

## **CABINET MEMBER FOR CHILDREN AND EDUCATION SERVICES**

**Venue: Rotherham Town Hall**

**Date: Monday, 12th January, 2015**

**Time: 12.00 p.m.**

### **A G E N D A**

1. To determine whether the following items should be considered under the categories suggested in accordance with Part 1 of Schedule 12A (as amended March, 2006) of the Local government Act, 1972.
2. To determine any item(s) the Chairperson is of the opinion should be considered later in the agenda as a matter of urgency.
3. Apologies for absence.
4. Declarations of Interest.
5. Minutes of the previous meeting of the Cabinet Member for Children and Education Services held on 8th December, 2014. (Pages 1 - 12)
6. Children and Young People's Service Revenue Budget Monitoring Report to 30th November, 2014. (Pages 13 - 23)
7. Rotherham's Integrated Youth Support Service - quarterly update.
8. Proposal to make a prescribed alteration to the Kilnhurst Autism Resource Centre, Hooton Road, Kilnhurst (Pages 24 - 26)
9. Proposal to make prescribed alterations to Milton School, Storey Street, Swinton (Pages 27 - 30)
10. Two-Year Old Early Education Capital Funding Proposal. (Pages 31 - 35)
11. Date and time of the next meeting: -
  - Monday 16<sup>th</sup> February, 2015, to start at 10.00 a.m. in the Rotherham Town Hall.

**CHILDREN AND EDUCATION SERVICES**  
**Monday, 8th December, 2014**

Present:- Councillor Beaumont (in the Chair); Councillors Lelliott and Roche.

**F27.       DECLARATIONS OF INTEREST**

No Declarations of Interest were made.

**F28.       MINUTES OF THE PREVIOUS MEETING OF THE CABINET MEMBER FOR CHILDREN AND EDUCATION SERVICES HELD ON 10TH NOVEMBER, 2014**

The minutes of the previous meeting of the Cabinet Member for Children and Education Services held on 10<sup>th</sup> November, 2014, were considered.

Resolved: - That the minutes of the previous meeting be agreed as an accurate record.

**F29.       QUESTIONS FROM MEMBERS OF THE PUBLIC**

A member of the public asked why the leadership and management of Abbey School was still controlled by Winterhill School following the outcomes of the Ofsted report?

Dorothy Smith, Director for Schools and Lifelong Learning (Children and Young People's Services Directorate), explained that the Ofsted report commended the involvement of Winterhill School in Abbey School's leadership and management as a strength. Abbey School has an interim executive board responsible for ensuring good and improving education is delivered.

The member of the public asked a supplementary question referring to the Ofsted report that had graded leadership and management overall as inadequate.

The Director for Schools and Lifelong Learning confirmed that leadership of all levels at the School in the Ofsted report had been inadequate. However, leadership was found to have an accurate view of the improvements needed around teaching and learning and behaviour at Abbey School.

A member of the public referred to serious failings of leadership and management found by Ofsted and asked why this was not within the report being considered by Members today?

The Director for Schools and Lifelong Learning confirmed that the consistent focus had been on leadership and management issues

throughout the past when the Local Authority had worked with Abbey School. She explained that the Interim Strategic Director for Children and Young People's Services has commissioned an external review on the previous eighteen months at the School, including the work and practise taking place, the contribution of the Local Authority and the role of leadership and management. The review would contribute to better understanding of the situation and the response will be considered as part of the consultation process.

A member of the public asked about transitional arrangements and commented that there were little or no transitional arrangements in place for the needs of the children attending Abbey School. In addition, the member of the public referred to a shambolic transition process resulting from the earlier re-structure.

The Director for Schools and Lifelong Learning explained how any transitional arrangements in place were secure and mindful of childrens' needs. No child would be moved unless a full child-centred transition process had been conducted. These plans were being conducted by Rotherham's Special Educational Needs Assessment team. In addition, no move would take place as a result of parents or carers being pressurised into changing their child/childrens' School. The Director urged those members of the public present, and any other stakeholders, to contact her if they felt that there were non-secure transitions in place. All staff involved in the transitions process appreciated the difficulty faced by children who are being moved and had left their friends and staff members who they enjoyed working with and felt comfortable with.

The member of the public asked a supplementary question referring to the indecent haste with which he felt children had been moved from Abbey School with when it was not in their best interests. He asked whether this had been done to make the School appear unviable?

The Director for Schools and Lifelong Learning confirmed that there were additional places in the Borough as an alternative offer. Abbey School was not meeting all of its pupils' needs in the short-term and could probably not meet them in the medium term, so it was in the best interests of the children in terms of them receiving a good education that the offer was being made.

A member of the public explained that he was a parent of a child attending the School. He had taken the day off work to attend the meeting and believed that many more parents of children at the School would have attended if they were able to. He asked how it was justified to create much needed places at other Special Schools and then remove the ones at Abbey School by closing it?

The Service Lead for School Planning, Admissions and Appeals (Schools and Lifelong Learning, Children and Young People's Services Directorate) explained that the proposal to increase the admission number at Kelford

School was going through a Pre-Statutory Consultation process. Should the proposal to close Abbey School be agreed and implemented further School expansions would need to be consulted upon. However at this time it would be inappropriate to commence this process.

The member of the public, who had a son attending Abbey School who would shortly be leaving, asked a supplementary question and stated that it had always been a good school. Parents wanted the School to remain open, whilst the Local Authority wanted it to close. Who knew best?

Councillor Beaumont, Cabinet Member for Children and Education Services, emphasised that the process was a consultation and a listening exercise. No decision about the School's long-term future had yet been made.

A member of the public asked a question about why parents had been told that the School was definitely closing in April. The Local Authority was saying the proposal was being consulted upon but actions were being taken to parents and carers pressuring them to move and misinforming them.

The Director for Schools and Lifelong Learning explained that the situations described should not have occurred and had been looked into immediately that they were reported to the Local Authority. The proposal to close Abbey School was under consultation and no parent should feel pressurised. The Director had given this clear message to the Teams and individuals involved.

The member of the public asked a supplementary question and asked why Teachers at Abbey School had been threatened with disciplinary measures?

The Director for Schools and Lifelong Learning was not aware that this had happened but confirmed that this would usually be something that was undertaken at the School-level.

The Cabinet Member for Children and Education Services asked individual examples to be raised with the Local Authority if it was felt necessary and that any pressure to move children to a different School should have immediately stopped.

A member of the public who had a son attending the School asked who was going to gain from the closure of Abbey School. She agreed that the message to parents from the Special Educational Needs Assessment Service had been that the School was closing.

The Cabinet Member for Children and Education Services emphasised that the proposal to close Abbey School was still in the consultation stage and no decision had been made by Elected Members about the future of the School.

A member of the public asked, should the proposal to close the School be agreed, would the existing site be utilised for education purposes?

The Service Lead for School Planning, Admissions and Appeals explained that the Department for Education's guidance relating to surplus land and premises. Initially it would be considered for other education uses by the Local Authority. If it was not needed for this purpose, Academy and Free Schools would have the opportunity to express an interest in the land and premises. Only if there was no interest at this stage would the site be offered up for other purposes. Throughout the Pre-Statutory and Statutory Consultation processes alternative uses for the site would not be considered as it would be inappropriate in the consultation stage.

