

# North Yorkshire Council

## Children and Families Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 26<sup>th</sup> September 2023 at 10.00 a.m.

**Present:** Councillor Barbara Brodigan (Chair)

Councillors George Jabbour, John Mann, Heather Phillips (Vice-Chair), Yvonne Peacock, Kirsty Poskitt, John Ritchie and Monika Slater

Co-opted Members: Tom Cavell-Taylor (Parent Governor Representative), Andrew Smith (Church of England Representative), Ross Strachan (Secondary Teacher Representative) and David Watson (Voluntary Sector Representative)

**Present (joined remotely):**

Councillors Stephanie Duckett, Nathan Hull and Janet Jefferson

Officers (Children and Young People's Service, unless stated): Andrew Dixon, Strategic Planning Manager, Howard Emmett, Assistant Director, Resources, Gill Kelly, Public Health Consultant, Amanda Newbold, Assistant Director, Education and Skills, Emma Phillips, Safeguarding Unit Manager and Patrick Duffy, Principal Democratic Services Scrutiny Officer, Legal and Democratic Services

Officers who joined remotely: Paul Cliff, Shared Head of Adult Learning and Skills and Hannah Ellingworth, North Yorkshire Safeguarding Children Partnership Manager

In attendance: Anita Dobson, Chair of the Child Death Overview Panel (joined remotely) and Paul Preston, Principal Democratic Services Officer, Legal and Democratic Services

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**Copies of all documents considered are in the Minute Book**

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### **27. Welcome by the Chair**

The Chair welcomed everyone to the meeting and, in particular, Councillors George Jabbour, Yvonne Peacock and Monika Slater, who had recently been appointed to the Committee by full Council.

### **28. Apologies for absence**

Apologies for absence were received from Councillors Alyson Baker, David Jeffels, Cliff Lunn and David Noland; Portfolio Holders, Councillor Janet Sanderson (Executive Member for Children and Families) and Annabel Wilkinson (Executive Member for Education and Skills); and Co-opted Member, David Sharp.

### **29. Minutes of the meeting held on 23<sup>rd</sup> June 2023**

**Resolved –**

That the Minutes of the meeting held on 23<sup>rd</sup> June 2023 be confirmed and signed by the Chair as a correct record.

**30. Any Declarations of Interest**

There were none.

**31. Public Participation**

It was confirmed that no public questions or statements had been received.

**32. Chair's Remarks**

The Chair advised that she had attended the meeting of the Executive on 29th August 2023.

She had congratulated the Executive Members and the Directorate on the excellent outcome from the OFSTED Inspection.

She had noted the increase in the number of Education Health Care Plans and Children and Families Assessments and Special Educational Needs and resourcing - which is expected to continue - and asked how the Directorate will be able to maintain its high performance from a resourcing point of view. The Executive Member for Children and Families and the Corporate Director had advised that the new SEND Strategy is now working through the system but there is an issue nationally in relation to Education Health Care Plans, caused by a shortage of Educational Psychologists. Agency cover has been used but there is no easy fix.

A question was also raised as to whether there are any particular *hot spots*. The response was that there had always been greater demand in areas of increased deprivation but the Directorate is now seeing an increase in demand from families who are struggling as a result of other issues, such as cost-of-living pressures.

NOTED.

**33. Variation of the Order of the Agenda**

The Chair advised that she had agreed to a request to vary the order of the Agenda from that published, so that the Item on Adult Learning and Skills Service be held before the Item on School Closures and Governance.

**34. Adult Learning and Skills Service – Autumn 2023 Update**

**Considered –**

A presentation by Paul Cliff, Shared Head of Adult Learning and Skills, which is available [here](#).

The Shared Head of Adult Learning and Skills took Members through the context within which the Service operates; its aims and the approaches used.

The Strategy works to eight aims. These were outlined, together with the progress made against each of these.

He highlighted a number of points, including the following:-

- There has been significant increase in male learners and in 19-25 year old engagement in adult learning programmes during 2022/2023.

- A shaped curriculum is geared to individual learning progression.
- Everything is predicated with progression in mind, leading to a door for learners to step through.
- Personalised Learning College staff ensure closer links to the employment sector.
- An increase in funding has been secured from the Learning Skills Improvement Fund (LSIF) to improve digital engagement such as cyber security for citizens

The Shared Head of Adult Learning and Skills further advised that an OFSTED Inspection had highlighted some areas for improvement. Policies had been tightened in response to this and good progress is being made against the areas identified.

Finally, he highlighted two case studies which illustrated how the Service has helped people achieve positive outcomes.

