

BIRMINGHAM CITY COUNCIL

EDUCATION, CHILDREN AND YOUNG PEOPLE

OVERVIEW & SCRUTINY COMMITTEE – PUBLIC MEETING

1000 hours on Wednesday, 28 February 2024, Committee Rooms 3 & 4,

Council House

Minutes

Present:

Councillor Kerry Jenkins - Chair

Councillors: Jilly Bermingham, Adam Higgs, Morriam Jan, Jane Jones, and Shehla Moledina

Other Representatives: Osamugi Ogbe - Parent Governor, Rabia Shami - Parent Governor, and Sarah Smith - Church of England Diocese

Also Present:

Cllr Karen McCarthy, Cabinet Member, Children, Young People and Families

David Bridgman, Head of SEND Commissioning

Helen Ellis, Director, SEND and Inclusion

Jaswinder Didially, Head of Service (online)

Sarah Fradgley, Overview and Scrutiny Manager

Helen Price, Director, Strategy, Commissioning and Transformation

Amanda Simcox, Scrutiny Officer

Lindsey Trivett, Head of Early Years and Childcare

1. NOTICE OF RECORDING/WEBCAST

The Chair advised that the meeting would be webcast for live or subsequent broadcast via the Council's Public-I microsite and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2. APOLOGIES

Apologies for non-attendance were received on behalf of Cllrs Debbie Clancy, and Des Hughes and an apology for lateness was received on behalf of Cllr Morriam Jan.

3. NEW APPOINTMENT

The Chair advised that this item will be deferred until the next committee meeting. This was because since the publication of the agenda the Chair had been informed that Mr Hammond's appointment cannot be made until it has been ratified at the City Council meeting on 5 March 2024.

RESOLVED:

Noted the item has been deferred until the next committee meeting.

4. DECLARATIONS OF INTERESTS

Members were reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting, and the Chair – Cllr Kerry Jenkins declared an interest as she was employed by the Unite union in a national role and had no direct involvement in local or Birmingham City Council industrial relations or other matters concerning employees of the Council.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 17 January 2024 be confirmed as a correct record and signed by the Chair.

6. ACTION TRACKER

RESOLVED:

That the action tracker be noted.

7. COMMISSIONER'S REVIEW AND COMMENTS ON THE AGENDA

RESOLVED:

The Committee noted that no comments had been received from the Commissioner on this agenda.

8. SEND SUFFICIENCY STRATEGY 2024-2030

The Chair informed the meeting that an apology for non-attendance had been received on behalf of Sue Harrison, Director, Children and Families and the Chair welcomed Helen Ellis, Director, SEND and Inclusion, Helen Price, Director, Strategy, Commissioning

and Transformation, David Bridgman, Head of SEND Commissioning, and Jaswinder Didiaily, Head of Service (on-line) to the meeting.

The Director, SEND and Inclusion set the context for the SEND Sufficiency Strategy and highlighted they had prioritised 5 – 16 year olds. The Head of SEND Commissioning and Transformation presented the paper and highlighted they have been working since November 2022 to ensure there was a strategic plan over the next six years to deliver the provision and meet the Council’s statutory duty. This Strategy represented the first overarching plan to better plan and expand provision and a move away from ad hoc and reactive service changes.

During the debate, the following points were addressed:

Clarity on the Figures / Data

Responding to the question regarding the different figures which do not correspond contained within the draft strategy, the Head of SEND Commissioning stated this was due to the data applying to different cohorts and the movements within these. The officer undertook to clarify this point within the document. Also, trend analysis was hard to predict, however data would be reviewed on an annual basis.

Sufficiency

The Committee expressed concern regarding the time it has taken for the Council to produce the SEND Sufficiency Strategy, and that although capacity had increased some children’s needs were not being met now, and it was predicted that there would be a shortfall of 1,133 special school places and 456 mainstream resource base places over the life of the strategy (six years).