The member of the public asked a supplementary process to confirm whether any of the local schools, including Kelford and Winterhill, had expressed an interest in the use of Abbey School's site from 31<sup>st</sup> August, 2015?

Councillor Beaumont, and the Service Lead for School Planning, Admissions and Appeals, confirmed that no such expressions of interest had been received.

A member of the public who was the parent of a young person attending the School asked what would happen when she had to leave the School where she was so well established and where she did not have long to go until she left school?

The Director for Schools and Lifelong Learning welcomed the opportunity to discuss with parents and carers outside of the meeting individual circumstances. She also suggested that families contact the Special Educational Needs Assessment Service to discuss their child/children's circumstances.

The member of the public commented that as his daughter was older he had been advised to leave her at Abbey School for as long as possible. Unfortunately she was becoming upset as her friends left the School and this was beginning to impact on her behaviour.

A member of the public referred to a meeting that had been held in a licenced premises in the locality of the School on the previous Wednesday. This was when many parents had first learned about the proposal. They had reported feeling disgusted about how they had found out.

The Service Lead for School Planning, Admissions and Appeals explained that the proposal had been published on the Council's website a full week before this meeting. This had been when the proposal had become a public document, no meetings had been arranged on the

consultation as it was important to secure authorisation from the Cabinet Member to proceed first.

A member of the public referred to long and positive working relationships between Schools in Rotherham and the Local Authority. What meaningful dialogue had taken place between the Local Authority and Abbey School in the lead up to this proposal?

The Director for Schools and Lifelong Learning outlined a number of meetings that had taken place regarding the need for the school to improve, before the Ofsted Inspection and following the Ofsted report outcomes, meetings were also held with the School Effectiveness Service. The Local Authority was continuing to work with Abbey School.

The member of the public asked a supplementary question on the restructure of Abbey School where nine members of staff had lost their job. When new posts were created it appeared that they had been done in a way that would mean existing staff would not get them, including no requirement for Special Educational Needs experience or subject specific teaching at GCSE-level not being required.

Ian Thomas, Interim Strategic Director for Children and Young People's Services Directorate, referred to the Ofsted report that stated that Abbey School was inadequate. The key findings included that young people were not guided well enough, they were able to abscond from the School and were at risk in that situation, exclusions were high, recording was not accurate, the School did not have high enough expectations of their students, lessons were not interesting and suitably challenging leading to poor behaviour. Furthermore, outcomes at Key Stages Two and Four were exceptionally low. Children who were disadvantaged performed less well and did not achieve their potential. These concerns had led to the commissioning of an external reviewer, Peter Bell, who was a National Leader of Education, an Ofsted inspector and an Executive Headteacher of two Special Schools that had been judged to be Outstanding. Peter would conduct an independent and thorough review and would report back at the end of January, 2015. This would be used to inform the Member decision on the future of Abbey School.

A member of the public confirmed how Trade Unions had been raising issues at Abbey School for twelve months, including pointing out where problems lay and providing ways to fix them. The Trade Unions had begged for help and felt disgusted that it had not been forthcoming from the Local Authority.

The Interim Strategic Director for Children and Young People's Services Directorate confirmed that Peter Bell would speak with all stakeholders at Abbey School, consider all reports that had been made and consider the leadership and management support that had been in place at the School since 2011 and report back on his findings.

Councillor C. Vines referred to earlier Ofsted reports at Abbey School when it had been very successful as recently at 2011. He cited the current leadership and management structures as leading to the gradual decline of the School to its current Ofsted inspection of inadequate. The Local Authority's involvement in the recent leadership and management appeared to be creating a situation where the School would be certain to fail with the intention of closing it. He had engaged a high-calibre external reviewer who had reported back to him concerns at Abbey School. Why did the Local Authority not start to intervene when the School started to fail?

The Director for Schools and Lifelong Learning confirmed that the Local Authority had intervened from January, 2013.

The Strategic Director for Children and Young People's Services Directorate explained that it would not be in any side's interests to run any school into the ground. Peter Bell's external review would consider all of these factors.

Councillor Beaumont thanked all members of the public for attending and for their questions. She also thanked the Officers in attendance for their responses to the questions. Councillor Beaumont emphasised that the consultation on the proposal was still in its early days and she committed to listen to all of the responses and feedback received regarding the proposal. She explained her personal background of being a retired teacher to all age-ranges, including working with children with Special Educational Needs, and as a parent, grandparent and governor. It was her aspiration that all children and young people would get the best. She realised how important Abbey School was to the community and also how difficult the process was. She wished stakeholders to be reassured and come away from the meeting feeling that she would listen to them.

Resolved:- That the questions made be considered as part of the consultation process in relation to Abbey School.

### **F30. RECEIPT OF PETITION**

The petition against the closure of Abbey School was submitted. It was noted that it was still live on the petition hosting website (<https://www.change.org/p/rotherham-metropolitan-borough-council-save-abbey-special-school>), and 955 signatures had been added to it at the time of the meeting.

A member of the public advised that a paper petition was also in circulation. The total overall petition would be submitted in due course.

Resolved:- (1) That the on-line petition of 955 signatures against the closure of Abbey School be noted.

(2) That a further update be provided to the Council and the Cabinet

Member for Children and Education Services when all petitions had closed, advising of the final number of signatures.

(3) That the petition be forwarded on to Schools and Lifelong Learning, Children and Young People's Services Directorate for Officers to investigate the petition and to consider it as part of the consultation process.

### **F31. PROPOSAL TO CLOSE ABBEY SCHOOL**

Consideration was given to the report presented by the Service Lead – School Planning, Admissions and Appeals (Schools and Lifelong Learning, Children and Young People's Services Directorate) that outlined a proposal to commence Pre-Statutory Consultation on the proposal to close Abbey School.

The report noted that following an Ofsted inspection of Abbey School that placed the School in Special Measures, it was proposed that it would close as a Special Educational Needs School. The report outlined the key observations from the inspection that highlighted significant health and safety, safeguarding and teaching and learning concerns, along with two strengths.

The report also noted that, should the School close, the site would be utilised for education purposes. Should the School close, there would be significant implications for the staff currently employed by the School, however, as there were no contracts linking any particular members of staff to any particular pupils of the School, when pupils moved to be educated at other Special Schools in Rotherham there would be no automatic right for staff to be employed at the other Schools.

A commitment would be made, subject to Abbey School closing, that existing staff would receive all appropriate support and assistance should they be at risk, including redeployment opportunities in Schools and elsewhere in the Local Authority. The staff consultation process would include a thirty day consultation period and the issuing of a HR form setting out the numbers and types of staff at risk.

The submitted report gave a draft timeline for the consultation process. It proposed that the final determination and notification to the Department for Education would take place on 29<sup>th</sup> April, 2015, with a phased implementation date to the end of the 2014/2015 academic year.

Consultation would include:-

- Governing Body / Interim Executive Board;
- Staff and Trade Union representatives;
- Parents and Carers of pupils at the School;
- Local Councillors,
- Local Parish Councillors;



- Local MPs;
- Any other stakeholders – including consideration of the continuing petitions partially received.

