Lancashire County Council

Education and Children's Services Scrutiny Committee

Wednesday, 2nd September, 2020 at 10.30 am in Skype Virtual Meeting

Agenda

Part I (Open to Press and Public)

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

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10. Date of Next Meeting

The next meeting of the Education and Children's Services Scrutiny Committee will be held on Wednesday 14 October 2020 at 10.30am at County Hall, Preston.

L Sales
Director of Corporate Services

County Hall
Preston

Education and Children's Services Scrutiny Committee
Meeting to be held on Wednesday, 2 September 2020

Electoral Division affected:
All Divisions

Constitution: Chair and Deputy Chair; Membership; Terms of Reference
(Appendix 'A' refers)

Contact for further information:
Samantha Parker, Tel: (01772) 538221, Senior Democratic Services Officer
(Overview and Scrutiny), sam.parker@lancashire.gov.uk

Executive Summary

This report sets out the constitution, membership, chair and deputy chair and terms of reference of the new Education and Children's Services Scrutiny Committee for the remainder of the municipal year 2020/21.

Recommendation

The Education and Children's Services Scrutiny Committee is asked to note:

1. The appointment of County Councillors Andrea Kay and Munsif Dad as Chair and Deputy Chair of the Committee for the remainder of the 2020/21 municipal year;

2. The Membership of the Committee following the County Council's Annual Meeting on 16 July 2020; and

3. The new Terms of Reference of the Committee.

Background and Advice

The County Council at its meeting on the 16 July 2020, approved the constitution of the Education and Children's Services Scrutiny Committee as being 16 members on the basis of 11 from the Conservative group, 4 from the Labour group, 1 from either Liberal Democrat or Independent groups and 5 voting co-opted members and 1 non-voting co-opted member.

The following members were appointed by their respective groups:

County Councillors (16):

E Nash	P Steen
A Gardiner	S Clarke
S Charles	M Salter

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J Purcell	S Malik
D Smith	J Mein
J Eaton	N Hennessy
A Cheetham	M Dad
A Kay	1 TBC

Voting Co-Opted Members (5):

Mr S Smith – Representing RC Schools
Dr S Johnson - Representing CE Schools
Vacant - Representing Free Church Schools
Mrs J Hamid - Representing Parent Governors (Secondary)
Mr J Withington - Representing Parent Governors (Primary)

Non-Voting Co-Opted Member (1):

Oliver Moores – Representing Youth Council

The Full Council also appointed County Councillors Andrea Kay and Munsif Dad as Chair and Deputy Chair of the Committee for the 2020/21 municipal year.

The Committee's new Terms of Reference are set out at Appendix 'A'.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are no risk management implications arising from this item.

Local Government (Access to Information) Act 1985
List of Background Papers

Paper	Date	Contact/Tel

None

Reason for inclusion in Part II, if appropriate

N/A

Part 2 – Article 5 (Overview and Scrutiny)

The council has established the following Overview and Scrutiny Committees:

Committee	Responsibility	Membership
Internal Scrutiny Committee	Review and Scrutinise decisions, actions and work of the Council	12 County Councillors
Education and Children's Services Scrutiny Committee	To review and scrutinise issues around: education services provided by the council including those education functions of a Children's Services authority; and Children and young people's services including the statutory powers of a scrutiny committee as they relate to the NHS.	16 County Councillors, 5 voting co-optees, (comprising three Church representatives and two parent governor representatives) who shall have voting rights in relation to any education functions which are the responsibility of the Executive, and one non-voting co-optee representing the Youth Council.
Health Scrutiny Committee	Statutory responsibility for scrutiny of adult and universal health services	12 County Councillors, plus 12 non-voting co-opted members, nominated by the 12 district councils
External Scrutiny Committee	Review and scrutinise issues, services and activities carried out by external organisations	12 County Councillors

All Overview and Scrutiny Committees have the following Terms of Reference:

1. To review decisions made, or other action taken, in connection with the discharge of any functions which are undertaken by the Cabinet collectively, or in the case of urgent decisions which cannot await a Cabinet meeting by the Leader of the Council (or in his/her absence the Deputy Leader) and the relevant Cabinet Member, or Cabinet committees.

2. To make reports or recommendations to the Full Council, the Cabinet, the Leader, Deputy Leader or other Cabinet Members as necessary or

**(Last updated – 17 July 2020 – Full Council decision 16 July 2020
Owner – Democratic Services)**

Cabinet committees with respect to the discharge of any functions which are undertaken by them or in respect of any functions which are not the responsibility of the Cabinet.

3. To hold general policy reviews and to assist in the development of future policies and strategies (whether requested by the Full Council or the Cabinet, individual Cabinet members, Cabinet committees, or decided by the Committee itself) and, after consulting with any appropriate interested parties, to make recommendations to the Cabinet, individual Cabinet members, Cabinet committees, Full Council or external organisations as appropriate.

4. To consider any matter brought to it following a request by a County Councillor or a Co-optee of the Committee who wishes the issue to be considered.

5. To consider requests for "Call In" in accordance with the Procedural Standing Orders – Overview and Scrutiny Rules at Appendix C – Appendix 3 of the Constitution

6. To request a report by the Cabinet to Full Council where a decision which was not treated as being a key decision has been made and the Overview and Scrutiny Committee is of the opinion that the decision should have been treated as a key decision

7. To request the Internal Scrutiny Committee to establish task groups and other working groups and panels as necessary.

8. To request that the Internal Scrutiny Committee establish as necessary joint working arrangements with district councils and other neighbouring authorities

9. To invite to any meeting of the Committee and permit to participate in discussion and debate, but not to vote, any person not a County Councillor whom the Committee considers would assist it in carrying out its functions.

10. To require any Councillor, an Executive Director or a senior officer nominated by him/her to attend any meeting of the Committee to answer questions and discuss issues.

Internal Scrutiny Committee

1. To review and scrutinise all services provided by the authority, unless specifically covered by the Terms of Reference of another Overview and Scrutiny Committee.

2. To consider matters relating to the general effectiveness and development of Overview and Scrutiny in the authority including training for county councillors and co-optees.

(Last updated – 17 July 2020 – Full Council decision 16 July 2020
Owner – Democratic Services)

3. To consider requests from the other Overview and Scrutiny Committees on the establishment of task groups, and to establish, task groups, and other working groups and panels as necessary, as well as joint working arrangements with District councils and other neighbouring authorities including joint committees to exercise the statutory function of joint health scrutiny committees under the NHS Act 2006.

4. To determine which Overview and Scrutiny Committee considers a particular matter where this is not clear.

5. To establish arrangements for the scrutiny of member development, and receive reports from the Member Development Working Group.

6. To recommend the Full Council to co-opt on to a Committee persons with appropriate expertise, without voting rights

Education and Children's Services Scrutiny Committee

1. To scrutinise matters relating to education delivered by the authority and other relevant partners.

2. To fulfil all the statutory functions of an Overview and Scrutiny Committee as they relate to education functions of a Children's Services Authority.

3. To scrutinise matters relating to services for Children and Young People delivered by the authority and other relevant partners.

The following provisions relating to scrutiny of health and social care relate to services for children and young people:

4. To review and scrutinise any matter relating to the planning, provision and operation of the health service in the area and make reports and recommendations to NHS bodies as appropriate.

5. In reviewing any matter relating to the planning, provision and operation of the health service in the area, to invite interested parties to comment on the matter and take account of relevant information available, particularly that provided by the Local Healthwatch.

6. The review and scrutinise any local services planned or provided by other agencies which contribute towards the health improvement and the reduction of health inequalities in Lancashire and to make recommendations to those agencies, as appropriate.

7. In the case of contested NHS proposals for substantial service changes, to take steps to reach agreement with the NHS body.

(Last updated – 17 July 2020 – Full Council decision 16 July 2020
Owner – Democratic Services)

8. In the case of contested NHS proposals for substantial service changes where agreement cannot be reached with the NHS, to refer the matter to the relevant Secretary of State.

9. To refer to the relevant Secretary of State any NHS proposal which the Committee feels has been the subject of inadequate consultation.

10. To scrutinise the social care services provided or commissioned by NHS bodies exercising local authority functions under Section 31 of the Health Act 1999.

11. To draw up a forward programme of health scrutiny in consultation with other local authorities, NHS partners, the Local Healthwatch and other key stakeholders.

12. To acknowledge within 20 working days to referrals on relevant matters from the Local Healthwatch or Local Healthwatch contractor, and to keep the referrer informed of any action taken in relation to the matter.

13. To require the Chief Executives of local NHS bodies to attend before the Committee to answer questions, and to invite the chairs and nonexecutive directors of local NHS bodies to appear before the Committee to give evidence.

14. To invite any officer of any NHS body to attend before the Committee to answer questions or give evidence.

Health Scrutiny Committee

1. To scrutinise matters relating to health and adult social care delivered by the authority, the National Health Service and other relevant partners.

2. In reviewing any matter relating to the planning, provision and operation of the health service in the area, to invite interested parties to comment on the matter and take account of relevant information available, particularly that provided by the Local Healthwatch

3. In the case of contested NHS proposals for substantial service changes, to take steps to reach agreement with the NHS body

4. In the case of contested NHS proposals for substantial service changes where agreement cannot be reached with the NHS, to refer the matter to the relevant Secretary of State.

5. To refer to the relevant Secretary of State any NHS proposal which the Committee feels has been the subject of inadequate consultation.

6. To scrutinise the social care services provided or commissioned by NHS bodies exercising local authority functions under the Health and Social Care Act 2012.

(Last updated – 17 July 2020 – Full Council decision 16 July 2020
Owner – Democratic Services)

7. To request that the Internal Scrutiny Committee establish as necessary joint working arrangements with district councils and other neighbouring authorities.

8. To draw up a forward programme of health scrutiny in consultation with other local authorities, NHS partners, the Local Healthwatch and other key stakeholders.

9. To acknowledge within 20 working days to referrals on relevant matters from the Local Healthwatch or Local Healthwatch contractor, and to keep the referrer informed of any action taken in relation to the matter.

10. To require the Chief Executives of local NHS bodies to attend before the Committee to answer questions, and to invite the chairs and non-executive directors of local NHS bodies to appear before the Committee to give evidence.

11. To invite any officer of any NHS body to attend before the Committee to answer questions or give evidence.

12. To recommend the Full Council to co-opt on to the Committee persons with appropriate expertise in relevant health matters, without voting rights.

13. To establish and make arrangements for a Health Steering Group the main purpose of which to be to manage the workload of the full Committee more effectively in the light of the increasing number of changes to health services.

External Scrutiny Committee

1. To review and scrutinise issues, services or activities carried out by external organisations including public bodies, the voluntary and private sectors, partnerships and traded services which affect Lancashire or its inhabitants, and to make recommendations to the Full Council, Cabinet, Cabinet Members, Cabinet committees or external organisations as appropriate.

