



## **MINUTES OF THE CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE**

**Tuesday, 12 July 2011 at 7.00 pm**

PRESENT: Councillor Gladbaum (Chair), Councillor Matthews (Vice-Chair) and Councillors Aden, Al-Ebadi, Harrison, HM Patel, Dr Levison, Ms J Cooper and Brent Youth Parliament representatives

Also Present: Councillor Hunter

Apologies were received from: Councillor Mitchell Murray, Dr Nanda Kumar and Mrs Hawra Imame

### **1. Declaration of personal and prejudicial interests**

There were no declarations of interest.

### **2. Deputations (if any)**

There were no deputations.

### **3. Minutes of the last meeting held on 29 March 2011**

RESOLVED: -

that the minutes of the previous meeting of the Children and Young People Overview and Scrutiny Committee, held on 29 March 2011, be approved as a correct record.

### **4. Matters arising**

There were no matters arising.

### **5. Tribute and thanks to retiring head teachers**

The Chair explained that several of Brent's head teachers, as set out in the report, were retiring in July and December 2011. On behalf of the Committee the Chair wished to formally recognise the tremendous contribution of Brent's head teachers to improving the education service offered in primary schools. Accordingly, the Chair proposed, with the agreement of the Committee, to compose a letter to Brent's retiring head teachers to express the Committee's thanks for their contribution and service to the borough.

RESOLVED: -

that Councillor Gladbaum, as Chair of the Children and Young People Overview and Scrutiny Committee, compose a letter on behalf of the Committee to express its

thanks to those head teachers who were retiring in the coming months for their significant contribution to improving the education provision in Brent's primary schools.

## 6. **Brent Youth Parliament Update - verbal report**

The Chair of the Brent Youth Parliament (BYP) provided a brief introduction to the Committee on the structure, aims and current work of the BYP. He informed the Committee that BYP had been established in March 2007 and comprised 72 elected members (MYPs). The 72 MYPs were elected via various youth organisations including youth groups and local schools, to represent the 72,000 young people who either lived or attended school in the borough of Brent. BYP aimed to provide a voice for young people in Brent and to engage with issues affecting young people. Currently BYP was engaged in a number of areas of work, including the following: -

- ***Prevention of Youth Offending task group***  
BYP had worked in partnership with the task group to facilitate and deliver a related workshop to BYP and Care in Action (CIA) and would work to support the recommendations outlined in the report of the task group.
- ***Regeneration / Civic Centre***  
BYP had sought to be consulted on the design of the new civic centre to ensure that the needs of Brent's young people were also considered. As a result of this consultation, changes were made to the design plans for the Civic Centre and BYP was now regularly updated on the progress of the project. BYP had also received councillor support for the allocation of a dedicated room for BYP at the Town Hall and new Civic Centre.
- ***Youth Conference***  
A youth conference was scheduled to take place as part of the BYP campaign 'Empower the youth, Power the change' and would encompass the BYP campaign aimed at raising awareness of youth activities.
- ***Monthly BYP sessions***  
There was good attendance at the BYP monthly sessions and interesting and heated debates on various issues. Most recently a BYP session had discussed the issue of the Council subsidising religious festivals.
- ***BYP Elections***  
BYP elections were held in October 2010 and resulted in 35-40 new young people joining BYP.

The Chair of BYP noted that copies of the BYP mid-year report would be distributed to the Committee.

A short film created by BYP in partnership with Brent PCT regarding shisha smoking was shown to the Committee. The Chair of BYP advised that the number of people smoking shisha had risen considerably and that it was incorrectly seen by some as a safe alternative to smoking cigarettes. BYP had

wanted to make the film to highlight the facts relating to shisha smoking and accordingly, DVDs of the films would be distributed to all schools in the borough.

The Committee congratulated the BYP members on the short film and the Chair thanked the representatives of BYP for attending the meeting.