Resolved:- (1) That Pre-Statutory Consultation commence on the proposal to close Abbey School as per the timeline and scope in the submitted report.

(2) That a further report detailing the outcomes of the Pre-Statutory Consultation stage be submitted to the Cabinet in due course.

### **F32. LOCAL AUTHORITY GOVERNOR APPOINTMENTS**

Pursuant to Minute No. C50 of January, 2000, consideration was given to nominations received to fill Local Authority Governor vacancies on school governing bodies.

Resolved:- That, with the effective date of appointment as shown, the following appointments and reappointments be made to school governing bodies, subject to satisfactory checks being undertaken:-

#### **New Appointments:-**

<b>School</b>	<b>Name</b>	<b>Date effective</b>
Aughton Primary	Ms. L. Blakesley	08/12/2014
Ravenfield Primary	Mr. P. Allen	08/12/2014
Wales High	Councillor D. Beck	08/12/2014

#### **Re-appointments:-**

<b>School</b>	<b>Name</b>	<b>Date effective</b>
Brinsworth Whitehill Primary	Ms. M. Stubbs	04/01/2015

Councillor Roche asked for clarification on the process for appointing to Local Authority Governor vacancies before and after governing bodies had reconstituted. The Co-ordinator of Governor Services (Schools and Lifelong Learning, Children and Young People's Services Directorate) confirmed that all applications that were considered by Members were for vacancies that would exist after any yet-to-reconstitute governing bodies had completed a reconstitution.

It was noted that Councillor Sims, member of the Local Authority Governor Appointments Panel, had been consulted about the applications by the Cabinet Member for Children and Education Services.

### **F33. CARE CRISIS CONCORDANT**

The Cabinet Member for Adult Social Care and Health had referred for information a decision he had made that related to the Cabinet Member for Children and Education Services' portfolio at his meeting held on 17<sup>th</sup> November, 2014, Minute No. H31 refers.

The decision of the Cabinet Member for Adult Social Care and Health to recommend Cabinet to recommend to the Council the signing of the South Yorkshire Declaration Statement on National Crisis Care Concordat, and to approve the involvement of Council Officers in the implementation of the recommendations contained in the Concordat within the Better Care fund Action Plan, was noted.

The Head of the Rotherham Integrated Youth Support Service confirmed that the Youth Cabinet had been heavily involved in this work.

Resolved: - That the decision of the Cabinet Member for Adult Social Care and Health on 17<sup>th</sup> November, 2014, at Minute No. H31 be noted.

**F34. CHILDREN AND YOUNG PEOPLE'S SERVICE REVENUE BUDGET MONITORING REPORT TO 31ST OCTOBER, 2014**

Consideration was given to the report presented by the Finance Manager for Children and Young People's Services and Schools (Financial Services, Resources Directorate) that provided a budget monitoring update on the Children and Young People's Service revenue budget to the end of March, 2015.

The budget monitoring report was based on actual income and expenditure to the end of October, 2014. Overall, the Directorate was projecting an over-spend outturn position of £4.029 million, which was an increase of 9.3% of the total budget. The reported position at the end of October was an increase of £524,000 since the September budget monitoring report.

The report gave the net budget and forecast outturn for each division of service within the whole Directorate, and any variations.

The main variances were outlined, along with the underlying reasons shown in the submitted report. The main areas of over-spend related to:-

- Academy conversions – treatment of deficits - £283,000 (previous provision had also been made in the 2013/2014 accounts);
- Child Protection Teams - £80,000;
- Children in Need Social Work Teams - £536,000;
- Looked After Children - £3,398, 000.

Some of the overspends were off-set against under-spends in other areas as outlined in the submitted report.

As at the end of October, 2014, there were 402 Looked After Children, which was a reduction of 2 since the September budget monitoring report and an increase of 2 as at March, 2014. The submitted report outlined the type of looked after children's placement, along with current and previous financial year costs, including whether they were based in Out of Authority Residential settings, and independent or in-house fostering settings.

The report also outlined the use of Special Guardianship and Residence Orders. There was a continuing push to secure permanency for some children via these routes rather than becoming or remaining looked after children. This sought to reduce the numbers of Looked After Children and also provide better outcomes for children and young people.

Management actions had contributed £604,000 of cost avoidance which would otherwise have been incurred. These related to a reduction in placement costs of £518,000, the Fostering Framework had achieved £42,000 of cost avoidance, the Block contract had avoided £44,000 and the multi-agency support panel and the Valuing Care review would identify potential areas for cost renegotiations and ongoing savings in 2014/2015.

Further information was provided in relation to:-

- Agency spend totalled £591,000 as at 31<sup>st</sup> October, 2014. This compared to an actual cost of £473,000 for the same period last year;
- Non-contractual overtime totalled £52,000 as at 31<sup>st</sup> October, 2014, excluding schools. This compared to an actual cost of £70,000 for the same point last year. The overspend related mainly to cover in Residential Units.
- Consultancy costs totalled £139,000 as at 31<sup>st</sup> October, 2014, compared to an actual cost of £104,000 last year.

Discussion followed and the following issues were raised: -

- The mileage and expenses costs of staff visiting children and young people who were in out-of-authority placements at a great distance from the Borough. It was confirmed that mileage and expenses was met from the specific budget and not from a Social Care budget;
- Were soft incentives available for fostering families? These could act as recruitment and retention incentives? - Further information would be provided to the Members on this;

- Further information was requested around successful approvals for adoption, the number of placement breakdowns and the reasons why families going through the approvals process had withdrawn.

The Interim Strategic Director for Children and Young People's Services spoke about work that he was initiating to ensure that the Directorate operated an efficient budget: -

- Ensure that Looked After Children had the best chances possible to achieve in-line with their peers;
- Invest in and create more fostering placements within the Borough;
- Complex needs: -
  - Prevention work, including working with midwifery services so that more women could have a healthy pregnancy;
  - Joint commissioning between partners, including schools, for early help services;
  - Addressing academy deficits.
- Creation of an accurate Medium Term Financial Strategy that fully reflected the activity of the Directorate.

Resolved: - That that latest financial projection against budget for the year on actual income and expenditure to the end of October, 2014, be noted.

**F35. ARRANGEMENTS FOR THE PROVISION OF EMERGENCY HORMONAL CONTRACEPTION (EHC) FOR GIRLS AGED 14 - 16 - UPDATE**

Consideration was given to the report presented by the Public Health Consultant that provided an update on commissioning arrangements with Community Pharmacies across Rotherham for the expansion of Emergency Hormonal Contraception Sexual Health Services. This included the development of care pathways and safeguarding reporting mechanisms for all young people accessing the services.

It was proposed that, with the development of care pathways, reporting mechanisms and training, including on-line Child Sexual Exploitation (CSE) training, the scheme be available to young people aged 14 and 15 years old from January, 2015.

The current Public Health Services contract in relation to Emergency Hormonal Contraception (EHC) with Pharmacists operating in Rotherham specified that they provide the service free of charge to females 16 years and above. This aimed to provide greater access and choice for women and young women and aimed to reduce unintended pregnancy and termination of pregnancy.