A number of questions/comments were made by Members. These are set out below together with, where appropriate, the response of the Shared Head of Adult Learning and Skills, in italics.

- What does the average apprentice look like? The perception can be of someone aged 16 to 19 on low pay.

*In North Yorkshire, a number tend to be adult returners - many in their early 30s who are upskilling or reskilling.*

- In terms of the blended approach referred to, how much work is undertaken with community bodies to support them?

*We take learning to people i.e. we go to where people come together. We are putting in place an infrastructure in Village Halls and Community Centres. Specific, targeted work is undertaken with Men's Sheds and on wellbeing, numeracy and digital access.*

- What is the pathway for young people for whom mainstream schooling does not work; is the Service reaching enough of these people?

*Yes, some pupils avoid School for mental health reasons. There are a number of internships pathways leading to employment. For example, we are working with Selby College to help shape their offer for young people. We strive to track demand and needs to shape the curriculum to help overcome barriers and to highlight the opportunities available. We manage that pathway.*

- It is interesting to see the focus on young men aged 16-24. How does the Service engage with those who are functionally illiterate?

*A range of measures is used - door drops; brochures in Libraries; website. As mentioned in an earlier response, the Service goes out to the community to engage with them – for instance, Race Days and Armed Forces Day. Learners also engage officers on an individual basis.*

- Thank you to you and the Team for what you re doing. What is different about the Service’s aims and objectives now, as a result of the OFSTED Inspection?

*It was identified in the Inspection that the Service is on a journey. We accelerated aspects of that journey such as monitoring and made slight changes to the curriculum, which OFSTED had commented was hobbyist in places. Changes have been subtle – it was more about pace.*

- How is the Service preparing for a Combined Authority and how is it expected to change as a result?

*The LSIP will be used as something of a blueprint for the budget to be spent on. The Service lobbies on shaping policies and procedures on various Boards and demonstrates that it is a key part of the Council’s Preventative Service. Helping people to engage with us leads to an increase in the number of people who are economically active. We demonstrate that we make a real difference.*

- Does the Service track how many people have become independent?

*Yes, we have invested in the system. There is decent progression rate of between 67% and 70% of people who go into adult education. We track people’s economic status and case studies can demonstrate that they are more economically active.*

- You mentioned that OFSTED used the term “hobbyist”. What did they mean by this and why did they consider that to be the case?

*This is where it was seen that some people come back to the same course again and their wellbeing aims were not tracked. We needed to articulate our purpose more clearly. We have been able to put steps in place to show progression and changed the way courses are built rather than, necessarily, the nature of the course.*

- Numbers are provided for Community Education, Adult Skills, High Needs Education and Apprenticeships in Health and Social Care. Have these figures remained static, or have they increased/reduced in recent years?

*There has been a marked increase across all areas this year. However, take up is not back to pre-Covid levels.*

The Chair thanked Paul Cliff for his presentation.

### **35. School Closures and Governance Briefing**

#### **Considered –**

A presentation by Amanda Newbold, Assistant Director, Education and Skills, Howard Emmett, Assistant Director, Strategic Resources and Andrew Dixon, Strategic Planning Manager

The presentation is available [here](#)

Officers highlighted a number of points in relation to each of the three principal elements of the presentation:-

#### School closures, process and academies

- There are 358 Schools in North Yorkshire as at 1<sup>st</sup> September 2023. Of these, 211 (60%) are maintained and 147 are Academies (40%).

- The majority of Primary Schools have not become Academies.
- Numbers on roll are, typically, increasing in Secondary Schools and reducing at Primary level.
- 16 Primary Schools have closed since 2017 – only one of these was an Academy.
- There have also been closures at Primary and Secondary level, via amalgamation.
- There is a presumption against the closure of (officially designated) rural Schools. This does not mean that they should not close, but that the case for closure should be strong and the proposal must be clearly in the best interests of educational provision in the area. This is known as *the rural presumption*.
- There are a number of challenges in leading small Schools. For example, targeted support for individual pupils can be a challenge.
- It was outlined how Schools are funded, together with the pressures they face. Next year there is projected to be an overall deficit in School budgets of £20 million.
- The Local Authority has a range of measures to support Schools in financial difficulty and continue to lobby for a fairer funding settlement for our Schools - particularly in relation to small Secondary Schools.
- Monitoring is on a risk-based approach which considers pupil numbers, educational performance and finance.
- A graded approach is taken on support and intervention.
- The closure process was outlined for Local Authority Maintained Schools and Academies. The key difference is that, for the latter, the Secretary of State for Education is the decision maker; the Local Authority is only a consultee. The legislation states that the Local Authority has to agree to the closure of a designated rural Academy, but is silent on what would happen if it did not agree.

