these launches and then, where appropriate, be a point of reference for discussions with district councils;
- recognised that the Voluntary and Community Sector have much to contribute to help secure positive experiences for these young people.

Resolved –

- a) The Committee was pleased to have the opportunity to review the proposed Looked After Strategy and the Local Offer for Care Leavers before they are formally adopted.
- b) The Committee agreed that both are excellent documents.
- c) The Chairman convey the committee's views to the Executive so that these can be taken into account when the Executive meets on Tuesday 25 September 2018.

153. OFSTED Inspection of NYCC Childrens Services

Considered –

The report of the OFSTED inspection of NYCC childrens social care services.

Stuart Carlton introduced the report.

In response, members said staff should be proud to be the first and only authority nationally to have received an 'outstanding' Ofsted grade in every category under a new and challenging social care inspection framework which focuses on the effectiveness of frontline practice.

Resolved –

The committee expressed its appreciation to all involved.

154. Pressure on School Budgets

The Chairman had asked that a briefing come before the committee in the light of the information reported in local media recently that without changes to schools the current projection forecasts that in 3 years 60% of schools in North Yorkshire are expected to be in a deficit position.

Howard Emmet, Assistant Director - Strategic Resources (CYPS), Integrated Finance (CSD) explained that this projected deficit position in North Yorkshire reflects a trend which has occurred across England in recent years. In the period of four years up until 2016-17, the proportion of local authority secondary schools in deficit nearly trebled, expanding to over a quarter of all such schools.

The number of local authority maintained primary schools in deficit has also risen. In 2010-11, 5.2 per cent of local authority primary schools were in deficit; in 2016-17, the proportion of primary schools in deficit increased significantly, to 7.1 per cent. The average primary school deficit also noticeably increased, from £72,042 in 2010-11, to £107,962 in 2016-17.

A conclusion to draw here is that not only are the number of schools in deficit increasing but also the extent to which they are in deficit is rising. Whilst the above information is only for maintain schools, it is a similar picture across the whole sector.

Howard explained that schools are already taking steps to address these issues, as it is not a sustainable position in the long term.

Resolved –

That group spokespersons keep a weather eye on this by receiving regular briefings so that they are in a position to determine, at any time, if this should be brought to the committee's attention.

155. Work Programme

Considered -

The report of the Scrutiny Team Leader inviting comments from Members on the content of the Committee's Programme of Work scheduled for future meetings.

Resolved –

- a) Members again confirmed that:
- b) That the content of the Work Programme report and the Work Programme schedule are noted.

The meeting concluded at 12.30pm
RB

Elective Home Education

Barbara Merrygold: Interim Head of Early Help

Paul Carswell: Children and Families – Prevention Service Divisional Manager (West)

Background

- Section 7 of the Education Act 1996 states that it is the duty of parents of children of compulsory school age to ensure that they receive efficient full-time education suitable to their age, ability and aptitude and to meet any special educational needs.
- Parents may fulfil this duty either by ensuring regular attendance at school or otherwise. The word 'otherwise' affirms parents' right under the law to educate their child at home instead of sending them to school. This is referred to as Elective Home Education (EHE)
- Whilst Local Authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis, they do have a statutory duty to safeguard and promote the welfare of children.