2. To review and scrutinise the operation of the Crime and Disorder Reduction Partnership in Lancashire in accordance with the Police and Justice Act 2006 and make reports and recommendations to the responsible bodies as appropriate

3. In connection with 2. above, to require an officer or employee of any of the responsible bodies to attend before the Committee to answer questions

4. To co-opt additional members in accordance with the Police and Justice Act 2006 if required, and to determine whether those co-opted members should be voting or non-voting

(Last updated – 17 July 2020 – Full Council decision 16 July 2020
Owner – Democratic Services)

5. To review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area

Lancashire County Council

Meeting of both the Education and Children's Services Scrutiny Committees

Minutes of the Meeting held on Tuesday, 7th July, 2020 at 10.30 am in Skype Meeting

Present:

County Councillor Andrea Kay (Chair)

County Councillors

C Wakeford	J Potter
M Dad	M Salter
A Cheetham	D T Smith
S Clarke	D Stansfield
B Dawson	P Steen
J Eaton	N Hennessy
A Gardiner	L Beavers
J Mein	I Brown
J Molineux	P V Greenall
E Nash	M Tomlinson

Co-opted members

Dr Sam Johnson, Representing CE Schools
Oliver Moores, Youth Council Representative
Councillor Louise Edge, Children's Partnership Board
– Hyndburn, Ribble Valley, Rossendale

1. Apologies

Apologies were received from Councillor Christine Melia, Mrs Janet Hamid and Mr John Withington.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None were disclosed.

3. Minutes of the Children's Services Scrutiny Committee meeting held 26 February 2020

Resolved: The minutes of the Children's Services Scrutiny Committee meeting held on 26 February 2020 were agreed.

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4.   Minutes of the Education Scrutiny Committee meeting held on 3 March 2020

Resolved: The minutes of the Education Scrutiny Committee meeting held on 3 March 2020 were agreed.

5.   Response to the COVID-19 Pandemic in Lancashire

The Chair welcomed Edwina Grant, OBE, Executive Director of Education and Children's Services; Hilary Fordham, Chief Operating Officer, Morecambe Bay CCG; and Sharon Hubber, Director of Children's Social Care to the meeting. Also welcomed to the meeting were Ambarin and Oscar (Youth Parliament representatives).

Ambarin and Oscar gave the committee a verbal presentation on their experiences during lockdown. Members were advised that young people had experienced an increase in mental health and wellbeing issues like stress, loneliness and worry. Also there were feelings of boredom and feeling trapped.

The Childhood Trust had reported that the lockdown had been extremely difficult for children as they no longer had access to support at school or other organisations.

It was reported that many young people were talking to their friends online but young people without social media were finding lockdown difficult not being able to see their friends.

It was felt that the impact of the lockdown had increased the level of anxiety for pupils. It was reported that they felt they were not receiving proper education and there was panic and confusion as they did not know what their exams would be like.

Members were advised that pupils who were at school felt trapped. There was no movement as they had to remain at their desks. This affected primary school children more as they did not understand the situation.

One of the biggest problems for young people was motivating themselves and putting the work in with children not going back to school until September feeling they were falling behind. Members felt that motivation was an important issue and enquired if there had been particular support measures from schools that had worked well. Some schools had set up online support using Microsoft Teams where pupils were able to communicate with their teachers. Another program used was Show My Homework. There was also recorded lessons for pupils. It was felt schools should increase their care of online learning. There should also be catch up sessions for pupils who did not do the work during lockdown.

It was reported that there was uncertainty amongst Year 11 pupils regarding GCSEs and how everyone was going to be graded and what going to college would be like. Another problem for Year 10 pupils was that they were having to

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teach themselves some of the course modules and concerns that they might not understand the work or interpret it incorrectly.

It was stated that there is a need to get pupils back to school as quickly as possible without causing a second outbreak in Lancashire.

The committee enquired if there was any way it could ask the young people of Lancashire what they would like. It was pointed out that many schools had websites that questionnaires could be sent to. The committee could also communicate with the youth councils. The committee asked if officers could look into this. It was also felt that the county council could write to the schools asking them to engage more with the pupils online.

It was stated that children and young people would definitely benefit from extra wellbeing support. The committee was informed that some schools were already doing wellbeing checks. The committee stated that other schools must be encouraged to do this.

The committee praised and thanked Ambarin and Oscar for their presentation.

Edwina Grant OBE and Hilary Fordham provided the committee with a presentation outlining perceptions of the experiences of children and young people, and headlines from the operation of service during the Covid-19 emergency period. The presentation dealt with education issues, social care and related issues, family policy including free school meals, and, a summary of going forward. The presentation is attached at the end of the minutes.

Comments and questions raised by the committee were as follows:

- As well as mental health issues, obesity in children and young people during the lockdown was another area of concern.
- It was expected that there would be a significant increase in mental health referrals. Health and wellbeing materials had been developed for online support for young people. Schools had primary mental health workers in place. In addition it was reported that work was being undertaken through the CAMHS service to identify different ways to support and increase NHS contact through online technology in readiness for the anticipated rise in service use.
- Members enquired what the figures were in Lancashire for pupils who had done little or no work since lockdown. The county council were in touch with schools every day and gave its support if asked to. Ofsted would be going into schools and asking the questions around online learning. The county council had offered schools online learning advice.
- It was noted that laptops for vulnerable children had been slow to arrive but the number of laptops being delivered was improving.
- There were concerns over how to avoid the school rush hour and how could parents get their children to school safely. The Government had recommended staggered start times but there were concerns over the use

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of public transport. The county council was waiting on guidance from the DfE. Good guidance had been given to schools on risk assessment.

- The committee enquired about how certain Lancashire County Council was about getting all the children back to school in September. Government advice had come out regarding this and every school had to do a risk assessment before they reopened for every pupil to come back in September.

- The county council would talk to head teachers about making them aware of the parents' working situation, if they were working from home or going back to work.

- Members enquired if the county council was offering support for distancing in schools. Guidance had been developed regarding the accommodation situation in schools. It was reported however that there were potential staffing issues around breaking children down into small groups.

- Uncertainty was a concern. With the right support and help children would be able to catch up. Morale and aspirations had to be kept high. Talks were taking place on restricting the curriculum to the core subjects in order to catch up.

- Lancashire County Council had contributed to a national report regarding how young people had been affected by the lockdown. 80 young people from Lancashire, who were looked after or had been looked after had also contributed to this national report. The report would be going to the Corporate Parenting Board.

- The rules for clinically vulnerable children were the same as those for clinically vulnerable older people. Regarding children who had an Educational Health and Care Plan, each had to have an individual, personalised risk assessment to ensure the correct PPE were in place and that the right individual arrangements were in place in order for parents to be comfortable with sending their child back to school.

- The committee enquired about what provisions and support were in place for before school and after school clubs so that parents could return to work. It was confirmed that the county council was promoting provisions for these clubs as long as they were safe.

- It was confirmed that, on 30 June the county council, through its Health and Wellbeing Board, published its Outbreak Management Plan. The authority was very clear on what to do if schools got an outbreak. In addition, there would be Public Health Advisors in place to advise the schools.

The Chair thanked Edwina Grant, OBE, Executive Director of Education and Children's Services; Hilary Fordham, Chief Operating Officer, Morecambe Bay CCG; and Sharon Hubber, Director of Children's Social Care, for attending.

Resolved: That;

i. The information provided as part of the presentations be noted.

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ii.   Key areas for the committee to review

iii.   Going forward, the education aspirations for Lancashire's children and young people and the next steps for children's social care be included as part of the work programme.

6.   Overview and Scrutiny Work Programme 2020/21

The committee was informed that a single combined work programme for all of the Lancashire County Council scrutiny committees was currently being formulated. A draft copy of the work programme was presented.

The topics included were identified at a work planning workshop for members of the Internal Scrutiny Committee held on 29 May 2020.

The committee felt it was important to get the perspectives of service users, especially from young people and parents for a future meeting. Particularly through lockdown and what was needed to catch up on their education. It was important to find out what support was needed for children, young people and parents. It was also vital to look at children's social care.

Resolved: That;

i.   The perspectives of children, young people and their parents be obtained as part of the work programme going forward in order to understand the support needed for them.
ii.   The Scrutiny Officers be delegated the development and delivery of this work programme, identifying appropriate methods of scrutiny, in consultation with the Chairs.
iii.   The work programmes (2019/20) of the current Education and Children's Services Scrutiny Committees be temporarily suspended and for these to be kept under review.

7.   Urgent Business

There were no items of Urgent Business.

8.   Date of the Next Meeting

The next meeting of the Children's Services Scrutiny Committee was due to be held at 10:30am on Wednesday 2 September 2020.

The next meeting of the Education Scrutiny Committee was due to be held at 10:30am on Tuesday 10 November 2020.

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Director of Corporate Services

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County Hall
Preston

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Experiences of Covid-19

Joint Education and Children's Services Scrutiny Committee 7 July

Edwina Grant, OBE, Executive Director of Education and Children's Services

Hilary Fordham, Chief Operating Officer, Morecambe Bay CCG

Sharon Hubber, Director of Children's Social Care

To discuss perceptions of the experience of children and headlines from the operation of service during the Covid-19 emergency period

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Structure of presentation

- Brief introduction
- Education issues
- Social care and related issues
- Family policy including free school meals
- Going forward summary
- Questions

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Introduction

- The service has shown some significant strengths in the Covid-19 period. This presentation will show both strengths and challenges.

- The current situation may exacerbate issues children, young people and families were already facing if they were poor, had poor housing and insecure work - there are a number of national report coming out.

- Questions asked about exposed inequalities in children's access to technology, opportunities to learn online, safe space to play, food and availability of transport to allow for social distancing.

- Time will tell if these issues are fully evidenced in Lancashire.