Currently, females under 16 years of age were not able to obtain EHC at pharmacies under this contract. The proposal to extend the contract to 14

– 16 year olds would require service-providers to be especially vigilant in relation to safeguarding issues, possibly including Child Sexual Exploitation. The Children, Young People and Families' Partnership agreed in October 2014 that the contract should be renegotiated to include extended services for females aged 14 and 15.

The submitted report demonstrated that good progress had been made towards reducing teenage pregnancy in Rotherham. It was currently at its lowest rate of 30.0 conceptions per 1,000 females aged 15-17 in the period 1998-2012.

It was proposed that any female aged 14 or 15 requesting the EHC service would automatically be referred to the Rotherham Integrated Youth Support Service so that support, appropriate further referral and any potential further risk assessment could be carried out. All participating Pharmacists providing this service would be required to have completed the Council's online training package on CSE and sexual abuse.

An electronic recording system had been modified to allow accurate monitoring and information on the referral process that needed to be followed. The system would include an additional alert that would notify the Pharmacist if a young person had accessed EHC previously at the same pharmacy or any other pharmacy in Rotherham. This would allow monitoring to be undertaken monthly, this would include monitoring whether a young person presented at pharmacies across the Borough to the EHC service repeatedly, which could represent a cause for concern.

A training timetable had been developed and the first Pharmacists were expected to be delivering the expanded service from January, 2015.

The Head of Rotherham's Integrated Youth Support Service explained that the proposal continued the existing partnership work. The current offer was robust, longstanding and was well-regarded.

Resolved:- That the report be received and its content noted.

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1</b>	<b>Meeting:</b>	<b>Cabinet Member for Children &amp; Education Services</b>
<b>2</b>	<b>Date:</b>	<b>12<sup>th</sup> January 2015</b>
<b>3</b>	<b>Title:</b>	<b>Children and Young People’s Service Revenue Budget Monitoring Report to 30<sup>th</sup> November 2014</b>
<b>4</b>	<b>Directorate :</b>	<b>Children and Young People’s Service</b>

## **5 Summary**

This Budget Monitoring Report provides a financial forecast for the Children and Young People’s Services Directorate to the end of March 2015 based on actual income and expenditure to the end of November 2014

The Directorate is currently projecting an overspend outturn position of £4.262m (9.8%), an increase of £233K since October’s report, principally as a result of continued pressures in the Safeguarding, Children and Families Service.

## **6 Recommendations**

**That the Cabinet Member receives and notes the latest financial projection against budget for the year based on actual income and expenditure to the end of November 2014.**

## 7 Proposals and Details

7.1.1 Considerable, concerted proactive management actions to contain and where possible reduce the projected outturn position are continuing. So far, within this financial year, these actions will have helped the service avoid £698K of costs that would otherwise have been incurred. Further detail on the actions is presented at 7.1.5.

7.1.2 The table below summarises the forecast outturn against approved budgets for each service division:

Division of Service	Net Budget	Forecast Outturn	Variation	Variation
	£000	£000	£000	%
Academy Conversions (Deficit)	0	310	+310	+100.0
Directorate Wide Costs	1,723	1,699	-24	-1.4
Schools and Lifelong Learning Service Wide	110	112	+2	+1.8
School Effectiveness	875	827	-48	-5.5
Special Education Provision	2,006	2,010	+4	+0.2
Early Years	3,987	3,917	-70	-1.8
Integrated Youth Support	3,432	3,349	-83	-2.4
Specific Grant Support	6	6	0	0
Traded Services	-368	-368	0	0
Safeguarding, Children & Families Service Wide	3,127	3,103	-24	-0.8
Child Protection Teams	1,109	1,234	125	+11.3
Children in Need Social Work Teams	5,586	6,165	579	+10.4
Looked After Children	18,765	22,267	3,502	+18.7
Disability Services	2,930	2,919	-11	-0.4
<b>Total Children and Young People's Services</b>	<b>43,288</b>	<b>47,550</b>	<b>4,262</b>	<b>+9.8</b>

7.1.3 Presented below is an analysis of the main variances and the underlying reasons beneath them:

### **Academy Conversions – Deficits (+£310K)**

The forecast over spend is due to provisions for the forecast deficit positions on the following schools that have converted to academies:

- Rawmarsh School: a Sports College - £263K (This is in addition to the £300K provided for in the 2013/14 accounts)
- Swinton Brookfield - £47K (This is in addition to the £39K provided for in the 2013/14 accounts)

**Directorate Wide (-£24K)**

This underspend projection consists of an over spend on the Central Budget due to the legal costs of academy conversions (+£29k), Serious Case review costs (+£8K), Contribution to SY CSE Campaign (+£3K) & supplies (+£6K) offset by a forecast underspend on pensions (-£70k) due to reductions in payments.

**Schools and Lifelong Learning Service Wide (+£2k)**

The over spend is due to costs for the Yorkshire and Humber Education Challenge (+£3k) offset by under spends on car allowances and room hire (-£1k).

**School Effectiveness (-£48k)**

This forecast underspend is due to 4 advisors leaving the School Effectiveness Service and there being a slight delay in recruiting replacements.

**Special Education Provision (+£4k)**

The forecast under recovery of income in the Education Welfare Team due to a change in legislation which no longer allows them to charge Academies (+£35K) & the projected overspend on SEN Complex Needs placements (+£61K) is offset by projected underspends due to additional income generation in the SEN Assessment/Admissions Team (-£29K) & on staffing due to vacancies in the Education Psychology Team (-£18K), the Children in Public Care Team (-£26K), Parent Partnership (-£11K) and Learning Support & Autism Team (-£8K).

**Early Years Services (-£70K)**

The projected underspend in this area is due to delays in recruitment & savings due to staff not being in the pension scheme within the Early Years Team (-£20K) & Children Centres (-£50K)

**Integrated Youth Support (-£83k)**

The forecast underspend is as a result of staffing vacancies & an under spend on transport & supplies costs within the Youth Service (-£159K) offset by a forecast over spend in Outdoor education due to an under recovery of income (+£76k).

**Safeguarding, Children and Families Service Wide (-£24k)**

The forecast under spend is mainly on legal fees (-£56k) which is due to the courts ceasing and refunding final hearing fees. This is offset by costs for the previous interim Director of Safeguarding post (+£29K) and Business Support teams mainly due to 2 new posts and additional agency costs (+£3k).

**Child Protection Teams (+£125K)**

This forecast overspend is due to the withdrawal of the DSG funding by the Schools Forum (+£49K), agency costs (+£55K) and 2 new Independent Reviewing Officer Posts (+£22K) in the Safeguarding Unit offset by a small projected underspend on the Children's Rights Team (-£1K).



**Children in Need Social Work Teams (+£579K)**

This forecast overspend is due to Agency staff costs (+£553K), additional posts over the establishment (+£20K), Section 17/24 costs (+£5K) offset by an under spend on supplies (-£9K) within the Children in Need teams. This area also includes a projected overspend on the Out of Hours service (+£32K) due to a charge for the corporate out of hours service. This is offset by a projected underspend on the Family Assessment Team (-£22K) due to staff not being in the pension scheme & delays to recruitment.