Local Authority Offer

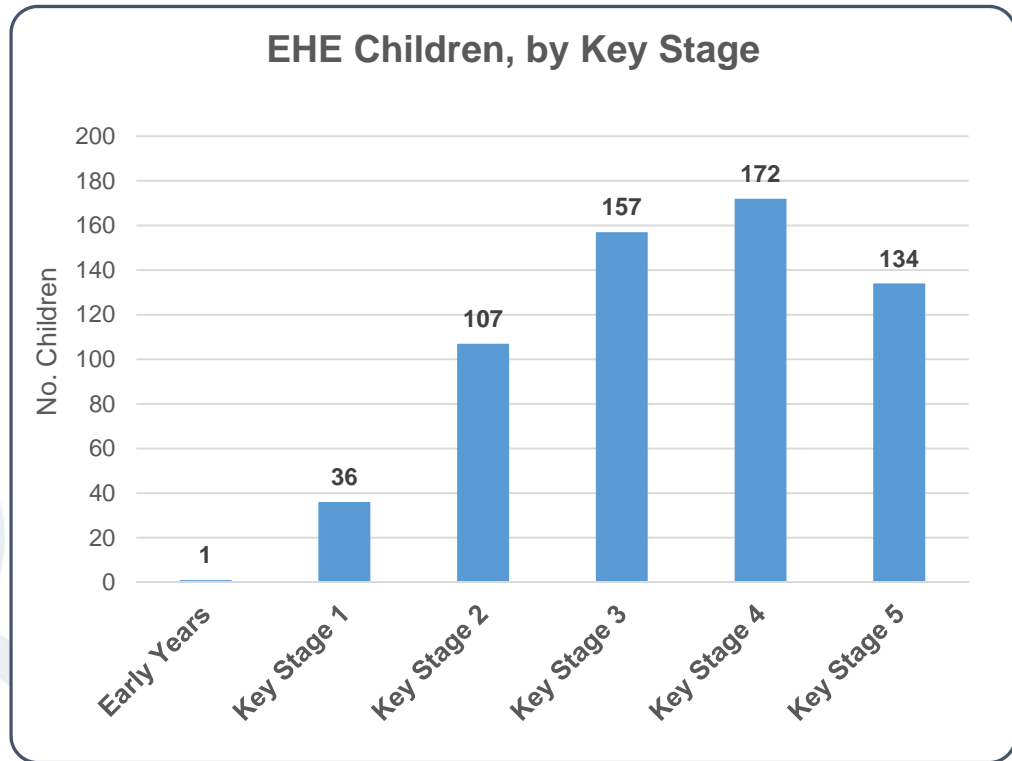
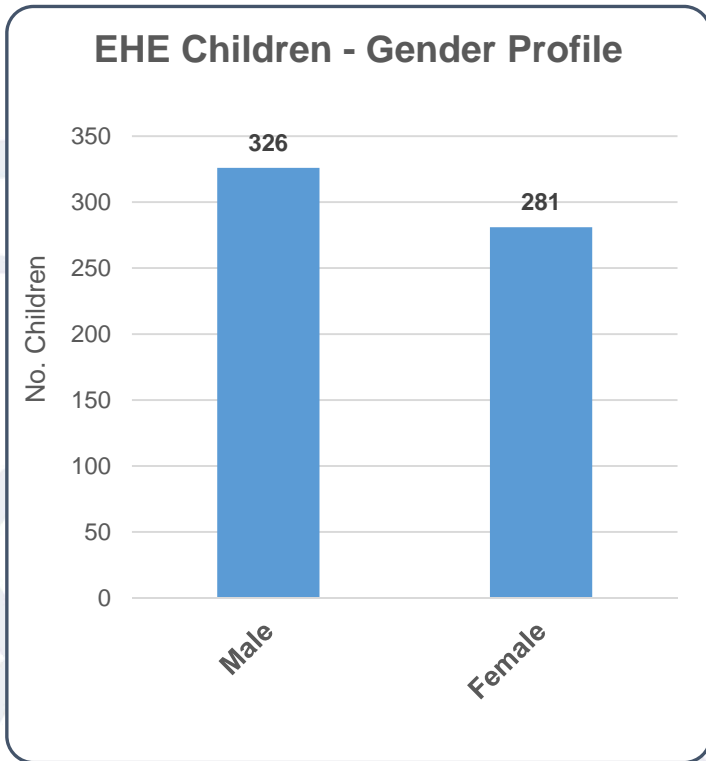
- When the Local Authority is notified of a parent's intention to home educate, a visit is offered to the family
- Working with the Inclusive Education Service and Education and Skills, the C&F Prevention Service has developed the EHE pathway which relates to:
 - The notification from schools of a parent's intention to home educate
 - The offer of an annual visit for children who are educated at home
 - The offer of an EHE identification badge, which is renewed annually
- As it is not a statutory requirement, parents are not obligated to accept the offer of the visit