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Schools and other educational settings

Positives

- Approximately 10,400 children prioritised for attendance at school before wider re-opening
- Online working well for some children
- School's safeguarding worked well in partnership with local authority, Regional Schools Commissioner and other partners.
- Morale stayed high

Challenges

- Reduced access may impact on child development and possible decline in educational outcomes
- Pressure on families with a particular impact on children with SEND
- Lack of clarity about arrangements for exams, disruption to apprenticeship starts and youth employment
- Early years sector viability concerns

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Social care and related issues

Positives

- Social workers, early help and other staff adapted to working remotely very quickly
- Children have been supported sympathetically when talking about feelings and voluntary sector support continued throughout
- Preparation for family safeguarding and other work on trauma informed practice prepared staff well
- Sickness absence was low in staff teams which allowed us to support children well
- Family courts functioned well 'virtually' as did visits using technology

Challenges

- National research shows young people have been anxious during this time and are also concerned about the future
- Children are possibly feeling isolated and suffering from grief – likely increase in referrals to CAMHS
- Difficult for children to speak openly about fears when using technology at home
- Pressure on parents when home learning and dealing with family issues
- Adolescents not able to congregate which is an important part of their development

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Family policy including free school meals

Positives

- Significant co-ordinated effort from staff to get food to families in the early days – vouchers settled down eventually
- Greater awareness of family issues nationally
- The council did not use easement in the relevant Acts regarding social care and SEND unless absolutely necessary
- Partnerships worked well across the system

Challenges

- Concern that families not previously affected by job loss may now be
- There were early challenges accessing free school meal vouchers – later resolved
- Children in poor housing needed a particular close eye on them
- Possible increased likelihood of challenges for families going forward post Covid-19

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Going forward

- Need to respond to predicted rise in referrals in autumn term
- Review health issues – mental health/obesity
- Council will have the opportunity to contribute to the National Care Review
- Many children in care and care leavers said they have had more time to be with their carers
- Need for even greater partnership working with health on mental health issues
- Strong positive – strengths of partnerships and ways of working

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Questions

Member's views/thoughts on which aspects they would like to discuss in more detail at future meetings

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Education and Children's Services Scrutiny Committee
Meeting to be held on Wednesday, 2 September 2020

Electoral Division affected:
(All Divisions);

Joint Area SEND Revisit in Lancashire
(Appendix 'A' refers)

Contact for further information:
Sarah Callaghan, Director of Education and Skills

Executive Summary

Between 9 March and 12 March 2020, Ofsted and the Care Quality Commission (CQC) revisited the area of Lancashire to decide whether sufficient progress has been made in addressing each of the significant areas for improvement detailed in the written statement of action issued on 8 January 2018. This report provides members with details and the outcome of the revisit.

Recommendation

The Education and Children's Services Scrutiny Committee are requested to:
  i.   Discuss and note the information provided.
  ii.   Consider and advise officers of any areas in the report that should be
         particularly highlighted in the development of the Accelerated Progress Plan.

Background and Advice

The Lancashire local area SEND (Special Educational Needs and Disabilities) inspection was carried out by Ofsted and the CQC in November 2017. The purpose of this inspection was to see how well the local area was fulfilling its responsibilities for children and young people with special educational needs and/or disabilities. The inspectors identified two fundamental failings and twelve significant areas for improvement.

Ofsted and CQC inspectors revisited Lancashire from the 9 to the 12 March 2020 to assess the progress of our work to improve SEND services for children and young people in the local area. The SEND Partnership team, colleagues and partners worked with inspectors for two weeks prior to the revisit and during the four days inspectors spent on site. Attached at Appendix 'A' is a copy of the inspection report.

The inspectors recognised our improvement and particularly that in seven of the twelve areas progress has been sufficient to mean that monitoring of these areas is no longer required.

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Some of the important improvements that the inspectors found include:

- A commitment to put things right, including from elected members

- Provision for SEND is a priority for leaders

- Strong working relationships across the partnership

- Clear quality assurance systems in place

- Good practice being shared across the area

- Improved outcomes for children and young people

In the remaining five areas the good work that has taken place was recognised, with further action required to:

- Continue to improve the understanding of the local area

- Further develop and evaluate the commissioning arrangements

- Improve the effectiveness of the new neuro-developmental pathway

- Improve transition arrangements in 0 to 25 healthcare services

- Implement the changes to the Local Offer

- Strong working relationships across the partnership

- Clear quality assurance systems in place

- Good practice being shared across the area

- Improved outcomes for children and young people

Further work required to achieve our ambition that all services for children and young people in Lancashire are excellent includes:

- Continuing to improve our understanding of the local area

- Further developing and evaluating our commissioning arrangements

- Improving the effectiveness of the new neuro-developmental pathway

- Improving transition arrangements in 0 to 25 healthcare services

- Implementing the changes to the Local Offer

Next steps

The local area is now required to submit an Accelerated Progress Plan (APP) to the Department for Education (DfE) SEND Intervention Unit and NHS

England/Improvement (E/I), setting out the action leaders will take over the next six to twelve months, the milestones to assess progress and the key performance measures to demonstrate impact. The APP uses a required format and must be submitted on 28 September 2020.

The draft of the plan will be with the Lancashire Health and Wellbeing Board on 8 September and the SEND Partnership Board will consider the draft APP on 21 September 2020. This is a partnership plan and colleagues in each of the clinical commissioning groups will be making a contribution to the success of the plan.

Progress on the APP will be reviewed by the DfE and NHS (E/I) after six months and twelve months; there will be no further Ofsted/CQC revisit inspections.

Consultations

NA

Implications:

This item has the following implications, as indicated:

Risk management

The Accelerated Progress Plan will be closely monitored through the partnership governance arrangements to manage the risk of drift and delay. The governance arrangements have been audited by the council's internal audit service providing a good level of assurance.

Local Government (Access to Information) Act 1985
List of Background Papers

Paper	Date	Contact/Tel

NA

Reason for inclusion in Part II, if appropriate

NA

Ofsted   **T** 0300 123 1231
Agora   **Textphone** 0161 618 8524
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Nottingham   www.gov.uk/ofsted
NG1 6HJ   lasend.support@ofsted.gov.uk

23 March 2020

Mrs Edwina Grant, OBE
Executive Director of Education and Children's Services
Lancashire County Council
County Hall
Preston
PR1 8RJ

Hilary Fordham, Chief Operating Officer, NHS Morecambe Bay Clinical Commissioning Group

Sian Rees, Interim SEND Improvement Partner, Local Area Nominated Officer

Dear Mrs Grant and Ms Fordham

Joint area SEND revisit in Lancashire

Between 9 March and 12 March 2020, Ofsted and the Care Quality Commission (CQC) revisited the area of Lancashire to decide whether sufficient progress has been made in addressing each of the significant weaknesses detailed in the written statement of action (WSOA) issued on 8 January 2018.

As a result of the findings of the initial inspection and in accordance with the Children Act 2004 (Joint Area Reviews) Regulations 2015, Her Majesty's Chief Inspector (HMCI) determined that a written statement of action was required because of significant weaknesses in the area's practice. HMCI determined that the local authority and the area's clinical commissioning groups (CCGs) were jointly responsible for submitting the written statement to Ofsted. This was declared fit for purpose on 25 April 2018.

The area has made sufficient progress in addressing seven of the 12 significant weaknesses identified at the initial inspection. The area has not made sufficient progress in addressing five significant weaknesses. This letter outlines our findings from the revisit.

The inspection was led by one of Her Majesty's Inspectors from Ofsted and a Children's Services Inspector from CQC.

Inspectors met with leaders, managers and frontline workers from the area for health, social care and education. More than 550 parents and carers contributed to the revisit. Inspectors spoke with children and young people with special educational needs and/or disabilities (SEND). Inspectors looked at a range of information about

the performance of the area in relation to the actions outlined in the WSOA. Inspectors sampled more than 20 education, health and care (EHC) plans.

Main findings

- The initial inspection found that:

  There was lack of strategic leadership and vision across the partnership.

  At the time of the inspection in November 2017, Lancashire was lagging well behind in its implementation of the SEND reforms. From the very highest levels of leadership, including elected members, there has been a genuine commitment to putting things right. There are strong working relationships across the partnership now. The provision for children and young people with SEND is a priority for elected members and leaders across health, social care and education. The needs of these children and young people are a 'golden thread' running through the work that leaders do. The partnership's plans and strategies reflect the area's ambitious vision for children and young people with SEND. While there is still a huge amount to do, the transformation across the area cannot be underestimated.

  Leadership is more stable now. Furthermore, leaders have made some key appointments. These include the three designated clinical officers (DCOs), a senior SEND programme manager and a SEND partnership improvement team. It is clear that the pace of improvement has speeded up as a result of these appointments.

  Leaders have worked tirelessly to deliver the improvements needed. They have made sure that children, young people and families have been at the heart of their work. Consequently, children and young people's needs are more effectively met and their outcomes are improving. No-one, however, is in any doubt about the considerable amount of work still to be done. Leaders have well-developed plans, which set out the next stage of the journey.

  The area has made sufficient progress to improve this area of weakness.

- The initial inspection found that:

  Leaders had an inaccurate understanding of the local area.

  Leaders have a better view of strengths and weaknesses across the partnership. Recently, more comprehensive and reliable datasets are informing area plans, such as the early years strategy. However, it has taken a considerable length of time to reach this point, and there is still much more to do.

  Following the 2017 inspection, action plans did not clearly indicate how leaders would measure success in resolving each of the significant weaknesses identified by inspectors. Leaders did not set out step-by-step targets to help them check

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how well their plans were progressing at key points. This has made it hard for leaders to know whether actions are on track and effective. For example, there was and still is no system in place to collect the views of parents and carers at the point of service delivery. This means that leaders and managers do not find out how well new systems and services are working quickly enough. They rely on the results of the online personal outcomes evaluation tool (POET) survey. These results are published annually, which is too infrequent for the only measure of parental views, given the pace of change. Consequently, leaders do not always know whether their actions have made the positive difference for children, young people and their families that was intended.

The area has not made sufficient progress to improve this area of weakness.

- ■ The initial inspection found that:

There were weak joint commissioning arrangements that were not well developed or evaluated.

At the initial inspection, leaders had not evaluated the impact of their actions or taken into account the views and lived experiences of children and young people with SEND and their families. This contributed to weak arrangements for joint commissioning.

A well-established group of commissioners from across the partnership work well together now. They have made sure that they are better informed about children and young people's needs. Effective co-production is helping commissioners to decide what services they need to provide and where they need to provide them. Commissioners are now prioritising some of the more pressing issues, such as re-designing the short breaks offer and improving the speech and language therapy (SALT) service.

However, these arrangements are not sufficiently well developed or evaluated. At the initial inspection, inspectors found weaknesses in the services for consumables, such as continence products. Twenty-eight months later, families still struggle to get these consumables. Furthermore, there remains inequitable special school nursing provision and gaps in specialist children's nursing services. Children and young people's access to public health nursing in special schools is not well understood and therefore not routinely used. Commissioners are currently reviewing these services. However, it is unacceptable that some children, young people and their families have not had access to these important healthcare services for over two years.

The area has not made sufficient progress to improve this area of weakness.

- ■ The initial inspection found that:

There was a failure to engage effectively with parents and carers.

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At the time of the initial inspection, parents' views and experiences of the provision for their children and young people were 'overwhelmingly damning'. Parents had lost trust. They lacked confidence and felt that there was no transparency.

The absence of a parent carer forum initially hampered leaders' efforts to get to work following the inspection. To plug this gap, leaders reached out to parents to help them draw up their improvement plans. The parents who have worked with leaders told inspectors about the positive difference that their contributions have made. For example, parents have helped leaders to co-produce the new neuro-developmental pathway. These parents feel valued, trusted and equal partners in driving improvements.

Parents have now established a parent carer forum with the support of a national charity for families with disabled children. The new forum is aware that its reach is limited and has plans in place to widen parent participation. The forum has put on lots of events for parents across the area, including workshops and coffee mornings, but take up for these events has not been high.

Three quarters of the 1700 parents who completed the POET last year rated the levels of support and help that their child received as good or better. This was an improvement on the previous year. Moreover, the number of complaints to the partnership from parents and carers has reduced considerably. These improved levels of parental satisfaction are reflected in the much-lower rates of mediation and tribunals than seen nationally.