## **7. Provision of services for children with disabilities - verbal report**

Rik Boxer (Assistant Director, Achievement and Inclusion) provided a verbal report to the committee on the provision of services for children with disabilities and the implementation of the Executive decision, taken on 23 May 2011, to restructure the short term break offer provided by the Council. This restructure encompassed the closure of the short break unit at Crawford Avenue and the enhancement of the service provision at the remaining centre on Clement Close. The restructure formed part of the council's savings proposals and was in line with the longer term strategy to increase community based provision and the number of more flexible options available for families. The restructure also reflected the agreement already in place to concentrate the council's short break service for children with disabilities in a single site, namely that of the Village School. This centre was due to be open in December 2012 and was currently being redeveloped, with a rebuild scheduled to commence in September 2011.

Rik Boxer confirmed to the committee that the eligibility criteria for accessing such services had not changed and that assessed needs would continue to be met. The restructure would result in a slightly reduced capacity in day provision; however, it was anticipated that there would be sufficient overnight capacity to meet current and long term demand. Reduced capacity might affect the local authority's ability to offer emergency provision, however in such circumstances, overnight provision could be commissioned by the local authority from providers outside of the borough. With regard to direct payments and community based provision, the local authority recognised that there would be a continued need to stimulate the market to ensure that there were sufficient services to meet a wide range of needs. To support parents choosing to take up direct payments, the local authority would direct them to the various voluntary organisations which provided information and guidance on direct payments and appropriate service providers. In addition, from August 2011 an independent employment adviser would be made available by the local authority to assist parents and provide guidance regarding direct payments.

Rik Boxer further advised that the implementation of the restructure was currently underway. The consultation with staff at both centres had now been completed and all parents and carers affected had been consulted prior to the decision. It had been determined that for many service users the transfer to the Clement Close centre would be straightforward; where this was not so, the local authority was reviewing care plans accordingly. To ensure that the Clement Close centre was appropriately equipped to meet a range of needs, it would be closed for three weeks from 12 September 2011, during which time various adaptations would be made and a staff training programme would commence. It was intended that the new unit at Clement Close would open on 3 October 2011.

During member discussion, Councillor Harrison commented that a three week period did not seem sufficient to retrain staff appropriately, given the range of needs that they would be required to meet when the new unit opened. Rik Boxer advised

that the staff programme would continue beyond the three week period but the initial training would cover essential skills and knowledge such as lifting and handling.

With reference to direct payments and the commissioning of services by individuals, Councillor Al-Ebadi queried whether the council had monitoring procedures in place to ensure that these services were of sufficient quality. Rik Boxer confirmed that it was the responsibility of the Council to monitor the provision of such services and added that monitoring arrangements were currently in place.

With the permission of the Chair, clarity was sought by Mrs J Cooper (Observer) regarding the reason for the reduction in day service capacity, and particularly whether it was due to staffing constraints. Rik Boxer advised that the reduction in capacity was due to the physical capacity of the centre and that staffing levels would in fact be greater than those at present. In response to a further query, Rik Boxer stated that he was not aware of any legal restrictions acting to prevent individuals from cooperating to commission services as a group; however this might prove difficult to do in practice. He added that as part of the consultation process, the local authority had sought the views of parents and carers as to whether they would be interested in taking up direct payments. In view of the reduced capacity, the Chair requested that quantitative data be provided to illustrate that the council was able provide adequate provision. Rik Boxer agreed that this information could be provided to a future meeting of the committee and noted that it would also need to include information regarding the uptake of direct payments to fully illustrate the issue. The Committee agreed that a standing item should be added to future agendas to monitor this matter.

The Chair queried what would happen to the equipment at the Crawford Avenue centre and was informed that some equipment would be stored and made use of at the Village School Centre.

With the permission of the Chair, Councillor Hunter queried whether a list of approved and vetted service providers would be supplied to parents and carers taking up direct payments. Rik Boxer emphasised that help would be provided to parents and carers; however, the council did not maintain an updated list of approved providers. Rather an independent adviser would be made available to parents and they would also be signposted to voluntary organisations that could supply guidance on suitable service providers.

The Chair thanked Rik Boxer for his report.

RESOLVED:-

that the verbal report be noted.