EHE Visits

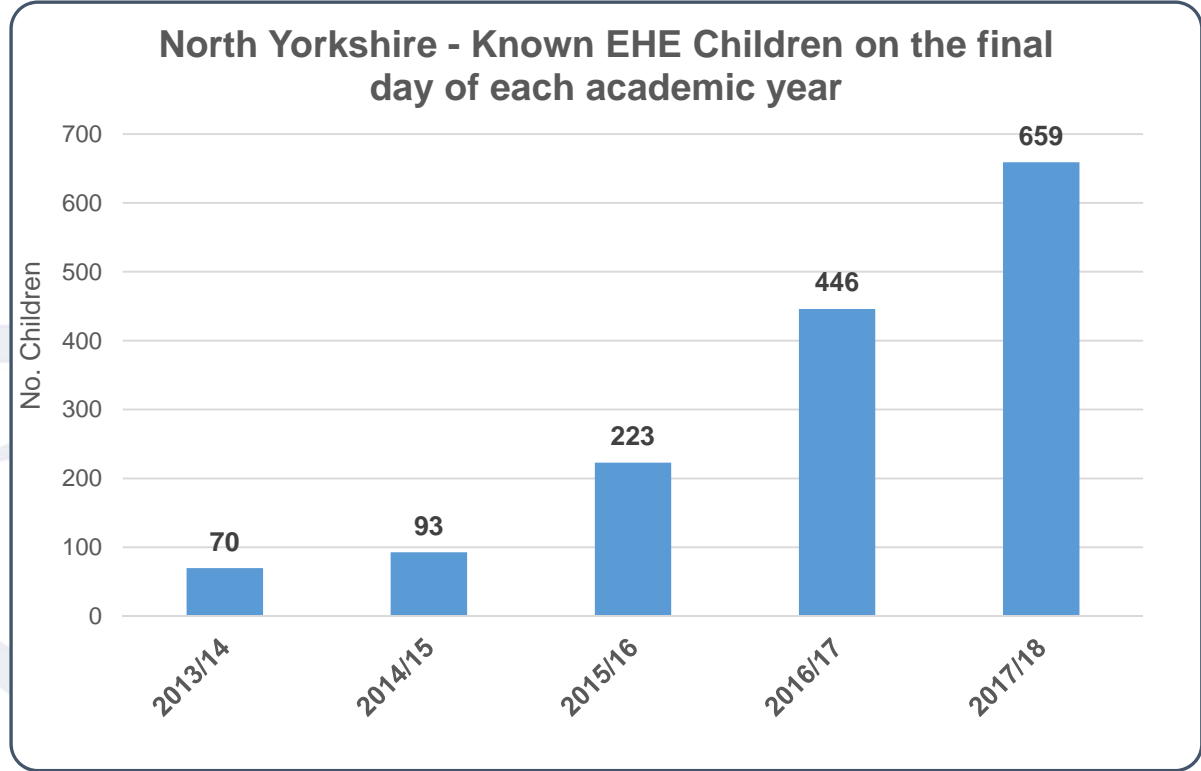
- When the Local Authority is notified of the intention to Home Educate, the case is allocated to a Family Outreach Worker (FOW):
 - FOW makes an offer of a home visit to the family
 - If at any stage concerns are identified with regards to the child/young person's welfare, these are immediately discussed with the Team Leader for Case Work
 - Where possible, a Healthy Child Practitioner attends alongside the FOW
 - FOWs are able to offer information/advice and signpost to appropriate resources to support parents who are electing to home educate
- If any concerns are identified regarding the quality of the home education, the Prevention Service will notify the Education and Skills Service
- If the child is identified as having Special Educational Needs or a Disability (SEND), the Inclusive Education Service are notified and will be sent a record of the visit

Number of EHE Children in North Yorkshire

- On 4 October 2018, we were aware of 607 children and young people being home schooled in North Yorkshire:



Number of EHE Children (2013/14 – 2017/18)