In relation to the forecasted data the Committee was informed that there will potentially be more provision than what was forecasted.

The Committee was informed that there were currently 87 children out of school and 192 children in unsuitable / “incorrect” provision, and assurance was provided that work in parallel was being undertaken to address the “here and now” with officers having conversations with head teachers and families on a daily basis.

Officers confirmed that children who were out of school were referred to the Home Bridging Team and the number of children referred to the team was increasing.

Children and Young People’s Travel Service

Responding to the question as to whether account had been taken in terms of school places and potential changes to the Council’s 0-25 Travel Assistance Policy, the Director, Strategy, Commissioning and Transformation commented that officers would respond to this after the public consultation has taken place. The Head of SEND Commissioning highlighted that a key aspect of the Strategy was the locality of provision which was factored into the planning for expansions and new schools.

Quality of Provision

The Head of Service confirmed that the provision standards were set and assessed by Government. However, the Council set some standards and requirements when these were commissioned and there were ongoing conversations regarding this. It was highlighted that restructuring for procurement and quality assurance was taking place due to insufficient officer capacity.

Education and Health Care Plans (EHCPs)

The Committee was informed that the rise in EHCPs since the pandemic was a national phenomenon and officers will be updating the strategy when the data for 2023 became available.

A request was made for the amount spent on appeals and challenges in relation to EHCPs was provided.

Funding

In response to the question regarding whether there was funding to deliver the strategy, the Committee was informed that there was sufficient funds in the high needs block with regards to revenue funding.

Success of the Strategy

The Director, Strategy, Commissioning and Transformation commented that Officers will track the implementation and delivery of the Strategy and suggested the Committee may want an update on this and the issues they have addressed.

RESOLVED:

That:

- The Committee noted and commented on the SEND Sufficiency Strategy 2024-2030.
- The cost for appeals and challenges in relation to EHCPs to be provided to the Committee.
- The Head of SEND Commissioning to clarify within the Strategy that the data applied to different cohorts and the movements within these.
- Further updates to the Committee on the SEND Sufficiency Strategy 2024-2030 be programmed.

9. EARLY YEARS EDUCATION ENTITLEMENT

Lindsey Trivett, Head of Early Years and Childcare, and Helen Ellis, Director of SEND and Inclusion were in attendance for this item.

Officers gave the presentation and highlighted the early education entitlement and children's outcomes and take-up challenges for 3 and 4 year olds and disadvantaged 2 year olds, what could be done better to increase take-up, early education entitlement and children's outcomes at the end of the Early Years Foundation Stage (EYFS), the

quality of provision, the sufficiency and new offers challenges, and inclusion in early years.

During the debate, the following points were discussed:

Barriers to Take-Up

Officers provided examples of how they were and will be addressing the barriers to take-up and it was highlighted that communication was key due to the “constant treadmill of turnover of eligibility”. The meeting discussed how Councillors were ideally placed to assist with raising awareness in their constituencies of entitlements and choice of provision as well as signposting and informing officers of any difficulties in accessing provision. The Committee suggested Head of Early Years and Childcare send relevant information to Councillors and the Committee for dissemination.

Sufficiency Gaps

The Head of Early Years and Childcare committed to keeping the local Councillors in the nine wards where it was believed there could be specific pressures due to current sufficiency gaps which were currently being covered by parents accessing places in surrounding wards.

Funding and Sustainability

The Head of Early Years and Childcare confirmed there was sufficient funding as Birmingham had received an additional £7m in revenue to support wraparound and £1.5m capital funding for developing facilities. The biggest increase was the Early Years DSG block with an uplift of 48% (total 2023/24 £91m which will now be £156m) and an uplift mid-year 2023/24 so the rates to providers increased in September. Also, Birmingham has been selected for the early years’ recruitment incentive pilot.

