

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CHILDREN AND EDUCATION SCRUTINY SUB-COMMITTEE

HELD AT 6.35 P.M. ON TUESDAY, 8 OCTOBER 2019

MP702 - TOWN HALL MULBERRY PLACE

Members Present:

Councillor Gabriela Salva Macallan

Councillor Andrew Wood

Councillor Eve McQuillan

Co-opted Members Present:

Joanna Hannan

Fatiha Kassouri

Dr Phillip Rice

Other Councillors Present:

Councillor Danny Hassell

Apologies:

Councillor Sufia Alam

Councillor Mohammed Pappu

Neil Cunningham

Others Present:

Geogre Binene

Liam McQuid

Linda Hall

Amanda Betham

Sally Davey

Judy Garwood

Alison Wagner

Layla Richards

Catalima Obeu

Jenny Miller

Husna Begum

Maxine Mullan

Rahma Shirreh

Khadra Osman

Vivien Akinremi

Khadra Said

Saihan Islam

Councillor Kyrsten Perry

- Representative of Diocese of Westminster
- Parent Governors
- (Church of England Representative)

Councillor Shah Ameen

Councillor Helal Uddin

Ahmed Hussain

- ENEU
- ENEU
- NEU/SLS
- NEU/SLS
- NEU/SLS
- NEU/SLS
- NEU/SLS
- SPP
- City University of London
- SEND IASS
- THDCS
- SEND Ambassadors
- SEND Ambassadors
- SEND Ambassadors
- Deputy Young Mayor and Youth Cabinet Member for Health and Wellbeing
- LBTH Youth Service
- LBTH Youth Council

Officers Present:

Elizabeth Freer	- (Strategy and Policy Manager, Children and Culture)
Debbie Jones	- (Corporate Director, Children and Culture)
Christine McInnes	- (Divisional Director, Education and Partnership, Children's)
John O'Shea	- Support and Learning Service, Early Years
Farhana Zia	- Senior Committee Services Officer
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1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Sufia Alam, Shah Ameen, Mohammed Pappu and Helal Uddin. Apologies were also received from Neil Cunningham and Ahmed Hussain co-opted Members of the Sub-Committee.

Councillor Eve McQuillan was substituting for Councillor Helal Uddin and the Vice-Chair Councillor Gabriela Salva Macallan was in the Chair.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of disclosable pecuniary interest were made by the members.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting from the 25th June 2019 were agreed and approved as a correct record.

4. REPORTS FOR CONSIDERATION

4.1 SEND IMPROVEMENT UPDATE

SEND INSPECTION

At the request of the Vice-Chair, the Sub-Committee heard from Parents of the SEND Ambassadors group who relayed their experience of SEND Services; the challenges with Education Health Care Plans (EHCP's) and access to professional help and facilities. The parents raised the following points:

- Support parents when a child is diagnosed with a special need – preparing them for diagnosis, rather than directing them to websites.
- Being more inclusive – integrating services in the community such as “stay and play” groups. Increasing awareness in the community.

- Train staff especially Teachers and Teaching Assistants who have an understanding of special needs.
- Getting early diagnoses and intervention. Ensuring EHCP plans are put in place quickly. There are situations where parents are waiting diagnoses and are excluded from services in the meantime because they do not have an EHCP plan.

The Vice-Chair thanked the Ambassadors for their contribution.

Ms Amanda Bentham, representing the Trade Union addressed the Sub-Committee stating she had attended the meeting with her colleagues to highlight the impact of cuts to the service. She said cuts would have a detrimental effect on the most vulnerable and deprived children. She said the SEND team had been set up 23 years ago to provide support to such families and it was a credit to the Council that 98% of those identified with SEND were attending mainstream school in the borough. Ms Bentham said the service provided early intervention, working with parents of babies and was doing essential preventative work. She said the service provided training, advice and support to schools. From a recent survey it was evident 4.5 out of 5 schools were satisfied with the service given. Ms Bentham said cutting funding for this vital service and Teaching Assistants in schools would be a disaster for children with SEND needs.