## **8. Impact of the budget on future service delivery including schools budget**

Rik Boxer presented a report to the committee outlining the Children and Families revenue budget for 2011/12 and the considerable financial pressures affecting the department. The committee heard that the grant funding from central government on which the local authority was heavily dependent, had been cut by an average of 11.3% for 2011/12 and 7.4 for 2012/13. These cuts had taken place in the context

of rising costs due to inflation and a range of growing service pressures. In addition, the department had to contend with spending pressures from the 2010/11 financial year, including an overspend of just under £400k. Rik Boxer drew the Committees attention to the table at paragraph 5.1, noting that the Children and Families department had also experienced a significant reduction in other specific grants and that overall there had been a 17.1% reduction of the department's budget from 2010/11 to 2011/12.

The level of budget reductions meant that the Children and Families department had been required to fundamentally review how services to children and young people should be delivered. Referring to Appendix A, Rik Boxer detailed several areas where savings had been made for 2011/12, including those which had received significant media coverage. Amongst others, reductions in spending had been made via children's centres, the school improvement service and the youth and connexions service. Turning to Appendix B, Rik Boxer advised that some grants which had previously been distributed via the local authority were now allocated direct to schools. Via the Schools Forum, the local authority had discussed the amounts to be retained by the local authority to continue to fund centrally provided services to schools. Following these discussions, the Schools Forum had determined that the amount of central holdback by the local authority should be reduced, with a greater proportion of the grants going direct to schools.

During Members' discussion, the Chair sought further details regarding the relationship between the Schools Forum and the local authority. Rik Boxer advised that the Schools Forum was constituted under government regulations and comprised representatives for Head teachers and governing bodies as well as representatives for private and voluntary organisations related to the early education sector. It principally operated in an advisory capacity, however did have some direct powers such as deciding whether various grants should go direct to schools or should be partially retained by the local authority. Rik Boxer emphasised that the nature of the relationship between the Council and Brent's schools was very good and was reflected in the Schools Forum.

The Chair noted that the Youth Offending Task Group had recognised the importance of early intervention services for children and families and had made a series of related recommendations including that Brent develop a comprehensive Prevention Strategy. Given the financial position of the department, the Chair queried whether the implementation of these recommendations would be possible. Rik Boxer advised that the local authority did have to prioritise the delivery of statutory services.

With reference to Appendix A, the Chair noted that several posts within the schools improvement service had been or would be deleted and sought further details regarding the service and its ability to adequately support Brent's schools. Rik Boxer informed the committee that the schools improvement service was viable and was valued by Brent's schools. However, the continuation of the service in future financial years would be dependent upon the support of Brent's schools. The committee further heard that there were some services that could be traded to schools rather than centrally funded. Following a query by the Chair regarding cost recovery for discretionary services, Rik Boxer advised that nationally there was a move towards ensuring that there was full cost recovery for such services. In explanation, the committee heard that currently, where the department charged for

services, the council was effectively subsidising the overhead costs accrued during service delivery. Consequently, given the current financial constraints of the department, in order to remain viable in the long term, these services needed to achieve full cost recovery. A phased approach would be applied in achieving this.

The Chair sought further information with respect to the number of Looked After Children (LAC) accommodated by the authority. Graham Genoni advised that there were currently 390 LAC within Brent and that the rising numbers of LAC was mirrored in both a National and London-wide trend. The rise in referrals by individuals and organisations was thought to have been largely prompted by the greater awareness of such issues following the death of Peter Connelly. This rise was also reflected in the number of court proceedings relating to child protection cases with which the local authority was engaged; these had risen over an eighteen month period from 170 to 270.

The Chair sought further information on the intention to move more LAC aged 16 years old and above to semi-independent accommodation to reduce the costs of and to free up foster placements. In response to the Chair's concern that such action could result in a greater degree of placement breakdowns, Graham Genoni confirmed that the plan was subject to the needs of the children in question. Each child would be assessed and officers were aware that some children would not be ready to move to semi-independent accommodation. The Chair asserted that the numbers of LAC who ended up homeless or in prison was far out of proportion and, referring to the plan to reduce non LAC costs such as payments to adopters queried whether this could be considered a 'null' policy in terms of its future implications and associated costs. The committee was advised that the department had to prioritise needs and this policy involved providing financial assistance only to those adopters who qualified via means testing and for family members caring for a LAC via a residents order or SGO, asserting that the financial responsibility for that child lay with the family.