**Looked After Children (+£3,502K)**

The service is forecasting an over spend mainly due to out of authority residential placements (+£3m) and independent fostering placements (+£379K). This is offset slightly by a projected under spend on Remand placements (-£17K).

The Adoption Reform Grant that was first received in 2013/14 was reduced by £746K in 2014/15. This grant significantly mitigated LAC budget pressures in 2013/14 on a temporary basis.

The service overspent in 2013/14 (£1.617m) and due to the increased number and forecast length and complexity of placements, the forecast overspend is currently expected to increase to the extent above (£2.983m and £0.379m respectively).

To help mitigate and understand better these pressures the service, alongside the Commissioning team have conducted a review of placements to consider opportunities to move children back into Local Authority residential provision , this has identified a potential 4 young people who may be suitable for a move who are currently in high cost placements. The review also considered how many children are likely to remain in their placements until adulthood and how much opportunity there is to reduce existing costs. It is clear from this review that there is a structural budget deficit i.e the service will start the beginning of the next financial year with a budget pressure as the majority of children currently in out of authority placements will remain so throughout the next financial year and costs will exceed allocated budget.

Further details of placements are below:

Placement Type	2011/12		2012/13		2013/14		2014/15 as at 30th November		Actual Number of placements as at 30th November 2014
	Average No. of placements	Average Cost of Placement £ per week	Average No. of placements	Average Cost of Placement £ per week	Average No. of placements	Average Cost of Placement £ per week	Average No. of placements	Average Cost of Placement £ per week	
<b>Out of Authority Residential</b>	18	3,022	21.1	3,206	25	3,245	32.2	3,383	36
<i>R1 Accommodation only</i>	U/A	U/A	U/A	U/A	U/A	U/A	11.9	2,927	13
<i>R2 Accommodation &amp; therapy</i>	U/A	U/A	U/A	U/A	U/A	U/A	9.3	2,940	10
<i>R3 Accommodation, therapy &amp; education</i>	U/A	U/A	U/A	U/A	U/A	U/A	9.2	3,958	12
<i>R4 Parent &amp; Baby Secure</i>	U/A	U/A	U/A	U/A	U/A	U/A	-	0	0
	U/A	U/A	U/A	U/A	U/A	U/A	1.8	4,379	1
<b>Remand</b>	U/A	U/A	U/A	U/A	1.6	3,154	0.7	993	0
<b>Independent Fostering Agencies</b>	125	887	121	874	107	879	104.8	899	110
<i>Standard</i>	U/A	U/A	74.8	745	66.1	759	60.2	758	60
<i>Complex</i>	U/A	U/A	27.2	938	24	1,105	32.3	1,023	37
<i>Specialist</i>	U/A	U/A	19	1,287	16.9	998	12.3	1,260	13
<b>In-house Fostering</b>	158.8	230	162	246	165.2	261	173.7	264	163

*Note:* U/A - This detailed breakdown was unavailable in past years

### ***Out of Authority Residential***

- The number of children in residential out of authority placements as at end of November 2014 is 36 (an increase of 5 since 31 March 2014 & an increase of 11 since 31 March 2013).
- The average number of placements has increased from 25 in 2013/14 to 32.2 in 2014/15, so far, which is an increase of 7.2 (28.8%). At an average cost of £3,383 per week this would be a cost of £1.267m per annum.
- Due to the increasing complexity of children's needs that are going into residential out of authority placements & despite successful negotiations by the Commissioning team to minimise the cost of these placements, the average cost per week of these placements has increased from £3,022 in 2011/12 to £3,383 currently – an increase of 11.9%.
- The average number of placements has also risen since 2011/12 by 14.2 (78.9%) from 18 to 32.2.
- From 1 April 2013 children's remand placements were fully funded by the Local Authority & RMBC was provided with a national grant of £78K in 2013/14 to cover these additional costs. The allocation for 2014/15 has been reduced to £53K. The cost of these placements in 2014/15 so far is £36K. At the end of November there were no remand placements (a reduction of 2 since 31 March 2014).

### ***Independent Fostering Agencies***

- The number of children in Independent Foster Care as at end November 2014 is 110 (an increase of 8 since the end of March 2014 but a reduction of 8 since 31<sup>st</sup> March 2013).
- The average number of placements since 2011/12 has decreased by 20.2 (16.2%).

### ***In-house Fostering***

- The number of children in in-house fostering placements as at end of October 2014 is 163 (a reduction of 4 since the end of March 2014).

- The cost of a placement has risen by an average of £34 or 14.8% since 2011/12.
- The average number of placements during the same period has increased by 14.9 (9.4%)
- The number of looked after children was 409 at end of November, an increase of 7 since end of October & and an increase of 9 since the end of March 2014.

Fostering Services are forecasting an overspend on Fostering allowances (+£108K) & Residence Orders (+£70K) due to having had more children placed than planned during the first 8 months of the year & also due to some placements costing more than the estimated average. This is partially offset by under spends in the Fostering team due to not covering a maternity leave (-£44K) & forecast underspends on Fostering equipment (-£20K) & Family Together packages (-£14K).

Adoption Services are projecting over spends on Special Guardianship Orders (+£14K). These are offset with under spends on allowances (-£17k) due a reduction in the number of carers, Inter Agency costs (-£119K) due to more adoptions being completed in house & small underspends on the LAAC and Adoption Teams (-£1K).

Other forecast overspends within this area are +£174K in the LAC Service due to Agency costs (+£95K) & posts over establishment (+£41K) & a complex Care package (+£21K), secure transport (+£22k) & mileage (+£3K) offset by an under spend on Section 17 and 23 costs (-£7k).

Also, within in-house Residential homes there is a forecast over spend of +£41k. This is partly due to Regulation 33 requiring us to use an independent reviewer of our in house provision (+£19k) & forecast over spends on agency, long term sickness cover and a termination payment (+£31k), partially offset by under spends on staffing at St Edmunds and the cover budget at Woodview (-£9k).

Furthermore there is a Leaving Care forecast underspend (-£2k) and LAC Transport is projecting an under spend of (-£50K).

### **Disability Services (-£11K)**

This service is forecasting an under spend due to delays in recruitment for 2 posts within the outreach team (-£25K) offset by an over spend due to increased use of agency staff at Cherry Tree & Liberty residential homes (+£14k).