#### Are closures and a lack of Governors related?

- The short answer is no. Poor governance, irrespective of the number of Board Members, can increase the vulnerability of a School.
- Good governance is about the quality and rigour of governance in the three key roles of exercising positive influence over strategic direction, performance and finance.
- Even so, closure can still be necessary, despite good governance, and there are occasions when good governance can be a recognition that a School should be proposed for closure.

#### Governor recruitment, training and selection

- The Local Authority provides wide ranging support, which includes attendance of Local Authority Officers at Governing Board meetings, training packages and support for Head Teacher recruitment.

A number of questions/comments were made by Members. These are set out below, together with, where appropriate, the response of the officers in italics.

- There is a requirement to provide transport. Is this cost considered at the time of a School's closure, as it will be an additional cost to the School?

*Yes, it is taken into account. Re-use of the budget is a difficult question. Education has to use a national funding formula. Therefore, it is not possible to put the Local Authority budget into the School.*

- Does the Local Authority look back and calculate the cost to it, in terms of transport, as a result of a School closure?

*We work with colleagues in Integrated Passenger Transport. There was one example where the cost was calculated, as an additional service had to be put in. The cost did not equate to the School's in-year deficit but, theoretically, it could have helped, had the option been available.*

*In addition, as closure decisions can take a long period of time, families start to move. It is difficult to say what would have happened if families had stayed.*

- In terms of improvement, what support is provided to Academies? Does the percentage of pupils with SEND in Harrogate have the potential to be an issue?

*Yes, we support Academy Trusts and there is a regular dialogue with the majority of them. Many are supported at an Inter-School level. The new School at Woodfield in Harrogate has an autism speciality. The School will take a new cohort over time.*

*There are occasions when Schools are rebrokered into another Trust. This decision is taken at Regional Director level.*

- The impact on Church Schools is significant. Of 40 Church Schools in North Yorkshire, 29 have fewer than 100 pupils. On numbers, we can have a planned way of working as the situation with reduced numbers on roll is known in advance. Performance is more difficult – if a School is underperforming, there is a directive for it to become an Academy. Academies are often reluctant to take on a small School as they cannot take on the School's financial deficit. Therefore, we can find ourselves in a closure process. In that sense, we are reactive. This is a systemic issue, where we are left with smaller Schools. How can we work together to preserve Schools where we need them and avoid their closure through under-performance?

*The Education White Paper was considering how a move to full academisation could be undertaken in a planned way. That has now been withdrawn.*

*The prevailing picture for most vulnerable Schools is that they can be without an Academy Sponsor and in a closure situation. We continue to work with Governors, engaging them in challenging conversations at an early stage, so that they are aware of the issues.*

*Performance is on a risk-based approach. Additional capacity has been put in through the School Improvement Service and more Schools are achieving good outcomes. We meet with Department for Education representatives every fortnight, but the requirement for a strategic approach has been removed by the withdrawal of the White Paper.*

- Do we have retention issues in respect of Governors? I am reassured to hear of the interaction between the Local Authority and Governors, but do we have the right people and how do we maintain parental choice?

*Each School will have a separate answer as to vacancies. We acknowledge that some are not operating at full complement. We provide support through recommendations for Local Authority Governors. Generally, however, recruitment sits with each school.*

*For denomination Schools, these have been based, historically, on Church boundaries. We are in close contact with Diocesan Authorities and carefully select the catchment area to ensure access to the next Faith School if a School closes, in order to try to protect that access.*

- Given the pressure on finances and population, can we get ahead of the curve to protect key Schools to manage their decline?

*We constantly monitor pupil numbers to ensure they are not too high and work with Schools to change their PAN (Published Admissions Number), where required.*

*We work proactively with Schools to avoid there being a situation where there is no other option available than closure.*

- What we have discussed today illustrates an issue with rural Schools not having the capacity to undertake back-office jobs. Parents move their children to another School due to an adverse OFSTED judgment/low numbers on roll and, therefore, it has to close.. It costs a lot to close a School and, in the case of Burnt Yates School, it would have involved less cost to finance a School Improvement Officer, to ensure good paperwork - which was a shortcoming, as safeguarding information could not be produced when it was requested by OFSTED.

*The number of support days from the Local Authority to Schools has been increased to 1500. No School has been judged Inadequate due to safeguarding issues. The role of the Local Authority is not to provide back-office support, but to ensure awareness, training and accountability.*

- Affordable housing goes hand in hand and lack of this can lead to Schools becoming isolated.
- The funding formula nationally does not help, as it is based on deprivation rather than disadvantage.
- Can we write to Department for Education to request a change to the funding/financing of Academies to take on risks and assist rural schools?