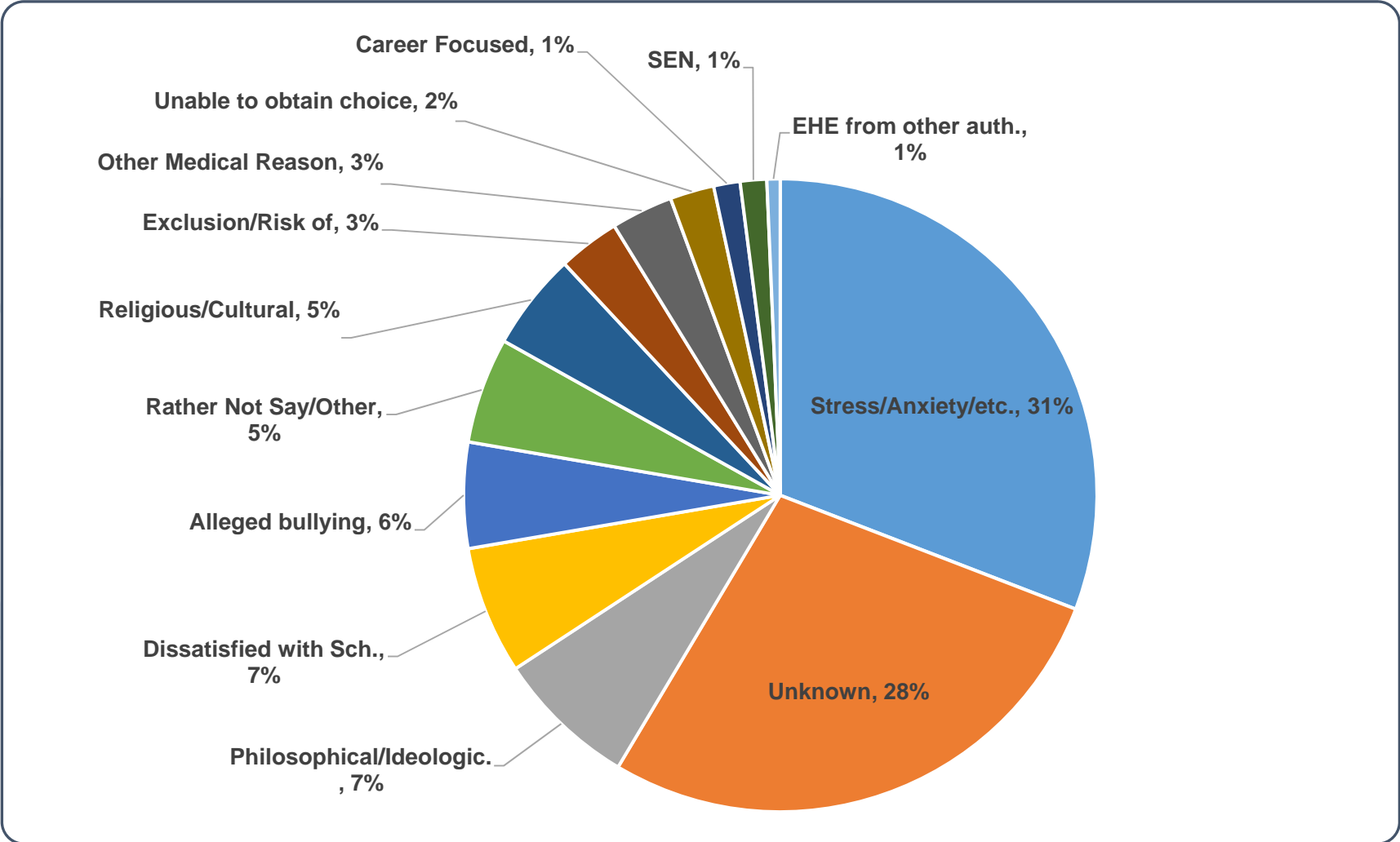


- LAs have reported an average 20% year-on-year increase in the number of children and young people known to be home schooled over the previous 5 years

(Source: ADCS elective home education survey 2018 report)



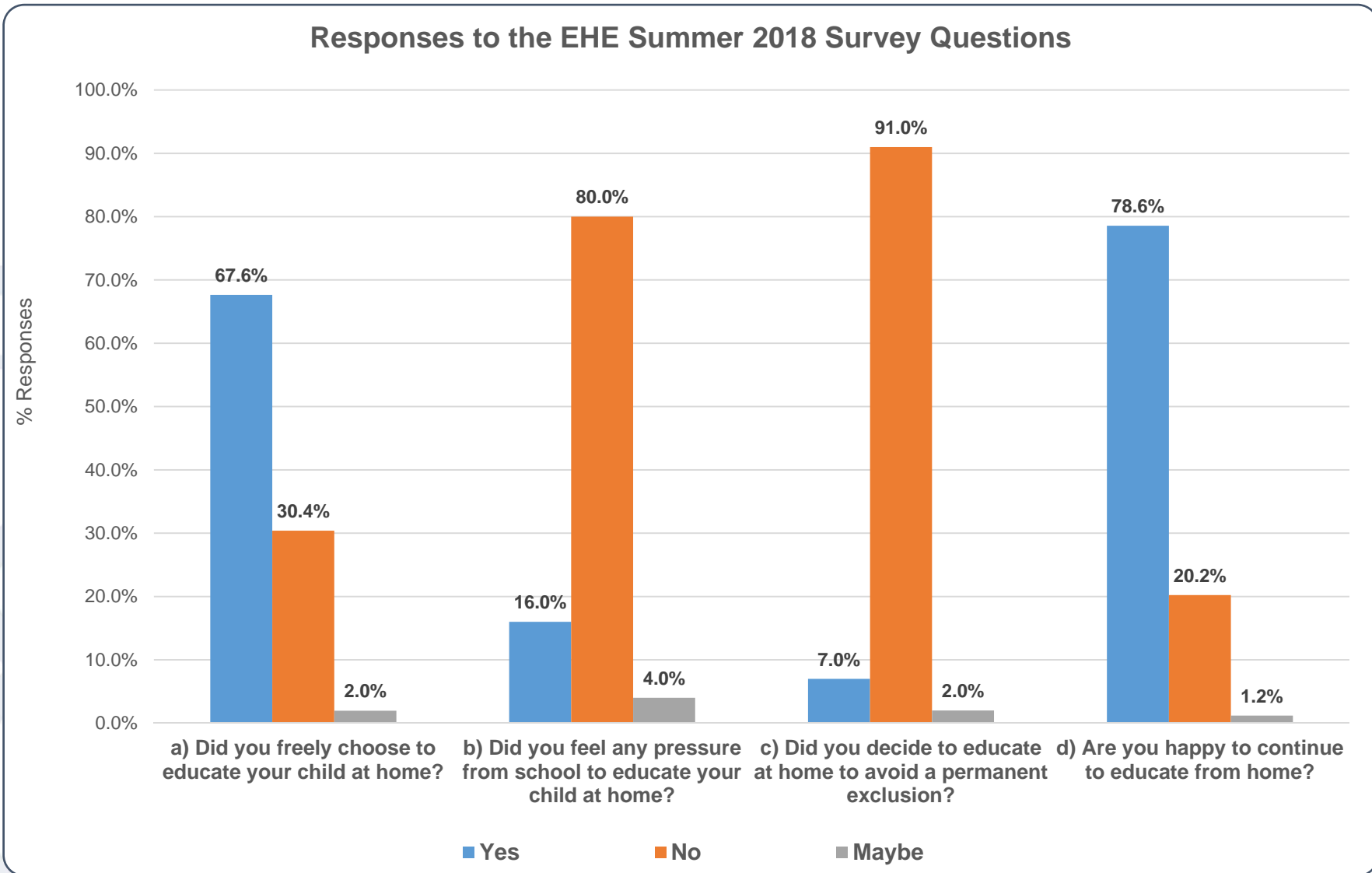
Parent / Carer Reasons for Choosing to Home Educate