#### 7.1.4 Prevention and Early intervention strategies

These include:

- Increased use of Special Guardianships (88 as at the end of November, an increase of 9 since 31<sup>st</sup> March 2014 & an increase of 20 since March 2013) and Residence Orders (138 as at the end of November, an increase of 7 since 31<sup>st</sup> March 2014 & an increase of 17 since March 2013). There is a continuing push to secure permanency for some children via this route rather than becoming or remaining looked after children. This seeks to reduce the LAC numbers but also provides better outcomes for the children and young people.
- In-house adoption and fostering services are continuing to develop placement resources. The in-house adoption service approved a total of 31 adoptive families in 2013/14, a significant increase on the 18 families approved in 2012/13. The Adoption Service has up to December 18<sup>th</sup> 2014 approved 27 adoptive families since April 1<sup>st</sup> 2014. The target for 2014/15 is to recruit 42 adoptive families in total, compared to 31 in total in 2013/14. In addition to the 27 adoptive families approved to date, there are a further 6 families being assessed who we anticipate will be approved by the end of March 2015, which would amount to 34 approved for the year. Whilst this is some way short of the target of 42, due to some families withdrawing from the process and some being on hold, 34 approved families would still be an increase of 2 on last year's figure which in turn was 13 higher than the previous year.
- The number of adoptive families coming forward has slowed since October and a number of families have made the decision to go on hold or withdraw having received further information. The targeted recruitment campaign is ongoing. Increased numbers of in-house adopters will reduce the need to commission inter-agency adoptive placements at a cost of £27,000 per child, - we commissioned 29 inter-agency placements in 2013/14 and have set a target to reduce this to just 20 in 2014/15. The service is currently forecasting using, at most, 20 interagency placements for the year and it is likely to be slightly less.

- The service has set itself a target to provide a total of 5 families for other local authorities in 2014/15 (compared to 2 last year) and has so far up to December provided 4, with 3 other families planned for 4 children from other authorities between now & the end of March 2015. Each family provided to another local authority attracts an income of £27,000. We are on course to meet our start of year target to reduce interagency placements by 9 to, at most, 20 and to provide at least 5 families to other local authorities. This would be a net reduction in purchased placements of 12. (Last year  $29 - 2 = 27$  compared to this year  $20 - 5 = 15$ ). Buying 12 less interagency placements at a cost of £27,000 each amount to cost avoidance of £324,000 this year compared to last. It is possible that we purchase less than 20 interagency placements and provide more than 5, and if so the cost avoidance will be greater. This has been achieved through increased recruitment of in-house adopters.
- At the end of December 18<sup>th</sup>, 2014, the in-house fostering service was providing more placements than previously for our looked after children (171, an increase of 25 from December 2013). The Fostering Service has recruited 17 new foster carers so far in 2014/15 but 19 have resigned. However, 5 carers who resigned did so to become supported lodgings carers for their 18 year old foster child, so these were positive moves, as they meant the young person could stay living with the carer post 18 and the Local Authority retained the services of these carers, but in a different role. Our recruitment activity this year is aimed at recruiting carers for more difficult to place children and the service is having some success with that; new carers recruited include 5 for children aged 11 to 18 and 8 for sibling groups. In addition, the service has approved 4 fostering plus carers (including 1 carer for a parent/child placement). Work is on-going extending the capacity of existing foster carers through changes of approval categories; as a result, 6 carers have amended their approval category to care for older children, 2 has amended their approval category to care for an additional child, and 3 carers have amended their approval category to care for additional children and to care for children of an older age.

#### 7.1.5 Management Actions

Considerable, concerted proactive management actions to contain and where possible reduce the projected outturn position are continuing – within 2014/15 to date, these actions have helped the service avoid £698K of costs that would otherwise have been incurred:

- Reduction in placement costs of £598K through renegotiating contracts with external providers;
- The Fostering Framework has achieved £48K of reductions on standard fostering placements
- The Block contract has achieved £52K savings on complex fostering placements
- The continued effectiveness of the multi-agency support panel from which through efficient multi agency management actions and decision making, continues to avoid costs wherever possible.
- CYPS have engaged a company called Valuing Care who have be contacted a range of providers of Social Care & SEN Residential placements to carry out cost book analysis to compare against their extensive database to identify potential areas for cost renegotiations & ongoing savings. A further report detailing the potential savings identified and proposal for how to pursue with the negotiation stage will be going to DLT shortly. Savings should show in 2014/15 and will then be recurrent.

The Directorate are in the process of changing the function of one of its Residential Children's homes to better meet the needs of Rotherham young people. This will be completed & the home registered with OfSTED for a changed function by April 2015.

### 7.1.6 **Agency Costs**

Total expenditure on Agency staff for Children and Young People's Services for the 8 month period ending 30<sup>th</sup> November 2014 was £655K. This compares with an actual cost of £541K for the same period last year.

Agency costs for this financial year have been incurred as a result of the need to cover the Interim Director of Safeguarding, Children & Families; vacant social worker and social work posts where staff are on long term sick or on maternity leave; and vacancies, sickness and maternity leave in residential care and the employment of an interim Service Manager to oversee improvement in the LAC service following an independent review of service quality. It is vital to ensure that social work posts are filled in order to deliver statutory services to children, young people and their families, and keep caseloads within acceptable limits to comply with inspection requirements. All previously supernumerary posts within the service have been appointed to.

There are currently 17 agency social workers in fieldwork teams across CART duty & assessment, long term planned intervention and Safeguarding Unit. All of the social work assignments are providing additional capacity to our establishment, and no staff have left the Service in the last 2 months. The manager vacancy relates to the role of the Senior Safeguarding Officer, as the substantive post holder is covering the Safeguarding Unit Manager post. Given this is an interim arrangement; this vacancy has been covered via agency.

An additional agency Team Manager is being sought currently.

Recruitment efforts in November saw the appointment of 0.5 FTE social worker to the Children's Disability Team, to a supernumerary post provided cover for maternity leave.

There are a range of other interim appointments to the Service which include: an interim Principal social Worker, two Interim Directors working split hours between Rotherham and their employing Authority, and 0.4 interim Director

Officers in Human Resources have confirmed that they will be starting consultation with social work staff on increasing notice periods to two months. The service welcomes this move, as this will bring Rotherham MBC in line with regional neighbours.

#### **7.1.7 Non contractual Overtime**

Actual expenditure to the end of November 2014 on non-contractual overtime for Children and Young People's Services (excluding schools) is £66K which is mainly in Residential units, compared with expenditure of £84K for the same period last year.

OfSTED requirements are that, if possible, agency staff are not used to cover vacancies, hence the reliance on overtime in the short term pending recruited staff taking up position. All in-house residential units have a 'cover' budget to use for this purpose.

#### **8. Finance**

Finance details are included in section 7 above.

#### **9. Risks and Uncertainties**

Principal risks and uncertainties relate to the 'needs led' nature of budgets for looked after children.

The recruitment of in house foster and adoptive carers remains a challenge and we must always ensure a high quality of placements.

Our decisions to place children with independent fostering agencies and in residential out of authority establishments will always be in the context of the best interests of our children. The budget need can only be an estimate given its volatile nature. For example, one out of authority residential placement for a child with very complex needs can now cost up to £364,000 per annum.

#### **10. Policy and Performance Agenda Implications**

The delivery of the Council's Revenue Budget within the limits determined by Council in March 2014 is vital in achieving the objectives of the Council's Policy agenda. Financial performance is a key element within the assessment of the council's overall performance.

The expenditure in the Children and Young People's Service continues to be mitigated by constantly reviewing budgets and the continuation of a moratorium on spending within the Directorate.

## **11. Background Papers and Consultation**

- Report to Cabinet on 5 March 2014 – Proposed Revenue Budget and Council Tax for 2014/15.

This report has been discussed with the Director of Finance.