Leaders are in no doubt that there is still much to do to gain the full confidence and trust of parents. A minority of parents continue to feel that their long-standing concerns have not been addressed.

The area has made sufficient progress to improve this area of weakness.

- The initial inspection found that:

Systems and processes of identification were confusing, complicated and arbitrary.

Inspectors found that children and young people's access to specialist healthcare services was limited by obstructive referral procedures. This is no longer the case. The new DCOs play a key role in finding out about and resolving any potential issues.

There has been a wealth of information sharing with professionals and parents about the EHC assessment process. Professionals have had the opportunity to observe the EHC assessment panel in action. This has given them a real insight into how requests are made, advice is sought, assessments are carried out and decisions are reached. Professionals are now much clearer about the point at which assessments can be requested. When an assessment is turned down, parents and professionals are informed about the reasons for the decision.

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There is more secure evidence to show that children who are looked after in Lancashire have their healthcare needs identified, assessed and met. While practice is still not where it needs to be, it is an improving picture.

The area has made sufficient progress to improve this area of weakness.

■ The initial inspection found that:

There were endemic weaknesses in the quality of education, health and care plans.

Inspectors found that the quality of EHC plans was 'alarmingly poor'. The quality of these plans has improved considerably.

There has been effective training and support for all those involved in the production of EHC plans. Professionals better understand how to work with children, young people and their parents to gather their views. Social care, health and education professionals now routinely provide advice for EHC assessments. Parents and professionals now have enough opportunity to check the draft plans. Clear quality assurance systems are now in place. This means that plans now accurately reflect children and young people's needs. Those parents whose child has recently been assessed for a plan are positive about the process.

While there is some inconsistency in how the partnership's quality assurance standards are applied to final EHC plans, leaders are beginning to address the inconsistent use of these standards.

Area leaders have reviewed many of the EHC plans issued before the new systems and processes were introduced. Quite rightly, they have prioritised the plans for the most vulnerable children and young people, such as those who are looked after or those in youth custody. They have also reviewed the plans for the children and young people who are at key points in their lives, for example school leavers and the children moving from primary to secondary school. However, some children and young people still have poor-quality plans. These will be reviewed within the next year to ensure that their needs are better met.

The area has made sufficient progress to improve this area of weakness.

■ The initial inspection found that:

There was an absence of effective diagnostic pathways for autism spectrum disorders (ASD) across the local area and no diagnostic pathway in the north of the area.

There are now diagnostic pathways for ASD in place across the county, including in the north of the area. However, long waiting times in some areas are limiting the effectiveness of these pathways.

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Professionals co-produced the pathway in the north with children, young people and parents. This approach means that this service reflects their needs. However, the partnership underestimated the demand for this service. The service has been swamped by four times the anticipated number of referrals and, as a result, children and young people are waiting too long for an initial appointment. There is often little communication with these families about how long they should expect to wait for an appointment.

A new county-wide neuro-developmental pathway integrates assessment and support for ASD and attention deficit hyperactivity disorder. This single diagnostic pathway provides some consistency, while allowing providers to respond to local needs. Behavioural, sleep and sensory workshops are offered to families when they are referred to the pathway. These sessions are valued highly by the parents who have attended. Unfortunately, few parents have taken up this offer of support to help them better meet their child's needs. Leaders are looking at other ways to provide this support that may better suit parents, such as offering different times and locations.

Across Lancashire, leaders have put in measures to assure themselves that pathways are compliant with National Institute for Health Care and Excellence (NICE) guidance. This is regularly monitored. However, long waiting times for an initial appointment, combined with too little communication with families, are creating frustration and anxiety for some families.

The area has not made sufficient progress to improve this area of weakness.

■   The initial inspection found that:

There was no effective strategy to improve outcomes of children and young people with SEND.

Previously, inspectors found that EHC plans were too focused on pupils' education outcomes, even when a child or young person had significant healthcare and/or social needs. Current plans provide helpful information about children and young people's health, education and social care needs and set out how their outcomes should improve.

Leaders have taken urgent action to improve outcomes for children and young people with SEND since the inspection. Termly meetings between school improvement officers and headteachers have focused on the performance of this group of children and young people. These officers have held headteachers to account for how well their schools are improving the performance of this group.

More of the youngest children with SEND are achieving a good level of development than previously. Leaders have a better understanding about the main barriers to learning experienced by this group. This is helping them to put the right provision in place as part of the early years strategy.

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By the end of key stage 1, more children with SEND are meeting the expected standard in reading, writing and mathematics. At the end of key stage 2, there has been a decline overall. However, targeted support last year in Hyndburn and Lancaster has helped children with SEND in these areas to buck the trend. The outcomes for these children improved. This work has recently been extended so that more children with SEND across Lancashire benefit from the additional support.

The area is doing much more to improve the life chances of young people as they move into adulthood. The number of young people not in education, employment or training has reduced considerably. Leaders have also reduced the number of young people whose destinations are not known. 'Project Search' is an example of how the partnership is helping young people with SEND gain valuable academic and employability skills. This programme is enabling more young people every year to move successfully on to internships, apprenticeships and traineeships.

Leaders have reduced the number of children and young people with SEND who are electively home educated. More of these children and young people are having their needs met in schools now. This means that they are able to get the specialist help and support that they need more easily.

The area has made sufficient progress to improve this area of weakness.

■ The initial inspection found that:

Transition arrangements in 0 to 25 healthcare services were poor.

Inspectors reported that transition arrangements across Lancashire were 'splintered'. At that time, there was no evidence of a strategy to ensure that young people transitioned effectively into adult services.

There has been limited progress in resolving the weaknesses found at the initial inspection. Although there has been some activity, this has been piecemeal. For example, there are well-developed plans to extend the delivery of the existing child and adolescent mental health service (CAMHS) to young people up to 19 years old. The early years strategy sets out how young children, including those not in schools or settings, will be supported to be school ready.

However, there are still not enough commissioned services for young people up to the age of 25. There is limited effective joint working between children's and adults' services. This results in poor experiences for young people.

The area has not made sufficient progress to improve this area of weakness.

■ The initial inspection found that:

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There were a disconcerting proportion of children and young people with EHC plans who were permanently excluded from school.

At the initial inspection, the number of exclusions was at an unacceptable level and rising. This is no longer the case. Permanent exclusions for children and young people with SEND are now few and far between. Moreover, leaders have checked that children and young people who were permanently excluded in the past, are now in suitable provision.

The area set up a programme to support Year 6 children at risk of exclusion in Preston move successfully on to secondary school. None of the Year 6 children on this programme have been excluded since moving into Year 7. This successful programme is now being rolled out more widely across Lancashire.

The area has made sufficient progress to improve this area of weakness.

■ The initial inspection found that:

There were inequalities in provision based on location.

At the initial inspection, there was inconsistency and variability in children and young people's needs being met. Children, young people and their families now have more equitable experiences.

Good practice has been shared across the area. For example, mainstream schools now seek advice and guidance from special schools. This means that mainstream colleagues are better equipped to meet the needs of some of their children and young people with SEND. There has also been a range of training and support. This has improved the knowledge and skills of frontline workers, such as special educational needs coordinators and CAMHS practitioners.

Leaders are adept at setting up small-scale projects in different districts to test out new ways of working. Once they are satisfied that these are making a positive difference, they then roll these out across the area. For example, in Blackpool, a group of primary mental health workers delivered early intervention and prevention work in schools. This successful model has since been replicated across the county.

There is now a more equitable service provided by specialist health services across the county. There are more opportunities for families to access services locally. This has reduced some of the pressure on families who were previously travelling long distances for appointments.

Leaders know that there is more to do. For example, the accessibility of SALT provision for young children is variable across the area. The special schools in Lancashire are not currently provided with a named public health nurse. However, they are able to access the service through a single point of contact. As a result, some children and young people may miss out on routine height and

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weight measurements, dental checks and emotional health and well-being provision.

The health visiting team carry out the two- to two-and-a-half-year check using the ages and stages questionnaire. Any emerging concerns are picked up at this point. This means that support is in place well before children start school.

The area has made sufficient progress to improve this area of weakness.

■ The initial inspection found that:

The local offer was inaccessible, and the quality of information published was poor.

Inspectors found that the local offer was not used effectively, parents' awareness of the local offer was poor and the information provided was not useful.

Leaders have engaged well with parents, children and young people and other partners to redesign the local offer. Unfortunately, there have been delays in its delivery. This means that the new offer was only launched in January.

Furthermore, this work is not yet complete. Parents do not find the information it provides useful. Leaders have a plan to add a directory of services to the local offer and also appoint an officer to keep the information up to date and relevant.

The area has not made sufficient progress to improve this area of weakness.

The area has made sufficient progress in addressing seven of the 12 significant weaknesses identified at the initial inspection. The area has not made sufficient progress in addressing five significant weaknesses.

As not all the significant weaknesses have improved, it is for DfE and NHS England to determine the next steps. Ofsted and CQC will not carry out any further revisit unless directed to do so by the Secretary of State.

Yours sincerely

Pippa Jackson Maitland
Her Majesty's Inspector

Ofsted	Care Quality Commission
Andrew Cook Regional Director	Ursula Gallagher Deputy Chief Inspector, Primary Medical Services, Children Health and Justice
Pippa Jackson Maitland HMI Lead Inspector	Lucy Harte CQC Inspector

cc: Department for Education
        Clinical commissioning group(s)
        Director Public Health for the area
        Department of Health
        NHS England

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Education and Children's Services Scrutiny Committee
Meeting to be held on Wednesday, 2 September 2020

| Electoral Division affected: |
| (All Divisions); |

Schools Causing Concern Task Group - Response to Recommendations
(Appendices 'A' and 'B' refer)

Contact for further information:
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Executive Summary

In March 2020, the Education Scrutiny Committee published a task and finish group report on 'Schools Causing Concern' (attached at Appendix 'B').

In accordance with agreed protocols, the Cabinet Member for Children, Young People and Schools has been asked to provide a response to the recommendations included as part of the task and finish group's report. This is set out at Appendix 'A'.

Recommendation

The Education and Children's Services Scrutiny Committee is asked to receive and comment on the response to the task and finish group report from the Cabinet Member for Children, Young People and Schools.

Background and Advice

At the Education Scrutiny Committee held on 10 September 2018, members were provided with a detailed report and presentation on the journey of schools causing concern and the impact on services.

The Committee felt that given the volume and broad range of information provided at this meeting, it would be more beneficial to further explore the impact of schools in difficulty/causing concern on families and services in Lancashire as part of a task and finish group to allow for a more comprehensive study.

In accordance with statutory requirements, the Cabinet for Children, Young People and Schools has provided a response which is set out at Appendix 'A'.

Members of the Education and Children's Services Scrutiny Committee are asked to receive and comment on the response provided.