EHE – Summer 2018 Family Survey

- Anecdotal feedback received suggesting a factor contributing to the increase in the home education population relates to some schools poorly advising families about EHE and encouraging action that was not always in the best interests of the child.
- In order to test this hypothesis, we undertook to directly contact 262 families over the 2018 summer and ask them to respond to some questions
- Also invited them to offer additional comment on their EHE experience
- Overall, as part of the survey, 121 families (46%) were contacted

Key Findings - Summer 2018 Survey



Key Themes - Summer 2018 Survey

- Key themes from the survey in terms of what led parents/carers to educate their child(ren) at home include:
 - Increased levels of stress/anxiety when at school, associated with mental health deterioration often linked to bullying and/or peer group pressure.
 - An unaccommodating school 'culture' in relation to not meeting the specific needs of the 'individual' child, leading to increasing parental (and pupil) disillusionment with the mainstream education system. Autism is also a feature.
 - Communication breakdown between schools and parents also feature within the responses to the survey
 - Where parents do not feel listened to or confident in the school's ability to meet the particular special educational or health needs of the child, they sometimes feel as if removal from the school roll is their only option.
 - More considered views are evident that some parents are able to provide a more appropriate education for their child, outside of the mainstream school system.

Next Steps

- Cross Directorate EHE Working Group established:
 - Consider how to most effectively reduce those situations where families feel they have not 'freely' chosen to EHE and remove the 'unknown' category from the list of reasons given to become EHE
- Implementation of two additional steps within the EHE notification process:
 - **a)** Introduction of a 3-way meeting between the FOW, the parents/child(ren), and the school to ensure that the decision to home educate has been made by the parents/carers following appropriate advice and guidance
 - **b)** Introduction of a 20 working day 'cooling-off' period from the point at which the 3-way meeting takes place. During this time, the child(ren) will remain on the school roll in order that they may immediately return to school if the parent(s) reverse their decision to home educate

NORTH YORKSHIRE COUNTY COUNCIL

YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE

7TH DECEMBER 2018

CYPS FINANCIAL POSITION

1.0 PURPOSE OF REPORT

- 1.1 This paper highlights the areas presenting with the most significant financial pressures facing CYPS as at October 2018 and the management action that has been taken in response to the pressures.

2.0 CYPS FINANCIAL PRESSURES

- 2.1 At its meeting on 14 August 2018, the Executive received the Quarterly Performance and Budget Monitoring Report for Q1, 2018. The report highlighted a projected overspend in Children and Young People's Services which, at Q1, was forecasting to overspend by £10,848k.
- 2.2 The updated forecast outturn position for the Directorate at Q2 shows a slight improvement in the position with an overall projected net overspending position of £10,319k.
- 2.3 A summary of the main variances are shown in the table below:

Table 1: Summary of Variances

Service Area	2018/19 Budget (£k)	Net Projected Outturn Error! Reference source not found. (£k)	Variance to Budget Error! Reference source not found. (£k)	Net Projected Outturn As at Q1 (£k)	Variance to Budget Q1 (£k)
Disabled Children's Service	5,118	6,005	887	5,800	682
Inclusion	690	1,026	336	843	153
Assessment & Reviewing Officers	651	737	86	733	82
Home to School Transport	21,700	24,052	2,352	23,992	2,292
Children & Families	34,007	34,239	232	35,007	1,000
CYPS Pooled Budget	1,389	2,139	750	2,226	837
Education & Skills	2,180	2,211	31	2,361	181
Finance & Management Support	(677)	(643)	34	(559)	118
Pension Enhancements	889	871	(18)	873	(16)

CYPS Commissioning	1,401	1,326	(75)	1,351	(50)
Director's Unit	222	203	(19)	203	(19)
Safeguarding Unit	1,108	1,216	108	1,142	34
High Needs Commissioning	-	4,053	4,053	3,904	3,904
Sponsored Academy Deficits	-	520	520	520	520
Early Years Review	-	229	229	450	450
School Redundancies	-	534	534	400	400
CYPS Insurances	145	424	279	425	280
Total	68,823	79,141	Error! Reference source not found.	79,471	10,848

2.4 The following sections highlights some of the key areas of financial pressure and management action undertaken in response.