### **Contact Names:**

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<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>Cabinet Member and Advisers for Children and Education Services</b>
<b>2.</b>	<b>Date:</b>	<b>Monday 12<sup>th</sup> January 2015</b>
<b>3.</b>	<b>Title:</b>	<b>Proposal to make a prescribed alteration to the Kilnhurst Autism Resource Centre</b>
<b>4.</b>	<b>Directorate:</b>	<b>Children and Young People's Services</b>

### **5. Summary**

This report seeks approval to enter a pre-statutory consultation phase on proposals to transfer the Kilnhurst Autism Resource Unit from Kilnhurst J & I to Milton School Control.

### **6. Recommendation:**

**It is recommended that pre-statutory consultation should commence on proposals to:**

- a) Discontinue the Kilnhurst Autism Resource Centre as an Annex of Kilnhurst J & I School**
- b) Transfer control of the Unit to become a Satellite Unit of Milton School**

**And, that a further report be brought to Members with details of the outcome of that consultation.**

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## **7. Proposals and Details**

It is proposed to discontinue the Kilnhurst Autism Resource Centre as an annex of Kilnhurst J & I School and to transfer control of the Unit under the management of Milton School to become a Satellite Unit of the School.

The discontinuance or transfer of an SEN Unit attached to a Maintained 'mainstream' School is classed as a 'prescribed alteration' under the 'School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013'. It is therefore necessary to consult on the proposals including a 4 week representation period prior to implementation.

## **8. Finance**

There are no cost implications to this proposal, the building, associated resources and Staff employed at the Unit will transfer from under the control / employment of Kilnhurst J & I School to control / employment under Milton School. A Service Level Agreement will be implemented between the two Schools to ensure smooth transition and onward operation.

## **9. Risks and Uncertainties**

If the Local Authority proceeds to the statutory phase of consultation, then formal objections may be lodged during the four week representation period following the publication of the statutory notice. A final decision should be determined by the Cabinet Member within 2 months from the end of the representation period. If this fails to be done, then the matter is referred to the Schools Adjudicator for decision.

## **10. Policy and Performance Agenda Implications**

The major theme supported by the proposal is 'to ensure that everyone has access to skills, knowledge and information to enable them to play their part in society'.

### Rotherham School Improvement Mission:

- ~ All children will make at least good progress
- ~ There will be no underperforming cohorts
- ~ All teachers will deliver at least good learning
- ~ All schools will move to the next level of successful performance

## 11. Background Papers and Consultation

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

School Organisation (Maintained Schools) guidance for proposers and decision makers (January 2014)

Consultation will be undertaken with the Governing Body of the School, Parents and Carers of Pupils attending the school, staff and union representatives, Parliamentary, Borough and Parish Elected Members, All schools within the Borough and any other pre identified interested parties / stakeholders.

If the proposal was to progress to the statutory phase of consultation then the timetable would be as shown below:

Report to Cabinet Member Seeking approval to consult	12 <sup>th</sup> January 2015
Pre statutory consultation period	
Report to Cabinet Member Seeking approval to proceed to Statutory consultation phase	9 <sup>th</sup> March 2015
Publication of statutory notices	WC 13 <sup>th</sup> April 2015
4 week period for representations and objections closes	WC 4 <sup>th</sup> May 2015
Members to determine LA decision	8 <sup>th</sup> June 2015
Implementation	1 <sup>st</sup> September 2015

This proposal is linked to the proposal to make prescribed alterations to Milton School.

## 12 Contact Name

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<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>Cabinet Member and Advisers for Children and Education Services</b>
<b>2.</b>	<b>Date:</b>	<b>Monday 12<sup>th</sup> January 2015</b>
<b>3.</b>	<b>Title:</b>	<b>Proposal to make prescribed alterations to Milton School</b>
<b>4.</b>	<b>Directorate:</b>	<b>Children and Young People’s Services</b>

### **5. Summary**

The Children and Families Act 2014 promotes a new approach to special educational needs and disability (SEND) 0-25. The Local Authority retains duties to commission and ensure a sufficient range and amount of good quality specialist provision. The objectives of the proposed prescribed alteration support this new approach and continuing duties as it aims to:

- empower young people and their families, increasing their options whilst sustaining efficient use of resources
- raise aspirations, improve achievement and establish better support for some of our most vulnerable young people
- secure specialist provision located within mainstream settings, improving and extending the partnerships and pathways between special and mainstream
- enable better targeting of multi-agency support and provision to identified need

The DfE School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 require a formal pre statutory and statutory consultation process to be undertaken where expansion is above 10% of an existing Special school roll or there is a change of age range or type of SEN provision. The proposed expansion of Milton School by addition of the Kilnhurst Unit satellite exceeds this threshold.

### **6. Recommendation:**

- **It is recommended that pre statutory consultation should commence on the proposal to make prescribed alterations to Milton School and that a further report be brought to Members at the end of this period detailing the outcome.**

## **7. Proposals and Details**

The proposals to be considered and further consulted upon are to make prescribed alterations to the school as follows:

- To re-designate Milton School as a school for pupils with learning difficulties. The purpose is to extend its remit beyond its current role for pupils with moderate learning difficulties. This will support greater diversity and parental choice as well as enable the Local Authority to provide more flexibility in, and targeting of, placement decisions.
- To increase the Admission Number at Milton School from 100 to 120 pupils by placing the specialist unit at Kilnhurst Primary School under its management and governance.

The proposal is intended to contribute to the re-shaping of SEND provision across Rotherham in order to:

- enable the local authority and its partners to secure a sufficient range of good quality provision to meet existing and projected increases in need
- improve the support, educational experience and outcomes for children and young people with special educational needs and their families
- strengthen partnerships and multi-agency support, based on a common purpose shared by specialist and mainstream provision, to improve inclusive practice
- enhance the capacity of mainstream schools and other providers to support co-located specialist provision

## **8. Finance**

Specialist provision continues to be funded from the High Needs Block. The overall cost of specialist provision is not anticipated to change as a result of this proposal.

The proposal will improve the Local Offer and consequently may realise savings on current out of authority and specialist provider expenditure.

## **9. Risks and Uncertainties**

There are always risks and uncertainties when school place provision is considered since future pupil numbers are based on a combination of current knowledge of need, gaps in provision and estimations of future need. Local Authorities, however, are obliged to provide sufficient places, to promote diversity and to increase parental choice.

The timetable for a pre-statutory and statutory phase is set out below. Formal objections may be lodged during the representation period following the publication of the statutory notice. A final decision should be determined by the Decision Maker within 2 months from the end of the representation period. If this fails to be done, then the matter is referred to the Schools Adjudicator for decision.

## **10. Policy and Performance Agenda Implications**

Key priorities supported by the proposal include:

RMBC CYPS Priorities 1 and 4:

- We will focus on lifelong learning to improve the qualifications, skills and economic wellbeing of children, young people and their families
- We will focus on the supply and allocation of School places to meet the demographic changes within the Borough.

Rotherham School Improvement Mission:

- All children will make at least good progress
- There will be no underperforming cohorts
- All teachers will deliver at least good learning
- All schools will move to the next level of successful performance

## **11. Background Papers and Consultation**

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

School Organisation (Maintained Schools) guidance for proposers and decision makers (January 2014)

Consultation will be undertaken with the Governing Body of the School, Parents and Carers of Pupils attending the school, staff and union representatives, Parliamentary, Borough and Parish Elected Members, All schools within the Borough and any other pre identified interested parties / stakeholders.