Lancashire
County
Council

Consultations

NA

Implications:

This item has the following implications, as indicated:

Risk management

This report has no significant risk implications. The task and finish group's report reflected the views and recommendations of Overview and Scrutiny. It did not necessarily reflect the views of the county council. In many cases, suggestions were made for further consideration to be given to issues, and this may need to include an appropriate assessment of the legal and financial risks and implications.

The response from the Cabinet Member for Children, Young People and Schools does not necessarily equate to an assessment of the legal and financial risks and implications at this stage, merely that a commitment will or won't be pursued by them in relation to each recommendation.

Local Government (Access to Information) Act 1985
List of Background Papers

Paper   Date   Contact/Tel

NA

Reason for inclusion in Part II, if appropriate

NA

County Councillor Phillippa Williamson; Cabinet Member for Children, Young People and Schools.

Response to the recommendations of the Schools Causing Concern Scrutiny Task and Finish group report

The task and finish group recommended that where applicable the Cabinet Member for Children, Young People and Schools give consideration to the recommendations from the report.

I have considered each of the recommendations adopted by the Education Scrutiny Committee and my responses are as follows:

Objective: Enhancement of support provision to headteachers

a) To review communication mechanisms where a school has been identified as 'causing concern' to ensure headteachers and Chairs of Governors are informed of the process in a timely manner to support the headteacher with the ongoing communication with school staff, governors, parents etc.

Response: *I support this recommendation. The Local Authority risk assessment process which leads to a school being identified as "of concern" will inform a written letter on behalf of the Executive Director advising the Head and Chair of Governors of the initial concerns. A follow up visit by a named school adviser will provide an opportunity to discuss and understand the issues, explore the support available and supporting the management of communication of the situation with staff, governors and parents.*

b) To evaluate the mentor process provided by the county council to ensure allocation is suitable to the individual needs of a new headteacher at a vulnerable school taking into account the schools' concerns.

Response: *I support this recommendation. Newly appointed headteachers will continue to be offered a mentoring arrangement with a headteacher in a similar school where they wish to do so. In addition, guidance will be made available for headteachers who are new to mentoring to ensure that there is an appropriate balance of support. Where there is a new headteacher in a school known to be vulnerable additional support for school review will be made available.*

c) To assess support and training provided during a newly appointed headteachers induction, to include the option of a sustainable programme of finance and business management training where required.

Response: *I support this recommendation. During 2020-21 a new headteacher Continued Professional Development Package will be developed for headteachers both new to headship and new to Lancashire. This will include half termly professional development workshops led by serving and practicing headteachers or school staff from outstanding or good schools, specialist experts or Local Authority officers to focus on areas of particular concern to headteachers. Topics such as*

business and finance; high needs Special Educational Needs and disability, recruitment etc. will be covered.

d) To review and identify alternative training delivery methods (such as podcasts, webinars, on-site training etc) to provide headteachers with alternative options to improve accessibility.

Response: *I support this recommendation. The Lancashire Professional Development Service will develop the use of webinars and other virtual opportunities for training, professional dialogue and support for school leaders. In addition, local education system leaders will develop opportunities for collaborative work on area wide projects to facilitate practice exchange.*

e) Consideration to be given to organising workshops between experienced headteachers and future potential headteachers to assist with a more comprehensive understanding of the role, sharing of experiences and good practice.

Response: *I support this recommendation. This is called 'system leadership' and the service will move more and more to this strategy over time.*

f) To provide further support to previously vulnerable schools to help rebuild trust within the community and other schools in the locality.

Response*: I support this recommendation. The new model for school improvement from Sept 2020 is predicated on detailed analysis of a range of data relating to access to and quality of education, as well as the impact of these on education outcomes for all pupils. The locality-based delivery of this support will enable headteachers and governors to share information and ideas in a collaborative partnership rooted in a clear understanding of the needs and priorities for the particular area.*

g) To review whether a package of support to identified vulnerable schools could be made available prior to the point of becoming categorised as a school causing concern.

Response: *I support this recommendation. The Local Authority RAG (Red, Amber, Green) rating of schools will ensure that all schools that are vulnerable are advised and supported to swiftly take effective action to address issues that could otherwise lead to their being identified as a school of concern. Such support will be facilitated through partnerships, including the teaching schools, hubs and/or schools within the Integrated Care Partnership area.*

Objective: To enhance the current service provision with a focus on prevention rather than intervention.

a) Schools advisor visits to include more of a focus around finance and staffing to ensure any vulnerable position is identified early so the right level of support can be provided before the point of crisis.

Response: *I support this recommendation. Knowledge of these broader issues will inform adviser visits in schools so that timely support is provided where schools buy in advisory support. Schools that do not buy in will be advised of any concerns within the powers of the Local Authority in writing.*

b)   To review the current new headteacher support to include a mechanism within the mentor role to provide guidance on finance, budgeting and staffing.

Response: *I support this recommendation. Please see my response to the earlier question relating to headteacher mentoring.*

c)   To review the School Improvement Challenge Board (SICB) criteria used to include staff mobility and staffing budgets.

Response: *I support this recommendation. With the revised model of school improvement based on locality footprints, this function will be focussed on the data for evaluating school effectiveness and capacity across each local area. This will be informed by a range of statistical information including statutory assessment outcomes, local area data relating to attendance, exclusions, elective home education and young people who are NEETS (not in employment, education and training) as well as "soft" intelligence such as staff mobility, leadership experience and volatility of school budgets.*

d)   Consideration to be given for a review to be undertaken on the effect on school financial stability in relation to the EHC plan funding allocation timescales and special school placement challenges through Schools Forum.

Response: *I support this recommendation. A SEND Sufficiency Strategy was agreed by Cabinet recently that set out a new approach to managing demand in SEND. SEND funding is provided through the High Needs Funding Block and there is ongoing scrutiny on all aspects of the High Needs Funding Block which by regulation falls under the remit of the Schools Forum.*

Objective: To support an increase to the pool of school governors across Lancashire, school governing bodies to be reflective of the community their school serves and for all school governors' confidence to fulfil their role as a 'critical friend' and to challenge where required to ensure the best outcomes for its pupils.

a)   To review current methods to support recruitment of school governors to increase numbers and diversity to include:
   - The Cabinet Member of Children, Young People and Schools to send a letter to financial institutions and local employers to promote the role of school governor through newsletters to staff.
   - Inclusion on school applications for parents/carers to indicate interest in school governor role.

- Potential to discuss school governor role in headteacher exit interviews.

Response*: I support this recommendation. The work to encourage suitable governors and an associated campaign is politically led and there are ongoing initiatives to promote the role of School Governors and encourage more volunteers to come forward. This includes contacting employers and institutions in the County and developing a new application form that aims to draw out the talent of prospective governors to help schools make the right choice of candidate. Officers will also work to strengthen the capacity and strategic effectiveness of school governors and to develop recruitment practices and professional development to secure a sustainable, strong pool of governors across Lancashire.*

b) County Council to sign up to the Inspiring Governance School Governor Champions Charter to encourage LCC staff to consider role as part of continuous professional development.
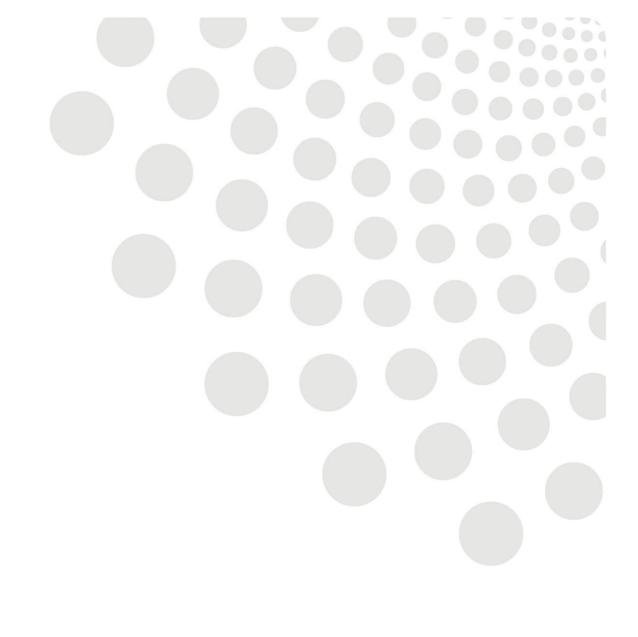
Response: *I support this recommendation. Please see the response above.*

c) A review of the current governor training provision subject matter and alternative training delivery methods with a view to increasing accessibility and encouraging attendance.

Response: *I support this recommendation. Governor training for 2020-21 has been reviewed with an increasing amount of virtual training and meetings scheduled following a highly successful series of Zoom meetings in the summer term which enabled over 350 governors to engage in briefing and question and answer sessions.*

d) A review of the mechanism for school governors to contribute to full governing body meeting agendas where the county council provide this service.

Response: *I support this recommendation. Any governor is entitled to bring items to a meeting providing that they contact the clerk and Headteacher in advance of the meeting. At the end of meetings, they can also ask that specific consideration of a matter of concern is addressed at a future meeting. A review of the agenda setting process is underway will ensure that this process is both timely and topical with additional training developed to support the clerking service.*

Schools Causing Concern
Report of the Scrutiny Task and Finish Group

Chair of the Task and Finish Group:

County Councillor Ian Brown

For further information regarding this report, please contact:

Samantha Parker, Senior Democratic Services Officer – Overview and Scrutiny

Lancashire
County Council

www.lancashire.gov.uk

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Introduction

Lancashire has the highest number of maintained schools in England (554 compared to next at 486) and the majority of schools are successful with 90% achieving a good or outstanding Ofsted rating.

Many schools do at some stage undergo a period of uncertainty for a whole range of reasons. These are usually resolved by the schools, their staff and governors, either by their own efforts or with outside support, and do not impact significantly upon the standards or the education of children. However, where schools need additional help, a traded service is offered by the county council where support can be purchased by schools in matters such as finance, governor services and school improvement.

What is a school 'causing concern'?

A school can be identified as 'causing concern' for a number of reasons and the county council has a range of criteria:

- An Ofsted inspection has categorised the schools as either in special measures, having serious weaknesses, or requiring improvement

- Concerns over standards of achievement, quality of teaching, leadership and management, behaviour and safety, safeguarding

- Recommendation from school adviser to area team leader

- Recommendations from either a schools' financial services manager or a senior area personnel officer

The common ingredients for challenging schools can include (but not limited to) recent changes in leadership, declining numbers on roll or financial deficits.

Schools receive bespoke support from the county council which can be provided in the short term or in some cases, over many years.

Department for Education guidance

To support local authorities and Regional Schools Commissioners (RSC) on how to work with schools to support improvements, and on using their intervention powers, guidance is provided by the Department for Education. This guidance describes the

processes local authorities and RSCs may take in schools that are eligible for intervention. These include:

- Schools that have failed to comply with a warning notice.

- Schools that have been judged inadequate by Ofsted.

This guidance is statutory for local authorities, and sets out their role in relation to maintained schools that are identified as 'causing concern'.