3.0 HIGH NEEDS AND SEN

3.1 The most significant financial pressure relates to SEN within the High Needs Block of the Dedicated Schools Grant (DSG). In 2018-19, the Directorate is projecting an underlying overspend of £5.7m which is offset, in part, by the application of £1.66m which was agreed with Schools Forum (following consultation with schools). This funding represents a transfer of 0.5% from Schools Block funding to the High Needs Block and is a temporary transfer. The transfer was agreed following recognition of an unprecedented increase in the numbers of requests for Education, Health and Care Plans (EHCPs) and the level of financial pressure in the High Needs system. The transfer occurred on the basis that plans would be developed to address the financial pressure as any transfer is a temporary measure. The transfer has not been adequate to counter new cost pressures for a number of reasons:

- High Needs Block funding provided by the Department of Education is simply insufficient. Although there was a notional uplift to the North Yorkshire area allocation, the actual cash amount for the local authority has actually decreased when compared with 2017/18.
- There has been an unprecedented increase in Education, Health and Care Plans (EHCPs). Since 2014, there has been a 46% rise in EHCPs and this trend has continued throughout 2018 and currently stands at 50%+. This is an unfunded burden on schools and the local authority.
- Tackling the financial pressure requires a system-wide approach to the development of plans and will not provide immediate relief in sustainable savings.

3.2 The number of EHCPs has been the major driver of the financial pressure above. Demand for special school places has risen significantly - locally and nationally - since 2014. In North Yorkshire, this means an increase of 24% more young people requiring

special school provision. In response to this, an additional 147 places have been commissioned in maintained special schools or special academies. Commissioning of maintained special schools places has not been able to keep pace with demand due to the physical constraints of some schools and this has contributed to increased demand, and therefore, spend in the non-maintained and independent sector.

3.3 Costs within the High Needs Block have continued to exceed the funding allocation for the following reasons:

- the increase in High Needs funding has not kept pace with inflation.
- The funding formula for High Needs operated by the Department for Education puts North Yorkshire on the “funding floor”. Effectively, this means that the Department for Education consider North Yorkshire to have too much money and an increase in funding is only achieved after a “top-up” is applied to avoid any authority receiving less than 0.5% increase in funding.
- A significant element of the funding formula is based on historic spending. This bears no reflection to the actual cost drivers creating financial pressure and penalises the local authority (and schools) for past efficiencies.

3.4 There has been an unprecedented increase in demand as a direct consequence of the 2014 SEND legislative reforms. The number of Education, Health and Care Plans (EHCPs) have risen by approximately 50% since 2014 from c.1,700 to c.2,650 plans and is expected to continue to rise by c.250-300 plans each financial year.

3.5 As the SEN Code of Practice has extended the duty on the LA to maintain Education Health and Care plans up to 25, this has increased the requirement to commission more post-16 and post-19 provision. This currently stands at 170 places in FE and 6th Form colleges from 55 places in 2014.

3.6 Commissioning of places in Alternative Provision (AP) has consistently been at 88 places per year in North Yorkshire. However, this was increased to 110 during 2018/19 and it is proposed to be increased further under a different funding arrangement, subject to the outcome of the consultation. Funding for AP places accounts for over 10% of the High Needs Block spend (currently at £5.2m when including provision for young people who are not able to attend school due to medical needs).

3.7 To assist in meeting continued demand and to reduce spend in the independent sector, NYCC has submitted a bid for a Free School and are currently consulting on plans for a satellite of Mowbray School. There are also actions to be taken forward in the strategic plan to strengthen the targeted mainstream offer for those young people that need an enhanced offer of support in a mainstream environment.

3.8 Executive Members approved the Strategic Plan for SEND in early September 2018. This sets out areas of detailed review to reshape provision in both mainstream and special school settings, the core and additional offer to schools around inclusion support services, the bid for a free special school and ways of working, collaboration and governance. This is a comprehensive strategy aimed at improving the offer for children and young people within the budget available. The projected rate of increase of EHCPs shows that there is a medium-term financial pressure of £10-13M if left unchecked. At this point in time, the LA does not have costed plans to bring high needs expenditure to levels that can be sustained within anticipated future high needs funding levels. The funding gap represents a significant unfunded pressure from DfE. A financially sustainable, inclusive and effective system is a high priority for the local

authority and we will continue to work to address the gap. Further plans will be brought to the Schools Forum for consideration and there will be further consultations with schools, parents, carers and young people.