**Consultation timeline for the proposed prescribed alteration:**

Report to Cabinet Member Seeking approval to consult	12 <sup>th</sup> January 2015
Pre statutory consultation period	
Report to Cabinet Member Seeking approval to proceed to Statutory consultation phase	9 <sup>th</sup> March 2015
Publication of statutory notices	WC 13 <sup>th</sup> April 2015
4 week period for representations and objections closes	WC 4 <sup>th</sup> May 2015
Members to determine LA decision	8 <sup>th</sup> June 2015
Implementation	1 <sup>st</sup> September 2015

This proposal is linked to the proposal to discontinue the attached Resource Unit at Kilnhurst Primary School.

**12 Contact Name**

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<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	Cabinet Member for Children and Education Services
<b>2.</b>	<b>Date:</b>	12 <sup>th</sup> January, 2015
<b>3.</b>	<b>Title:</b>	2 Year Old Early Education Capital Funding Proposal
<b>4.</b>	<b>Programme Area:</b>	Children and Young People's Services

### 5. Summary

The Department for Education provided the Local Authority with capital funding in 2013/14 to increase the number of 2 year old early education places. A capital strategy was developed and 399 new childcare places have been successfully created. The remaining capital funding has been carried over into 2014/15. Due to significant changes in the childcare market, it is proposed to revise the method of allocating future capital funding to ensure more 2 year old early education places are created in areas of need and to ensure stabilisation of the childcare market.

### 6. Recommendations

- **Cabinet Member notes the contents of the report.**
  - **Approval is granted to revise the 2 year old capital spend as detailed.**
-



## 7. Proposals and Details

The Childcare Act (2006) requires the Local Authority to ensure sufficient, free, flexible, early education is available to meet the needs of all eligible 2 year old children who wish to access a place and to ensure sufficient high quality, accessible, affordable, sustainable childcare is available to meet the needs of working parents.

The 2011 Education Act states that all economically disadvantaged and looked after 2 year old children will be entitled to 570 hours free early education from September 2013. From September 2014 this increased to include more low income families, children with a special educational need or disability (SEND) and children no longer looked after but not returned to their family (e.g. adopted children). The DfE estimated that in Rotherham approximately 1,600 children from September 2014, will meet the eligibility criteria.

It is evidenced that high quality early years provision from the age of two has a significant impact on children's cognitive and social outcomes, particularly for those children from more disadvantaged backgrounds. It is also known that in Rotherham children from disadvantaged backgrounds are less likely to take up their full early education entitlement at age 3. Ensuring there is adequate provision and that all eligible parents are aware of and take up their entitlement at the age of 2 is critical to ensuring the best outcomes for children in Rotherham.

In March 2013 Cabinet approved the capital strategy to deliver sufficient early education places to meet the statutory entitlement for two year olds.

£449k of capital funding was provided from the Department for Education in 2013/14 for the creation of new 2 year old early education places.

The original strategy was to fund new places at a rate of £480 per new place created. To date 399 new places have been created across 14 providers (9 new providers created, 5 existing providers expanded) at a cost of £192k.

The childcare sufficiency analysis which formed the basis of the original capital strategy has been repeated in Summer 2014. The position has changed significantly since April 2013 due to a large increase of childminders who are now contracted to deliver early education places (19 to 81); the creation of new provision with support of the capital funding and the creation of new provision without capital funding.

The level of early education take-up by two year olds in Rotherham is one of the highest in the country with 78% of 2 year olds taking up a place in the Autumn term (compared to the national average of 55%).

Due to a number of changes since the original capital strategy was produced it is proposed to revise the future allocation of capital funding.

### Changes:

- The number of places needed has reduced (as detailed above)

- The current eligibility criteria only became a statutory entitlement in September 2014 – it is too early to accurately identify the future level of take-up / demand for places throughout the year
- Two year early education old take-up will have a positive impact on 3 year old early education take-up which will also impact on availability of places
- The other significant change in the market is the re-structuring of Children's Centres in Rotherham. To enable the reduced number of Children's Centre buildings to accommodate all of the Family Support and Outreach staff who will be based in them, some modifications will be needed.

There is still £257k two year old capital budget available.

Based on the latest childcare sufficiency analysis, there are still a number of geographical areas across Rotherham, where there would not be sufficient places if all eligible children wanted to take up their entitlement.

The proposal for future use of the funding is detailed below:

1. Utilise the capital funding to make the necessary changes to Children's Centre buildings which will remain open in 2015/16
2. Work with existing providers in geographical areas of need to identify potential to expand and fund them to do so at a rate of £480 per new place created
3. If after step 1 and 2 there is still a lack of capacity then open up opportunities for new provision to be created by either existing or potential new providers
4. Retain capital funding into 2015/16 to ensure that further provision can be created if required following Summer 2015 childcare sufficiency analysis.

The above proposal would ensure stabilisation / support of the existing childcare market, only opening up the market where the need cannot be met by existing providers.

## **8. Finance**

The Early Years and Childcare Service provide support to childcare providers to ensure that the childcare workforce are appropriately qualified to meet Ofsted requirements and support the delivery of high quality provision. In addition, the Families Information Service provides information to parents on childcare, support and activities available to them, as well as checking the eligibility of 2 year olds for free early education places. This is funded via the Directorate's Revenue Budget.

The funding to deliver early education places for 2, 3 and 4 year olds comes through the Early Years Block of the Dedicated Schools' Grant.

The DfE capital allocation to increase the number of places to meet the statutory entitlement for early education places for disadvantaged 2 year olds is **£449,857. £192,835 of this has already been allocated leaving a balance of £237,782**

## **9. Risks and Uncertainties**

The childcare market consists of maintained, private, voluntary and independent providers. The Local Authority will work initially with existing and then if needed potential providers to increase capacity of childcare provision, however it has no direct control over the sector.

In relation to the number of eligible two year old children the following risks and uncertainties include:

- Changes due to economic factors or population variations resulting in more/less places needed than currently predicted.
- Inaccuracies in the sufficiency data (supplied by existing childcare providers) resulting in inaccuracies in current capacity to accommodate eligible children.
- Population movement between areas of the borough creating changes in the level of demand within those areas.
- Suitable applications which meet all the funding criteria may not be forthcoming resulting in the LA statutory duty not being met and a resultant underspend against the capital programme.
- Created places are not used by sufficient eligible two year olds due to lack of take-up resulting in unsustainable provision.
- Existing childcare providers close creating new gaps in areas previously thought to have sufficient childcare to meet the statutory requirement.

## **10. Policy and Performance Agenda Implications**

The LA has statutory duties to meet under the 2011 Education Act and Childcare Act 2006. If there is insufficient early education and childcare provision to meet parents' needs, the LA will not meet its statutory responsibilities.

## **11. Background Papers and Consultation**

DfE Research RR246 *Childcare sufficiency and sustainability in disadvantaged areas* (December 20th, 2012).

Extending Free Early Education to More Two-year Olds – DfE consultation (September 2012)

Childcare Act 2006

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