Background to the Review

A special meeting of the Education Scrutiny Committee was held on 12 April 2018, to review a call-in request on a decision taken by Cabinet to close Hameldon Community College in Burnley. At this meeting, the Committee heard that despite the best efforts of the school and the continued, long term support of the local authority, Hameldon Community College had been unable to make sustained improvements. Concerns were raised following this meeting as to the level of support provided to schools 'in difficulty' and the impact on families as a result of a school closure.

As a result, at the Education Scrutiny Committee held on 10 September 2018, members were provided with a detailed report and presentation on 'the journey of schools causing concern'. The report provided details on the package of support provided to schools by the county council that are deemed to be 'in difficulty' through the school improvement and finance teams, and included information on the impact to services such as school admissions and place planning.

Our comprehensive study arose following a discussion at this meeting. It was felt that given the volume and broad range of information considered by the Education Scrutiny Committee, it would be more beneficial to commission a task and finish group to undertake this work on behalf of the Committee to further explore the challenges facing schools 'causing concern' in Lancashire.

About this Report

Our principle aim in undertaking this work was to further understand what constitutes a school categorised as 'causing concern', the provision to these schools from the county council and the pressures faced by schools.

Our task group met on 7 separate occasions, considered a number of reports and documentation (detailed on page 25 of this report), and met with a variety of Lancashire County Council officers.

The purpose of our work was primarily focused on gathering background information, reviewing case studies on schools categorised as 'causing concern' and interviewing officers from various county council services that support schools such as:

- School Improvement Service
- Schools Finance
- Governor Services
- School Place Planning

In addition, we sought to understand how the support is viewed from a service user's perspective. Two headteachers (representing primary and secondary schools from different areas across the county) contributed to our review by sharing their experiences working with the county council services to overcome the challenges faced managing a school categorised as 'causing concern'. Both headteachers were new to the role when taking on their schools.

Recommendations

This report reflects the views and recommendations of Overview and Scrutiny. It does not necessarily reflect the views of the county council. In many cases, suggestions are made for further consideration to be given to issues, and this would need to include a full assessment of the legal and financial risks and implications.

Objective	Recommendation	Timeframe
Responsibility: School Improvement Service		
Enhancement of support provision to headteachers	a. To review communication mechanisms where a school has been identified as 'causing concern' to ensure headteachers and Chairs of Governors are informed of process in a timely manner to support the headteacher with the ongoing communication with school staff, governors, parents etc.	Within 3 months
	b. To evaluate the mentor process provided by the county council to ensure allocation is suitable to the individual needs of a new headteacher at a vulnerable school taking into account the schools concerns.	Within 3 months
	c. To assess support and training provided during a newly appointed headteachers induction, to include the option of a sustainable programme of finance and business management training where required.	Within 3 months
	d. To review and identify alternative training delivery methods (such as podcasts, webinars, on-site training etc) to provide headteachers with alternative options to improve accessibility.	6 – 12 months
	e. Consideration to be given to organising workshops between experienced headteachers and future potential headteachers to assist with a more comprehensive understanding of the role, sharing of experiences and good practice.	6 - 12 months

	f. To provide further support to previously vulnerable schools to help rebuild trust within the community and other schools in the locality.	6 – 12 months
	g. To review whether a package of support to identified vulnerable schools could be made available prior to the point of becoming categorised as a school causing concern.	3 – 6 months

Responsibility: Schools Finance/Schools Advisory Service

To enhance the current service provision with a focus on prevention rather than intervention.	a. Schools advisor visits to include more of a focus around finance and staffing to ensure any vulnerable position is identified early so the right level of support can be provided before the point of crisis.	Within 3 months
	b. To review the current new headteacher support to include a mechanism within the mentor role to provide guidance on finance, budgeting and staffing.	3 – 6 months
	c. To review the School Improvement Challenge Board criteria used to include staff mobility and staffing budgets.	6 – 12 months
	d. Consideration to be given for a review to be undertaken on the effect on school financial stability in relation to the EHC plan funding allocation timescales and special school placement challenges through Schools Forum.	Within 3 months

Responsibility: Governor Services

To support: An increase to the pool of school governors across Lancashire. School governing bodies to be reflective of the community their	a. To review current methods to support recruitment of school governors to increase numbers and diversity to include: • The Cabinet Member of Children, Young People and Schools to send a letter to financial institutions and local employers to promote the role of school governor through newsletters to staff. • Inclusion on school applications for parents/carers to indicate interest in school governor role. • Potential to discuss school governor role in headteacher exit interviews.	Within 3 months

school serves. All school governors' confidence to fulfil their role as a 'critical friend' and to challenge where required to ensure the best outcomes for its pupils.	b. County Council to sign up to the Inspiring Governance School Governor Champions Charter to encourage LCC staff to consider role as part of continuous professional development.	Within 3 months
	c. A review of the current governor training provision subject matter and alternative training delivery methods with a view to increasing accessibility and encouraging attendance.	Within 3 months
	d. A review of the mechanism for school governors to contribute to full governing body meeting agendas where the county council provide this service.	Within 3 months

Membership of the Group

Our task group members included:

- Ian Brown (chair)

- Andrea Kay

- Cosima Towneley

- Jenny Purcell (until March 2019) / Stephen Clarke (from March 2019)

- Bernard Dawson

- Lorraine Beavers

- John Potter

- Jayne Rear (chair until May 2019)

Officers

Our work programme was supported by the following officers who provided us with relevant support, guidance and information and attended our meetings as appropriate.

From Lancashire County Council:

- Steve Belbin, Acting Director of Education and Skills

- Andrew Good, Head of Financial Management (Development and Schools)

- Alison Hartley, Senior Advisor (Secondary/Post 16 Group)

- Alison Mitchell, Senior Advisor (Monitoring & Intervention)

- Neil Smith, Schools and Childcare Financial Services Manager

- Ajay Sethi, Head of Education & Skills

- Margaret Scrivens, School Based Issues Officer

- Mel Ormesher, Head of Asset Management

- Sarah Callaghan, Director of Education and Skills

- Craig Alker, Business Support Officer

From schools:

- Deanne Marsh, Headteacher, Bacup St Saviour's Community Primary School

- Paul Scarborough, Headteacher, Upholland High School

School Improvement Service

Background

The county council's School Improvement Service provides a number of bespoke services to support schools depending on need including:

- Teaching & learning consultant support

- Attendance and behaviour consultants

- Assessment support

- Adviser support for leadership and management

- Training

A key element of the support to schools is the Advisory Service which provides support, guidance and advice working in partnership with schools. This service can be purchased through the School Service Guarantee (SSG), which a high number of schools have bought into.

The Advisory Service monitors the performance of schools in Lancashire, works with school leaders and serves to provide critical challenge as well as support. Further to this, the Advisory Service reviews all schools on a termly basis.

We heard that where a school has been identified as 'causing concern', the headteacher and chair of governors would be informed verbally of the reasons in advance, and then confirmed in writing. It is expected that the headteacher and chair of governors would make the matter known within the school, since the purpose of the arrangement is to support schools in addressing agreed targets for improvement. The governing body would then be involved in monitoring the progress made towards the agreed targets.

> **Role of the School Improvement Challenge Board**

The School Improvement Challenge Board (SICB) has a responsibility to challenge the impact of support provided by the county council to a school categorised as 'causing concern' and information is presented through evaluations on a six monthly basis.

The criteria used to prompt the school's attendance at SICB can include:

- Lack of significant progress towards one or more targets following the presentations of two evaluations.

- Ofsted reports raising significant concerns on the capacity of the leadership team to make the required improvements in a timely manner.

- Lack of progress in submitting a recovery plan or ongoing financial concern following the approval of a recovery plan/withdrawal of delegation.

- Ongoing and significant HR issues which are detrimental to the capacity of the school to meet targets in a timely manner.

This criteria is not exhaustive as there may be other situations where attendance at SICB may be required.

We were informed that should support not be successful, the SICB could consider sending a pre warning letter to the school outlining the concerns of the county council and steps the school will need to take to address these.

➢ **Criteria for the issue of a Pre Warning Letter**

Local authorities have the option of issuing a warning notice (effectively a pre warning letter) to maintained schools under the following circumstances:

1. The standard of performance of pupils at the school is unacceptably low and is likely to remain so.

2. There has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance.

3. The safety of pupils or staff at the school is threatened (whether by a breakdown of discipline or otherwise).

4. The governing body have failed to comply with a provision of an order under section 122 of the Education Act 2002 (teachers' pay and conditions) that applies to a teacher at the school; or the governing body have failed to secure that the head teacher of the school complies with such a provision.

Should this be unsuccessful, then a formal warning letter is sent informing the school that it is now eligible for intervention by the Secretary of State and the Regional Schools Commissioner.

Findings

To further understand the support provided through the School Improvement Service, two headteachers were invited by our task group to discuss and provide information on their experiences managing a school 'causing concern' which highlighted the following key areas:

➢ **Support to headteachers**

We heard that in relation to the pre warning letter phase, there was viewed to be a feeling of vulnerability across the whole school for the headteacher to manage, particularly around staff stability and the wider impact this can have on the perceptions of the school from the local community. This can further exacerbate issues and limit the ability to successfully address concerns. Our members felt that there could be scope for more support to be provided at this stage to help headteachers manage the challenges and the impact, not only with staff but with governors.

When questioned on the support available as a new headteacher, we were informed that the county council provide a service for new headteachers where they are allocated an experienced headteacher as a mentor to provide support and advice. However, it was established that for new headteachers taking on a challenging school, the mentor allocation may not be appropriate to the needs of the new headteacher and the challenges faced by the school, which then restricts the advice that could be provided and in turn limits the success of the support.

➢ **Headteacher training**

Our task group discussed whether it was felt that the pathway to becoming a headteacher continued to provide the right training for potential new headteachers to successfully take on the role, with the current challenges faced by schools in light of reducing budgets. Given that both headteachers interviewed were new to the role, it was highlighted that there is seen to be a potential gap in training around finance and business management which new headteachers are then not prepared for particularly when taking on a school categorised as 'causing concern'. We also recognised that new headteachers would also encounter difficulties in taking the time required to attend training to provide the necessary tools to support their role.

We were concerned that this could impede new headteachers progress and resilience in the role and felt that there was a need to ensure that the induction provided to newly appointed headteachers included an option for sustainable ongoing support and training around business and finance. Further to this, it was suggested that to support potential headteachers as part of the career pathway, workshops from experienced headteachers could be provided to share their knowledge and good practice.

➢ **Restoring trust**

Our group were informed that both headteachers had successfully managed the journey of a school categorised as 'causing concern' to a more stable position. An important part of this journey was restoring the trust and confidence of neighbouring schools and the local community, as we recognised that the impact of a school in crisis was wide ranging and can have long term consequences. Our group heard that considerable work and time (12 to 18 months) was undertaken by the secondary school headteacher to restore trust and confidence in the local primary schools through meeting with primary headteachers. In addition, both headteachers discussed work undertaken with the community (including organising parent forums in partnership with those primary schools) which highlighted that more work could be undertaken through the county council to establish mechanisms to enable schools to work more closely together on a local footprint and in a cross phase approach (nursery, primary, secondary, special schools etc) to assist schools to help build and maintain relationships.