- 3.9 Phase 1 of the Plan covers the majority of the actions in the plan, which will be delivered through existing resources across staffing, High Needs Budget and capital funding (including the Special Provision Capital Funding.) The intention is also that progress will be made to reduce the overspend on the High Needs Budget.
- 3.10 Key to the delivery of phase 1 is the strengthening of early identification of the needs of children and young people, and appropriate interventions to meet their needs. Actions in respect of universal and targeted provision in the Strategic Plan aim to achieve this by:
- Increasing the capacity of schools to support children and young people with a range of SEND
 - Developing the post 16/19 offer for young people
 - Developing targeted provision linked to mainstream schools to meet the needs of children and young people requiring a high level of specialist staffing support but not requiring special school provision. This type of provision is not currently available in North Yorkshire.
 - Revising the alternative provision offer across the county, including the offer from pupil referral services/alternative provision commissioned by the LA.
 - Developing SEND locality based multi-disciplinary teams to support early identification and intervention.
- 3.11 The anticipated impact of meeting the needs of children and young people through universal and targeted provision is that there should be reduced pressure on the special school places in the county. Our forecasting indicates, however, that this will not be enough to meet need in the longer term; therefore there are also actions in the Plan to increase special school capacity. These include:
- Work at the Dales School, Springhead School and Springwater School to increase capacity, funded by the Special Provision Capital Funding from DfE. This will increase places by 18 overall.
 - Work at the Forest School to increase capacity by 25 places, funded by Schools Condition Grant.
 - The development of a satellite site for Mowbray School in Ripon. This would be at the Moorside Infants School site and would be dependent on the successful amalgamation of the infant and junior schools. Consultation is currently underway on the development of the satellite provision, which would be primary provision for up to 60 pupils.
 - The submission of an expression of interest for a free special school in the Selby area. This was submitted to the DfE on 12th October 2018 and the outcome is expected early in 2019. The expression of interest was for a 100 place special school.

- 3.12 The local authority will be seeking Secretary of State approval for a transfer from Schools funding to High Needs Budgets in 2019-20. Based on current information, the local authority will have a c.£4m accumulated deficit on High Needs by 31st March 2019 with a provisional projected shortfall in 2019-20 of a further £4m. The projection of a £4m in-year shortfall in 2019-20 is based on assumptions of further increases in demand and the delivery of all savings plans outlined in the recent consultation – there is, therefore, some risk attached to these assumptions and figures will be further refined as part of the budget setting process and outcome of the recent consultations.
- 3.13 Using these assumptions, there would be an £8m accumulated deficit by 31st March 2020 if no further plans are brought forward. A transfer of 1.0% would reduce the £8m by c. £3.3m leaving an accumulated deficit of £4.7m. As demand is expected to continue to rise beyond 2019-20 and given the scale of the financial pressure, it is likely that the local authority would seek Schools Forum approval for subsequent transfers. It should be noted, however, that the view of the local authority is that there needs to be additional funding into the North Yorkshire system rather than recycling funding within the county. We will continue to lobby DfE and MPs on this point.

4.0 SEN TRANSPORT

- 4.1 Linked with the pressures arising from the increase in Education, Health and Care Plans, the local authority is also seeing financial pressure in SEN home to school transport budgets. The number of children receiving special transport has risen, particularly as provision within Special Schools has risen. There is a projected in-year financial pressure of £2.3m. This has been mitigated, in part, by a number of measures introduced from September 2018 including the introduction of post-16 charging for pupils with SEN and the option for some families to receive a personal transport allowance.

5.0 DfE POLICIES IMPACTING ON LOCAL AUTHORITY BUDGETS

- 5.1 There are a number of funding pressures impacting on the local authority budget which are a result of Department for Education policy. These include:
- **sponsored academy deficits/ closing school deficits** – sponsored academy deficits relating to Northalton School and 6th Form and Easingwold School are projected along with the closing school deficit for Burnt Yates. The projected net cost is after the application of DSG reserve but there still remains a significant bottom line impact.
 - **school redundancies** – changes to the redundancy policy mean that from September 2018, only compulsory redundancies will be paid. Schools will still be able to offer voluntary redundancies but will have to pay the excess. Despite this tightening of criteria, the local authority – which is statutorily obliged to cover the cost of school redundancies – is projected a cost of £534k. Previously, these costs have been covered by reserve but with a depletion of reserves, this now impacts on the net bottom line.