Special Educational Need and Disabilities (SEND)

Responding to a question regarding meeting the needs of children with SEND, especially when transitioning to primary school and those with undiagnosed needs, Officers highlighted that the inclusion team were working with health partners and there was a lot of work undertaken to ensure needs were identified. Assurance was provided of the ‘whole system approach’ and not silo working. It was further acknowledged it was important not to label children too early.

Causes of Concern regarding Provision

The Head of Early Years and Childcare confirmed that the quality of provision was generally good. However, Ofsted was the arbiter for the quality of provision and the first point of contact would be a complaint to Ofsted. However, if it was felt that the concern was not of a significant nature to warrant a complaint to Ofsted, then Members could e-mail the team eyduty@birmingham.gov.uk. The local authority’s statutory responsibility was to collaborate with partners that have been assessed as less than good. The Head of Early Years and Childcare committed to providing the contact details for the two safeguarding officers.

Statistical Neighbours

In response to what statistical neighbours were doing better, the Committee was informed that officers will get feedback from statistical neighbours as it was thought they operated similarly to Birmingham, but the city needed to focus on culture and economic diversity.

Clarity on the Figures / Data

In response to the request for the figures and not just the percentages to be provided – such as ‘28% of eligible children were still not engaging in the disadvantage 2 year old offer’, the Head of Early Years and Childcare committed to clarifying and providing these figures.

The Chair summed up the Committee’s deliberations as to how the Council can increase the take up of early years entitlement and deliver on the new and expanding responsibilities for early years.

That:

- The Committee noted the report.
- The Committee examined how best the Council can increase the take up of early years entitlement for children in the city and the benefits it provided children.
- The Committee examined the plans for delivering the new and expanding responsibility for early years.
- The Committee suggested all councillors could assist with raising awareness with their constituents of early years entitlement and signposting, as well as informing officers of any difficulties in accessing provision.
- The Head of Early Years and Childcare to:
 - Send information on early years entitlement and signposting to Councillors and the Committee for dissemination in local communities.
 - Keep the local Councillors updated in the nine wards where it was believed there could be specific pressures due to current sufficiency gaps which were currently being covered by parents accessing places in surrounding ward (Garretts Green, Handsworth Wood, Highters Heath, Holyhead, Kingstanding, Perry Common, Quinton, Stockland Green, and Yardley East).
 - Provide the Committee with the contact details for the two safeguarding officers.
 - Provide the Committee with research findings into statistical neighbours on how they were addressing issues with early years education.
 - Provide the Committee with figures where only percentages had been used in the report and presentation.

10. WORK PROGRAMME

The Chair advised that there needed to be a clear focus which reflected the recommendations within the governance review.

10 April 2024 Committee Meeting

The Chair commented that there were currently three items for this meeting and the Committee agreed to be flexible if an item needed to be moved to a later date:

- Budget Savings.
- School Attainment and Attendance.
- Birmingham Safeguarding Children Partnership.

15 May 2024 Committee Meeting

The Chair highlighted that there needed to be a focus on the impact of savings in relation to the Refreshed Improving Services for Children and Families Plan item.

Future/Further Work Programme Items

The Chair suggested the following items for the new municipal year:

- Birmingham Children's Trust.
- Children and Young People's Travel Service – after the public consultation officers to be invited to discuss any amendments to the policy and impact of the budget savings.
- The savings and impact of the review of the careers 16 – 19, youth service and NEET.

The Chair requested the Committee explore how services users could be involved so the Committee can understand their lived experience. Options included workshops and roundtable discussions.

RESOLVED:

That the work programme was agreed and subject to further input from the Chair and Deputy Chair, be submitted to Co-ordinating O&S Committee to enable work to be planned and co-ordinated throughout the year.

11. DATE AND TIME OF NEXT MEETING

RESOLVED:

That the next meeting be held on 10 April 2024 at 10am.

12. REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)

None.

13. OTHER URGENT BUSINESS

None.

14. AUTHORITY TO CHAIR AND OFFICERS

RESOLVED:

In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee.

The meeting ended at 11.59 hours.