➢ **Prevention**

Underpinning this work, it was recognised that a focus on prevention was key to building school resilience and to recognise concerns before reaching the point of crisis. And, alongside the potential for more cross phase working in localities to enable more school to school support, is the potential to offer peer to peer support with schools nationally, not just locally that may be in a similar position.

➢ **SICB criteria**

From the discussions with the headteachers in relation to the work of SICB, and in particular the criteria used by the board to identify concerns, our task group felt that it would be useful to review the criteria used with headteachers who have experienced

working with the board with a view to including additional criteria such as staff mobility and staffing budgets which could be early indicators of a school in difficulty.

'Fight or flight, how 'stuck' schools are overcoming isolation' report

A recent report published by Ofsted titled 'Fight or flight, how 'stuck' schools are overcoming isolation' draws on research visits to 20 schools across the UK, 10 of which have been graded less than good consistently for 13 years or more and are considered as 'stuck'. With regards to school improvement support, this report highlighted:

"There were mixed reviews about the effect and quality of school improvement partners. Some schools remembered historically quite large teams of senior leaders being sent to the school from the LA. This was viewed as supportive but in all cases the school remained stuck afterwards. Schools were more positive about their recent encounters with SIPs. These individuals were either attached to their MATs or from an outstanding school in the local area. Advice is welcomed when it is more practical and when the relationship with the school is sustained".

Schools Finance Service

Background

It was reported that the county council has responsibilities for maintained schools, particularly around accounting support and support for Schools in Financial Difficulty (SIFD). Part of these responsibilities includes:

- Preparing the budgets for all maintained schools and academies in Lancashire.

- Challenging the financial environment of the school to ensure the school is sustainable.

Following increasing costs and rising demands in recent years, we were advised that schools have faced an unprecedented pressure on their budgets. This, as well as the per-pupil funding not keeping up with the rate of inflation, has led to many schools having to utilise reserves to set their school budgets.

> **Lancashire Schools in Deficit**

Our group were informed that as of March 2019, out of the 554 maintained schools in Lancashire, 39 were in deficit which equated to around 7% of all schools.

The county council provides significant targeted support, enhanced monitoring and early warning system around SIFD.

The SIFD system classifies schools into one of four categories based on various financial indicators:

Category	Description
Category 1 - Structural Deficit	Structural deficit beyond recovery, school is financially nonviable, strategic solutions required.
Category 2 - Significant Deficit	Schools have significant deficits requiring intensive intervention and focussed support to recover, or have no agreed recovery plan.
Category 3 - Vulnerable Position	Incorporates schools burning through reserves, losing significant pupil numbers, moving into or on the brink of deficit, or schools that are recovering from more significant financial problems, but where the recovery plan is agreed and is on track - require intervention and monitoring in order to prevent failure in the next 3 years.
Category 4 - No financial issues	No budget issues but continued monitoring of financial indicators to confirm ongoing financial health.

We were assured that the school data used in the categorisation process is kept under regular review, against the agreed categories.

It was reported that the longer term viability of schools within Category 1 is considered questionable and consideration is given to further actions by the county council at a strategic level, including possible closure of the school.

Support is provided for schools in categories 2 and 3, either via targeted support or through the standard support offered by the traded Schools Financial Services offer.

Finally, although schools in Category 4 have no current budget issues, monitoring of the financial indicators would still continue to confirm any ongoing financial health issues.

➢ **Early Warning Process**

Our group were informed that the Early Warning Process was introduced by the Schools Finance team to provide assistance to schools in identifying possible future financial issues. Financial data is analysed and letters issued to schools that trigger certain thresholds. These thresholds are:

- County council forecasts a surplus at year end but balances are reducing by 70% or more;

- County council forecasts a deficit at year end that was not anticipated on the school's Income & Expenditure return;

- School Number on Roll has fallen by 10% or more since the previous October.

➢ **Enhanced Financial Training**

On a question raised around finance training, we heard that a series of financial seminars were held during 2018 aimed at primary and nursery schools. Further enhanced training was held in 2019 and focussed mainly on the secondary sector.

➢ **Schools Forum**

As well as support provided to schools through the schools finance service, the Schools Forum advises the county council on matters relating to school funding and has certain decision making powers. The county council takes into account views expressed or the decisions taken by the Forum in setting out the schools budget. This is a statutory body made up from representatives of headteachers, governing bodies and of other relevant organisations within Lancashire.

Findings

From discussions with the two headteachers interviewed on the financial challenges faced by their schools, our group were informed that both headteachers were unaware of any financial concerns within the schools on commencement of employment. However it was quickly established that both schools were viewed to have unrealistic staffing structures impacting on schools budgets, and forecasted

budget deficits. This raised concerns with our group members as to the county councils early understanding or awareness of the schools financial situation.

Further concerns raised by headteachers included the potential impact the statutory timescales (20 weeks) in place for the Education, Health and Care (EHC) plan process on a schools budget.

Our group heard that where a pupil presents with a potential special education need (where they require more support than the school is able to provide), a request can be made for an EHC needs assessment to be undertaken. As it stands, this process has a statutory timescale of 20 weeks for the final plan to be issued, depending on the outcome of the initial assessment as to whether and EHC plan is required.

It was highlighted that the 20 weeks' timescale can have a significant impact on a schools budget, in particular where the EHC plan had not been previously put in place. In addition, once the process had been completed, it may determine that the school would not be best placed to meet the need of that pupil and that a place at a special school would be required. Further impact could then be placed on the school financially should there not be a place available at a special school so the school is then required to fund appropriate support until a place becomes available.

Concerns were raised as to the impact this timescale has on the ongoing school financial stability, particularly where schools are already showing financial difficulties and felt that a further review of all schools across Lancashire could be undertaken to understand the full extent of impact this has on schools.

Governor Services

Background

A school governing body provides non-executive leadership and there are currently over 8500 governors in Lancashire schools. In all matters, the governing body should operate at a strategic level, leaving the headteacher and senior management team responsible and accountable for the operational day-to-day running of the school.

In maintained schools, the governing body sets and approves the budget, defines expectations, delegates powers, and verifies performance towards delivering the schools' strategic aims and objectives.

The county council's Governor Services provides support to meet the variety of school governor needs in Lancashire.

This support includes guidance on model policies and governance procedures, recruitment of governors, training and development of governors.

> ➢ **Recruitment**

Governor vacancies reduce the effectiveness of governing bodies as they limit the range of experience available and increases the workload of other governors.

We were keen to understand the challenges and the work undertaken to address governor recruitment issues, and it was highlighted that a recruitment campaign has been in place since October 2017 which has included the following methods:

- Area based news releases
- Staff notices
- Social media posts (such as Facebook and Twitter)

However, it was established that the campaign has had limited success and further work was being undertaken including linking in with the National Governance Association (NGA) and 'Inspiring Governance' to organise governor recruitment roadshows across the County.

In addition, our members were advised that a campaign had been launched by Inspiring Governance which aimed to better inform employers of the work of school governors to offer support to their employees who wanted to become a governor.

> ➢ **Increasing Diversity**

We raised the question of diversity and it was established that for the county council, increasing the diversity of governors continues to be a key focus to ensure that governing bodies reflect the communities they serve. From this review it was highlighted that more recently, the NGA had produced a guide 'The Right People around the Table' which was promoted via the Chairs' Forums and included on the governor webpages of the schools' portal. This document provides information and practical tips on the recruitment of governors. In addition, diversity was promoted in training courses provided by the county council included as part of the new 2019 Lancashire Skills Audit.

> **Training and Development**

As well as reviewing their constitution annually, governing bodies complete their annual skills audit and identify any gaps in the skills occupied by the governing body.

A key aspect of the training and development offer is to support governors in understanding their role and responsibility in key areas.

It was reported that the county council continues to review and to provide a significant training programme for governors across the county. In 2018/19, it was reported that there were approximately 265 courses held for governor training, with around 4000 governors in attendance. However, this number was only half of the number of governors in Lancashire.

It was established that where schools purchase the training and development service level agreement (SLA), free access to the NGA E learning - called 'Learning Link' is provided. The NGA Learning Link offers flexible e-learning to help governors and chairs develop their learning skills and knowledge. There are currently 94% of schools in Lancashire who have purchased this SLA.

Findings

From the information provided, our task group felt that there continued to be a number of challenges in relation to:

- Recruitment of governors across Lancashire

- Accessibility to training and workshops

- Diversity of governing bodies to mirror community in which the schools based

In addition, information provided by both headteachers indicated concerns particularly around the following areas:

- Ability to challenge school leadership teams

- Understanding and challenging school budgets and staffing

- Upskilling existing governors and building confidence in new governors

With regards to training, although there is a variety of training and workshops available, our task group felt that consideration should be given to how the training is accessed utilising IT based solutions i.e. webinars or podcasts. It was

acknowledged that work had begun in relation to this but that further work through the current LCC digital strategy project was required across the whole of the county council to be able to achieve this.

We discussed the support provision for the full governing body termly meetings where the school has bought into the service provided by the county council. Part of this service includes the production of agendas and clerking support to the full governing body meetings. A number of standing items are included on the agendas and it was established that agenda items are primarily agreed through the headteacher and chair of governors. As some of our task group members were school governors, it was felt from experience that the mechanism used to determine agenda items did not necessarily allow for governors serving on the governing body to contribute to the agenda. A question was then raised as to how reflective the full governing body agendas are to the needs of the individual school to enable appropriate and constructive challenge where required.

To further illustrate the concerns raised by the task group, the Ofsted report on 'Fight or flight, how 'stuck' schools are overcoming isolation' identified that:

"In all stuck schools, governance and oversight were reported to be very weak. Most governors felt they did not have the knowledge or skills to challenge senior leadership teams. Often, the governors were led by the school, rather than the other way round".

"Sometimes, governors recognised how they could be easily led by senior leaders. The proliferation of internal performance data has not helped this situation, in which governors find themselves bamboozled by senior leaders".

School Place Planning Service

Background

Local authorities have a statutory duty in relation to mainstream school place commissioning. The School Place Provision Strategy 2017/19 to 2019/20 is in place to inform all future place planning and set a framework for discussions with schools.

The School Place Provision Strategy underpins the county council's process for ensuring sufficient school places across Lancashire at the right time and in the right location. Members noted that the county council's planning and forecasting is currently within the 1% +/- range for accuracy nationally.

➢ **Free Schools**

Since the introduction of free schools, there are two routes for the commissioning of a new free school which are:

- The Presumption route, which means the school had been commissioned by a Local Authority.

- The Central route, which means that the school's sponsors would apply directly to Central Government.

The county council has not yet commissioned any new free schools via the Presumption route. However, a number of free schools and University Technical College's (UTC) have been established in Lancashire via the Central route.