6.0 OTHER CYPS BUDGET AREAS

- 6.1 Other CYPS areas with financial pressure include:
- **Early Years** – the delayed implementation of the restructure of Early Years gives rise to a non-recurring overspend of £229k. There remains a recurring shortfall of

£250k. There has been a 220k improvement for Early Years Review since the Q1 position as more of the savings are now expected to be achieved in the current financial year.

- **Children and Families**- delayed implementation of a planned restructure, due in part to the timing of the Ofsted inspection, has led to a potential non-recurring overspending. In addition, as the numbers of children looked after have started to rise in 2018 following high levels of child protection plans and children in need, projected costs have risen accordingly.

7.0 SUMMARY

7.1 Overview and Scrutiny Committee are asked to note the contents of the report.

STUART CARLTON
Corporate Director, Children and
Young People's Service

GARY FIELDING
Corporate Director, Strategic Resources

Report Prepared by Howard Emmet, Assistant Director, Strategic Resources

North Yorkshire County Council

Young People Overview and Scrutiny Committee

7 December 2018

Work Programme

1.0 Purpose of Report

- 1.1 This report asks the Committee to confirm, amend or add to the list of matters shown on the work programme schedule (attached at Appendix 1).

2.0 Work Programme Schedule

- 2.1 The Work Programme Schedule is attached at Appendix 1.

3.0 Exclusions

- 3.1 When you reviewed all things connected with Exclusions for Schools in North Yorkshire – prevalence, intervention initiatives etc – you concluded that the directorate understands the prevalence of exclusions in the county and that appropriate and innovative priority action was planned. Members revisited this at a recent briefing meeting to assess progress.

You concluded from the evidence that the most important factors are still being addressed with the right level of resources, and in a way that will make a very real difference to people's lives.

4.0 High Needs Block Funding Consultation: Budget Scrutiny

- 4.1 Alongside the work on Exclusions, at the recent Mid Cycle Briefing, members reviewed the consultation on the reshaping of the high needs budget, covering three specific proposals for change:
- Changing the process for top up funding for children and young people with Education, Health and Care Plans (EHCPs) from a resource allocation system to a banding system.
 - Changing the way provision for secondary aged pupils who are permanently excluded or at risk of permanent exclusion is commissioned and funded in North Yorkshire.
 - Bringing arrangements for provision and funding for young people with EHCPs receiving post 16 education, into line with statutory guidance
- 4.2 Members were cautiously supportive of these proposals, recognising the worrying financial pressures associated with the spike in high needs demand. Members do believe, though, that proposal ii) is likely to attract strong feelings and responses from schools, parents and the community.

- 4.3 Before reaching a definitive position, however, members agreed to wait until they are in a position to gauge how people have responded, and how the portfolio holder and directorate interpret what those responses mean for implementation. Some of the underlying issues around these financial pressures will be a feature of the Corporate Director's report on the reasons for the projected £11m overspend for 2018/19 for CYPS and what corrective action is planned.

5.0 Recommendation

- 5.1 The Committee is asked to confirm, comment or add to the areas of work listed in the Work Programme schedule.

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SCRUTINY TEAM LEADER
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21 June 2018
Background Documents Nil

YOUNG PEOPLES OVERVIEW AND SCRUTINY COMMITTEE

Scope

The interests of young people, including education, care and protection and family support.

Meeting Details

Committee Meetings	Friday 7 December 2018 at 10.30am (SUGGEST START TIME OF 10am)
	Friday 1 March 2019 at 10.30am (SUGGEST START TIME OF 10am)

Programme

Friday 7 December 2018 at 10.00am			
School Preparedness	how pupils and parents are supported when they start school		Martin Kelly & Judith Kirk leading.
Elective Home Education	where parents or carers of a child decide to educate their child at home instead of sending them to a school.	Review of approach	Martin Kelly & Judith Kirk leading.
Delivery of 30 Hours free childcare programme			
Budget Scrutiny			
Friday 1 March 2018 at 10.00am			
Supporting Underperforming Schools -	especially those in Special Measures	Review of approach	
Governance	the extent to which schools are transparent and open about their decision making, focussing on (the changing) Roles and Responsibilities of Parent Governors	Review of approach	Judith Kirk leading

Mid Cycle Briefing Items

Date	Probable Item
Friday 19 October 2018	<ol style="list-style-type: none">1. Exclusions - follow up to review last year. Briefing2. 0-19 Healthy Child Programme - engagement session3. Management of Committee business
Friday 18 January 2019	<ol style="list-style-type: none">1. SEND Special Provision Capital Funding (SPCF) – LA Plan for use of Years 2 and 3 funding.2. Admissions Cycle Experience3. Chairman asked for introductory briefing on Transitions of children with additional needs into adulthood4. Management of Committee business