Ms Bentham said she and her colleagues had the following concerns about cuts to the service:

- Poorer outcomes for children who may be identified as NEET's (Not in Education, Employment or Training).
- Schools making further cuts such as reducing Teaching Assistant support to children with SEND needs and the potential of 'off-rolling' children on their enrolment registers.
- More children being sent to out of borough facilities/services.
- Increase in Tribunal cases

In response to questions from Members of the Sub-Committee the following was noted:

- 'Off rolling' was a grave concern as schools would be less willing to accept SEND pupils and evidence from boroughs with a large number of Academies, showed 'off rolling' is occurring at higher rates. Ms Bentham said Schools are more likely to request parents to remove their child from a mainstream school especially if they do not have trained staff to support children with behaviour, social and emotional needs. Once outside of the school system these children quickly become NEETs.

The Vice –Chair thanked Ms Bentham for her contribution to the meeting.

Mr Saihan Islam, young person with a SEND need and a member of the Youth Council addressed the Sub-Committee. Mr Islam informed Members the impact of proposed or imminent cuts was already becoming reality for young people like him. He informed Members the one to one support which he had received from his teaching assistant and mentor at the school he attends, had already been cut by 50%. Mr Islam said the change had affected him, in that he is required to make decisions on which subjects and lessons he requires support in and those in which he does not. Mr Islam said the change had been too rapid for him and he is finding it difficult to cope without support, especially in his GCSE exam year.

The Vice-Chair thanked Mr Islam for his time and the insight he had provided regarding the SEND service and support.

Following on from the views expressed by the SEND users, parents and staff, Ms Christine McInnes, Service Head of Education and Partnership made a presentation to the Sub-Committee. She explained the roles and responsibilities of all the partners who are responsible for the production of EHCP plans and the Code of Practice which applied to all stakeholders.

Ms McInnes said an inspection of the service by OfSTED and CQC was imminent. Ms McInnes said the inspectors would give a judgement on the Local Offer in place and will measure the effectiveness of this to see if this identified and met the needs of children and young people who have special educational needs.

In response to questions from Members the following was noted:

- Issues with datasets and data cleansing were wider system issues however there are plans to move this forward. SEND information was being rechecked pupil by pupil to ensure the data held is correct and the dashboard is accurate.
- Ms McInnes said the processing of EHCP had been from a low starting point. In the Recovery Plan to the DfE, it had been made clear the Council is on a journey of improvement and that it would take a further three years to achieve better outcomes.
- Ms Debbie Jones added it was clear what information was missing from the datasets and said the Council was working with health partners and the CCG to ensure measures were in place to improve the quality of this information. She said the inspection was a joint inspection of the Local Area, involving different professionals and should not be compared with the 2017 Ofsted inspection.
- In response to if health partners invested equal funding to EHCP's, Ms Jones said they invested considerable funds in the right places. She said in the current climate both the Local Authority and the NHS were

experiencing considerable funding issues and this was proving challenging.

- In response to how services can be better integrated, Ms Jones said better collaboration matters on the frontline, with professionals working together to improve outcomes. Services would co-exist to ensure teams were working together.
- In response to if the Council was expecting a written statement from the inspectors Ms Jones said this was likely. She said that in the 2017 Ofsted inspection the Council had been over optimistic regarding what it could achieve. However in this instance they had been open and honest with the DfE regarding their improvement journey and the action plans in place to achieve improvement in this area. Ms Jones said the issue with data was one illustration of this.
- **ACTION POINT:** The service to share a copy of the self-assessment form submitted to the DfE and to bring the action plans, highlighting the issues to the next meeting of the Children and Education Scrutiny Sub-Committee.