In noting the decision of the Schools Forum to reduce the monies held back by the authority to fund the early years intervention teams, Councillor Harrison queried whether the local authority was able to monitor whether the proportion of this grant which went direct to schools was spent as it should be, on early years intervention. Graham Genoni advised that the grants going direct to schools were not specifically ringfenced and therefore the early years intervention teams now represented a lost resource. Rik Boxer advised that Brent Schools had previously supported the early years intervention team to ensure that work around CAFs was picked up. As the size of the team had now been reduced, the schools would absorb more aspects of this work and would set their own priorities.

Councillor Harrison commented that the with reductions to the Youth Service, youth provision in the borough would further diminish and queried how organisations which contributed to youth provision could be signposted to available grants and funding. Rik Boxer advised that there was a range of youth provision which the council would continue to maintain including the new Roundwood development for which the authority had submitted a successful bid to establish state of the art provision. However, there would be a significant reduction in the role of the local authority as a service provider and the department would instead aim to support and signpost other providers from the voluntary sector and other services within the council to funding opportunities.

The Chair thanked the officers for the report.

RESOLVED: -

that the report be noted

9. **The implications of the Government's policy on academies and Free Schools in Brent**

Cathy Tyson (Assistant Director Policy) presented a report to the Committee on the implications of the Government's policy with regard to expanding the number of academies and free schools as set out within the white paper 'The Importance of Teaching', published in November 2010, and the subsequent Education Bill 2011, published on 26 January 2011. Along with other reforms to the education system and teaching, the white paper proposed to enable more schools to apply for Academy status and to enable groups to establish Free Schools. This policy was founded on the concept that creating a more diverse range of education providers, free from central or local government control, would increase standards of education, enhance parental choice and increase accountability for educational attainment. The proposed Education Bill 2011 added to this by significantly curtailing any statutory right of local authorities to influence or intervene in the managerial operation of their local schools. Although, it was highlighted to the committee that the local authority had performed a primarily strategic role since the introduction of local management of schools in 1988

Cathy Tyson further advised that under these proposals the local authority was still responsible for ensuring that there was a sufficient number of good quality school places, adequate special educational needs (SEN) provision and that admissions processes remained fair, with a right of appeal available to parents. The means of achieving these goals would be made more difficult by the proposals set out in the Education Bill to remove the duty on schools to cooperate with local authorities to improve the wellbeing of local children and to terminate the requirement for every school to have a local authority school improvement partner. In particular, the removal of the duty to cooperate could lead to a fragmented and unequal pattern of school provision and associated services, with the most vulnerable children being excluded from opportunities. With regard to Brent's school improvement service, the committee was informed that it was well regarded by local schools and had helped to significantly raise the standard of local education provision and achievement. However, the removal of the requirement for local schools to be part of the schools improvement partnership, combined with the move towards the creation of improvement chains or federations between schools, will mean that in the future the school improvement service would be provided on a completely commercial basis.

Cathy Tyson highlighted to the committee that there were several incentives for schools to become academies including greater freedom from the local authority and greater funding per pupil, direct from central government. Whilst it was acknowledged that the council had an extremely good relationship with Brent's schools, it was noted that if a significant number of Brent's schools were to become academies, there could be financial implications for the local authority, in addition to the challenges outlined above. The Academies Bill Impact Assessment proposed

interim arrangements to provide funding for academies, whilst a new national education funding formula was created. The interim arrangements saw funding for academies for the next two years provided via a top slice of £413m from the formula grant to all local authorities. Brent's contribution to this reduced Brent's mainstream revenue funding for 2011/12 by approximately £1m. It was felt that as the amount of contribution was not calculated on the basis of the number of schools that actually converted to academy status, the local tax payer had become liable for funding a national programme for academies and free schools, regardless of the local status and preferences of Brent's schools and parents. The Local Government Association was currently lobbying for central government to recoup the funding for each new academy on an individual basis and Brent, along with other London authorities had sought a judicial review regarding these interim funding arrangements.