*There is already such a mechanism in place via the School Improvement Offer, which identifies the support Academies can access.*

The Chair thanked the officers for their detailed presentation.

### **36. Child Death Overview Panel, Annual Report 2022/2023**

#### **Considered –**

A presentation by Hannah Ellingworth North Yorkshire Safeguarding Children Partnership Manager.

The presentation provided:-

- an overview of the work of the Panel;
- data on the number and category of deaths
- achievements in 2022/2023; and
- its priorities for 2023/2024

Hannah highlighted the following:-

- The Panel looks at all deaths of children up to the age of 18 in North Yorkshire and York, excluding still births and planned terminations.
- 22 children died in 2022/2023 – 16 in North Yorkshire and 6 in York. This is the lowest number for five years.
- Through this reporting period, there have been a total of 12 expected and 10 unexpected deaths reviewed by the Panel. The Coroner is responsible for determining the cause of death and carrying out a post-mortem examination. Where the post-mortem examination is not able to identify cause, or the death is found to be unnatural, the Coroner will hold an inquest to examine any relevant factors in order to provide details on the cause of death.
- All child deaths discussed at the Panel are categorised using a national template analysis form provided by the National Child Mortality Database. This information is reported back to the National Child Mortality Database, who provide national data on deaths of children on an annual basis.
- Achievements in 2022/2023 include embedding the role of Key Worker within each Joint Agency Response Meeting and the What3Words Initiative, in collaboration with Hull, East Riding, North Lincolnshire and North East Lincolnshire Child Death Overview Panels to promote the use of the What3Words app, via a co-ordinated communication campaign.
- Priorities for 2023/2024 include:-

**ICON** - During ICON WEEK the Panel aim to raise awareness of key messages and resources to let parents and care givers know that infant crying is normal and there are methods which can be taken to cope.

**Who's Sober?** - Building on the success of the Day or Night Sleep Right campaign, the Panel will launch a further campaign, Who's Sober, which will help promote the need to have a safe and sober adult in the home when caring for babies and young children.

**Road Safety** - The Panel will work with Roadwise to promote safe use of roads for pedestrians, drivers and cyclists. This work will consider learning from modifiable factors in child deaths and will also link in with colleagues from North Yorkshire and York Highways, and others, to ensure a full partnership approach to this work.

Some questions/comments were made by Members. These are set out below, together with, where appropriate, the response of Hannah Ellingworth/Anita Dobson, the Chair of the Panel, in italics.



- What was the thinking behind choosing Who's Sober as one of this year's priorities?

*We look to reduce the risk of future deaths by looking at trends. Where alcohol is involved at events, sometimes the parent or carer can fall asleep. The Panel has noted that alcohol use by some parents/carers has been a factor in a number of cot deaths caused by unsafe sleep.*

- Did the same factors apply to the decision to choose Road Safety as one of the Priorities?

*Yes, when looking at the trends, sometimes things just jump out at you, as was the case here.*

- Has there been any discussion to extend the range of the Panel to reflect the changing way that North Yorkshire Council works with the Looked After Children Board? Also, might the age range be extended beyond 0-18, to 25?

*We will seek the views of the Panel on this and raise it at a regional level.*

David Watson, Added Member, commented on the Panel's partnership with Roadwise and offered support from North Yorkshire Sport who, as well as working on an Active Travel Fund (as part of the UKSPF), have strong links to Schools and sports provision that may help to spread the road safety messaging.

Anita Dobson said this would be appreciated and had made a note to get in touch with North Yorkshire Sport after the meeting.

Anita Dobson mentioned that Members would be welcome to observe a Panel meeting if they would find this helpful.

The Chair thanked Hannah Ellingworth and Anita Dobson for their presentation.

### **37. Work Programme 2023/2024**

#### **Considered –**

A report by Patrick Duffy, Principal Democratic Services Scrutiny Officer, which invited Members to consider the Committee's Work Programme for 2023/2024.

The Principal Democratic Services Scrutiny Officer commented that the Committee has a good spread of Items for its next two meetings.

#### **Resolved –**

That the Work Programme, as it stands, be noted.

### **38. Any other Items**

The Chair advised that she had no other Items of business to raise.

### **39. Date of Next meeting**

This would be held on Friday 8<sup>th</sup> December 2023 at County Hall in Northallerton, commencing at 10.00 a.m.

The meeting concluded at 12.30 p.m.

PD