SEND CONSULTATION & OUTCOMES

Ms Christine McInnes, Service Head of Education and Partnership gave a presentation on the Council's current SEND consultation and the outcomes thus far. She informed Members the consultation was looking to make changes to the SEND Strategy and structure of the SEND team. In particular she highlighted the Higher Needs Funding Block (HNFB) which is an annual school grant of £50m of which 95% goes to schools and 5% is retained by the Council. She informed Members, Headteachers had indicated they wanted services organised differently and wanted changes to be made to how the HNFB grant is shared. Ms McInnes also referred to the graph showing the different number of EHCP's in schools by Primary need.

In response to questions from Members, the following was noted:

- The initial consultation asked for views on how services can be reorganised in light of the overspend in the SEND area. However there will be a second consultation on 'School Funding' sometime in November after legal advice has been taken.
- In response to why the cuts were necessary, Ms McInnes said this was due to the £7m overspend of the HNFB and EHCP money was linked to this. Cllr Hassell added that the Council had been subsidising the Service through reserves but money was tight and a decision about the future of the SEND Service and its current structure needed to be made.
- In response to what work had been planned to reduce the number of children needing EHCP's, Mr John O'Shea Support for Learning Service Manager said the Local Area plan set out the vision for the

service. They had examined the criteria and had plans to improve the assessment process. He said from national trends it was likely that the number of EHCP's would increase but each case would be assessed case by case and on its merit.

- Councillor Perry said it was clear government funding was decreasing but needs were increasing. How are social needs balanced against budget pressures? Mr O'Shea said they were struggling. The number of teaching assistants in mainstream schools providing support to special needs children is an example of the impact it is having.
- In response to why Headteacher's wanted the Council to retain less of the HNFB budget, Ms McInnes said school budgets were also stretched. The service hadn't been reviewed for 23 years and is not meeting the statutory requirements expected of it. This is why the consultation is asking for views so services can be organised to deliver appropriate and timely interventions.
- In response to the 2nd consultation, Members asked if they could see a copy of the consultation before it was consulted on. Ms Jones said they were waiting on the DfE to agree a process. An extension of the consultation was timely, in order to resolve the £7m overspend. Ms Jones said a reduction in one area will have consequences in another. Ms McInnes added the reshaping the service would not impact on capital projects such as the expansion of Phoenix School and Beatrice Tate.
- In response to if the banding of SEND will be affected, Mr O'Shea said this was part of the consultation. The Local Authority was working on updating the descriptors for the banding system to clarify what level of need falls within each band and which children are eligible for an EHCP's.
 - **ACTION POINT:** Members asked if they could see a copy of the 2nd Consultation before this was consulted on.
 - **ACTION POINT:** Ms McInnes said she could request Headteachers to attend the next meeting to explain their position with regard to funding conundrum.

The Vice-Chair thanked everyone for their contributions.

4.2 EXCLUSION IN SECONDARY SCHOOL - SCRUTINY REVIEW REPORT

Elizabeth Freer, Strategy and Policy Manager, Children and Culture presented the review undertaken in regard to Secondary School exclusions. She informed Members the report made a total of ten recommendations to the Sub-Committee and sought comment in relation to this.

In response to questions from Members the following was noted:

- There is a budget to ensure the recommendations made would be supported.
- In respect to paragraph 3.3 and the rise in fixed term exclusions, schools need support to mitigate the risks of social media and the impact on young girls in particular.
- It appears that it is easier for schools to exclude a young person rather than deal with the underlying problem. What challenge is provided Headteachers? The recommendations need to be more ambitious.
- **ACTION POINT:** statistical information regarding managed moves should also be included within the report.

The Sub-Committee **RESOLVED** to:

NOTE the Overview and Scrutiny Committee's review of exclusions in secondary schools and the recommendations contained within the report.

5. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

The Vice-Chair reminded Members the next meeting of the Children and Education Scrutiny Sub-Committee was scheduled for Tuesday, 17th December 2019.

Members also thanked Ms Elizabeth Freer for her support of the Sub-Committee and wished her well in her new post.

The meeting ended at 8.40 p.m.

Vice-Chair in the Chair, Councillor Gabriella Salva-Macallan
Children and Education Scrutiny Sub-Committee