The Chair of the Brent Youth Parliament commented that via his experience as a governor at a school in Harrow, he was aware that the uptake in Harrow to become academies was significant. He added that in many schools consultation with pupils had been poor and based on the provision of biased or limited information. Rik Boxer advised the meeting that there was a big disparity across London authorities, but in Brent many schools were stating that they were not interested in converting to academies. However, it was thought that there might become a point when the number of academy schools was in the majority in an area, where those remaining schools would feel that it would be necessary to become academies to access the same advantages. Cathy Tyson acknowledged that the consultations taking place in schools could be flawed, particularly as the way the issue was presented at national level and the terminology used could be misleading. The local authority could assist by ensuring that clear and fair information was provided to governing bodies. J Cooper advised that in her experience information regarding this matter provided to pupils, staff and parents had been misleading or biased and provided an example to the committee where the views of parents were misrepresented or ignored.

Hank Roberts asserted that the key issue was that people were consulted in line with their democratic rights. He explained that the TUC was currently engaged in a struggle to ensure that this happened. He felt that an England-wide consortium of local authorities was required to offer competition to the large firms providing and managing services. He added that with respect to paragraph 3.10 which set out the intention of the council to take a pragmatic approach to balance the aspirations of schools with the local needs of children and parental preference, he felt that it would be important for the council to outline the benefits of not converting to academy status to the governing bodies and head teachers. The TUC was working very hard to advertise the benefits of local authority support to schools and they were seeking the support of the local authority in achieving adequate consultation and democratic engagement in the decision regarding whether a school should assume academy status.

During members' discussion, Councillor Al-Ebadi raised a concern that these changes could lead to a two tier educational system in Brent.

With reference to the report, Elsie Points queried the assertion at paragraph 5.1 that there would be no staffing implications. Cathy Tyson advised that this aspect of



the report referred to the implications of the recommendations but that it was possible that there could be a staffing impact on central services in the future.

Councillor Harrison sought clarification regarding the recommendation at paragraph 2.4 of the report regarding the need to develop a more commercially viable approach to the future provision of school improvement services. Cathy Tyson explained that this related to the need to move to providing traded services to schools where appropriate and highlighted that currently, services such as HR and Legal advice were provided at a cost below the market rate.

RESOLVED: -

- i. That the council's collaborative and inclusive approach to working with local schools within a mixed economy of provision to meet the needs of local children be endorsed.
- ii. That the Local Government Association's lobbying during the committee stage of the Education Bill with regard to the following points be supported:-
  - the central importance of local authorities in the strategic planning of school places and the regulation of fair admissions procedures.
  - the vital role of elected members as representative on schools governing bodies whatever their status.
  - the need for a fair funding allocation for all schools which does not disadvantage maintained schools in favour of academies and free schools.
- iii. That the work of the One Council SEN project to develop a strategic and affordable approach to the provision and commissioning of appropriate SEN places be noted
- iv. That the need to develop a more commercially viable approach to the future provision of school improvement services in the light of the provisions contained within the Education Bill which will significantly increase competition in this market, be noted.

## 10. **Youth Offending Task Group**

The Chair introduced the final report of Preventing Youth Offending Task Group to the committee, which detailed the findings and recommendations of the task group. The Chair explained that the task group had been convened to review youth offending, with an emphasis on the prevention agenda and had comprised herself, Councillor Hunter and Councillor Harrison.

The Chair further elucidated that the remit of the task group had originally envisaged examining those services targeted at preventing young people from falling into offending behaviour; however, in the course of evidence gathering, the task group had shifted to focus on the decisive factors occurring much earlier in a child's life, all of which could influence a range of outcomes for that child, including the likelihood of becoming a youth offender. The Chair noted for instance, that it was evident that there was a direct link between several wide ranging factors including poverty, unsettled lives and the development of anti-social behaviour. The

task group had therefore focussed on seeking a holistic approach to youth offending issues by examining those services which aimed to affect those early decisive factors, and which interacted not just with the child but with its family as well. The committee further heard that a report by the Audit Commission in 2004 used a case study to demonstrate how missed opportunities to intervene following early warning signs, led to a much higher expense overall to the public purse. The Audit Commission report went on to estimate that effective early intervention in the lives of just 10% of young offenders could save an extra £100 million each year.