> New DfE guidance on 'Opening and closing maintained schools' has been released (November 2019) which now provides local education authorities with the option of opening new maintained schools rather than free schools.

➢ **Impact of smaller building projects on local schools**

The Local Planning Authority (in Lancashire, this means the 12 district councils) takes into account priorities (e.g. need for affordable housing and viability) when determining what recommendations are put forward for decision in relation to housing developments. This would involve advance feedback from the county council of the likely impact of strategic sites and negotiation of mitigation measures which would be required to enable a site to come forward.

In addition to the individual assessment of site impact, the county council works closely with the strategic planners at each district on the preparation of their Local Plans.

Our task group also recognised that central government, in April 2019, issued new guidance on developer contributions. This guidance intended to ensure that developers make a financial contribution towards the provision of sufficient school

places where the increase in demand directly relates to the provision of new housing.

> **Managing impact on school places as result of an academy closure**

The mixed economy of academies and maintained schools presents authorities with challenges around the school planning function. Where the local authority is the decision maker in the event of a maintained school closing, it must take into consideration a number of factors such as the availability of alternative, quality provision, as part of the statutory process.

However, academy closure decisions are made by the Secretary of State, who can decide to withdraw the funding agreement. Where such a decision is made, the county council is required to find alternative places for the displaced pupils.

Updated guidance (November 2019) from the DfE on 'Making significant changes to an open academy and closure by mutual agreement' sets out, where a closure of an academy has been agreed mutually with the Secretary of State, the processes academy trusts need to follow and provides guidance as to when academy trusts should talk to other parties. Relevant local authorities will then be able to advise on the availability of alternative places and will be required to run a preference exercise to find an alternative place for any displaced pupils. It advised that this process must begin at the earliest stage feasible to allow for choices to be made, places to be found and for disruption to be minimised.

Findings

From the information provided on school place planning in response to the task groups concerns, it was recognised that the processes and procedures utilised by the school place planning team were well established yet flexible, to incorporate the regular guidance updates from the DfE. As such, it was felt that there were no recommendations required at this time.

Conclusion

The work of our task group has been a well-timed exploration into the challenges faced by the specialist support services provided by the county council to those maintained schools across Lancashire categorised as 'causing concern'.

From the reviews conducted across the areas identified by the task group, it was concluded that there is a significant resource provided by the county council to schools focussing primarily on 'intervention' to support schools at the point of concern. However, the challenge will be for the county council to refocus its attention to 'prevention'; to support schools well to reduce the need for intervention.

Further to this is the scope to broaden the provision of advice and guidance to Lancashire schools, by connecting more effectively to schools nationally to share best practice. In addition, this could afford the opportunity to provide peer to peer support with schools in similar situations nationally rather than focusing locally.

However, our task group, in exploring this area of work, recognised the important relationship the county council have with schools and the considerable respect shown by schools for the variety and level of services provided by the county council.

In addition, despite the challenges highlighted, our members were keen to acknowledge the considerable time undertaken by school governors across Lancashire, which is a purely voluntary but critical function, and stressed the growing demands faced in fulfilling the duties required of this role.

This task and finish group is grateful for the support and advice of those who provided information and evidence to support its work

Glossary

DfE	Department for Education
EHC	Education, Health and Care (Plan)
HR	Human Resources
LCC	Lancashire County Council
LA	Local Authority
MAT	Multi Academy Trust
NGA	National Governance Association
RSC	Regional Schools Commissioner
SICB	School Improvement Challenge Board
SIFD	Schools in Financial Difficulty
SIP	School Improvement Partner
SLA	Service Level Agreement
SSG	School Service Guarantee

Documents

DfE Schools Causing Concern Guidance

Education Act 2006 Schools Causing Concern

Item 4 Education Scrutiny Committee meeting 10.09.18

Schools Forum Annual report

Methodology for Education Contributions in Lancashire

Securing developer contributions for education

DfE Making significant changes to an open academy and closure by mutual agreement

Lancashire School Improvement Challenge Board

Schools in financial difficulty criteria 2018

2019 CPD Framework for teachers, school leaders and school support staff

Lancashire School Place Provision Strategy

Lancashire Schools Forum

The Right People around the Table - Guide to Recruiting Governors

DfE Opening and Closing Maintained Schools

Fight or Flight - How Stuck Schools are Overcoming Isolation

Websites

School Admissions bite size briefing

https://lancashire.public-i.tv/core/portal/webcast_interactive/372870

Lancashire Professional Development Service
https://lccsecure.lancashire.gov.uk/lpds/courses.asp?q=governor

Community Infrastructure Levy

https://www.gov.uk/guidance/community-infrastructure-levy

National Governance Association
https://www.nga.org.uk/Home.aspx

Education and Employers working together for young people

Inspiring the Future connecting schools and colleges with thousands of volunteers from the world of work

Primary Futures broadening aspirations by helping children grasp the link between learning and their futures

Inspiring Governance connecting skilled volunteers interested in serving as school governors with schools

Research latest research, seminars and conferences

Education and Children's Services Scrutiny Committee
Meeting to be held on 2 September 2020

| Electoral Division affected: |
| (All Divisions); |

Overview and Scrutiny Work Programme 2020/21
(Appendix 'A' refers)

Contact for further information:
Samantha Parker, 01772 538221, Senior Democratic Services Officer (Overview and Scrutiny), sam.parker@lancashire.gov.uk

Executive Summary

This report provides information on the single combined work programme drafted for all of the Lancashire County Council scrutiny committees. A copy of this work programme is set out at Appendix A.

The topics included were identified at a work planning workshop for members of the Internal Scrutiny Committee held on 29 May 2020 and from a previous combined meeting of both the Children's Services and Education Scrutiny Committees.

Recommendation

The Education and Children's Services Scrutiny Committee is asked to:

  i. Review and agree the work programme items for the committee (as at Appendix A).
 ii. Discuss and identify any potential key questions for upcoming items.
iii. Consider and agree sources of information including key officers/partners to invite for upcoming items.

Background and Advice

The Covid 19 pandemic has required members and officers to work differently and the wider context has also meant that priorities have changed or shifted in emphasis.

The work programme for this year has been combined with the other scrutiny committees given that the primary focus of the scrutiny work programme as a whole is dedicated to the response to the Covid 19 pandemic. For the Education and Children's Services Scrutiny Committee, the emphasis is on the impact to services supporting children and young people and the lessons learnt as the county council moves forward.

Lancashire
County
Council

To enable the committee to have the time to review and scrutinise the key areas highlighted in the work programme, it is recommended where possible that one substantive item is tabled per meeting from October onwards. However, it is important to note that the work programme needs to be flexible in order to accommodate any urgent items that may arise. In addition, the work programme will form a standing item on the committee meeting agenda for regular review and to ensure it is still fit for purpose.

Key discussion areas (questions)

To further enhance the work programme, members are asked to reflect on key discussion areas or questions they would like to consider for each of the topic areas. This will ensure that the senior officers have a clear focus in order to provide the relevant information.

Information sources

In addition to identifying key discussion areas, members are asked to consider information sources and meeting participation for upcoming scrutiny items. This could include seeking views from service users through:
- individual scrutiny members having conversations with individuals and groups in their own local areas,
- use of the rapporteur function,
- compiling a short list of questions for a response by the relevant service,
- or the use of social media.

Further to this, members are asked to consider who they would like to invite to future meetings to help provide a more holistic picture for scrutiny to understand the challenges and produce meaningful but achievable recommendations.

Members are asked to:
  i.   Review and agree the work programme items for the committee (as at Appendix A).
 ii.   Discuss and identify any potential key questions for upcoming items.
iii.   Consider and agree sources of information and meeting participation for upcoming items.

Consultations

NA

Implications:

This item has the following implications, as indicated:

Risk management

This report has no significant risk implications.

Local Government (Access to Information) Act 1985
List of Background Papers

Paper   Date   Contact/Tel

None

Reason for inclusion in Part II, if appropriate

NA

Overview and Scrutiny Work Programme 2020-2021

Month		Scrutiny Committee			
		Education and Children's Services	**External**	**Health**	**Internal**
	June			1. Update from the ICS on NHS Cells for Lancashire and digital and engagement with local people. 2. Temporary changes to clinical services across the ICS during the COVID-19 pandemic	
	July	Response to the COVID 19 pandemic in Lancashire - perceptions of the experiences of children and young people, and headlines from the operation of service during the COVID-19 emergency period.	Flooding		1. RIPA annual report 2. The impact of Covid 19 on county council services Highways – challenges faced following pandemic and resuming 'normal' work programmes
	September	• Education: - What powers do we have as a county council/what can we do to support schools and parents. - Position update on the wider reopening of schools • Schools Causing Concern Task Group report – response to recommendations • SEND Ofsted inspection report • Review of work programme		• Adult social care – winter preparations (Supporting the social care sector including domiciliary care workers) • NHS 111 First (tbc)	Covid 19 – what comes next? Including building pan-Lancashire working and Democratic involvement in resilience forums and maintaining democratic leadership during a crisis

Month				
October	Children's Social Care - protecting vulnerable/valuable children – plans in place to manage spikes in referrals	1. LEP – response to the pandemic – economic recovery plan incorporating 'green' principles 2. Impact of pandemic on road safety and lessons learnt		
November	Education – digital poverty, lesson learned and preparation for 2nd wave/local lockdowns. Digital aspirational views – turning challenge into opportunity.		Suicide prevention in Lancashire	Scrutiny of the Council's response to the Government's call for local councils to invest in street safety
December	Impact of the pandemic on children and young people's mental health – plans in place to support and an update on CAMHS including managing increase in contacts, anxiety of YP on return to school and availability of more online support			
January	Early Years sector – impact on private providers supporting vulnerable children and families (include update on the EY Strategy and School Improvement Model)			
February	Lancashire schools attainment update report (standing item)			

	March	**Family Safeguarding Model – update on implementation of model in Oct/Nov 2020			
	April	**Health and Medicines in Schools: Progress update on the task group work Childhood immunisation programme 0-19 Healthy Child programme			
Other Topics	Topics from work programmes 2019/20 not scheduled	Participation strategy update Road safety Independent children's homes Getting to Good plan update NEET Child poverty – pupil premium and effects on education Lancashire Breaktime SEN equipment in schools School transport Maintained nurseries update Parking at schools	Lancashire energy strategy Review of Community Safety Partnerships and governance arrangements Greater Lancashire plan LCC Carbon Plan/Internal Energy and Water Management Policy Universal credit	Housing with Care and Support Strategy 2018-2025 Urgent Mental Health Pathway Transforming Care (Calderstones) Social Prescribing Cessation of the Lancashire Wellbeing Service Tackling period poverty Delayed transfers of care Stroke Programme Vascular, head and neck Suicide prevention in Lancs Review of Primary Care Networks and Neighbourhoods Transforming hospital services and care for people in Southport, Formby & West Lancs Disabled Facilities Grants	Local Government Funding and Income Generation Task Group Update on Reducing Single Use Plastics in Lancashire

**suggested topics for further discussion