The committee was advised by the Chair that the task group had obtained evidence from local young people and had reviewed current service provision by consulting officers of the council and a long list of partner and related organisations. The Chair also outlined the literature reviewed by the Task Group and drew the committee's attention in particular to The Graham Allen Review of Early Intervention. This review had recommended 72 intervention programmes, with 19 programmes in particular, providing the greatest return on the funding invested in terms of outcomes achieved.

The Chair advised that the task group had made 19 recommendations, as set out in its final report. She added that it was hoped that the committee would endorse these recommendations and, after thanking Mark Cairns (Policy and Performance Officer) for the support he provided to the task group, asked him to comment on how the findings of the task group would be taken further. Mark Cairns advised that should the committee choose to endorse the task group's recommendations, the task group's report would go to the executive in September 2011. As part of this process the Children and Families department would be asked to comment formally on the recommendations. If the Executive agreed the recommendations presented by the task group, an update on its implementation would be brought back to the scrutiny committee in circa February 2012.

Councillor Matthews thanked the members of the task groups for their hard work and queried whether the Children's Partnership Board would be requested to formally support the report and recommendations of the task group. Rik Boxer commented that the report of the task group was both thorough and timely and noted that it was an issue of great interest to the Children's Partnership Board. Councillor Ann Hunter referred the committee to recommendation 1.f which stated that following the development of a comprehensive Prevention Strategy by the council, it should be 'implemented with specific, measurable, time limited actions; individual accountability; and regular and rigorous monitoring by the Children's Partnership Board's Executive'. She explained that the task group had sought to ensure the involvement of the Children's Partnership Board through this recommendation.

RESOLVED:

That the committee endorse the recommendations of the Preventing Youth Offending Task Group as set out in its final report.

That the recommendations of the Preventing Youth Offending Task Group be referred to the Executive for consideration/approval.

## 11. **School places update - verbal report**

Rik Boxer presented a verbal report updating the committee on the present situation regarding school places within the borough. He advised that there continued to be acute pressure on primary school places and that currently there were 417 unplaced children in Brent. He added that whilst there were 465 vacancies within primary schools at present, these did not correspond to the year groups or geographical areas under demand. There continued to be greater demand than places currently available for year groups reception, 1 and 2. In addition to this, there continued to be a significant flow of people moving into the borough. The local authority was working to ensure that demand could be met and additional permanent primary school places were being created for September 2011. In the interim, the council had delivered a range of temporary projects to meet demand for education provision. Unfortunately, in the longer term, the capital required to allow the council to meet the projected need for school places was insufficient. The council was lobbying to make Brent's case very clear.

With regard to the applications for school places for the academic year commencing in September 2011, Rik Boxer advised that 4,642 applications had been received for primary schools in Brent and more were being received each week. Of these applications, approximately 500 were from outside of the borough. There were 311 children without an offer of a place for 2011 and 58 vacancies. The local authority was applying a range of schemes to manage demand. He added that further updates would be brought to future meetings of the committee.

There was presently no concern regarding the Secondary School transfer process as all applications had been met with an offer of a school place, although not all of these had been accepted by parents at present.

RESOLVED: -

- i. That the verbal report be noted
- ii. That updates be provided to the future meetings of the committee

## 12. **Children and Young People Overview and Scrutiny Work Programme**

Andrew Davies advised that the work programme for the committee was set out in the agenda. If any members wished to raise any issues for the committee's consideration, they were invited to contact Andrew Davies.

It was noted that there were already several items scheduled for the forthcoming meeting of the Committee due to be held in October 2011.

RESOLVED: -

That the work programme be noted.

## 13. **Date of next meeting**

The committee noted that the next meeting was scheduled to take place on 6 October 2011.

14. **Any other urgent business**

None raised.

The meeting closed at 9.18 pm

H Gladbaum  
Chair